

**AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT
FOR TRAFFIC AND PARKING REGULATION BY AND BETWEEN
THE BOARD OF EDUCATION OF GENEVA COMMUNITY
UNIT SCHOOL DISTRICT NO. 304, KANE COUNTY, ILLINOIS,
AND THE CITY OF GENEVA, KANE COUNTY, ILLINOIS**

WHEREAS, GENEVA COMMUNITY UNIT SCHOOL DISTRICT NO. 304, Kane County, Illinois (hereinafter referred to as "DISTRICT") , a public school district , and the CITY OF GENEVA, Kane County, Illinois (hereinafter referred to as "CITY"), a non-home rule unit of local government, are authorized pursuant to Section 10 of Article VII of the Constitution of the State of Illinois (Ill. Const. Art. VII, Sec. 10) and Section 3 of the Intergovernmental Cooperation Act (5 ILCS 220/3) to contract or otherwise associate among themselves to obtain or share services and to exercise any powers or functions not prohibited by law which either one of them is authorized by law to perform; and

WHEREAS, on or about September 26, 2006, Geneva Community Unit School District No. 304, Kane County, Illinois (hereinafter referred to as "District") and the City of Geneva, Kane County, Illinois (hereinafter referred to as "City"), entered into an Intergovernmental Agreement (hereafter referred to as "2006 IGA") for traffic and parking regulations, as authorized under the provisions of the Illinois Vehicle Code (hereinafter referred to as "CODE" [625 ILCS 5/1 et. seq.]) for the Geneva Middle School, South Campus located at 1415 Viking Drive and the Geneva Middle School, North Campus, located at 1357 Viking Drive, both located within the corporate boundaries of the CITY; and

WHEREAS, the 2006 IGA provided for amendments at any time by the further mutual written agreement of the parties, duly executed by their respective duly-authorized representatives; and

WHEREAS, the parties wish to amend and restate the 2006 IGA by expanding the definition of "PARKING AREA" as defined in the 2006 IGA to include safety zones and fire lanes at and contiguous to the following schools, in addition to those listed in the 2006 IGA :

- Geneva Community High School
416 McKinley Avenue, Geneva, Illinois 60134
- Williamsburg Elementary School
1812 Williamsburg, Geneva, Illinois 60134
- Harrison Street School
201 North Harrison Street, Geneva, Illinois 60134
- Western Avenue School
1500 Western Avenue, Geneva, Illinois 60134
- Heartland Elementary School
3300 Heartland Drive, Geneva, Illinois 60134

WHEREAS, the District has requested that the City regulate the parking and traffic at and affecting safety zones and fire lanes located in the parking lots and contiguous areas (hereinafter referred to as "PARKING AREA") to all of the school campuses located within the corporate boundaries of the CITY and as specifically listed in this Agreement.

NOW, THEREFORE, in consideration of the mutual promises hereinafter made, the City and District hereby amend and restate the 2006 IGA as follows:

1. The Recitals set forth above are incorporated herein as if fully set forth in this paragraph 1.

2. "PARKING AREA" as herein defined shall include the safety zones and fire lanes located in the parking lots at and contiguous to:

- Geneva Community High School
416 McKinley Avenue, Geneva, Illinois 60134
- Geneva Middle School, South Campus
1415 Viking Drive, Geneva, Illinois 60134
- Geneva Middle School, North Campus
1357 Viking Drive, Geneva, Illinois 60134
- Williamsburg Elementary School
1812 Williamsburg, Geneva, Illinois 60134
- Harrison Street School
201 North Harrison Street, Geneva, Illinois 60134
- Western Avenue School
1500 Western Avenue, Geneva, Illinois 60134
- Heartland Elementary School
3300 Heartland Drive, Geneva, Illinois 60134
- Such additional parking lots at schools which may be constructed hereafter and are located with the corporate limits of the CITY.

3. The City shall:

- a. Designate safety zones and fire lanes in the PARKING AREA on all school campuses of the DISTRICT located within the corporate limits of the CITY, pursuant to Section 11-209(a)(7) of the Illinois Vehicle Code;
- b. Designate the location of traffic and parking signs in the PARKING AREA, provided the DISTRICT purchases, installs and maintains such signs that prohibit, regulate, restrict and/or limit the stopping, standing or parking of vehicles in designated safety zones and fire lanes, all in accordance with local and state laws and regulations.

The signs will be designed in accordance with the uniform sign specifications required by the State of Illinois.

- c. Designate the location of traffic and parking signs in the PARKING AREA, provided the DISTRICT purchases, installs and maintains such signs as being safety zones and fire lanes indicating that vehicles parked or abandoned in the designated safety zones and fire lanes during public emergencies, or found unattended in the designated safety zones and fire lanes, will be removed and payment of reasonable charges for such removal and storage of the vehicle shall be borne by its owner or operator. The signs will be designed in accordance with the uniform sign specifications required by the State of Illinois.
- d. Enter upon the PARKING AREA, by and through the officers and employees of its Police Department, to patrol and enforce the traffic and parking restrictions in the designated safety zones and fire lanes in the PARKING AREA;
- e. Provide for the removal and storage of vehicles parked in the designated safety zones and fire lanes in the PARKING AREA (i) where they have become an unreasonable obstruction to traffic, and/or (ii) where stopping, standing or parking is prohibited, and for the payment of reasonable charges for such removal and storage by the owner or operator of such vehicle, pursuant to Section 11-209(a)(8);
- f. Bear the cost of maintaining and enforcing traffic and parking regulations, except for the signs, in the PARKING AREA; and
- g. Collect and retain as its sole and exclusive property all fines imposed and received for enforcement of traffic and parking violations in the PARKING AREA.

4. This Amended and Restated Intergovernmental Agreement shall become effective upon the approval and execution thereof by the last party hereto.

5. This Amended and Restated Intergovernmental Agreement may be executed in multiple, identical counterparts, and all said counterparts shall, taken together, constitute an integrated Amended Agreement.

6. The City and the District have authorized, by Resolution or Ordinance, the execution of this Amended and Restated Intergovernmental Agreement as an exercise of their respective intergovernmental cooperation authority under the Constitution of the State of Illinois, the Intergovernmental Cooperation Act and Section 11-209 of the Illinois Vehicle Code.

7. This Amended and Restated Intergovernmental Agreement shall be recorded in the Office of the Kane County Recorder and no regulation made pursuant to this Amended and Restated Intergovernmental Agreement shall be effective or enforceable until 3 days after this Amended Agreement is so recorded.

IN WITNESS WHEREOF, on this _____ day of _____, 2012, the parties hereto fixed their seals.

CITY OF GENEVA, ILLINOIS

BOARD OF EDUCATION OF GENEVA
COMMUNITY UNIT SCHOOL
DISTRICT NO. 304

By: _____
Mayor

By: _____
President

ATTEST:

ATTEST:

By: _____
Clerk

By: _____
Secretary