RESOLUTION NO. 13-23

RESOLUTION AUTHORIZING AND APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR COOPERATIVE SNOW REMOVAL AND ICE CONTROL BY AND BETWEEN THE VILLAGE OF BARRINGTON HILLS AND THE TOWNSHIP OF CUBA ROAD DISTRICT

WHEREAS, the Village of Barrington Hills ("Barrington Hills") located in the Counties of Cook, Kane, Lake and McHenry in the State of Illinois, is a home rule municipality; and

WHEREAS, the Township of Cuba Road District ("Cuba") is an Illinois body politic; and

WHEREAS, Section 10 of Article VII of the Constitution of the State of Illinois provides authority for units of local governmental to contract or otherwise associate among themselves to obtain or share services and to exercise, combine or transfer any power or function not prohibited by law or ordinance; and

WHEREAS, the Intergovernmental Cooperation Act ("Act"), 5 ILCS 220/5, provides that units of local government are authorized "to perform any governmental service, activity or undertaking or to combine, transfer, or exercise any powers, functions, privileges, or authority which any of the public agencies entering into the contract is authorized by law to perform…except…where specifically and expressly prohibited by law"; and

WHEREAS, the President and Board of Trustees of the Village of Barrington Hills deem it advisable, necessary, appropriate, and in the public interest and find that it would best serve the public and corporate purposes for which the Village of Barrington Hills is organized for this Village to enter into an Intergovernmental Agreement with Cuba for the provision of snow removal and ice control of Village controlled streets and rights of way on substantially the terms and conditions set forth in the Agreement, a copy of which is attached hereto and expressly made a part hereof as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Barrington Hills, located in the Counties of Cook, Kane, Lake and McHenry in the State of Illinois, as a home rule municipality the following:

Section 1: Recitals. The foregoing recitals are hereby incorporated into this Resolution as findings of the President and Board of Trustees.

Section 2: Authorization. Under authority vested in the President and Board of Trustees of the Village of Barrington Hills pursuant to Article VII, Section 10 of the 1970 Constitution of the State of Illinois and the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq., and the ordinances of the Village of Barrington Hills, the President and Board of Trustees hereby authorize and approve the execution of the Intergovernmental Agreement ("Agreement") substantially in the form attached hereto and made part hereof as Exhibit A.

Section 3: **Coverage**. The Agreement covers only those roads, their rights-of-way or travel way under the jurisdiction and responsibility of Barrington Hills as found in Exhibit A of the Agreement and no others.

Section 4: Execution and Delivery. The President and Village Clerk of the Village of Barrington Hills are hereby authorized and directed to execute and deliver to all of the other parties, an Intergovernmental Agreement substantially in the form of Exhibit A and to do all things necessary and essential, including the execution of any other documents and certificates to accomplish the agreement hereinabove authorized and set forth in the Intergovernmental Agreement.

Section 5: Effective Date. This Resolution shall be in full force an effect from and after its approval and publication according to law.

APPROVED THIS 21st **day of** November **, 2013**

AYES: 7 **NAYS:** 0 **ABSENT:** 0

ATTEST:

Dolores J. Strandel
Village Clerk

Village President