



## Agenda Item Executive Summary

**Title:** Resolution No. R-1-2020: Intergovernmental Agreement with District 36 for Stormwater Improvements at Crow Island School (Adoption)

**Presenter:** Steven M. Saunders, Director of Public Works/Village Engineer

**Agenda Date:** 01/07/20

**Consent:**  YES  NO

- Ordinance
- Resolution
- Bid Authorization/Award
- Policy Direction
- Informational Only

### Item History:

On December 17, 2019, after an extended period of negotiations, the Winnetka School District 36 Board of Education (D36) approved an Intergovernmental Agreement (IGA) with the Village of Winnetka that would permit construction of underground stormwater storage beneath a portion of the Crow Island School property, as part of the Village's overall flood risk reduction strategy. The IGA also provides D36 with preliminary zoning approvals for certain zoning parameters, in the event they seek to construct future school improvements on the Crow Island property.

### Executive Summary:

In 2016, Strand Associates presented a stormwater vision for western and southwestern portions of Winnetka to the Village Council. The stormwater vision consisted of an engineered stormwater management wetland on property owned by the Forest Preserve District of Cook County (FPDCC); above and below-ground stormwater storage in open land controlled by other local governmental bodies; and a network of larger conveyance pipes. The Village Council found the overall concept worth pursuing, and directed Strand and Village staff to begin negotiating with the FPDCC. These negotiations culminated in August, 2017, with a Memorandum of Understanding (MOU) outlining the conditions that would enable the Village to develop Forest Preserve property for a stormwater management wetland. A key condition of the MOU was the requirement that the Village obtain approval through Intergovernmental Agreements with other local agencies for construction of stormwater storage projects on other open lands within the Village.

After Council approval of the MOU, the Village began discussions with D36 regarding stormwater storage on the Crow Island School property. Village staff, D36, and Strand looked at several below-grade options to provide portions of the storage necessary on the School property. Concurrently, D36 has been engaged in developing long-rang plans to upgrade and, as necessary, expand their school facilities, including Crow Island School. Over the past 12 months, D36 and the Village developed and evaluated a number of concepts that would accommodate the necessary stormwater improvements on the property, while preserving space for D36 to construct any potential future expansion of Crow Island School. A cost-effective solution was identified that provides Village stormwater relief and preserves a reasonable space on the property for potential expansion of Crow Island School.

**Executive Summary (continued):**

The stormwater improvement consists of 10.8 acre-feet of underground stormwater storage under the open play area on the southern portion of the property. The stormwater storage project will not impact use of the existing school building, and will ultimately provide the necessary compensatory storage to satisfy regulatory requirements for any potential increase in impervious surfaces associated with possible future school expansion.

The proposed IGA for the Crow Island School property will govern the relationship between the Village and the District regarding use of the property. The agreement was negotiated over the course of the past year, and both parties have made fair and reasonable compromises that will benefit our respective and shared constituencies. The Village will be allowed to install an underground storm water detention system and water quality improvements on the southern portion of the property. In turn, D36 will benefit from having certainty over some of the zoning parameters associated with potential D36 improvements, while also saving on storm water detention costs that would have otherwise been required for any potential expansion.

The Village will provide zoning relief for some key zoning parameters, including roofed lot coverage, gross floor area, and the minimum side yard setback from the west property line, via a Resolution approving certain zoning variances for a potential future expansion project, should D36 choose to pursue such a project.

**Recommendation:**

Consider adoption of Resolution No. R-1-2020, approving and Intergovernmental Agreement regarding stormwater improvements at Crow Island School between the Board of Education of Winnetka School District 36 and the Village of Winnetka.

**Attachments:**

Resolution No. R-1-2020 with Intergovernmental Agreement and associated exhibits

**RESOLUTION NO. R-1-2020**

**A RESOLUTION APPROVING AN  
INTERGOVERNMENTAL COOPERATION AGREEMENT  
REGARDING STORMWATER IMPROVEMENTS AT CROW ISLAND SCHOOL  
BETWEEN THE BOARD OF EDUCATION OF WINNETKA  
SCHOOL DISTRICT NO. 36 AND  
THE VILLAGE OF WINNETKA**

**WHEREAS**, the Village of Winnetka is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970 and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Village and the Forest Preserve District of Cook County (“*District*”) have entered into an August 2, 2017 Memorandum of Understanding (“*MOU*”) to formalize their cooperation on a project to provide stormwater relief to western and southwestern portions of the Village; and

**WHEREAS**, in addition to the part of the stormwater project to be constructed on District property north of Winnetka Avenue and west of Hibbard Road, the Village has determined that the remaining stormwater storage, conveyance, and water quality improvements for the Village stormwater project necessary to provide flood relief (“*Village Stormwater Improvements*”) must be constructed, in part, on existing open spaces currently owned by Winnetka School District No. 36 (“*School District*”) and known as Crow Island School at the southwest corner of Willow Road and Glendale Avenue in the Village (“*Property*”); and

**WHEREAS**, the School District anticipates potential future school-related improvements to the Property that may include the expansion of the existing school building and an increase in impermeable surface area on the Property (“*School Improvements*”); and

**WHEREAS**, the need for and construction of the Village Stormwater Improvements provides a once in a generation opportunity to create significant stormwater relief to the Village as well as to the School District for the Property and the ability of the School District to provide the School Improvements in a cost-effective manner; and

**WHEREAS**, the Village and the School District desire to enter into an intergovernmental cooperation agreement (“*IGA*”) in order to comply with the MOU and to ensure a level of cooperation and coordination necessary to maximize flood relief for impacted homes and property and to enhance the facilities on the School District Property; and

**WHEREAS**, the Village Council has determined that it is in the best interests of the Village and its residents to enter into the IGA with the School District; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Village of Winnetka, Cook County, Illinois, as follows:

**SECTION 1: RECITALS.** The Village Council hereby adopts the foregoing recitals as its findings, as if fully set forth in this Section.

**SECTION 2: APPROVAL OF IGA.** The Village Council hereby approves, pursuant to the Village’s home rule powers, the IGA in substantially the form attached to this Resolution as **Exhibit A**, and in a final form to be approved by the Village Attorney.

**SECTION 3: AUTHORIZATION TO EXECUTE IGA.** The Village Council hereby authorizes and directs, pursuant to the Village’s home rule powers, the Village President and the Village Clerk to execute and seal, on behalf of the Village, the final IGA between the Village and the School District.

**SECTION 4: EFFECTIVE DATE.** This Resolution shall be in full force and effect from and after its passage and approval according to law.

**ADOPTED** this \_\_\_\_ day of\_\_\_\_, 2020, pursuant to the following roll call vote:

AYES: \_\_\_\_\_  
NAYS: \_\_\_\_\_  
ABSENT: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

Signed

\_\_\_\_\_  
Village President

Countersigned:

\_\_\_\_\_  
Village Clerk