

RESOLUTION NO. _____

**RESOLUTION STATING THE CITY OF JOLIET’S INTENT TO EFFECTUATE
ASSIGNMENT OF THE CHICAGO WATER SUPPLY AGREEMENT
AND RELATED EASEMENTS, PERMITS AND APPROVALS**

WHEREAS, pursuant to Ordinance No. 18660, the City of Joliet (“City”) approved and executed (1) an Intergovernmental Agreement to Establish the Grand Prairie Water Commission dated June 28, 2024, pursuant to which the City has become a member of the Grand Prairie Water Commission (“Commission”); and (2) the Grand Prairie Water Commission Water Supply Agreement dated July 2, 2024 (“Commission Water Supply Agreement”), pursuant to which the City will purchase Lake Michigan water from the Commission; and

WHEREAS, as part of the initial development of the Commission and its waterworks system, the City of Joliet (“City”) has entered into a Water Supply Agreement with the City of Chicago dated May 1, 2023 (“Chicago Water Supply Agreement”) pursuant to which the City of Chicago (“Chicago”) has agreed to supply an amount of water sufficient to meet the Declared Maximum Day Demands (as defined in the Commission Water Supply Agreement) of the Commission members; and

WHEREAS, as an additional part of the initial development of the Commission and its waterworks system, the City has also entered into easement agreements with the City of Chicago (“**Easements**”), and obtained certain permits and approvals from Chicago (“**Ancillaries**”), that are required to enable the construction, installation and operation of the facilities to connect the Commission’s waterworks system to the City of Chicago water system (“**Chicago Connection Facilities**”); and

WHEREAS, the Chicago Water Supply Agreement provides that it is assignable by the City to the Commission and that the City may also assign some or all of the Easements and Ancillaries to the Commission; and

WHEREAS, in order to initiate the process of assignment of the Chicago Water Supply Agreement, Easements and Ancillaries to the Commission, the City must submit a notice of assignment to Chicago, which shall include evidence of both the City’s and the Commission’s intent to effectuate such an assignment; and

WHEREAS, the City finds it necessary for the City to assign to the Commission the Chicago Water Supply Agreement as well as the Easements and Ancillaries in order to enable the Commission to accomplish its purposes and meet its obligations to the members of the Commission under the Commission Water Supply Agreement, which include the provision of Lake Michigan Water to the City; and

WHEREAS, the Mayor and City Council find and determine that it is in the best interests of the City to begin the process of the assignment of the Chicago Water Supply Agreement and the Easements and Ancillaries by authorizing submission to Chicago of a notice of assignment and expressing the City’s intent to effectuate the assignment thereof; and

WHEREAS, the City is a home rule municipality under and by virtue of the Constitution of the State of Illinois.

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

SECTION 1: The Mayor and City Council hereby find that the recitals contained in this Resolution are true, correct and complete and are hereby incorporated into this Section by reference.

SECTION 2: The City hereby states its intention to begin the process of, and to effectuate, the assignment of the Chicago Water Supply Agreement and the Easements and Ancillaries by the City to the Commission and to proceed to submit the necessary notice to Chicago to commence the assignment process for the purposes stated in this Resolution, with such amendments and modifications as may be necessary and agreed upon by the Commission, Joliet and Chicago.

SECTION 3: The City Manager and City Clerk are hereby authorized and directed to submit the necessary notice to Chicago and to sign such documents as may be necessary to commence the process of the assignment of the Chicago Water Supply Agreement and the Easements and Ancillaries by the City to the Commission.

SECTION 4: 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 5: 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 6: This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this ____ day of October, 2024.

MAYOR

CITY CLERK

VOTING YES: _____

VOTING NO: _____

NOT VOTING: _____