



LAKE COUNTY FOREST PRESERVES
www.LCFPD.org

Preservation, Restoration, Education and Recreation

DATE: April 6, 2015

MEMO TO: Carol Calabresa, Chair
Land Preservation and Acquisition Committee

Bonnie Thomson Carter, Chair
Planning and Restoration Committee

S. Michael Rummel, Chair
Finance and Administrative Committee

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

SUBJECT: Intergovernmental Agreement for the Pedestrian Bridge and Trail Connection at Middlefork Savanna

RECOMMENDATION: Recommend approval of a Resolution approving an Intergovernmental Agreement with the City of Lake Forest and Lake Forest Academy to provide a Pedestrian Bridge and Trail Connection at Middlefork Savanna Forest Preserve.

BACKGROUND: In July 2014, the Board approved a Term Sheet and authorized staff to prepare an Intergovernmental Agreement with the City of Lake Forest and Lake Forest Academy for the installation of a pedestrian bridge over the Metra railroad tracks connecting Middlefork Savanna to Lake Forest Academy and a City trail connecting the Academy property to Illinois Route 60 and Townline Community Park. This project is part of an overall effort by several organizations to connect the Middlefork Trail and Greenway to the Des Plaines River Trail. An Intergovernmental Agreement is necessary to identify several conditions required to successfully complete the project including: securing the necessary temporary and permanent easements, identifying changes to the scope of the project, establishing future ownership and maintenance responsibilities, describing the federal funding process and identifying cost sharing responsibilities.

In June 2014, the District executed a contract for Phase I engineering services and to prepare the project for federal funding assistance through the CMAQ/TAP program administered by the Illinois Department of Transportation. The CMAQ application was submitted in February 2015, and an award announcement is expected later this year.

The attached resolution would authorize the Finance and Administrative Committee to approve the final version of the intergovernmental agreement, subject to the criteria stated in the resolution.

REASON FOR RECOMMENDATION: Committee recommendation and Board approval are required in accordance with District policy.

REVIEW BY OTHERS: Chief Operations Officer, Director of Finance, Legal Counsel

FINANCIAL DATA: There is no anticipated cost to the District for approval of the IGA. This District has approved \$900,000.00 in the Fiscal Year 2014-15 budget for construction of the project. The Preservation Foundation is continuing to search for additional funding opportunities for the project.

PRESENTER: Randall L. Seebach

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR APRIL MEETING
APRIL 14, 2015**

MADAM PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **PLANNING AND RESTORATION COMMITTEE**; and **FINANCE AND ADMINISTRATIVE COMMITTEE** present herewith "A Resolution Approving an Intergovernmental Agreement for the Pedestrian Bridge and Trail Connection at Middlefork Savanna Forest Preserve," and request its adoption.

PLANNING AND RESTORATION COMMITTEE:	YEA	NAY	FINANCE AND ADMINISTRATIVE COMMITTEE:	YEA	NAY
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Bonnie Thomson Carter, Chair			S. Michael Rummel, Chair		
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Nick Sauer, Vice Chair			Linda Pedersen, Vice Chair		
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Carol Calabresa			Steve Carlson		
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Bill Durkin			Bill Durkin		
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Sandra Hart			Sandra Hart		
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Diane Hewitt			Aaron Lawlor		
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Sid Mathias			Audrey Nixon		
_____	<input type="checkbox"/>	<input type="checkbox"/>			
Craig Taylor					
_____	<input type="checkbox"/>	<input type="checkbox"/>			
Tom Weber					

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

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR THE
PEDESTRIAN BRIDGE AND TRAIL CONNECTION AT MIDDLEFORK SAVANNA FOREST PRESERVE**

WHEREAS, the Lake County Forest Preserve District (the "District") owns a parcel of land known as the Middlefork Savanna Forest Preserve (the "Property"); and

WHEREAS, the City of Lake Forest (the "City") and the Lake Forest Academy (the "Academy") desire to enter into an intergovernmental agreement with the District to create a connection to the Property, which would include the construction, use, and maintenance of a City trail within the Academy's property and a pedestrian bridge across the Metra railroad tracks and located within Metra's right of way, the Property, and the Academy's property (the "Project"); and

WHEREAS, on July 15, 2014, the District's Board of Commissioners approved a resolution authorizing the Executive Director to negotiate an intergovernmental agreement for the Project with the City and the Academy based on a term sheet approved by the parties (the "2014 Resolution"); and

WHEREAS, since that time, the parties have learned that the cost of the pedestrian bridge will substantially exceed their original estimates and therefore they desire that the District seek grant funds to pay for a portion of the Project (including both the pedestrian bridge and the City trail), and the parties enter into an intergovernmental agreement (the "Agreement") that includes the following:

- (i) the parties' cooperation in applying for grant funds,
- (ii) the payment by the City of not more than \$100,000 toward the Project, including without limitation any of the grant-related local share obligations and any of the engineering costs (the "City Contribution"), subject to an increase in the City Contribution for certain increased costs to the construction of the City trail,
- (iii) the payment by the District, utilizing its own funds and the City Contribution, of (a) any required grant-related local share for the construction of the Project (including both the pedestrian bridge and the City trail) and (b) any engineering costs for the Project,
- (iv) sharing between the District and the City of the long-term maintenance obligations for the Project,
- (v) the granting of easements and other rights of access necessary for the construction, use, and maintenance of the Project, including the granting of easements by the Academy and the City and commercially reasonable efforts by the District to obtain easements and access rights from Metra, and
- (vi) such other related provisions as are deemed appropriate by the District's Finance and Administrative Committee (collectively, the "Agreement Criteria"); and

WHEREAS, it is in the best interests of the District to authorize the Executive Director to complete the negotiation of the Agreement and to authorize the District's Finance and Administrative Committee to approve the Agreement;

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. Negotiation and Approval of Agreement. The Executive Director, or his designee, is hereby authorized to negotiate the Agreement in a manner consistent with the Agreement Criteria. The District's Finance and Administrative Committee is hereby authorized to approve the Agreement, if it is consistent with the Agreement Criteria and has been approved by Corporate Counsel. Upon such approval, the President and Secretary of the District are authorized to execute and attest to the Agreement. The President, Executive Director and Secretary are further authorized and

directed to execute on behalf of the District whatever other documents are necessary or desirable to effectuate the transactions contemplated by the Agreement if they have been approved by Corporate Counsel.

Section 3. Effective Date; Repealer. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law. The 2014 Resolution is hereby repealed.

PASSED this ____ day of _____ 2015

AYES:

NAYS:

APPROVED this ____ day of _____ 2015

ATTEST:

Ann B. Maine, President
Lake County Forest Preserve District

Julie A. Gragnani, Secretary
Lake County Forest Preserve District

Exhibit _____