

DATE: May 24, 2021

Agenda Item# 10.9

MEMO TO: Terry Wilke, Chair
Planning Committee

FROM: Randall L. Seebach
Director of Planning and Land Preservation

RECOMMENDATION: Recommend approval of a Resolution approving an Intergovernmental Agreement with the Illinois Department of Transportation (IDOT) for the granting of permanent and temporary easements and the conveyance of fee simple interest in District property required for road improvements to IL Route 22 and the construction of a shared use path linking together Heron Creek and Egret Marsh Forest Preserves.

STRATEGIC DIRECTIONS SUPPORTED: Public Access and Connections; Leadership.

FINANCIAL DATA: The District's cost share will be 20% of the total engineering and construction costs for the section of the "Connecting Trail" (defined below) on District property at Heron Creek Forest Preserve. This project was approved as part of the adopted FY 2020 Capital Improvement Plan in the amount of \$20,000.00. The District's share is estimated at \$5,934.00 and will be charged to account 35304100-803200-64301. In exchange for the property rights conveyed and granted by the District, IDOT will pay the District \$187,332.00. The District is also donating two temporary easements for tree mitigation planting.

BACKGROUND: The lands at Heron Creek and Egret Marsh Forest Preserves were acquired with the knowledge that IL Route 22 would be improved at a future date and that those improvements would include an IDOT shared use path within the right-of-way linking together the two preserves. Since 2008, IDOT has been in regular contact with District staff regarding the proposed improvements to Route 22 and the potential easements and fee simple rights from the District that will be required to complete the improvements. In November 2014, the Land Preservation and Acquisition, Planning and Restoration and Finance and Administrative Committees reviewed a Policy Direction regarding the preliminary plans for the Route 22 project and the need for future easements and fee simple interest associated with the project, and authorized staff to negotiate an Intergovernmental Agreement (IGA) with IDOT.

As part of the planned improvements, IDOT is requesting fee simple interest and permanent easements in District property to construct the road improvements and the IDOT shared use path and temporary easements in District property for grading, tree mitigation planting and the construction of a short section of trail connecting the proposed shared use path to the existing trails at Heron Creek Forest Preserve (the "Connecting Trail").

The attached resolution approves the IGA that sets forth the parties' relative cost-sharing and maintenance obligations and the land conveyances that IDOT requires for the improvements including:

- 1.9 acres of permanent easement at Egret Marsh for construction of a retaining wall and the IDOT shared use path.
- 0.7 acres of temporary easement at Egret Marsh for grading purposes.
- 12.5 acres of donated temporary easement at Egret Marsh for mitigation tree planting.
- 0.5 acres of fee simple property at Heron Creek for constructing the road and the IDOT shared use path.
- 1.9 acres of temporary easement at Heron Creek for grading purposes
- 10.2 acres of donated temporary easement at Heron Creek for construction of the Connecting Trail and mitigation tree planting.

The attached resolution authorizes the District President and his designees to finalize these property right grants and conveyances.

REVIEW BY OTHERS: Executive Director, Chief Operations Officer, Director of Finance, Corporate Counsel.

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR JUNE MEETING
JUNE 8, 2021**

MISTER PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **PLANNING COMMITTEE** presents herewith “A Resolution Approving an Intergovernmental Agreement with the Illinois Department of Transportation for Improvements along Illinois Route 22 near Heron Creek and Egret Marsh Forest Preserves,” and requests its approval.

PLANNING COMMITTEE:

Date: 5/24/21 Roll Call Vote: Ayes: ___ Nays: ___
 Voice Vote Majority Ayes; Nays: 0

**LAKE COUNTY FOREST PRESERVE DISTRICT
LAKE COUNTY, ILLINOIS**

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT
WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION
FOR IMPROVEMENTS ALONG ILLINOIS ROUTE 22
NEAR HERON CREEK AND EGRET MARSH FOREST PRESERVES**

WHEREAS, the Lake County Forest Preserve District (the “District”) owns property that is adjacent to Illinois Route 22 in and near Kildeer and Long Grove, Lake County, Illinois, known as the Egret Marsh Forest Preserve and the Heron Creek Forest Preserve; and

WHEREAS, the Illinois Department of Transportation (“IDOT”) has proposed road improvements to Illinois Route 22 that include widening and resurfacing Route 22 from Quentin Road to Illinois Route 83, related median, traffic signal, and storm sewer improvements, a shared use path within the Route 22 right of way extending between Egret Marsh and Heron Creek, and a short section of trail (the “Connecting Trail”) connecting the District’s existing trail at Heron Creek to the new shared use path (collectively, the “Project”); and

WHEREAS, District staff has negotiated an intergovernmental agreement with IDOT (the “Agreement”) that provides for the District to pay a local share of 20% of the engineering and construction costs for the Connecting Trail, which share is currently estimated to total \$5,934.00 (the “Local Share”), and for the District to be responsible for long-term maintenance of the Connecting Trail and for the District to convey to IDOT the following real property rights in the following portions of District land (collectively, the “Land Conveyances”):

- a permanent easement in 1.9 acres at Egret Marsh for construction of a retaining wall and shared use path,
- a temporary easement in 0.7 acres at Egret Marsh for grading purposes,
- a donated temporary easement in 12.5 acres at Egret Marsh for mitigation tree planting,
- fee simple interest in 0.5 acres at Heron Creek for construction of the road and shared use path (the “Fee Simple Parcel”),
- a temporary easement in 1.9 acres of Heron Creek for grading purposes, and
- a donated temporary easement in 10.2 acres at Heron Creek for construction of the Connecting Trail and mitigation tree planting; and

WHEREAS, in the Agreement, the District and IDOT would agree that IDOT would pay to the District, for the Fee Simple Parcel the permanent easements, and the temporary easements (except for the donated easements) a total amount of \$187,332.00, and the District would agree to donate the two temporary easements for construction and tree mitigation planting; and

WHEREAS, pursuant to Section 4 of the Local Government Property Transfer Act, 50 ILCS 605/4, the District may transfer all of the right, title, and interest held by it immediately prior to such transfer, in and to any real estate to the State of Illinois, for any authorized purpose of state government; and

WHEREAS, pursuant to Section 6 of the Downstate Forest Preserve District Act, 70 ILCS 805/6, the District has the power to grant easements and rights-of-way for public services; and

WHEREAS, pursuant to Section 10 of Article VII of the Illinois Constitution of 1970, units of local government, such as the District, may contract or otherwise associate with the State in any manner not prohibited by law or ordinance; and

WHEREAS, pursuant to Section 3 of the Intergovernmental Cooperation Act, 5 ILCS 220/3, any power, privilege, function, or authority exercised by a public agency, including the District and IDOT, may be exercised, combined, transferred, and enjoyed jointly with any other public agency to the extent not prohibited by law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois **THAT**:

Section 1: Recitals. The recitals set forth above are incorporated as a part of this Resolution by this reference.

Section 2: Approval of Agreement. The Agreement is hereby approved in substantially the form attached hereto. The President, Executive Director and Secretary are authorized and directed to execute on behalf of the District the Agreement, in substantially the form attached hereto, and whatever other documents are necessary to effectuate the transactions contemplated by such Agreement. Without limiting the remainder of this Section, the District Treasurer is authorized to pay the Local Share to IDOT as provided in the Agreement.

Section: 3 Approval of Land Conveyances. The District President is hereby authorized to approve and execute plats of dedication, plats of easement, deeds, agreements and any other documents necessary to make the Land Conveyances to IDOT, and to cause other District officers and employees to approve and execute such documents, after such documents have been reviewed and approved by the District's Corporate Counsel.

Section 4: Effective Date. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this ____ day of _____, 2021

AYES:

NAYS:

APPROVED this ____ day of _____, 2021

Angelo D. Kyle, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____

FAP Route 337
Illinois Route 22
State Section: 20-Y
Lake County
Job No.: C-91-236-11
Contract No.: 60N10
Agreement No: JN-118-017

AGREEMENT

This Agreement entered into this _____ day of _____, 2021 A.D., by and between the STATE OF ILLINOIS, acting by and through its DEPARTMENT OF TRANSPORTATION, hereinafter called the STATE, and the LAKE COUNTY FOREST PRESERVE DISTRICT of the State of Illinois, hereinafter called the DISTRICT

WITNESSETH:

WHEREAS, the STATE, in order to facilitate the free flow of traffic and ensure safety to the motoring public, is desirous of (i) improving approximately 17,290 lineal feet of FAP Route 337, Illinois Route 22, STATE Section 20-Y, STATE Job No.: C-91-236-11, State Contract Number 60N10, by removing the existing two lane roadway from east of Quentin Road to west of Illinois Route 83 and constructing a new five lane roadway with new vertical profiles, improved drainage system, pedestrian and bicycle accommodations, traffic signal installation and modernizations and landscaping, (ii) realigning South Krueger Road to intersect IL 22 opposite Corporate Drive, (iii) widening Old McHenry Road at the IL 22 intersection to add additional turn lanes, and (iv) completing all other work necessary to complete the improvement in accordance with the approved plans and specifications (collectively, the "Improvement"); and

WHEREAS, for the STATE to construct the widened Illinois Route 22 it must first acquire from the DISTRICT, for public right of way, (i) fee simple interests in the parcel of land identified as 1JE0031, for a purchase price equal to the fair market value of said Parcel, (ii) a permanent easement on the parcel of land identified as, 1JE0018PE, and temporary easements on the parcels of land identified

as 1JE0018TE-A and 1JE0031TE-A, all for purchase prices equal to the fair market value of said Parcels, and (iii) temporary easements in the parcels of land identified as 1JE0018TE B and 1JE0031TE B, by donation from the DISTRICT; and

WHEREAS, the DISTRICT and the STATE have determined that the cumulative fair-market value of fee parcel 1JE0031, permanent easement parcel 1JE0018PE, and temporary construction and grading easements parcels 1JE0018TE-A and 1JE0031TE-A totals \$187,332.00. Temporary tree-planting easement parcels 1JE0018TE B and 1JE0031TE B are being donated by the DISTRICT; and

WHEREAS, the DISTRICT requests that the STATE include in its contracts for design and construction of the Improvement, an aggregate shared use path within Heron Creek Forest Preserve, in accordance with DISTRICT approved plans and specifications, as generally depicted on Exhibit A, and

WHEREAS, the STATE has agreed to the DISTRICT's request; and

WHEREAS, the DISTRICT is supportive of said Improvement in that same will be of immediate benefit to the Lake County residents and permanent in nature;

WHEREAS, the STATE desires to plant trees within Egret Marsh Forest Preserve and Heron Creek Forest Preserve, both owned by the DISTRICT, in the areas generally depicted on Exhibit B and C respectively, attached to this Agreement (collectively, the "Tree Mitigation Areas"), to satisfy the STATE's tree mitigation requirements, and

WHEREAS, the District has agreed to the STATE's request for the Tree Mitigation Areas; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. The STATE agrees to make the surveys, obtain all necessary rights of way, prepare plans and specifications, receive bids and award the contract, furnish engineering inspection during construction and cause the Improvement to be built in accordance with the approved plans, specifications and contract.
2. The STATE agrees to pay for all right of way, construction and engineering cost subject to reimbursement by the DISTRICT and other local agencies, as hereinafter stipulated.
3. It is mutually agreed by and between the parties hereto that the estimated cost and cost proration for this improvement is as shown on Exhibit D attached hereto and made a part hereof.
4. The DISTRICT has passed an annual Appropriations Ordinance that appropriates sufficient funds to pay its share of the Improvement, estimated to be Five Thousand Nine Hundred Thirty Four Dollars (\$5,934.00), a copy of which is attached hereto as Exhibit E and made a part hereof.
The DISTRICT agrees that upon award of the contract for this Improvement, the DISTRICT will pay to the STATE, in a lump sum from any funds allotted to the DISTRICT, an amount equal to 80% of its obligation incurred under this AGREEMENT, and will pay to said STATE the remainder of the obligation (including any non-participating costs on FA Projects) in a lump sum, upon completion of the Improvement, based upon final costs.
5. Upon final field inspection of the Improvement and so long as Illinois Route 22 is used as a STATE Highway, the STATE agrees to maintain or cause to be maintained the median, the through traffic lanes, the left-turn lanes and right turn lanes, and the curb and gutter, stabilized shoulders and ditches adjacent to those traffic lanes and turn lanes.

6. The DISTRICT further agrees to continue its existing maintenance responsibilities on all side road approaches and driveways within Egret Marsh Forest Preserve and Heron Creek Forest Preserve under its jurisdiction, including all left and right turn lanes on said access facilities, up to the through edge of pavement of Illinois Route 22. Drainage facilities, if any, at the aforementioned access facilities located within the STATE right-of-way shall be the maintenance responsibility of the STATE. The STATE grants the DISTRICT the right to enter the Illinois Route 22 right-of-way to perform its maintenance obligations pursuant to this Section.

7. The STATE agrees to install, maintain and replace all trees to be planted within the Tree Mitigation Areas in accordance with the DISTRICT approved landscaping plans, specifications and contract. Prior to the installation of trees, the STATE agrees to notify the DISTRICT when the initial field staking is complete and allow the DISTRICT sufficient time to review and approve all field staking of the trees within the Tree Mitigation Areas. The STATE agrees that any contract that it enters into with any contractor to install, maintain, or replace such trees will include (i) provisions requiring the contractor to indemnify the DISTRICT for the negligent acts or omissions of the contractor or its subcontractors, (ii) provisions requiring the contractor to name the DISTRICT as additional insured on the contractor's general liability insurance policies all in amounts and forms reasonably acceptable to the DISTRICT, and (iii) provisions required in such public contracts, including without limitation prevailing wage provisions and provisions requiring public construction bonds (if applicable). Prior to final acceptance of the tree planting, the STATE agrees to notify the DISTRICT of a final site inspection and allow the DISTRICT the opportunity to participate in said inspection.

8. The STATE agrees that WITH THE EXCEPTION OF THE INSTALLATION OF THE AGGREGATE SHARED USE PATH WITHIN HERON CREEK AS GENERALLY DEPICTED ON EXHIBIT A, AS DESCRIBED ABOVE, the Temporary Easements associated with the Tree Mitigation Areas, identified as Parcels 1JE0018TE-B and 1JE0031TE-B, are to be solely used as Tree Planting Easements. With the exception of restoration, maintenance and replacement following the initial tree planting, no other work is permitted to be performed within Parcels 1JE0018TE-B and

1JE0031TE-B. The new trees, on the aforementioned Parcels 1JE0018TE-B and 1JE0031TE-B, within Tree Mitigation Areas shall be the maintenance responsibility of the STATE and the STATE shall warranty the survival of the new trees for a period of one year from the time of the initial tree installation.

9. The DISTRICT agrees to assume responsibility for the administration, control, reconstruction and maintenance of the portions of the shared use path not otherwise carried on State structures. The DISTRICT further agrees to indemnify and hold harmless the State, its officers, employees, and agents from any and all claims, lawsuits, actions, costs, and fees (including reasonable attorney fees and expenses) of every nature and description arising from, growing out of, or connected with any claim that the DISTRICT negligently operated or maintained the shared use path, to the full extent of the DISTRICT's additional insurance coverage.

If, in the future, the STATE adopts a roadway or traffic signal improvement on Illinois Route 22 which requires modification, relocation or reconstruction to said shared use path, then the DISTRICT hereby agrees to be financially responsible for its proportionate share of costs to modify, relocate or reconstruct said shared use path in conjunction with the STATE's proposed improvement.

10. The DISTRICT has authorized or will authorize a DISTRICT representative to sign the Plan Approval page which is part of this document, prior to the STATE advertising for the work to be performed hereunder, approving the plans and specifications as prepared.
11. Under penalties of perjury, the DISTRICT certifies that its correct Federal Tax Identification number is 36-6009339 and it is doing business as a GOVERNMENTAL ENTITY, whose mailing address is:

Lake County Forest Preserve District

1899 West Winchester Road

Libertyville, IL 60048

Obligations of the STATE and the DISTRICT will cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or Federal funding source fails to appropriate or otherwise make available funds for this contract.

This AGREEMENT and the covenants contained herein shall be null and void in the event the contract covering the construction work contemplated herein is not awarded within the three years subsequent to execution of the agreement.

This Agreement shall be binding upon and to the benefit of the parties hereto, their successors and assigns.

LAKE COUNTY FOREST
PRESERVE DISTRICT

By: _____
(Signature)

Attest:

By: _____
Angelo D. Kyle

Board Secretary

(SEAL)

Title: President

Date: _____

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: _____
Jose Rios, P.E.
Region One Engineer

Date: _____

Job No.: C-91-236-11
Agreement No.: JN-118-017

PLAN APPROVAL

WHEREAS, in order to facilitate the improvement of FAP Route 337, known as Illinois Route 22, Contract No. 60N10, State Section 20-Y, the DISTRICT agrees to that portion of the plans and specifications relative to the DISTRICT's financial and maintenance obligations described herein, prior to the STATE's advertising for the aforescribed proposed improvement.

Approved _____

Title _____

Date _____

Exhibit A

Lake County Forest Preserve District
Land Preservation and Special Projects
1899 W Winchester Rd
Libertyville, Illinois 60048
847-868-3251

Legend

-  Forest Preserve Boundary
-  Existing District Trail
-  Planned State Path
-  Aggregate Shared Use Path

Courtesy Copy Only.
Property boundaries indicated are provided
for general location purposes. Wetland
and flood limits shown are approximate and
should not be used to determine setbacks for
structure or as a basis for purchasing property.

Prepared using information from:
Lake County Department of Information
& Technology: GIS/Mapping Division
18 North County Street
Waukegan, Illinois 60085-4257
847-377-2373



2014 Aerial Photo

Map Prepared 14 October 2019

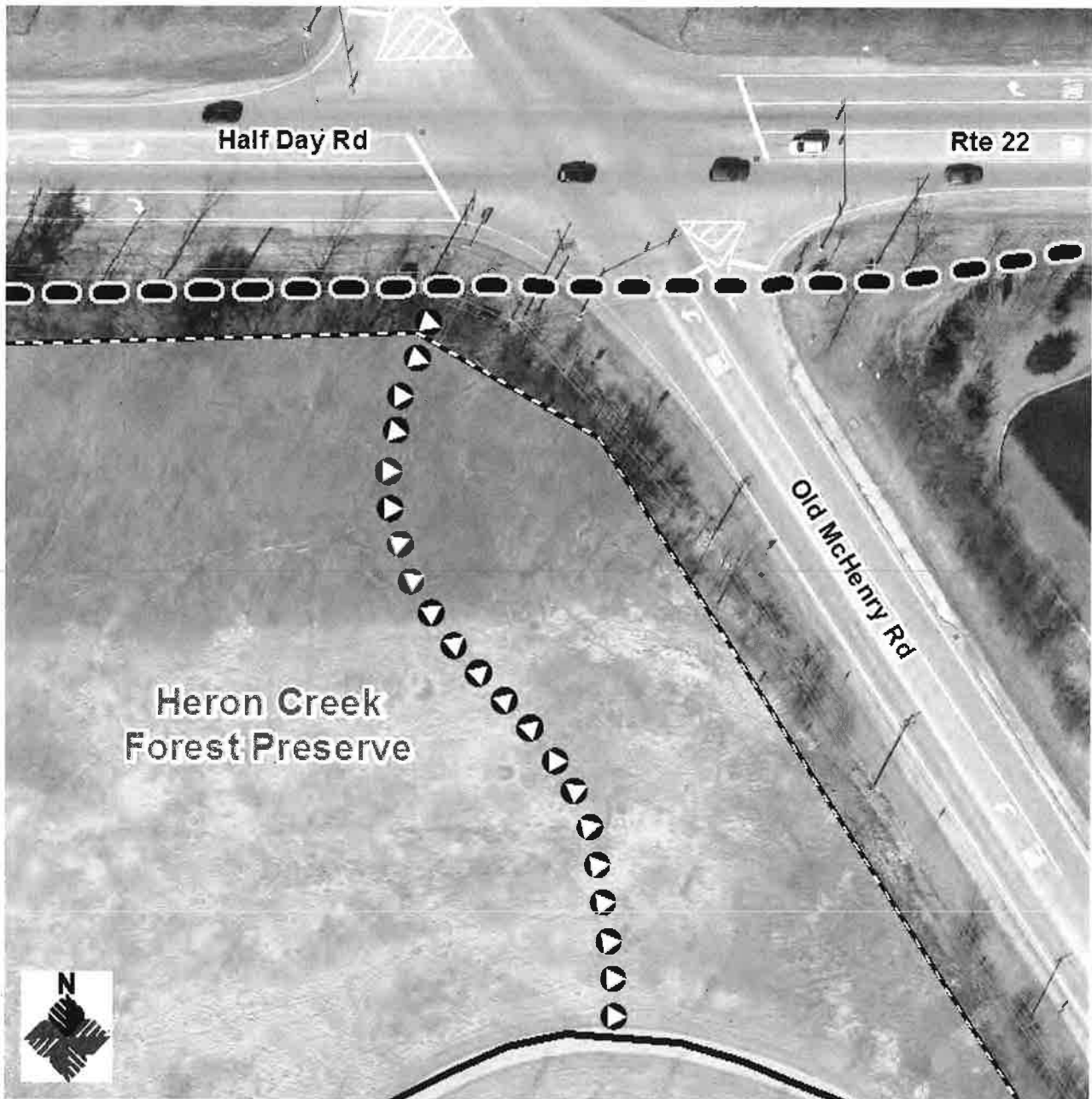



Exhibit B

Lake County Forest Preserve District
Land Preservation and Special Projects
1899 W Winchester Rd
Libertyville, Illinois 60048
847-968-3351

Legend

 Forest Preserve Boundary

 Tree Mitigation Areas
(1JE00018TE-B)

Courtesy Copy Only
Property boundaries indicated are provided
for general location purposes. Wetland
and flood limits shown are approximate and
should not be used to determine setbacks for
structure or as a basis for purchasing property.

Prepared using information from Nearmap
& the Lake County Department of Information
and Technology: GIS/Mapping Division
18 North County Street
Waukegan, Illinois 60085-4357
847-377-2373

0 200 400 800 Feet

2020 Aerial Photo

Map Prepared 8 April 2020

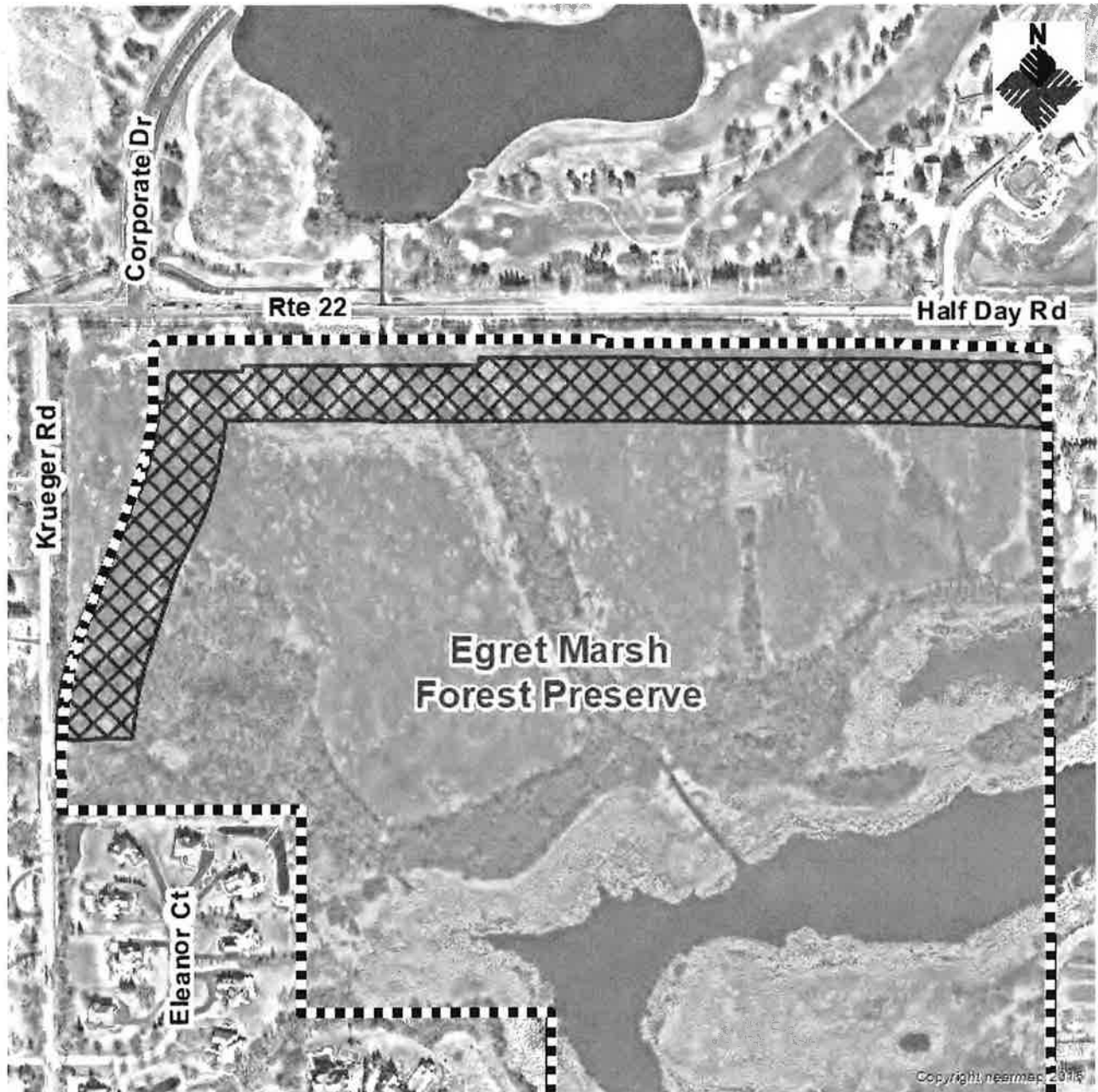




Exhibit C

Lake County Forest Preserve District
Land Preservation and Special Projects
1899 W Winchester Rd
Libertyville, Illinois 60048
847-968-3251

Legend

 Forest Preserve Boundary
 Existing District Trails

 Tree Mitigation Areas
(1JE0031TE-B)

Courtesy Copy Only.
Property boundaries indicated are provided
for general location purposes. Wetland
and flood limits shown are approximate and
should not be used to determine setbacks for
structure or as a basis for purchasing property.

Prepared using information from Nearmap
& the Lake County Department of Information
and Technology: GIS/Mapping Division
18 North County Street
Waukegan, Illinois 80086-4267
847-377-2373

0 125 250 500 Feet

2020 Aerial Photo

Map Prepared 8 April 2020

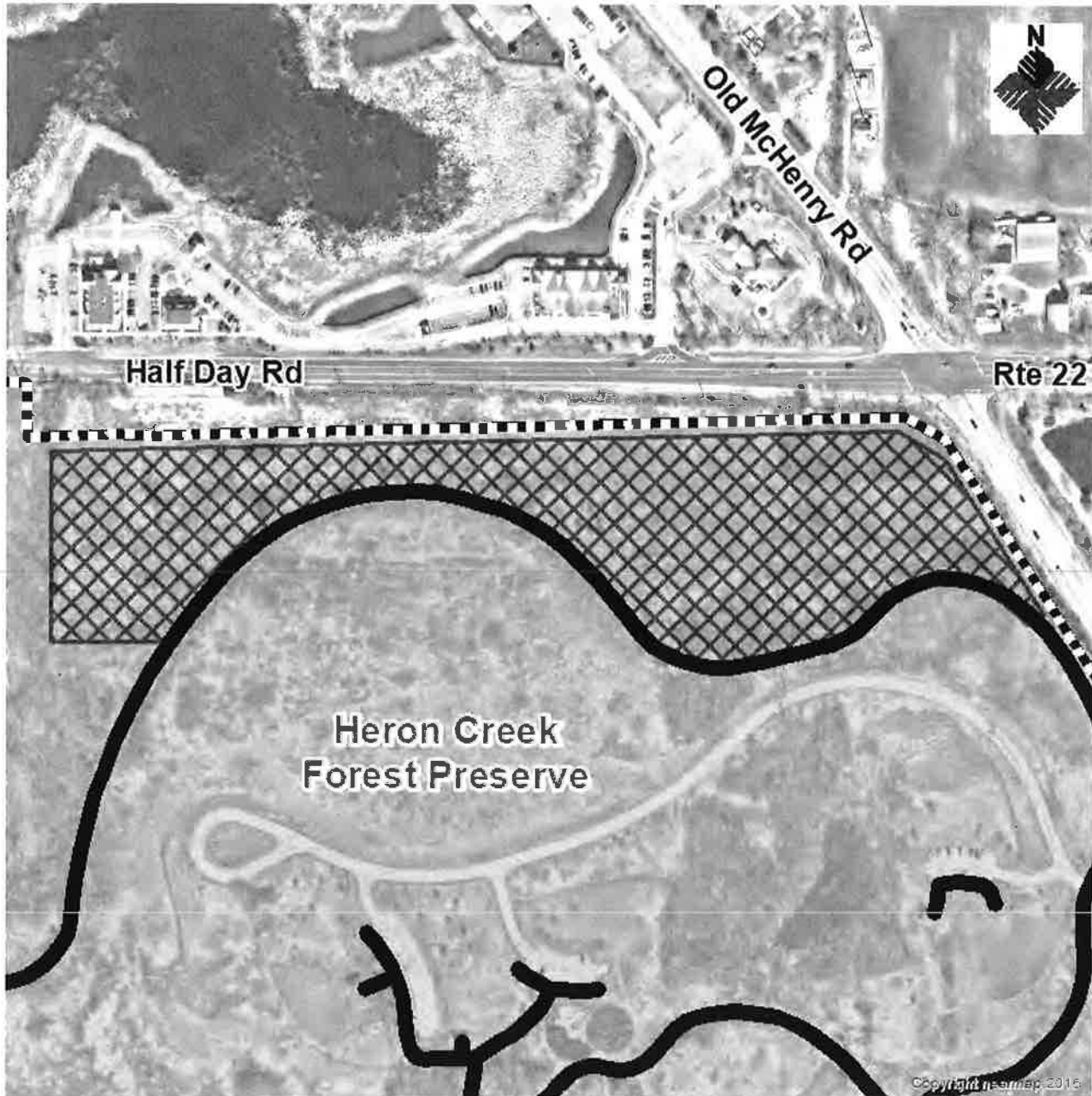


EXHIBIT D
ESTIMATE OF COST Contract 60N10

Type of Work	FEDERAL		STATE		LAKE COUNTY		LAKE COUNTY FOREST PRESERVE DISTRICT		VILLAGE OF KILDEER		VILLAGE OF HAWTHORN WOODS		LONG GROVE FIRE PROTECTION DISTRICT		VILLAGE OF LONG GROVE		TOTAL	
	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%		\$
All roadway work excluding the following:	\$38,584,000	80%	\$9,646,000	20%														\$48,230,000
P&C Engineering (15%)	\$5,787,600	80%	\$1,446,900	20%														\$7,234,500
PEDESTRIAN AND BICYCLE ACCOMMODATIONS																		
Aggregate Path in Heron Creek Forest Preserve	\$20,640	80%					\$5,160	20%										\$25,800
P&C Engineering (15%)	\$3,096	80%					\$774	20%										\$3,870
Shared-use path Village Limit to Quentin Road	\$266,080	80%							\$66,520	20%								\$332,600
P&C Engineering (15%)	\$39,912	80%							\$9,978	20%								\$49,890
Shared-use path - East of Quentin Road to Providence Drive	\$32,400	80%									\$8,100	20%						\$40,500
P&C Engineering (15%)	\$4,860	80%									\$1,215	20%						\$6,075
Shared-use path - Western Village Limit to IL 83	\$280,800	80%													\$70,200	20%		\$351,000
P&C Engineering (15%)	\$42,120	80%													\$10,530	20%		\$52,650
TRAFFIC SIGNALS																		
IL 22 at Old McHenry Road	\$256,800	80%	\$32,100	10%	\$32,100	10%												\$321,000
P&C Engineering (15%)	\$38,520	80%	\$4,815	10%	\$4,815	10%												\$48,150
Install Video Monitoring Cameras					\$3,000	100%												\$3,000
P&C Engineering (15%)					\$450	100%												\$450
IL 22 at N Krueger Rd / Black Hawk Ln	\$149,600	80%	\$18,700	10%											\$18,700	10%		\$187,000
P&C Engineering (15%)	\$22,440	80%	\$2,805	10%											\$2,805	10%		\$28,050
IL 22 at Corporate Dr / S Krueger Rd	\$255,200	80%							\$63,800	20%								\$319,000
P&C Engineering (15%)	\$38,280	80%							\$9,570	20%								\$47,850
Install Video Monitoring Cameras					\$3,000	100%												\$3,000
P&C Engineering (15%)					\$450	100%												\$450
Install Emergency Vehicle Pre-emption Systems at 3 intersections above													\$18,000	100%				\$18,000
P&C Engineering (15%)													\$2,700	100%				\$2,700
UTILITIES																		
Highway Lighting Removal									\$8,000	100%								\$8,000
P&C Engineering (15%)									\$1,200	100%								\$1,200
TOTAL	\$45,822,348		\$11,151,320		\$43,815		\$5,934		\$159,068		\$9,315		\$20,700		\$102,235			\$57,314,735

NOTE: Local participation shall be predicated upon the percentages shown above for the specified work. Local Agency cost shall be determined by multiplying the final quantities times contract unit price plus the percentage shown for construction and/or preliminary engineering unless otherwise noted.

Exhibit E

Lake County Forest Preserve District
Annual Appropriation Ordinance



Lake County Forest Preserves

General Offices
1899 West Winchester Road
Libertyville, Illinois 60048
847-367-6640 • Fax: 847-367-6649
www.LCFPD.org

DATE: October 5, 2020
MEMO TO: Terry Wilke, Chair
Finance Committee
FROM: Steve Neaman
Director of Finance

Agenda Item# 9.2

RECOMMENDATION: Recommend approval of an Ordinance Setting Forth the Annual Appropriations for the Lake County Forest Preserve District for the Fiscal Year 2021, in the amount of \$94,410,000.

STRATEGIC DIRECTION SUPPORTED: Organizational Sustainability

FINANCIAL DATA: The Fiscal Year 2021 Annual Appropriation Ordinance will be funded through the District tax levy and other sources authorized by law.

BACKGROUND: On October 13, 2020, the budget for Fiscal Year 2021 in the amount of \$65,767,790 will be presented to the Board for approval. The proposed Appropriation Ordinance represents the second step in the process to accomplish the requirements of the Downstate Forest Preserve District Act 70 ILCS 805/13.3. The third step, The Tax Levy Ordinance, will also be presented to the Board for approval on October 13, 2020.

The Annual Appropriation Ordinance provides the authority to expend funds for salaries and benefits, commodities, contractals, and capital outlays as may be required. The Ordinance proposes an appropriation of \$94,410,000 which includes:

The amount of the budget:	\$65,767,790
Fund balance of the General Fund (Capital Projects)	2,300,000
Fund balance for Land Development Levy Fund (Capital Projects)	4,000,000
Fund balance for Land Acquisition, Development Bonds and Capital Projects.	8,300,000
Fund balance for Vehicle, Equipment and IT Replacement Funds	1,435,000
Fund balance for Grant Funds, Wetlands, Farm Management, Land Preparation, Tree Replacement Fund and Ft. Sheridan Cemetery Easements and Special Projects.....	6,030,000
10% contingency for emergencies and unanticipated expenditures	6,577,210

The appropriation establishes the maximum total amounts authorized to be expended for various purposes and does not create a commitment on behalf of the District.

REVIEW BY OTHERS: Executive Director, Chief Operations Officer, Corporate Counsel.

**LAKE COUNTY FOREST PRESERVE DISTRICT
LAKE COUNTY, ILLINOIS**

**AN ORDINANCE SETTING FORTH
THE ANNUAL APPROPRIATIONS FOR
THE LAKE COUNTY FOREST PRESERVE DISTRICT FOR
FISCAL YEAR 2021
(JANUARY 1, 2021 THROUGH DECEMBER 31, 2021)**

Passed and Approved by
the Board of Commissioners
of
the Lake County Forest Preserve District
Lake County, Illinois
this 13th day of October, 2020.

Published in pamphlet form by direction
and authority of the Board of Commissioners of
the Lake County Forest Preserve District
Lake County, Illinois
this 13th day of October, 2020.

**LAKE COUNTY FOREST PRESERVE DISTRICT
LAKE COUNTY, ILLINOIS**

**AN ORDINANCE SETTING FORTH THE ANNUAL APPROPRIATIONS FOR THE
LAKE COUNTY FOREST PRESERVE DISTRICT FOR FISCAL YEAR 2021
(JANUARY 1, 2021 THROUGH DECEMBER 31, 2021)**

WHEREAS, on October 13, 2020, the Lake County Forest Preserve District (the “District”) Board of Commissioners adopted the Annual Budget Ordinance for Fiscal Year 2021; and

WHEREAS, Section 23.3 of the Downstate Forest Preserve District Act (70 ILCS 805/13.3), and the District’s “Rules of Order and Operational Procedures” adopted December 11, 2018 and amended from time to time, require that an Annual Appropriation Ordinance be adopted by the District;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois, **THAT:**

Section 1. Recitals. The recitals set forth above are incorporated as a part of this Ordinance by this reference.

Section 2. Appropriations. The following sums of money, or so much thereof as may be authorized by law, are or may be required to defray all necessary expenses and liabilities of the District, and the same shall be, and they are hereby, appropriated for the objects and purposes hereinafter specified for the 2021 fiscal year beginning January 1, 2021, and ending December 31, 2021:

LAKE COUNTY FOREST PRESERVE DISTRICT
APPROPRIATION BY FUND FOR FISCAL YEAR ENDING DECEMBER 31, 2021

<u>Fund Code</u>	<u>Fund Name</u>	<u>Appropriation FY 2021</u>
1000	General Corporate Fund	\$24,504,000
2000	Land Development Fund	15,298,000
2100	Retirement Fund	3,132,000
2200	Audit Fund	209,000
2300	Insurance Fund	1,641,000
2400	Wetlands Management Fund	520,000
2500	Easements and Special Projects	2,411,000
2600	Land Preparation Fund	665,000
2700	Fort Sheridan Cemetery	69,000
2800	Farmland Management Fund	927,000
2900	Tree Replacement Fund	141,000
3030-3321	Land Acquisition Fund	139,000
3510-3720	Land Development Bond Fund	7,300,000
3800-3920	Capital Projects	1,000,000
4000-4920	Debt Service Fund	26,591,000
6000-7900,2350	Donation and Grant Fund	2,293,000
8000-8300	Enterprise Fund-Golf Operations	4,929,000
9000	Vehicle Replacement Fund	994,000
9100	Information Technology Replacement Fund	858,000
9200	Equipment Replacement Fund	789,000
	Total Appropriation For All Funds:	\$94,410,000

Section 3. Legal Effect. The appropriations made pursuant to Section 2 of this Ordinance shall be construed only as establishing the maximum total amounts authorized to be expended for the various objects and purposes stated in said Section and no such appropriation shall be construed to be, or to create, a commitment, agreement, obligation or liability of the District nor shall any such appropriation authorize any expenditure of funds without, in each case, the approval of such expenditure by the Board of Commissioners of the District or by such other person or entity authorized by applicable law.

Section 4. Unexpended Prior Appropriations. Pursuant to Section 13.2 of the Downstate Forest Preserve District Act (70 ILCS 805/13.2), any prior appropriation for the purpose of constructing, restoring, reconditioning, reconstructing, or acquiring improvements in the development of forests and lands of the District that has not yet been expended, shall not lapse and any sum of money levied, collected or received for that purpose shall be held for at least five years after its appropriation, to be used for the purpose for which it was appropriated. Any other sum of money appropriated, levied, collected or received for any object or purpose, but not yet expended, is hereby re-appropriated by this Ordinance for such object or purpose.

Section 5. Severability. If any appropriation made by, or any provision of, this Ordinance shall for any reason be held to be invalid or unconstitutional by any court or by any administrative body or official, such decision shall not affect the validity of any other appropriation made by, or any other provision of, this Ordinance.

Section 6. Filing with County Clerk. Pursuant to Section 18-50 of the Illinois Property Tax Code (35 ILCS 200/18-50), the District Treasurer is hereby directed to execute the certification attached to this Ordinance and the District Secretary is hereby directed to file a certified copy of this Ordinance with the County Clerk of Lake County, Illinois within 30 days after its passage and approval.

Section 7. Effective Date; Publication. This Ordinance shall be in full force and effect from and after its passage and approval by a concurrence of a majority of all the members constituting the Board of Commissioners of the Lake County Forest Preserve District and shall be published in pamphlet form within 10 days after its passage and approval.

PASSED this 13th day of OCTOBER, 2020.

AYES: 18

NAYS: 1

APPROVED this 13th day of OCTOBER, 2020


Angelo D. Kyle, President
Lake County Forest Preserve District

ATTEST:


Julie Gragnani, Board Secretary
Lake County Forest Preserve District

Exhibit No. 5684



CERTIFICATION

APPROPRIATIONS ORDINANCE

I, **Paul Frank**, do hereby certify that I am the duly qualified and appointed Treasurer and Chief Fiscal Officer of the **Lake County Forest Preserve District**, and as such official I do further certify that the estimated revenues, by source anticipated to be received by the **Lake County Forest Preserve District**, Lake County, Illinois, in the Fiscal Year 2021 are those estimated revenues as set forth in the attached Annual Appropriations Ordinance of the **Lake County Forest Preserve District**, Lake County, Illinois for the fiscal year beginning January 1, 2021, and ending December 31, 2021 as adopted by the President and Board of Commissioners at its properly convened meeting held on the 13th day of October, 2020 all as appears from the official records of said **Lake County Forest Preserve District**.

IN WITNESS WHEREOF, I have hereunto affixed my official signature and the corporate seal of said **Lake County Forest Preserve District**, at Libertyville, Illinois on this ____ day of _____, 2020.

Paul Frank
Treasurer and Chief Fiscal Officer

LAKE COUNTY FOREST PRESERVE DISTRICT

Seal

