

## **RESOLUTION NO.**

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

**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”) 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 the intent of the District to transfer the District’s water and sewer systems to the City on February 1, 2026 per the proposed Intergovernmental Agreement to be executed in January 2026 between the City, District, and County of Will (“County”), in accordance with Illinois House Bill 663, which becomes effective January 1, 2026. It is anticipated that the District’s Board will vote to dissolve the District 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 District may be in need of assistance during water and sewer system emergencies prior to February 1, 2026; 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

**WHEREAS**, it is the intent of the City to take over the ownership, operation, and maintenance of the District’s water and sewer systems on February 1, 2026 per the proposed Intergovernmental Agreement; and

**WHEREAS**, the City has the staff and equipment to be able to provide emergency aid to the District for the District’s water and sewer systems during the term of this Agreement to assist the District in continuing to provide water and sewer services to the District’s customers should the District not be able to do so on its own; and

**WHEREAS**, the City intends to begin implementation of the Capital Improvement Plan provided for in the proposed Intergovernmental Agreement; and

**WHEREAS**, the County has committed to assisting with the transfer of the District's water and sewer systems while providing financial support for completion of required upgrades, in accordance with County Resolution 25-144 and designated ARPA funding allocated to the City by the County.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, ILLINOIS AS FOLLOWS:**

**SECTION 1:** The Mayor and City Clerk are hereby authorized to execute the Intergovernmental Agreement between the Southeast Joliet Sanitary District and the City of Joliet which is substantially the same as Exhibit "A" attached hereto and incorporated herein.

**SECTION 2:** 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 3:** 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 4:** This Resolution shall be in effect upon its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CITY CLERK**

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

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

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