File #: 19-0883, **Version:** 1

TO: Mayor Richard C. Irvin

FROM: Alex Minnella, Planner

DATE: September 27, 2019

SUBJECT:

A Resolution Authorizing an Intergovernmental Agreement Extension between the City of Aurora and the Village of North Aurora.

PURPOSE:

The purpose of approving boundary agreements with neighboring municipalities allows each respective community to adequately plan for future growth, and fund necessary improvements in anticipation of meeting the needs of properties being annexed in the future. Development can then be based upon sound financial, land use and transportation planning.

BACKGROUND:

The City has had boundary agreements in place for its neighboring communities. Aurora approved a jurisdictional boundary agreement with the Village of North Aurora in December of 1999. Boundary agreements have a life of 20 years, thus the agreement will expire in December of 2019. Both staffs from Aurora and the Village of North Aurora have discussed the past agreement and have proactively been discussing terms of a new boundary agreement. Such terms and conditions are still in the process of being discussed, and the extension of the agreement will allow the parties to reach a long term solution.

DISCUSSION:

The boundary line as drawn in the agreement set forth is the same line as from the 1999 agreement. The existing boundary line with North Aurora runs easterly along Mitchell Road to continue north along Hart Road. The Village of North Aurora has made staff aware of critical stormwater issues affecting neighborhoods located west and north of such boundary line.

The proposed boundary agreement extension gives both municipalities the opportunity to plan for a long term stormwater management solution that will promote and preserve the health and welfare of the citizens of both municipalities.

The Agreement with the Village of North Aurora is being extended for one (1) additional year, for an expiration date of December 28, 2020.

IMPACT STATEMENT:

Staff would anticipate that this project will maintain or increase the City's overall tax base, by facilitating investment and development, which will offset any incidental Department or staffing impacts. Additionally, certain impacts will be augmented by the applicable Impact Fees.

RECOMMENDATIONS:
Staff recommends APPROVAL of the boundary agreement between the City of Aurora and the Village of North Aurora.

ATTACHMENTS:
Exhibit A - Boundary Map
Exhibit B - Legal Description of the Boundary Agreement

Legistar Number: 19-0883

cc: Alderman Michael B. Saville, Chairperson
       Alderman Sherman Jenkins, Vice Chairperson
       Alderman Carl Franco
       Alderman Robert J. O'Connor
       Alderman Juany Garza

CITY OF AURORA, ILLINOIS

RESOLUTION NO. _____
DATE OF PASSAGE _____

A Resolution Authorizing an Intergovernmental Agreement Extension between the City of Aurora and the Village of North Aurora.

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 of Aurora ("CITY") and the Village of North Aurora ("North Aurora") entered into a Jurisdictional Boundary Line Agreement (hereinafter "Agreement") dated the 28th of December, 1999, as authorized by Ordinances passed by both corporate authorities; and

WHEREAS, the CITY and North Aurora, by said Agreement, have devised and implemented a comprehensive and coordinated approach to the development of their respective territories and related roadways; and

WHEREAS, the CITY and North Aurora have entered into various amendments and addenda to the Agreement to accommodate changes in planning consistent with the purposes of the Agreement and for the mutual benefit of the two communities; and

WHEREAS, the boundary agreement is limited by statute (65 ILCS 5/1-2-9) to a period of twenty (20) years without further action by the municipalities; and

WHEREAS, the parties have been discussing terms of a new boundary agreement, an agreement hasn't been reached as to all of the details, but the parties desire to amend and extend the Agreement to allow them sufficient time to work out the details of a new boundary agreement.

WHEREAS, the City Council of the City of Aurora has determined that it is in the best interest of the CITY and its residents to enter into this Agreement; and

WHEREAS, the City Council has reviewed and approved the attached Intergovernmental Agreement Extension.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Aurora, Illinois, that the attached Intergovernmental Agreement Extension between the CITY and North Aurora be approved as follows, and the Mayor of the City of Aurora is hereby authorized and directed to execute the Intergovernmental Agreement on the behalf of the City.

NOW THEREFORE, BE IT FURTHER RESOLVED that City Clerk be directed to transmit certified copes of this Resolution and the attached Intergovernmental Agreement to Aurora University with copies to the City of Aurora Corporation Council and the Finance Director.

SECTION 1. The Mayor and the City Council hereby agree to the extension of all of the terms and conditions of the Agreement with the village of North Aurora for one (1) additional year, for an expiration date of December 28, 2020.

SECTION 2. This Ordinance may stand, together with a counter Ordinance from the village of North Aurora approving the extension of the Agreement without the need for any documentation other than this Resolution, and the Mayor and City Clerk and staff are hereby authorized and directed to take any actions and sign documents that are necessary or appropriate to evidence and comply with Amendment of the Agreement by extension thereof.

SECTION 3. This Resolution shall take immediate force and effect from and after its passage and approval and publication as required by law.