

WHEREAS, the District and County are authorized to enter into this Agreement by Article VII, Section 10 of the Illinois Constitution of 1970, and the Illinois Intergovernmental Cooperation Act, 5 ILCS 200/1 et seq., provisions of the County Code, and the Downstate Forest Preserve Act; and

WHEREAS, said Intergovernmental Agreement further calls for the County to contribute funds in the amount of Five Hundred Fifty Thousand Dollars (\$550,000.00) to the District for improvements to the golf course at the Landfill Sites.

NOW, THEREFORE, BE IT RESOLVED by the County of Kane Board that the Chairman of said Board be, and hereby authorized to execute and deliver on behalf of the County of Kane this Intergovernmental Agreement, which is on file with the County Clerk.

BE IT FURTHER RESOLVED by the County of Kane Board that this contribution come from the County's Enterprise General Fund and is budgeted in the County's 2014 budget.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
651.670.671.55000	Miscellaneous Contractual Expense	FY2014	FY2014	N/A

ROLL CALL: AYE: Allan, Auger, Barreiro, Castro, Davoust, Donahue, Ford, Gillam, Haimann, Hoscheit, Kenyon, Kojzarek, Lewis, Molina, Pollock, Scheflow, Silva, Smith, Starrett, Taylor, Vazquez & Wojnicki. **NAY:** None.

RESOLUTION NO. 14-233 IS ADOPTED. AYE: 22; NAY: 0; ABSTAIN: 0

###

ORDINANCE NO. 14 - 234

Motion by Taylor, seconded by Kojzarek to adopt Resolution No. 14-234.

AUTHORIZING AND ADOPTING AN ELECTRICAL POWER AGGREGATION PLAN OF OPERATION AND GOVERNANCE FOR UNINCORPORATED KANE COUNTY, ILLINOIS

WHEREAS, the Illinois Power Agency Act, Chapter 20, Illinois Compiled Statutes, Act 3855, added Section 1-92 entitled Aggregation of Electrical Load by Municipalities, Townships, and Counties (hereinafter referred to as the "Act"), under the Act, the County of Kane, Illinois ("County" of "Kane County") may operate the aggregation program under the Act as an opt-out program for residential and small commercial retail customers in the unincorporated areas of Kane County (not including Aurora and Dundee Townships) that are supplied electricity by Commonwealth Edison Company (hereinafter referred to as "unincorporated areas of the County"), if a referendum is passed by a majority vote of the unincorporated residents pursuant to the requirements under the Act; and

WHEREAS, the County submitted the question in a referendum on March 18, 2014, and a majority of the electors voting on the question voted in the affirmative; and

WHEREAS, the Kane County Board ("County Board") hereby finds that it is in the best interest of the County to operate the aggregation program under the act as an opt-out program and to implement the program according to the terms of the Act; and

WHEREAS, the Act requires that prior to the implementation of an opt-out electrical aggregation program by the County; the County must adopt an electrical power aggregation plan of operation and governance and hold not less than two (2) public hearings. The County held the required Public Hearings for the Electrical Power Aggregation Plan of Operation and Governance on June 24, 2014 and June 25, 2014, and provided the required public notices; and

WHEREAS, the County Board of the County of Kane hereby are authorized to aggregate in accordance with the terms of the Act residential and small commercial retail electrical loads located within the unincorporated areas of Kane County with the exception of Aurora and Dundee Townships, that are supplied electricity by Commonwealth Edison Company, and for that purpose may solicit bids and enter into service agreements to facilitate for those loads the sale and purchase of electricity and related services and equipment; and

WHEREAS, the County Board is granted the authority to exercise such authority jointly with any other municipality, township or county and, in combination with two or more municipalities, townships or counties, may initiate a process jointly to authorize aggregation by a majority vote of each particular municipality, township or county as required by the Act; and

WHEREAS, the County Board with the assistance from the Illinois Power Agency has developed a plan of operation and governance for the Aggregation Program and has conducted such public hearings and provided such public notices as required under the Act. The Electrical Power Aggregation Plan of Operation and Governance shall provide for universal access to all applicable residential customers and equitable treatment of applicable residential customers, shall describe demand management and energy efficiency services to be provided to each class of customers and shall meet any requirements established by law concerning aggregated service offered pursuant to the Act; and

WHEREAS, as an opt-out program, the County Board shall fully inform residential and small commercial retail customers in the unincorporated areas of the County (with the exception of Aurora and Dundee Townships), in advance that they have the right to opt-out of the Aggregation Program. The disclosure and information provided to the customers shall comply with the requirements of the Act; and

WHEREAS, the electrical aggregation shall occur automatically for each person owning, occupying, controlling, or using an electrical load center proposed to be aggregated in the unincorporated areas of the County (with the exception of Aurora and Dundee Townships), subject to a right to opt-out of the program as described under this ordinance and the Act.

NOW, THEREFORE, BE IT ORDAINED the County Board hereby adopts the Electrical Power Aggregation Plan of Operation and Governance for unincorporated Kane County (with the exception of Aurora and Dundee Townships) as set forth in Exhibit "A" which is on file with the County Clerk. This ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

Discussion: Per a member's question, there will be a Kane County fee attached to this ordinance in order to recover administrative costs but it will be revenue-neutral.

ROLL CALL: AYE: Allan, Auger, Barreiro, Castro, Davoust, Donahue, Ford, Gillam, Haimann, Hoscheit, Kenyon, Kojzarek, Lewis, Molina, Pollock, Schefflow, Silva, Smith, Starrett, Taylor, Vazquez & Wojnicki. **NAY:** None.
ORDINANCE NO. 14-234 IS ADOPTED. AYE: 22; NAY: 0; ABSTAIN: 0

###

RESOLUTION NO. 14 - 235

AUTHORIZING CERTAIN ACTIONS RELATIVE TO THE TAX AGENT

WHEREAS, the County of Kane has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases where the taxes on the same have not been paid pursuant to 35 ILCS 200/21-90; and

WHEREAS, pursuant to this program the County of Kane, as trustee for the taxing districts involved, has acquired an interest in the real estate described on the attached exhibit; and

WHEREAS, it appears to the Kane County Board that it would be to the best interest of the taxing districts of Kane County to dispose of this interest in said property.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof be and hereby is authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate certificate of purchase, as the case may be, on the real estate described in the attached exhibit for the sums shown and to be disbursed as shown and according to law.