



**Forest Preserve District of Cook County Board of Commissioners**

**Minutes of the Real Estate Committee**

**Tuesday, May 9, 2017**

**10:45 AM**

**Cook County Building, Board Room  
118 North Clark Street, Chicago, Illinois**

**ATTENDANCE**

**Present:** Moody, Moore, Boykin, Butler, Daley, Fritchey, Morrison, Silvestri, Sims, Steele and Suffredin (11)

**Absent:** Arroyo, Gainer, García, Goslin, Schneider and Tobolski (6)

**PUBLIC TESTIMONY**

**Chairman Moody asked the Secretary to the Board to call upon the registered public speakers, in accordance with Cook County Code, Sec. 2-107(dd)**

No Speakers

**17-0201**

**COMMITTEE MINUTES**

Approval of the minutes from the meeting of 10/25/2016

**A motion was made by Commissioner Daley, seconded by Commissioner Suffredin, to approve 17-0201. The motion carried by the following vote:**

**Ayes:** Moody, Moore, Boykin, Butler, Daley, Fritchey, Morrison, Silvestri, Sims, Steele and Suffredin (11)

**Absent:** Arroyo, Gainer, García, Goslin, Schneider and Tobolski (6)

16-0177

**Presented by:** ARNOLD RANDALL, General Superintendent

**PROPOSED INTERGOVERNMENTAL AGREEMENT**

**Department:** Forest Preserve District of Cook County (“the Preserves”)

**Other Part(ies):** Metropolitan Water Reclamation District of Greater Chicago (“MWRD”) and the City of Palos Heights (“the City”)

**Request:** Authorize the Preserves to enter into an Intergovernmental Agreement with MWRD and the City to construct, operate and maintain modifications to the existing Arrowhead Lake, dam embankment, and paved Bike Trail.

**Goods or Services:** MWRD will construct the modifications at its sole cost and expense and maintain the vegetative improvements for three years. The City, at its sole cost and expense, will maintain the flood control improvements built as part of the project. The Preserves will maintain the vegetative improvements and path improvements.

**Agreement Number(s):** N/A

**Agreement Period:** The agreement becomes effective on the date the last signature is affixed thereto and remains in effect for a continuous term.

**Fiscal Impact:** None

**Accounts:** N/A

**District(s):** 17

**Summary:** MWRD proposes to increase the temporary storm water storage capacity of Arrowhead Lake by raising the existing paved trail at two locations. The project will raise the existing dam embankment and spillway and place riprap and concrete spillway protection on the embankment. Approximately 250 feet of embankment will be restored with native plantings to stabilize the embankment. Trail flooding will be reduced and a new trail access to 131st Street will be constructed.

**A motion was made by Commissioner Daley, seconded by Commissioner Sims, to accept a substitute 16-0177. The motion carried by the following vote:**

**Ayes:** Moody, Moore, Boykin, Butler, Daley, Fritchey, Morrison, Silvestri, Sims, Steele and Suffredin (11)

**Absent:** Arroyo, Gainer, García, Goslin, Schneider and Tobolski (6)

**PROPOSED SUBSTITUTE TO ITEM 16-0177  
FPD Real Estate Committee 5-9-2017**

**Presented by:** ARNOLD RANDALL, General Superintendent

**PROPOSED INTERGOVERNMENTAL AGREEMENT**

**Department:** Planning & Development

**Other Part(ies):** Metropolitan Water Reclamation District of Greater Chicago (“MWRD”) and the City of Palos Heights (“the City”)

**Request:** Authorize the Forest Preserves of Cook County (the “Preserves”) to enter into an Intergovernmental Agreement (“IGA”) with MWRD and the City to construct, operate and maintain modifications to the existing Arrowhead Lake, dam embankment, and paved bike trail.

**Goods or Services:** MWRD will construct the modifications at its sole cost and expense and maintain the vegetative improvements for at least two growing seasons. The City, at its sole cost and expense, shall maintain and operate the flood control improvements built as part of the project. The Preserves will maintain the vegetative improvements and path improvements. As required by the Illinois Department of Natural Resources (“IDNR”), the Preserves shall provide a right of access or easement to IDNR.

**Agreement Number(s):** N/A

**Agreement Period:** The agreement becomes effective on the date the last signature is affixed thereto and remains in effect for a continuous term.

**Fiscal Impact:** None

**Accounts:** N/A

**District(s):** 17

**Summary:** MWRD proposes to increase the temporary storm water storage capacity of Arrowhead Lake. This project will include raising the existing dam embankment and spillway in order to create additional flood storage and placing riprap and concrete spillway protection on the dam embankment and spillway. The existing Arrowhead Lake outfall pipe will be removed and replaced. Approximately 690-ft of existing bike path over the dam embankment will be raised to a minimum 100-yr storm elevation of 632.0. Additional existing bike trails in two other locations, totaling over 1,000-ft of trails, will be raised to elevation 633.7. A new bike trail, approximately 235-ft long, will be constructed to provide access to 131<sup>st</sup> Street. An alternative temporary bike trail will be constructed to keep the trail open during dam related construction work. Approximately 300 linear feet of native plantings will be installed at the south end of Arrowhead Lake to stabilize the bank.

The Preserves has agreed to exempt MWRD and its contractors from all permit requirements of the Preserves that may be applicable to the construction and maintenance of the project, including any associated fees. This exemption is consistent with the proposed Memorandum of Understanding (MOU) between MWRD and the Preserves placed on the May 11, 2017 board agenda for approval by the Preserves’

Board of Commissioners. Under the IGA, the Preserves will have recordkeeping and reporting obligations, as well as use restrictions, in relation to MWRD funding certain improvements with bond funds. As required by IDNR, the Preserves will provide IDNR a right of access or easement to the dam site and immediate vicinity. The IGA is subject to final review and approval by the Preserves' Legal Department.

**A motion was made by Commissioner Sims, seconded by Commissioner Morrison, to approve as substituted 16-0177. The motion carried by the following vote:**

**Ayes:** Moody, Moore, Boykin, Butler, Daley, Fritchey, Morrison, Silvestri, Sims, Steele and Suffredin (11)

**Absent:** Arroyo, Gainer, García, Goslin, Schneider and Tobolski (6)

**17-0125**

**Presented by:** ARNOLD RANDALL, General Superintendent

**PROPOSED LICENSE REQUEST**

**Request:** Requesting authorization for the Forest Preserve District of Cook County ("the Preserves"), as Licensor to grant a License to Wide Open West d/b/a WOW!, Grantee, to locate, operate and maintain four thousand three hundred (4,300) linear feet of aerial fiber optic line on an existing ComEd utility pole line approximately three hundred and fifty (350) feet north of Lawrence Avenue from Des Plaines River Road to East River Road in the Catherine Chevalier Woods Forest Preserve. The proposed fiber optic line will connect Verizon Wireless cellular towers for public telecommunication purposes. The existing ComEd utility pole line was granted by License 713 in 1967 and last renewed in 2017 for a ten (10) year term.

**Term:** Ten (10) years, 4/11/2017 - 4/10/2027

**License Fee:** \$106,611.57

**License Application Fee:** \$1,000.00

**YELAR Fee:** \$3,600.00

**Total:** \$111,211.57 for the term of the License  
(Sec. 5-2A-4 and 5-2B-4)

**Tree Mitigation Fee:** N/A

**The area of the License is:** 64,500 square feet, or 1.48 acres

**Concurrence(s):**

The Chief Financial Officer and Chief Attorney have approved this item.

Grantee has met the insurance requirements under the License Agreement.

The Forest Preserves staff have reviewed this license application and plans and have submitted a report

and favorable recommendation as backup.

**District(s):** 9

**A motion was made by Commissioner Daley, seconded by Commissioner Sims, to approve 17-0125. The motion carried by the following vote:**

**Ayes:** Moody, Moore, Boykin, Butler, Daley, Fritchey, Morrison, Silvestri, Sims, Steele and Suffredin (11)

**Absent:** Arroyo, Gainer, García, Goslin, Schneider and Tobolski (6)

**17-0126**

**Presented by:** ARNOLD RANDALL, General Superintendent

**PROPOSED LICENSE REQUEST**

**Request:** Requesting authorization for the Forest Preserve District of Cook County (“the Preserves”), as Licensor to grant a License to the Village of Riverside, Grantee, to locate, operate and maintain thirty seven (37) linear feet of 24-inch storm sewer and outfall structure to the Des Plaines River in the Salt Creek Preserves, between First Avenue and the Des Plaines River at the BNSF Railroad, between Ogden and 31st Street. The proposed sewer is part of a project to improve water quality in the Des Plaines River watershed by separating stormwater runoff from the existing combined sewer, which will relieve flooding and reduce combined sewer overflow discharge into the Forest Preserve and the river.

**Term:** Continuous

**License Fee:** \$4,100.00

**License Application Fee:** \$5,500.00

**YELAR Fee:** \$6,150.00

**Total:** \$15,750.00 for the term of the License  
(Sec. 5-2A-4 and 5-2B-4)

**Tree Mitigation Fee:** \$285.53

**The area of the License is:** 900 square feet or 0.02 acres

**Concurrence(s):**

The Chief Financial Officer and Chief Attorney have approved this item.

Grantee has met the insurance requirements under the License Agreement.

The Forest Preserves staff have reviewed this license application and plans and have submitted a report and favorable recommendation as backup.

**District(s):** 17

**A motion was made by Commissioner Daley, seconded by Commissioner Sims, to approve 17-0126. The motion carried by the following vote:**

**Ayes:** Moody, Moore, Boykin, Butler, Daley, Fritchey, Morrison, Silvestri, Sims, Steele and Suffredin (11)

**Absent:** Arroyo, Gainer, García, Goslin, Schneider and Tobolski (6)

**17-0134**

**Presented by:** ARNOLD RANDALL, General Superintendent

**PROPOSED INTERGOVERNMENTAL AGREEMENT**

**Department:** Planning & Development

**Other Part(ies):** Metropolitan Water Reclamation District of Greater Chicago (“MWRD”)

**Request:** Authorization to enter into an Intergovernmental Agreement with MWRD for the reconstruction and maintenance of the Lyons Levee

**Goods or Services:** Grant of permanent and temporary easements and waiver of tree mitigation fees to allow MWRD to improve, raise, and maintain the Lyons Levee from Joliet Road downstream in Ottawa Trail Woods to south of 47th Street along the west edge of the Chicago Portage National Historic Site

**Agreement Number(s):** N/A

**Agreement Period:** Continuous

**Fiscal Impact:** None

**Accounts:** N/A

**District(s):** 16

**Summary:** MWRD, under an agreement with the United States Army Corps of Engineers (Corps) for the design and construction, proposes to repair, rehabilitate, and replace the Lyons Levee to protect against a 100-year flood event. In April 2013, floodwater from the Des Plaines River overtopped the Lyons Levee and flooded a portion of the Village of Forest View. The FPCC acquired the property containing the Lyons Levee along the Des Plaines River from MWRD in 1950. The conveyance deed provided that the grantee (the FPCC) would continue to maintain the existing or new levees. The proposed 11.21 acre permanent easements and 1.05 acre temporary easement will provide access and right of entry to MWRD and the Corps for the construction, operation and maintenance of the levee. The proposed agreement is subject to final review and approval by the FPCC’s Legal Department.

**A motion was made by Commissioner Daley, seconded by Commissioner Sims, to accept a substitute 17-0134. The motion carried by the following vote:**

**Ayes:** Moody, Moore, Boykin, Butler, Daley, Fritchey, Morrison, Silvestri, Sims, Steele and Suffredin (11)

**Absent:** Arroyo, Gainer, García, Goslin, Schneider and Tobolski (6)

**PROPOSED SUBSTITUTE TO ITEM 17-0134**  
**FPD Real Estate Committee 5-9-2017**

**Presented by:** ARNOLD RANDALL, General Superintendent

**PROPOSED INTERGOVERNMENTAL AGREEMENT**

**Department:** Planning & Development

**Other Part(ies):** Metropolitan Water Reclamation District of Greater Chicago (“MWRD”)

**Request:** Authorization to enter into an Intergovernmental Agreement (“IGA”) with MWRD for the reconstruction and maintenance of the Lyons Levee

**Goods or Services:** Grant of permanent and temporary easements and waiver of tree mitigation fees to allow MWRD to improve, raise, and maintain the Lyons Levee from Joliet Road downstream in Ottawa Trail Woods to south of 47th Street along the west edge of the Chicago Portage National Historic Site

**Agreement Number(s):** N/A

**Agreement Period:** Continuous

**Fiscal Impact:** None

**Accounts:** N/A

**District(s):** 16

**Summary:** MWRD, under an agreement with the United States Army Corps of Engineers (Corps) for the design and construction, proposes to repair, rehabilitate, and replace the Lyons Levee to protect against a 100-year flood event. In April 2013, floodwater from the Des Plaines River overtopped the Lyons Levee and flooded a portion of the Village of Forest View. The Forest Preserves of Cook County (“FPCC”) acquired the property containing the Lyons Levee along the Des Plaines River from MWRD in 1950. The conveyance deed provided that the FPCC, as the grantee, would continue to maintain the existing or new levees. The proposed 11.21 acre permanent easements and 1.05 acre temporary easement will provide access and right of entry to MWRD and the Corps for the construction, operation and maintenance of the levee.

Under the proposed IGA, consistent with the proposed Memorandum of Understanding (MOU) between MWRD and the FPCC placed on the May 11, 2017 board agenda for approval by the FPCC’s Board of

Commissioners, the FPCC shall exempt MWRD and the Corps and their contractors from all FPCC permit requirements that may be applicable to the construction, operation, maintenance, repair, rehabilitation, and replacement of the project, including any tree mitigation fees and other associated fees. The FPCC may also grant MWRD and the Corps waivers to applicable work-hour limits and truck-traffic restrictions upon written request. Under the IGA, the FPCC will have recordkeeping and reporting obligations, as well as use restrictions, in relation to MWRD funding certain improvements with bond funds. The proposed IGA is subject to final review and approval by the FPCC's Legal Department.

**A motion was made by Commissioner Daley, seconded by Commissioner Sims, to approve as substituted 17-0134. The motion carried by the following vote:**

**Ayes:** Moody, Moore, Boykin, Butler, Daley, Fritchey, Morrison, Silvestri, Sims, Steele and Suffredin (11)

**Absent:** Arroyo, Gainer, García, Goslin, Schneider and Tobolski (6)

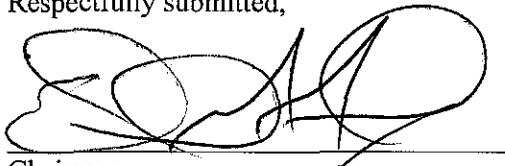
**ADJOURNMENT**

**A motion was made by Commissioner Steele, seconded by Vice Chairman Moore, to adjourn the meeting. The motion carried by the following vote:**

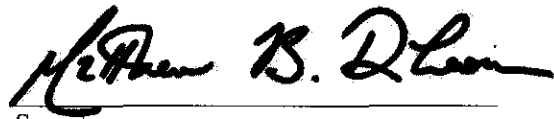
**Ayes:** Moody, Moore, Boykin, Butler, Daley, Fritchey, Morrison, Silvestri, Sims, Steele and Suffredin (11)

**Absent:** Arroyo, Gainer, García, Goslin, Schneider and Tobolski (6)

Respectfully submitted,



Chairman



Secretary

\*A video recording of this meeting is available at <https://cook-county.legistar.com>