

RESOLUTION NO. 20-1123

A RESOLUTION APPROVING AND AUTHORIZING THE
EXECUTION AND DELIVERY OF INTERGOVERNMENTAL
AGREEMENT

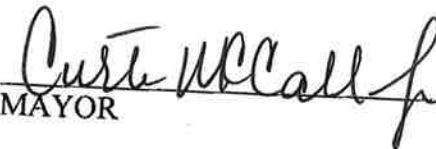
WHEREAS, there has been presented to and there is now before the meeting of the Village Board of the Village of Cahokia at which this Resolution is adopted, the form of an Intergovernmental Agreement entered into between the Village of Cahokia and the School District No. 187.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CAHOKIA, ST. CLAIR COUNTY, ILLINOIS, as follows:

Section 1. That the form of the Agreement by and between the Village of Cahokia, Illinois and School District No. 187 which is being presented to and is now before the meeting of the Board of Trustees of the Village of Cahokia at which this Resolution is adopted, be and the same is hereby authorized and approved. Said agreement is attached hereto and marked Exhibit "A".

Section 2. That for and on behalf of the Village of Cahokia that the Mayor are hereby authorized to execute and deliver the Agreement and the Village Clerk is hereby authorized to attest to the same.

APPROVED by the Mayor of the Village of Cahokia, Illinois this 9 day of DECEMBER, A.D. 2020


MAYOR

ATTEST:


CITY CLERK

STATE OF ILLINOIS)
COUNTY OF ST. CLAIR)

AGREEMENT

This Intergovernmental Agreement is made, executed and delivered this 9 day of DECEMBER, 2020 by and between the Village of Cahokia, Illinois (hereinafter referred to as "Village") and School District No. 187 (hereinafter referred to as "School District") pursuant to the authority granted by 5 ILCS 220/5.

WHEREAS, the Tax Increment Allocation Redevelopment Act of Illinois as amended, (Illinois Revised Statutes 1985, c. 24 pars 11-74.4-1 through 11-74.4-11) (the "Act") authorizes municipalities to designate a Redevelopment Project Area and to adopt a Redevelopment Plan for the purpose of financing Redevelopment Project Costs to reduce or eliminate those conditions the existence of which qualify the Redevelopment Project Area as a "Blighted Area" or "Conservation Area" as defined in the Act (all capitalized terms used in this paragraph shall have the definition as set forth in the Act); and

WHEREAS, the Village of Cahokia, Illinois (the "Village"), has adopted the "Redevelopment Project and Plan" previously described pursuant to the provision of the Act and to designate the Redevelopment Project Area (T.I.F. District No. 1) described; and,

WHEREAS, a portion of the area of School District No. 187, St. Clair County, State of Illinois ("School District"), is included within the boundaries of the Redevelopment Project Area subject to the Project and plan; and

WHEREAS, the Village of Cahokia, Illinois has applied for an extension of T.I.F. 1 for a period of twelve (12) years; and

WHEREAS, the Project and Plan will have a severe financial impact on the School District in that beginning in the year that the T.I.F. is adopted and continuing for twelve (12) years thereafter the equalized assessed valuation of the real estate located within the T.I.F. District No. 1, including property within the School District, will be "frozen" (the "initial EAV") and the taxes produced by all increases in assessed valuation of the property within the T.I.F. District No. 1 will be paid into the Special Tax Allocation Fund created under the Act and utilized pursuant to the Project and Plan for the payment of Redevelopment Project Costs under the Act, and not for the purposes of the School District for which such taxes were levied; and

WHEREAS, such diversion of tax dollars will have a severe financial impact on the School District which is already in a distressed financial condition; and

WHEREAS, the School District has reviewed the Project and Plan for the purpose of filing written comments with the Village pursuant to Section 11-74.4-6 of the Act; and

WHEREAS, the purpose of the Project and Plan is to foster economic development in the Village and to attract industry to the Village, thus providing new jobs and increased tax revenues for the Village and its citizens and the various taxing districts within its boundaries; and

WHEREAS, the continued provision of quality education by the School District is important to the Village and the public welfare of its citizens and is critical in attracting industry and furthering economic development in the Village, in that the existence of good public schools is an important factor in the location of industrial plants and commercial development in the Village;

NOW THEREFORE, in consideration of the provisions made herein it is agreed by and between the parties, as follows:

1. Provided that the T.I.F. is extended beginning on August 15, 2021 and continuing for the life of extent of Cahokia T.I.F. District No. 1 the Village agrees to reimburse the School District Two Hundred Thousand Dollars (\$200,000.00) per year as a payment in lieu of taxes. This includes the 10% surplus payment the School District is entitled to receive.
2. The School District does hereby covenant to forever refrain and desist from instituting or asserting against the Village, its successors, elected officials, officers, employees, agents, representatives and attorneys, any and all claims, demands, obligations or causes of action relating to, concerning or arising out of any of the following:
 - a. The Proposed Action;
 - b. The designation of the Redevelopment Project Area;
 - c. The adoption and implantation of the Plan and Project;
 - d. The adoption and implantation of tax increment financing pursuant to the Act by means of designation of the Redevelopment Project Area and adoption and implantation of the Plan and Project and;
 - e. The adoption and implantation of any amendment to the Plan and Project and designation of the Redevelopment Project Area, provided; such amendment does not require notice and hearing under section 11-74.4-5 of the Act; provided, however that this provision shall not be binding on the School District in the event of a default by the Village under this to be in the event of a default of the Village under this to be unlawful of unenforceable against the Village by the final order of a court of law having jurisdiction of the parties.
 - f. The extension of the TIF.
3. This Agreement shall be independent of and in addition to any existing or future Tax Abatement Program or Enterprize Zone negotiated between the School District and the Village.
4. Each subscriber to this Agreement warrants to the other that he or she is authorized to execute, deliver and perform this Agreement in the name of the party on whose behalf he or she executes it. Each subscriber further warrants to the Agreement does not constitute a breach or violation of any agreement, undertaking, law or ordinance by which the represented party is bound.

5. This Agreement shall be binding on the parties and their respective successors. It may be assigned only by written agreement of the parties.
6. Each party shall, at the request and expense of the other, have its representative execute and deliver any further documents and do all acts and things as that party may reasonable require to carry out the true intent and meaning of this Agreement.
7. The Village is going to pay the other taxing districts then pro rate share of taxes based on the amount paid to the school district.
8. This Agreement is governed by and shall be interpreted and enforced in accordance with the laws of the State of Illinois.
9. This Agreement expresses the complete and final understanding of the parties with respect to its subject matter.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 9 day of DECEMBER, 2020

VILLAGE OF CAHOKIA,
ILLINOIS, a municipal corporation,

BY: Curt McCull
MAYOR

ATTEST:

Delna Duncan
Clerk

BOARD OF EDUCATION OF CAHOKIA
UNIT SCHOOL DISTRICT NO. 187,
ST. CLAIR COUNTY, STATE OF
ILLINOIS,

BY: _____
PRESIDENT

ATTEST:

Secretary

AYE

NAY

Baker

Y

—

Ware

Y

—

Nolden

Y

—

Wofford

Y

—

Radford

E

—

Pearson

Y

—

MAYOR Ante McCall

CLERK Delna Duncan

CERTIFICATION

The undersigned Village Clerk does herewith certify that the attached is a true and correct copy of the Resolution duly adopted by the Mayor and Board of Trustees of the Village of Cahokia at a meeting of the Village Board held on the 9 day of

DECEMBER, 2020

Delva Duncan
VILLAGE CLERK