



## Legislation Text

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**File #:** 17-0191, **Version:** 1

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### **PROPOSED RECONSIDERATION OF PREVIOUSLY APPROVED ITEM AND REQUEST TO APPROVE AS AMENDED**

**Department:** Planning and Development

**Request:** Amend previously approved agreement to allow property licensed to Skokie for trail connection to also be owned by Skokie.

**Item Number:** 17-0100

**Fiscal Impact:** None

**Account(s):** N/A

### **ORIGINAL TEXT OF ITEM:**

**Department:** Planning and Development

**Other Part(ies):** Village of Skokie, Illinois

**Request:** Requesting authority to enter into an IGA with the Village of Skokie, Illinois for construction of (1) an approximately ten (10) foot wide, two thousand three hundred (2,300) foot asphalt trail and two hundred and fifty (250) foot stone spur between Harms Road and Woods Drive ("Stage I"), and (2) an approximately ten (10) foot wide, two hundred and fifty (250) foot asphalt trail connecting the Forest Preserve trails on the west side of Harms Road ("Stage II"). Stage I and Stage II are collectively the "Trail Connection".

**Goods or Services:** The Forest Preserve District of Cook County (the "Preserves") operates and maintains the North Branch Bicycle Trail in Northern Cook County. The Trail Connection is part of Skokie's Bikeway System Plan to provide bicycle/pedestrian accommodations for residents, businesses, shopping malls, schools and transit connections along Old Orchard Road from Gross Point Road to the North Branch Trail. This agreement covers the approximately two thousand eight hundred (2,800) linear feet of trails that will be built on Forest Preserve property on the south side of Old Orchard Road.

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

**Agreement Period:** Perpetual (subject to termination after ten (10) years).

**Fiscal Impact:** None

**Accounts:** N/A

**District(s):** 13

**Summary:** Skokie has requested an Intergovernmental Agreement to construct the proposed Trail Connection. Skokie has obtained Transportation Alternatives Program funding for the construction of Stage 1 of Trail Connection. Skokie

will be responsible for all design, permitting and construction costs associated with the Trail Connection, subject to review of final plans and specifications by the Preserves. All requirements regarding insurance and bonds must be met. It is anticipated that approximately one hundred and ten (110) trees will be removed for this project. For each tree that is removed, Skokie will plant replacement trees or pay the replacement cost of planting the trees. The Preserves anticipates that the Trail Connection will be completed within approximately five (5) years. Skokie will be responsible for long-term maintenance of the Trail Connection upon completion, including annual inspections and snow removal. The Preserves, however, will retain responsibility for trimming and removing trees.

Under the IGA, Skokie and the Forest Preserve agree that the asphalt, gravel, and other material that are used to create the Trail Connection ("Trail Connection Material") will be the property of Skokie, for the duration of this Agreement to the extent of the following: (1) the Trail Connection Material is not deemed under Illinois law to be a permanent fixture and/or real property, (2) Skokie ownership of the Trail Connection Material is not deemed to be a transfer or conveyance of property from the Preserves that is unlawful and unauthorized under the Preserves' Enabling Act (70 ILCS §810/0.01 *et seq.*), and (3) Skokie's ownership of the Trail Connection Material is not in violation of the Preserves' Code of Ordinances, including, without limitation, Sections 2-3-1 (Erection and Ownership of Structures), 2-5-4 (Transfer of Land), and 2-5-8 (Required Review Factors). The Intergovernmental Agreement is subject to final review and approval by the Preserves' Legal Department.