

RESOLUTION NO. 100-23

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH
AUBURN COMMUNITY UNIT SCHOOL DISTRICT #10**

WHEREAS, the City of Auburn, Sangamon County, State of Illinois (“City”), is a duly organized and existing City created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code; and,

WHEREAS, AUBURN COMMUNITY UNIT SCHOOL DISTRICT #10 (the “District”) is an Illinois unit of local government; and,

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 and the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, enable units of local government to enter into agreements among themselves and provide authority for intergovernmental cooperation; and,

WHEREAS, the City and the District desire to enter into an agreement for the provision of sharing of current City park athletic facilities, buildings, and amenities, the use of those facilities, buildings, and amenities, maintenance and other like items, by District; and,

WHEREAS, the parties have memorialized the terms of their agreement in the Intergovernmental Agreement attached hereto as **Exhibit A**; and,

WHEREAS, the Mayor and City Council have determined it to be in the best interest of the City to enter into the Intergovernmental Agreement attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Auburn City Council, Sangamon County, Illinois, as follows:

SECTION 1: Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Resolution as if fully set forth in this Section 1.

SECTION 2: Approval of Agreement. The City Corporate Authorities hereby approve the Intergovernmental Agreement attached hereto as **Exhibit A**, and authorize the Mayor or his designee and the City Clerk to execute the Agreement and any such necessary accompanying documents to satisfy the terms therein.

SECTION 3: If any section, paragraph, clause, or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Resolution.

SECTION 4: All Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Resolution shall be in full force and effect from and after its passage, approval, and publication as provided by law.

SO RESOLVED this 2nd day of October 2023, at the City of Auburn, Sangamon County, Illinois.

(voting record to follow)

	YES	NO	ABSENT	PRESENT
CRISSEY			X	
GARRETT			X	
HEMMERLE			X	
JOHNSON	✓			
MARQUIS	✓			
PARRISH	✓			
ROYER			X	
SHEPPARD	✓			
BEROLA				
TOTAL	4	0	4	0

CITY OF AUBURN


TOM BEROLA, Mayor

Attest:


BETHANY SPONSLER, City Clerk

EXHIBIT A - AGREEMENT

INTERGOVERNMENTAL AGREEMENT
Between the AUBURN SCHOOL DISTRICT
And the CITY OF AUBURN

This agreement is initiated as a means for the Auburn School District to provide our baseball and softball athletes with updated facilities on the property owned by the City of Auburn. The purpose is to allow the Auburn School District to invest in infrastructure for the use of our school baseball and softball athletes. This agreement is initiated in good faith and cooperation. The following conditions are to be understood and honored:

1. All school-scheduled IHSA or IESA home practices and games within the designated season supersede all other scheduled activities related to using the facilities. This arrangement must be honored throughout the useful life of the investment(s).
2. Both the Auburn School Board and the Auburn City Council must approve a common resolution specific to all individual projects or investments to permanent infrastructure such as but not limited to scoreboards, team dugouts, press box, non-mobile bleachers, etc., that requires funding by the Auburn School District.
3. Once a project is completed, the use, upkeep and maintenance of any infrastructure is the sole obligation and discretion of the City of Auburn. An additional resolution specific to the maintenance of equipment requires approval by both parties if school funds are used for maintaining any infrastructure.
4. After the completion of any project, the City of Auburn has the sole authority for approving or denying access to all facilities or infrastructure on city property outside of the Auburn School District seasonal play.
5. Any dispute to this agreement must be resolved through a common resolution put before both the Auburn School District and the City of Auburn. Either party can initiate a proposed resolution.


Signature of Mayor of Auburn

10/2/2023
Date

4-0 (4 votes)
Resolution Vote Margin


Signature of School Board President

9/20/23
Date

5-0
Resolution Vote Margin