



MEMORANDUM

TO: Mayor Pruyn and Village Trustees

FROM: Carie Anne Ergo, Village Administrator

DATE: August 30, 2019

SUBJECT: Discussion and possible action regarding a Letter of Agreement with Elk Grove Village regarding the reconstruction of Nerge Road and payment in the amount of \$210,000.

Background

In July 2018, the Village of Itasca rezoned the parcels at the corner of Devon Avenue and Rohlwing Road to allow Bridge Itasca LLC., to develop industrial and commercial uses. During the rezoning process, Elk Grove Village officials requested that the Village of Itasca reconsider the placement of the commercial property from Rohlwing Road to Devon Avenue. The Developer maintained that the commercial space needed to be placed on Rohlwing Road to be viable in today's market. The Developer's position was in line with staff's initial assessment of the parcels.

Any improvements along Devon Ave requires permitting by Cook County. Improvements along Rohlwing require approval from the Illinois Department of Transportation. Elk Grove Village officials must also review and sign off at all intersection improvements to Devon Ave. and Nerge Road.

Officials in Elk Grove Village have concerns about the impact additional truck traffic may have on roadway conditions along Nerge Rd. These and other traffic concerns regarding the project have been communicated to the various permitting authorities, delaying permit approval.

Discussion

To mitigate Elk Grove Village's traffic impact concerns, the Village has reached an agreement with Elk Grove Village to provide a lump sum in an amount of \$210,000 for the reconstruction of Nerge Road. In exchange, Elk Grove Village agrees to expeditiously cooperate with Itasca, Bridge Itasca, LLC, IDOT, CCDOTH, the Illinois State Toll Highway Authority and any other such regulatory agency to support the approval of requested intersection improvements.

Financial Impact

The Village of Itasca has an agreement with Bridge Itasca, LLC (Resolution 1110-19) for the developer to pay for infrastructure improvements, which will cover the \$210,000 payment. Therefore, there is no direct budget impact.

Conclusion

Staff recommends the Board approve the letter of agreement with Elk Grove Village, which will allow the developer Bridge Itasca, LLC to obtain approvals necessary for construction.

**LETTER OF AGREEMENT BY AND BETWEEN
THE VILLAGE OF ITASCA AND VILLAGE OF ELK GROVE VILLAGE**

WHEREAS, the Village of Itasca (“Itasca”) and the Village of Elk Grove Village (“Elk Grove”) (jointly, the “Villages”) are units of local government; and

WHEREAS, the Villages wishes to enter in a Letter of Agreement; and

WHEREAS, Itasca has adopted Ordinance No. 1889-18, which granted certain zoning approvals to Bridge Itasca, LLC, an Illinois limited liability company, the owner and proposed developer of parcels of substantially vacant real estate within the Village of Itasca consisting of approximately 48 acres, generally located on the south side of Devon Avenue, east of Route 53/Rohlwing Road and west of I-290 (PINs 03-06-100-010 and 03-06-200-013) (the “Property”); and

WHEREAS, Bridge Itasca, LLC has petitioned the Illinois Department of Transportation (“IDOT”) to allow the installation of a traffic signal light at the intersection of Rohlwing Road/Route 53 and Hamilton Parkway, Itasca, Illinois; and

WHEREAS, Bridge Itasca, LLC has also petitioned the Cook County Department of Transportation and Highways (“CCDOTH”) to allow for intersection improvements at the intersection of Devon Road and Nerge Road, between Itasca, Illinois and Elk Grove, Illinois; and

WHEREAS, Elk Grove will be expending nearly \$1.5 million for the design, engineering, and reconstruction of Nerge Road within the next year, and has expressed concerns that the proposed development by Bridge Itasca, LLC will have a deleterious impact on the Village’s reinvestment; and

WHEREAS, due to the expected impact of the development on surrounding areas, including Nerge Road, Itasca has entered into a Development Agreement with Bridge Itasca, LLC wherein Bridge Itasca LLC will provide a contribution amount of \$210,000.00.

NOW, THEREFORE, pursuant to statutory authority and their powers of intergovernmental cooperation, it is agreed by and among the Villages as follows:

- A. Incorporation of Recitals. The above recitals are hereby incorporated into and made a part of this Letter of Agreement.
- B. Elk Grove’s Obligations. Elk Grove agrees to fully and expeditiously cooperate with Itasca, Bridge Itasca, LLC, IDOT, CCDOTH, the Illinois State Toll Highway Authority and any other such regulatory agency to support the approval and installation of the traffic signal light at the intersection of Rohlwing Road/Route 53 and Hamilton Parkway, Itasca, Illinois and the intersection improvements at Devon Avenue and Nerge Road (collectively, “traffic improvements”). Elk Grove agrees to provide any information and documentation, including but not limited to correspondence, letters, and responses in support of these traffic improvements in a timely and expeditious manner when such information or documentation is requested by Itasca, Bridge Itasca, LLC, IDOT, CCDOTH, the Illinois State Toll Highway Authority, and any other such regulatory agency. Elk Grove agrees not

to take any adverse action against the traffic improvements so long as there is not a substantial change in the improvements currently planned.

- C. Itasca's Obligations. In Consideration of Elk Grove's cooperation and support of these traffic improvements, Itasca agrees to make payment in the amount of \$210,000.00 to Elk Grove within 30 days of the effective date of this agreement to cover certain maintenance costs for Nerge Road.

- D. If Elk Grove takes any adverse action against the traffic improvements or fails to fully and expeditiously cooperate with Itasca or Bridge Itasca, LLC to support IDOT's and CCDOTH's approval of these traffic improvements, Elk Grove forfeits the contribution payment from Itasca and Bridge Itasca, LLC., and shall be liable to Itasca for all monies already paid under this agreement.

- E. Each party represents to the other that:
 - 1. It has obtained all necessary approvals, consents and authorizations to enter into this Agreement;
 - 2. the person executing this Agreement on behalf of their party has the authority to do so;
 - 3. upon execution of this Agreement by the parties, it is valid and binding, enforceable in accordance with its terms; and
 - 4. the execution, delivery, and performance of this Agreement does not violate any bylaw, charter, regulation, law or any other governing authority of the party.

The parties hereby enter into this Agreement as of the Effective Date.

Village of Itasca

Village of Elk Grove Village

By: _____

By: _____

Name: Jeffery J Pruyn

Name: Craig B Johnson

Title: Village President

Title: Mayor

Date: _____

Date: _____

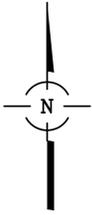
EXISTING TRAFFIC SIGNAL TO BE MODIFIED

PROPOSED THROUGHRIGHT TURN LANE

EXISTING TRAFFIC SIGNAL TO BE MODIFIED

MERGE ROAD

DEVON AVENUE



SCALE 1" = 80'
0 80 160

PROPOSED TRAFFIC SIGNAL

HAMILTON PARKWAY

ROHLWING ROAD

RETAIL OR OTHER COMMERCIAL
LOT 1

HOTEL OR OTHER COMMERCIAL
LOT 2

LOT 3

LOT 4

LOT 5

LOT 6

STORMWATER BASIN 1
HWL = 15.70
V = 106 AC-FT

STORMWATER BASIN 2
HWL = 15.80
NWL = 8.20
V = 11.51 AC-FT (INCLUDING DETENTION VAULT)

STORMWATER BASIN 3
HWL = 13.80
NWL = 5.70
V = 7.62 AC-FT

N89°38'12"W(M)
706.41'(M&R2)

114.22'(M&R2)
N00°15'17"E(M)

N89°17'40"W(M)
369.81'(M&R2)

445.63'(M&R2)
S54°44'57"W(M)

3361.81'(M&R2)
S29°42'35"W(M)

708.52'(M)
S00°37'24"W(M)

S85°16'04"E(M)
919.25'(M&R)

28.23°N45°15'02"E

830.52°N83°38'06"W

PROPOSED BUILDING 1
246,362 SF
FF=722.7

PROPOSED BUILDING 2
247,176 SF
FF=722.7

PROPOSED BUILDING 3
245,624 SF
FF=720.7

NO.	DATE	REMARKS
1	08-08-19	REVISED PER VILLAGE REVIEW

NO.	DATE	REMARKS
1	08-08-19	REVISED PER VILLAGE REVIEW

LETTER OF AGREEMENT EXHIBIT

BRIDGE POINT ITASCA
ITASCA, ILLINOIS

CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

9575 W. Higgins Road, Suite 700,
Rosemont, Illinois 60018
Phone: (847) 676-4000 Fax: (847) 676-4065



FILENAME:
1003- TRAFFIC LIGHT EXH

DATE:
08/06/19

JOB NO.
100.33

SHEET
Letter of Agreement Exhibit
1 OF 1

RESOLUTION NO. 1141-19

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH ELK GROVE VILLAGE CONCERNING TRAFFIC IMPROVEMENTS NEAR THE INTERSECTION OF DEVON AVENUE AND ROHLWING ROAD

WHEREAS, the Village of Itasca (“Itasca”) and the Village of Elk Grove Village (“Elk Grove”) are Illinois municipal corporations; and

WHEREAS, Article 7, Section 10 of the Illinois Constitution of 1971 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq., allows municipal corporations to enter into intergovernmental agreements in the furtherance of their government purposes; and

WHEREAS, Itasca and Elk Grove wish to enter into an Intergovernmental Agreement, which is attached hereto as Exhibit A and incorporated herein by reference, concerning certain traffic improvements near the intersection of Devon Avenue and Rohlwing Road, as more fully described in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the President and the Board of Trustees of the Village of Itasca, DuPage County, Illinois, as follows:

SECTION ONE: The corporate authorities of the Village of Itasca hereby approve the Intergovernmental Agreement, Exhibit A, between the Village of Itasca and the Village of Elk Grove Village.

SECTION TWO: The Village President or his designee is hereby authorized to sign and execute the Intergovernmental Agreement, Exhibit A, on behalf of the Village of Itasca.

SECTION THREE: SEVERABILITY. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

SECTION FOUR: REPEAL OF PRIOR RESOLUTIONS. All prior Resolutions and Ordinances in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FIVE: EFFECTIVE DATE. This Resolution shall be in effect immediately from and after its passage and approval.

AYES: _____

NAYES: _____

ABSENT: _____

ABSTAIN: _____

APPROVED and ADOPTED by the Village President and Board of Trustees of the Village of Itasca this 17th day of September, 2019.

APPROVED:

Village President Jeffery J. Pruyn

ATTEST:

Village Clerk Jody Conidi