



CITY OF AURORA, ILLINOIS

RESOLUTION NO. R14-054  
DATE OF PASSAGE March 11, 2014

A Resolution Authorizing the Execution of an Intergovernmental Agreement between the City of Aurora and the Fox Valley Park District concerning Police Services at Phillips Park and other City Park Properties.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City has maintained an intergovernmental agreement with the Fox Valley Park District concerning Police Services at Phillips Park since 2002; and

WHEREAS, the Park District agrees to provide police protection services at the City's Phillips Park and other City Park Properties with Park District police officers beginning March 1, 2014 through and including February 28, 2017; and

WHEREAS, the City shall pay the Park District for the first year of this agreement the sum of \$90,800.00, and for the second and third years of this agreement, \$93,800.00 for said services with one-half of said sum due on June 15th and one-half on October 1st of each calendar year of the agreement, the agreement may be cancelled by either party with a 60 day written notice; and

WHEREAS, the 2014 City Budget provides \$92,500.00 for this item in account 101-4440-451.32-25 (General Fund), an additional \$1,300.00 will need to be budgeted in years 2015 and 2016 and anticipates budget approval for 2015, 2016 and 2017.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aurora, Illinois, as follows: Authorizes the execution of the attached Intergovernmental Agreement with the Fox Valley Park District for police services at Phillips Park and other City of Aurora Park Properties.

RESOLUTION NO. R14-054  
DATE OF PASSAGE March 11, 2014

PASSED AND APPROVED on March 11, 2014

AYES 10 NAYS 0 NOT VOTING 0 ABSENT 2

Kristina Bohman  
Alderman Bohman, Ward 1

[Signature]  
Alderman Mesiacos, Ward 3

John A. Peters  
Alderman Peters, Ward 5

[Signature]  
Alderman Hart-Burns, Ward 7

W.D. Bugg  
Alderman Bugg, Ward 9

[Signature]  
Alderman Irvin, At Large

ATTEST: [Signature]  
City Clerk

Juan Garza  
Alderman Garza, Ward 2

W. Donnell  
Alderman Donnell, Ward 4

[Signature]  
Alderman Saville, Ward 6

[Signature]  
Alderman Mervine, Ward 8

Lynne M. Johnson  
Alderman Johnson, Ward 10

[Signature]  
Alderman O'Connor, At Large

[Signature]  
Mayor

Attachment: Intergovernmental Agreement

14.00086

## RECOMMENDATION

TO: THE COMMITTEE OF THE WHOLE

FROM: THE FINANCE COMMITTEE

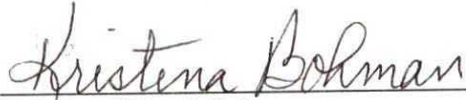
The Finance Committee at the Regular Finance Meeting on Tuesday, February 25, 2014  
Recommended **APPROVAL** of a Resolution Authorizing the Execution of an Intergovernmental  
Agreement between the City of Aurora and the Fox Valley Park District concerning Police  
Services at Phillips Park and other City Park Properties.

The Vote 3-0

Submitted By

  
Alderman Robert O'Connor, Chairman

  
Alderman Rick Mervine

  
Kristina "Tina" Bohman

\_\_\_\_\_  
John "Whitey" Peters, alternate

Dated this 25th day of February, 2014

# City of Aurora

## Park Properties under Management of The Division of Parks & Recreation

<b>Park</b>	<b>Location</b>	<b>Description</b>
Phillips Park	NW corner of Hill & Montgomery	Community Park
Garfield Park	Church & Sheffer	Community Park
Solfisburg Park	500 North Ohio	Community Park
Fox Valley Golf Club	North Aurora	18 Holes
McCarty Park	350 East Galena	Community Park
Wilder Park	Old APD site	Soon to be renovated
Claim & Beach	South of Claim	Neighborhood Park
Linda Court & Best Place	530 Linda Ct.	Tot Lot
5 <sup>th</sup> & Union	704 5 <sup>th</sup> Ave.	Neighborhood Park
Penson Park	New York St. & Anderson	Tot Lot
Marie Wilkenson Park	Galena & Loucks	Tot Lot
Bishop Bonner Park	Kane & Loucks	Tot Lot
Prairie & Orchard	490 S. Orchard Rd.	Neighborhood Park
Freedom Park	797 Spring Street	Tot Lot
Marshall Park	1295 Marshall Bl.	Tot Lot
Thaddeus Weisner Park	137 N. 4 <sup>th</sup> St.	Tot Lot

**INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE CITY OF AURORA AND THE FOX VALLEY PARK DISTRICT  
CONCERNING PARK POLICE SERVICES AT ALL CITY PARK PROPERTIES**

THIS AGREEMENT, made and entered into on this \_\_\_\_ day of \_\_\_\_, 2014 by and between the CITY OF AURORA, ILLINOIS, a municipal corporation ("City") and the FOX VALLEY PARK DISTRICT, an Illinois park district ("Park District");

**WITNESSETH**

WHEREAS, the Council of the City and the Board of Trustees of the Park District deem it expedient, advisable and in the best interests of the citizens of both governmental parties that the City contract with the Park District for the provision of park police services at the City's Phillips Park and other Park Properties.

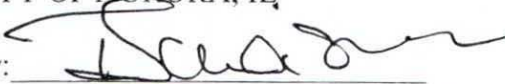
NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, the adequacy and sufficiency of which is hereby acknowledged, it is hereby agreed as follows:

1. The Park District agrees to provide park police protection services at the City's Phillips Park and other City Park Properties with Park District police officers beginning March 1, 2014 through and including February 28, 2017.
2. The Park District will provide one Park District police officer assigned to Phillips Park from 5:00pm to 10:00pm Monday through Friday and 10:00am to 10:00pm on Saturday, Sunday and summer holidays (being Memorial Day, Independence Day and Labor Day), during the months that Daylight Savings Time is in effect (i.e., beginning with the first Sunday when daylight savings time occurs through to the first Sunday when standard time resumes). This officer shall be stationed inside Phillips Park but will have the ability when instructed by proper authority (being a Park District Police Supervisor or the City of Aurora Superintendent of Parks or his representative) to patrol all other City of Aurora Park properties in addition to Phillips Park.
3. In addition the Park District Police shall have the authority to take law enforcement action at all City of Aurora Park properties year round during the term of this Agreement whenever the Park District Police officers observe undesirable or illegal activities at the City of Aurora Park properties during the course of the officer's regular Park District patrol assignments.
4. The City shall pay the Park District for the first year of this agreement the sum of \$90,800.00, and for the second and third years of this agreement, \$93,800.00 for said services with one-half of said sum due on June 15<sup>th</sup> and one-half on October 1<sup>st</sup> of each calendar year of the Agreement. The Agreement may be cancelled by either party with a 60 day written notice.
5. The City agrees that Aurora Police officers shall be reasonably available at all times if Park District police officers call for assistance at Phillips Park.

6. Park District police shall have the authority to act as conservators of the peace within Phillips Park and other City Park Properties, and may arrest or cause to be arrested any person who breaks the peace, or who violates any City ordinance or State criminal law.
7. The parties agree that the following matters will be more specifically addressed in a subsequent meeting between the Superintendent of Parks & Recreation for the City of Aurora and the Park District's Police Chief, said meeting should be not later than May 15<sup>th</sup> of each Agreement year: a list of all City Park Property locations including Phillips Park to be policed by the Park District, the types of undesirable activity to be focused upon, the type of police action that is expected from the Park District and the arrest procedures to be followed by the Park District.
8. Definition of Phillips Park for purposes of this Agreement shall include the roadways in the park boundaries which include Ohio Street, Hill Avenue, Montgomery Road, Howell Place, Gates Street, Union Avenue, Ashland Avenue, Smith Boulevard, Wyeth Drive, Parker Avenue, Ray C. Moses Drive including the city right of way of each roadway. Definition of other City Park locations for purposes of this Agreement will likewise include the roadways in each of the park boundaries including the city right of way of each roadway.
9. Park District employees and officers are not, and shall not be considered employees of the City, and shall at all times be and remain employees and officers of the Park District for purposes of this Agreement. The Park District shall carry appropriate public liability and workman's compensation insurance at all times and shall add the City as an additional, non-contributory insured to its public liability police.
10. No change, modification or amendment to this agreement shall be valid unless reduced to writing, approved by the Council, or Board of both the City and the Park District, and executed by the parties' respective officers.

IN WITNESS WHEREOF, this Agreement was made and executed on the date first above written.

CITY OF AURORA, IL

By:   
MAYOR

Attest:   
CITY CLERK

FOX VALLEY PARK DISTRICT

By: \_\_\_\_\_  
PRESIDENT

Attest: \_\_\_\_\_  
SECRETARY

STATE OF ILLINOIS        )  
  )  
COUNTY OF KANE         )        SS

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that THOMAS J. WEISNER, personally known to me to be the Mayor of the City of Aurora, a municipal corporation, and ISABEL KODRON, personally known to me to be the City Clerk of said City, and personally know to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Mayor and City Clerk of said City, they signed and delivered the said instrument of their own free and voluntary act and as the free and voluntary act of said City, and caused the Seal of said City to be affixed thereto, pursuant to authority given by the City Council of said City, as the free and voluntary act and deed of said City for the uses and purposes therein set forth.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Notary Public

STATE OF ILLINOIS        )  
  )  
COUNTY OF KANE         )        SS

I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify that ROBERT VAUGHAN, personally known to me to be the President of the Fox Valley Park District, an Illinois park district, and CYNTHIA HERNANDEZ, personally known to me to be the Secretary of said Park District, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Secretary of said Park District they signed and delivered the said instrument of their own free and voluntary act and as the free and voluntary act of said Park District, pursuant to authority given by the Board of Trustees of said Park District as the free and voluntary act and deed of said Park District for the uses and purposes therein set forth.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
Notary Public