

## **RESOLUTION NO.**

### **RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF JOLIET, THE SOUTHEAST JOLIET SANITARY DISTRICT AND THE COUNTY OF WILL**

**WHEREAS**, the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.) provides that any power or powers, privileges or authority exercised, or which may be exercised by a public agency of this State may be exercised and enjoyed jointly with any other public agency of this State; and

**WHEREAS**, the City of Joliet ("City"), the County of Will ("County") and the Southeast Joliet Sanitary District ("District") are public agencies as that term is defined in the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.); and

**WHEREAS**, Article VII, Section 10 of the Constitution of the State of Illinois of 1970 provides that units of local government may contract or otherwise associate among themselves to obtain or share services and to exercise, combine or transfer any power or function in any manner not prohibited by law or by ordinance; and

**WHEREAS**, the District owns, maintains and operates a water distribution and sanitary sewer collection system ("District's water and sewer systems") serving the neighborhoods comprising the District ("District's customers") pursuant to the Sanitary District Act of 1936 (70 ILCS 2805/0.1 et seq.); and

**WHEREAS**, it is in the best interests of the District's customers that the District's water and sewer systems be transferred to the City, based on the District's Board's determination that the District should be dissolved as the District is unable to continue to operate in a fiscally responsible manner without incurring significant debt, is unable to provide for much needed infrastructure improvements, may soon be unable to continue to guarantee the continued, efficient, stable delivery of safe drinking water to its residents, and does not desire to sell its systems to a private operator; and

**WHEREAS**, the City operates a water treatment and distribution system and sanitary sewer collection and treatment system ("City water and sewer systems") for the City's customers and can efficiently add additional customers for the benefit of the customers of the District; and

**WHEREAS**, the County is committed to assisting with the transfer of the District's water and sewer systems while providing financial support for completion of required upgrades; and

**WHEREAS**, the City has agreed to take over the ownership, operation, and maintenance of the District's water and sewer systems; and

**WHEREAS**, the Sanitary District Act of 1936, (70 ILCS 2805/33) as amended, authorizes the dissolution of the District and transfer of all District assets, liabilities, and responsibilities; and

**WHEREAS**, on January 2, 2026, the District passed a resolution dissolving the Southeast Joliet Sanitary District and transferred all right, title and interest in all of its assets to the City and County, respectively, effective February 1, 2026.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, ILLINOIS PURSUANT TO ITS STATUTORY AND HOME RULE AUTHORITY, AS FOLLOWS:**

**SECTION 1:** The Mayor and City Council hereby approve the Intergovernmental Agreement between the City of Joliet, the Southeast Joliet Sanitary District and the County of Will.

**SECTION 2:** The City Manager and City Clerk are hereby authorized to execute the Intergovernmental Agreement between the City of Joliet, the Southeast Joliet Sanitary District and the County of Will which is substantially the same as Exhibit "A" attached hereto and incorporated herein.

**SECTION 3:** Each section and part thereof of this Resolution is deemed to be severable and should any section or part hereof be held invalid or unconstitutional by any court of competent jurisdiction, such ruling shall not affect the validity or constitutionality of the remaining portion(s) of this Resolution.

**SECTION 4:** All resolutions or parts thereof in conflict with the terms of this Resolution are hereby repealed and of no further force and effect to the extent of such conflict.

**SECTION 5:** This Resolution shall be in effect upon its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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**MAYOR**

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**CITY CLERK**

**VOTING YES:** \_\_\_\_\_

**VOTING NO:** \_\_\_\_\_

**NOT VOTING:** \_\_\_\_\_