

STATE OF ILLINOIS)
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 COUNTY OF LAKE)

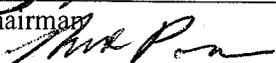
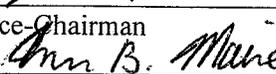
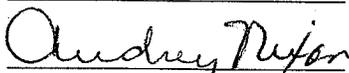
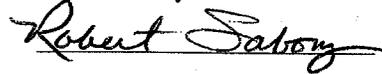
Distribution:
 County Board
 County Clerk
 Planning, Building, and Dev. (2)
 County Administrator
 FAS - Controller
 FAS - Budget
 City of North Chicago
 City of Waukegan

COUNTY BOARD, LAKE COUNTY, ILLINOIS
REGULAR JUNE, A.D., 2008 SESSION
June 10, A.D., 2008

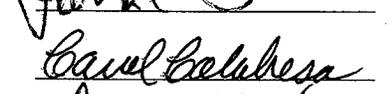
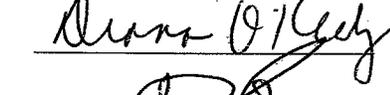
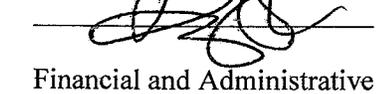
MADAM CHAIRMAN AND MEMBERS OF THE COUNTY BOARD:

Your Health and Community Services Committee and Financial and Administrative Committee herewith present a Joint Resolution which authorizes Lake County to enter into a new Consortium Agreement with the Cities of North Chicago and Waukegan, in order to continue a HOME Investment Partnership which was formed in 1991, and which is necessary for Lake County to continue to receive and expend HOME Program funds from the U.S. Department of Housing and Urban Development. The Resolution further authorizes and directs the Chairman of the Lake County Board to sign the Consortium Agreement and to submit the Consortium Agreement to the United States Department of Housing and Urban Development. These two Committees request its adoption.

Respectfully submitted,

	Aye	Nay
 Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Vice-Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Ann B. Marie	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Audrey Dufon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Mary Ann Conington	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Carol Spielman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Robert Saboy	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Health and Community Services
 Committee

	Aye	Nay
 Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Vice-Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Paul S.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Carol Calabrese	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Ann O'Leary	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 [unclear]	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Financial and Administrative
 Committee

RESOLUTION

WHEREAS, the United States Congress has enacted the Cranston-Gonzales National Affordable Housing Act; and

WHEREAS, Lake County and the Cities of North Chicago and Waukegan have formed a HOME Investment Partnership under an existing Consortium Agreement; and

WHEREAS, the U.S. Department of Housing and Urban Development requires that this Agreement be renewed periodically in order for the Consortium to continue to be eligible to receive funds; and

WHEREAS, Lake County desires to increase housing opportunities for all of its present and future residents; and

WHEREAS, the HOME Program offers an opportunity to increase the County's supply of affordable housing.

NOW, THEREFORE BE IT RESOLVED, by this County Board of Lake County, Illinois, that the Chairman of this Board is hereby authorized and directed to sign the HOME Investment Partnership Consortium Agreement, a copy of which is attached hereto, and to cooperate with the City of North Chicago and the City of Waukegan in the operation of the HOME Program; and

BE IT FURTHER RESOLVED, that the Chairman of the Board is hereby authorized and directed to submit the HOME Investment Partnership Consortium Agreement to the U.S. Department of Housing and Urban Development, including all necessary certifications, understandings and assurances required; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to file a certified copy of this Resolution with the U.S. Department of Housing and Urban Development, the County Administrator's Office/Finance and Administrative Services, the City Clerk of the City of North Chicago, the City Clerk of the City of Waukegan, and the Department of Planning, Building and Development.

Dated, at Waukegan, LAKE COUNTY, ILLINOIS on this 10th day of June, A.D., 2008.

**HOME Investment Partnerships
Consortium Agreement**

THIS AGREEMENT entered into this _____ day of June, 2008 by and between the County of Lake, a body politic and corporate of the State of Illinois (the "County"), the City of Waukegan, an Illinois municipal corporation, and the City of North Chicago, an Illinois municipal corporation (the "Municipalities").

WITNESSETH:

WHEREAS, the United States Congress has enacted the Cranston-Gonzales National Affordable Housing Act ("the Act") providing federal financial assistance for the support of affordable housing as identified in Title II--Investment in Affordable Housing of HOME Investment Partnerships Act; and

WHEREAS, the Act makes possible the allocation of funds to the County for the purpose of undertaking affordable housing activities identified in the Act; and

WHEREAS, the County and the Municipalities have determined that joint action is the most effective way to accomplish the purposes of said Act; and

WHEREAS, units of local government have had conferred upon them the following powers by Article VII, Section 10(a) of the 1970 Constitution of the State of Illinois:

"Units of local government and school districts may contract or otherwise associate among themselves, with the State, with other states and their units of local government and school districts, and with the United States to obtain or share services and to exercise, combine or transfer any power or function, in any manner not prohibited by law or by ordinance. Units of local government and school districts may contract and otherwise associate with individuals, associations, and corporations in any manner not prohibited by law or by ordinance. Participating units of governments may use their credit, revenues, and other resources to pay costs and to service debt related to intergovernmental activities."; and

WHEREAS, the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.) enacted by the State of Illinois provides in part:

"§ 3. Intergovernmental Agreements. Any power or powers, privileges or authority exercised or which may be exercised by a public agency of this State may be exercised and enjoyed

jointly with any other public agency of this State and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States do not prohibit joint exercise or enjoyment."

"§ 5. Any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform, provided that such contract shall be authorized by the governing body of each party to the contract. Such contract shall set forth fully the purposes, powers, rights, objectives and responsibilities of the contracting parties."; and

WHEREAS, the parties to this Agreement have had conferred upon them the exercise of powers authorized by the Housing Authorities Act (310 ILCS 10/1 et seq.).

NOW, THEREFORE, upon the consideration of the mutual promises contained herein and upon the further consideration of the aforementioned recitals it is hereby agreed between the County and the Municipalities hereto:

- A. That the aforementioned recitals are incorporated herein by reference.
- B. That the Lake County HOME Investment Partnerships Consortium (the "Consortium") is defined to include as members of the Consortium the County of Lake, the City of Waukegan and the City of North Chicago, which authorize and execute this Agreement.
- C. That the Municipalities and the County hereby agree to cooperate to undertake and/or to assist in undertaking housing assistance activities in order to alleviate housing problems through the HOME Investment Partnerships Program (hereinafter referred to as "the HOME Program") in cooperation with the Consortium.
- D. That the Municipalities hereby authorize the County to act in a representative capacity as the lead entity for the members of the Consortium for purposes of the HOME Program.
- E. That the Municipalities agree that the County will assume overall responsibility as the lead entity to ensure that the Consortium's HOME Program is carried out in compliance with the requirements of the HOME Program, including requirements concerning a Consolidated Housing and Community Development Plan ("the Consolidated Plan") in accordance with HUD regulations in 24 CFR Parts 92 and 91, respectively, and the requirements of 24 CFR 92.350(a)(5). It is mutually understood, however, that the County is responsible for implementation of the HOME Program and that each Municipality remains fully responsible for implementation of any other funding from federal, state, or local programs which

may be identified in the Consolidated Plan as it pertains to the identified needs and priorities of the Municipalities. Notwithstanding the foregoing, in no event may any Municipality obstruct the implementation of the Consortium's approved Consolidated Plan.

- F. That the Municipalities and the County hereby agree that funding of the respective parties shall be based upon the following:

After deducting Administrative Costs (10%), Community Housing Development Organization (CHDO) setaside project reserve funds (15%), and Community Housing Development Organization (CHDO) operating funds (5%) from the proceeds of the grant, the Municipalities and the County shall share in the balance of the available funds based upon the following percentages:

City of North Chicago - 15%

City of Waukegan - 25%

Lake County - 60%

- G. That the Municipalities agree to evidence their consent to participate in the Consortium by providing the County with two certified copies of a Resolution from the governing body of each Municipality stating that the Chief Executive Officer of the Municipality is authorized to sign this Consortium Agreement.
- H. That the signatures of said Chief Executive Officers will be affixed to this Agreement evidencing the willingness of the Municipalities to participate in the Consortium, and to cooperate in the implementation of the Lake County Consortium for HOME.
- I. That the County agrees to evidence its consent to participation in the Consortium by providing the Municipalities with one certified copy of a Resolution from the governing body of the County that the Chief Executive Officer of the County is authorized to sign this Consortium agreement.
- J. That the signature of said Chief Executive Officer will be affixed to this Agreement evidencing the willingness of the County to participate in the Consortium.
- K. That a copy of this Consortium Agreement signed by the Chief Executive Officer of the County will be provided to the Municipalities.
- L. That the Municipalities and County agree to fund and to affirmatively further fair housing.
- M. That the term of this Agreement is for a period of not less than the period necessary to carry out all activities that will be funded from funds awarded for the Federal Fiscal Years 2009, 2010 and 2011 (covering the three Consolidated Plan Program Years commencing May 1, 2009 and ending April 30, 2012); that this Agreement remains in effect until the HOME funds from each of Federal Fiscal Years 2009,

2010 and 2011 are closed out pursuant to 24 CFR 92.507; and that none of the signatories to this Agreement may withdraw from the Consortium while this Agreement remains in effect.

- N. That the program year start date for the Consortium shall be May 1, and that the County and the Municipalities are on the same program year for the CDBG, HOME and ESG programs.
- O. That the parties hereto agree that this Agreement which may be executed in one or more counterparts, each of which shall, for all purposes, be deemed an original and all of such counterparts, taken together, shall constitute one and the same Agreement.

IN WITNESS WHEREOF, the undersigned parties have caused this Agreement to be executed by their duly designated officials.

COUNTY OF LAKE, ILLINOIS

BY: _____
Chairman of the Lake County Board

ATTEST: _____
County Clerk

SEAL:

CITY OF WAUKEGAN

BY: _____
Mayor

ATTEST: _____
City Clerk

SEAL:

CITY OF NORTH CHICAGO

BY: _____
Mayor

ATTEST: _____
City Clerk

SEAL: