

3-R-00

A RESOLUTION

**AUTHORIZING THE MAYOR TO SIGN  
AN INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE CITY OF EVANSTON AND SCHOOL DISTRICTS 65 AND 202  
FOR REVENUE SHARING FROM THE CITY'S TIF DISTRICTS**

WHEREAS, the City of Evanston and Evanston Township High School District No. 202 and Community Consolidated School District No. 65 are public bodies organized under the Constitution and Statutes of the State of Illinois; and

WHEREAS, pursuant to current Sections 4-3 (q)10 of the Illinois TIF Act a municipalities may make payments to affected taxing districts for vocational education, 65 ILCS 5/11-74.4-3(q)10;

WHEREAS, the City has four TIF districts, those being the Central Business TIF District, the Southwest TIF District, the Howard Hartrey TIF District and the Washington National TIF District;

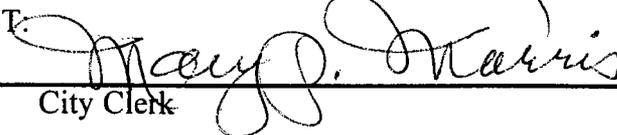
WHEREAS, THE City Council has determined it is in the best interests of the City of Evanston to enter said Intergovernmental Agreement,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

**SECTION 1:** That the Mayor is hereby authorized and directed to sign, and the City Clerk hereby authorize and directed to attest on behalf of the City of Evanston an Intergovernmental Agreement between the City of Evanston and the Evanston Township High School District No. 202 and Community Consolidated School District No. 65 attached to this resolution.

**SECTION 2:** That this Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

  
\_\_\_\_\_  
Mayor

ATTEST:   
\_\_\_\_\_  
City Clerk

Adopted: January 10, 2000

## INTERGOVERNMENTAL AGREEMENT

This Intergovernmental Agreement is entered into by and between the City of Evanston, an Illinois Municipal Corporation, Evanston Township High School District No. 202, Cook County, Illinois, and Community Consolidated School District No. 65, Cook County, Illinois, both Illinois School Districts, pursuant to the 1970 Illinois Constitution and Illinois Compiled Statutes.

In consideration of the statements and findings hereinafter set forth, the mutual covenants herein contained, and other good and valuable consideration the sufficiency of which is hereby acknowledged, the parties hereto find and agree as follows:

### STATUS OF THE PARTIES

1. The City of Evanston (hereinafter the "City") is an Illinois Municipal Corporation organized under the Constitution and Statutes of the State of Illinois.
2. Evanston Township High School District No. 202, Cook County, Illinois and Community Consolidated School District No. 65, Cook County, Illinois (hereinafter collectively the "School Districts") are Illinois School Districts organized under the Statutes of the State of Illinois.
3. The 1970 Illinois Constitution, Article VII, Section 10, and the Illinois Compiled Statutes, Ch. 5 Section 220/I et seq. provide legal authority for intergovernmental privileges and authority to be enjoyed jointly by school districts and municipalities as well as other public bodies politic.

### AUTHORITY UNDER THE TIF ACT

1. The Tax Increment Allocation Redevelopment Act ("TIF Act"), Illinois Compiled Statutes, as amended, Ch. 65 Section 5/11-74.4-1 et seq. authorizes a municipality to enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan and project.
2. In addition, pursuant to current Sections 4-3 (q)10 of the Illinois TIF Act a municipality may make payments to affected taxing districts for vocational education, 65 ILCS 5/11-74.4-3(q)10. Redevelopment expenditures which are eligible for reimbursement under the TIF Act from incremental real estate tax include:

Costs of job training, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (I) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment...by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code 5/11-74.4-3(q)(10).

3. The parties declare that this Agreement is adopted pursuant to the 1970 Illinois Constitution, Article VII, Section 10; Illinois Compiled Statutes, Ch. 5 Section 220/1 et seq., the Tax Increment Allocation Redevelopment Act, Illinois Compiled Statutes, as amended, Ch. 65 Section 5/11-74.4-1 et seq. And other applicable statutes.

4. The City of Evanston has initiated tax increment financing projects under the TIF Act within the School Districts' boundaries.

#### Payments

The City agrees to pay the School Districts \$400,000 annually during the first quarter of each calendar year (the first payment to commence January, 2000) to partially offset the School Districts' expenses in offering job training and vocational and career education programs as those programs are contemplated by the TIF Act and articulated in Exhibits A and B. The total amount will be paid annually in one payment. The School Districts will determine how the money is to be divided among themselves and the City shall have no obligation to apportion the payment.

#### Binding Effect

This Agreement shall be binding to the parties and their respective successors – including successors in office.

### Governing Law

This Agreement is governed by and shall be construed in accordance with the laws of the State of Illinois.

### Term

This Agreement shall become effective upon the adoption by the City of an Ordinance approving it and shall remain in effect for three years.

Each year the City will analyze the financial status of its TIF districts to determine the cash flow and viability of the continued payments to the school districts. The City reserves the right to discontinue the payments if it can demonstrate that the payment of debt service on the TIF is financially jeopardized due to the financial status of the fund.

### Amendments, Waivers, Modifications

No amendment, waiver or modification of any term or condition of this Agreement shall be binding or effective for any purpose unless expressed in writing and adopted by each of the parties as required by law.

### Real Estate Increment Information

The City agrees to provide the School Districts with a copy of the TIF Annual Report.

### Complete Agreement

This Agreement expresses the complete and final understanding of the parties with respect to the subject matter as of the date of its execution. All parties acknowledge that no representations have been made which have not been set forth herein.

### Partial Invalidity

In the event that any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

Authority to Execute

The undersigned represent that they have the authority of their respective governing authorities to execute this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on

January 10, 2000.

CITY OF EVANSTON

EVANSTON TOWNSHIP HIGH  
SCHOOL DISTRICT NO. 202,  
COOK COUNTY, ILLINOIS

By: Lorraine A. Merton  
Mayor

By: Elizabeth Feddall  
President, Board of Education

Attest: Mary J. Morris

Attest: Jeffrey Tazart  
Secretary, Board of Education

COMMUNITY CONSOLIDATED  
SCHOOL DISTRICT NO. 65,  
COOK COUNTY, ILLINOIS

By: Will Carl  
President, Board of Education

Attest: Patricia A. Markham  
Secretary, Board of Education

## EXHIBIT A

Evanston Township High School District No. 202 (the "District") offers a broad range of vocational programs that prepare students for the employment opportunities provided and anticipated to be provided by the City's Tax Increment Financing Project. The vocational programs include the following:

- Cooperative Work Training Programs
- Office Information Support Services
- Secretarial Services
- Accounting/Bookkeeping
- Graphic Communications
- Manufacturing Technology
- Drafting/CAD Technology
- Electronic Technology
- Adult Vocational Education

All of these programs contain a series of orientation and skill level courses as well as an on-the-job training component.

It is anticipated that the City shall have increased employment needs and the District students shall have increased job opportunities in the City because of the improvements undertaken or planned in the City's Tax Increment Financing District. For example, employment opportunities will be provided in the technical office support staff fields like Office Information Support Services, Secretarial Services, Accounting/Bookkeeping, and Graphic Communications. The jobs generated by the improvements in the Project Area will also generate technological training needs, particularly in Construction Technology, Drafting/CAD Technology and Electronic Technology. Cooperative work training programs offer an opportunity for students to experience working in many fields while still studying part of the day at the District's facilities. Overall, the District anticipates providing training for students to become qualified to fill positions in the above described categories within the Tax Increment District.

Costs for 1999-2000 for the District's vocational, career and job training programs are anticipated to be at least \$1,619,920 and are expected to increase by 5% per year during the life of the tax increment financing District. The sources of funding for these expenses are general school District revenue (principally local property tax and some state aid) and certain other payments similar to those from the City's Incremental Tax Fund. Without the portion of the Incremental Tax Fund paid by the City to the District, the District's programs could not be fully funded.

Vocational programs require a significant amount of capital equipment and newly trained or retrained instructors in order to make them successful. Enrollments in vocational course sections presently account for a significant percentage of the total enrollment in course sections in the District. Funds from this Agreement will, therefore, be used to support direct and indirect costs for the vocational programs cited in this Exhibit A.

The term of this portion of the Agreement to which this Exhibit A is attached is from the effective date of this Agreement to the completion and dissolution of the City's Tax Increment Financing Project.

## **EXHIBIT B**

Community Consolidated School District No. 65 (the District) offers a variety of vocational and career educational activities that prepare students for future employment opportunities provided and anticipated to be provided by the City's Tax Increment Financing Project. As a Kindergarten through grade eight system, programs are geared towards career awareness and foundational training. These activities include the following:

- Basic computer skills delineated for each grade level (i.e. word processing, graphics, multi-media, internet research)
- Career awareness (field trips, career days, student helpers, etc.)
- Training in the areas of the fine arts (i.e. instrumental and vocal music, visual and graphic arts, drama, dance)
- Industrial education (construction and electronic technology, drafting, photography, architecture, woodworking, etc.)
- Home and consumer education (manufacturing, food preparation, textiles, etc.)

It is anticipated that the City shall have increased employment needs and the District students shall need continued preparation for increased future job opportunities in the City because of the improvements undertaken on planned in the City's Tax Increment Financing District. With a strong foundation, District 65 elementary students progress to Evanston Township High School which provides employment opportunities in areas such as Office Information Support Services, Secretarial Services, Accounting/Bookkeeping, and Graphic Communications. The jobs generated by the improvements in the Project Area will also generate technological training needs, particularly in Construction Technology, Drafting/CAD Technology, and Electronic Technology. In order for the Evanston Township High School vocational and career educational programs to fulfill its goals of training students to be come qualified in the future to fill positions in the described categories with in the Tax Increment District, the foundation provided by District 65 activities need to be in place.

Costs for the 1999-2000 for the District's vocational and career awareness programs are anticipated to be at lease \$4,359,997 and are expected to increase by 5% per year during the life to the tax increment financing District. In addition, the District anticipates capital expenditures of approximately \$300,000 over the next three years for complete revamping of its industrial and consumer education programs. The sources of funding for these expenses are general school District revenue (principally local property tax and some state aid) and certain other payments similar to those from the City's Incremental Tax Fund. Without the portion of the Incremental Tax Fund paid by the City to the District, the District's programs could not be fully funded.

Vocational and career awareness programs require a significant amount of capital equipment and newly trained or retrained staff in order to make them successful. All students in grades K-8 participate in career awareness activities and students in grades 6-8 engage in hands on experiences in industrial and consumer education. Funds from this Agreement will, therefore, be used to support direct and indirect costs for the vocational and career awareness goals cited in the Exhibit B.

Dah/ Exhibit B TIFF