

INTERGOVERNMENTAL COOPERATION AGREEMENT
BETWEEN THE CITY OF PEORIA, ILLINOIS AND
THE BOARD OF EDUCATION, CITY OF PEORIA SCHOOL DISTRICT 150

WHEREAS, the CITY OF PEORIA (the CITY) is a unit of local government organized under the Home Rule provisions of the Illinois Municipal Code; and

WHEREAS, the BOARD OF EDUCATION, CITY OF PEORIA SCHOOL DISTRICT 150 (the SCHOOL DISTRICT) is a unit of local government organized under Article 33 of the Illinois School Code; and

WHEREAS, the CITY believes that it has jurisdiction and control through its Zoning Ordinance over all zoning matters involving the SCHOOL DISTRICT; and

WHEREAS, the SCHOOL DISTRICT believes it is not subject to the jurisdiction and control of the CITY through its Zoning Ordinance; and

WHEREAS, it is the belief of both the CITY and the SCHOOL DISTRICT that it is in their respective best interests and in the best interests of the community as a whole to resolve their differences of opinion regarding the scope of the Zoning Ordinance by entering into an intergovernmental agreement;

NOW, THEREFORE, the CITY and the SCHOOL DISTRICT hereby agree as follows:

1. That the Zoning Ordinance shall not apply to the SCHOOL DISTRICT, except as indicated in #8 below, and in its place, the terms and provisions of this intergovernmental agreement shall apply to both the CITY and the SCHOOL DISTRICT.

2. That whenever the SCHOOL DISTRICT or any of its agents (such as the Public Building Commission of Peoria) desires to establish a new SCHOOL DISTRICT site or make changes and/or additions to a building or site on an existing SCHOOL DISTRICT site, an application shall be filed by the SCHOOL DISTRICT or its agents with the CITY, and shall include required plans, descriptions, and other materials as provided by the Zoning Ordinance. Such plans shall conform to the zoning ordinance as they relate to ingress, egress, parking, signage, landscaping, screening, buffering, exterior lighting, setbacks, yard and height requirements. No fees shall be charged for these applications.

3. That the SCHOOL DISTRICT or its agents shall meet with the appropriate CITY administration staff/zoning staff within fourteen (14) days of filing the application to review the application and consider recommendations and requests by the CITY for changes and modifications to the application. The SCHOOL DISTRICT and the CITY shall make a good faith attempt to resolve all differences of opinion regarding the proposed plans at this level. The CITY may

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issue a written report within ten (10) days of such meeting to the SCHOOL DISTRICT for DISTRICT'S review.

4. The City Zoning Administrator may consider modifications of the above mentioned requirements if conditions warrant such alteration. Final determination on any variances or modifications of code requirements shall be agreed jointly by the City Manager and the School District Superintendent or their designees.

5. The SCHOOL DISTRICT shall conduct a public meeting for area residents and other interested persons to discuss such applications and any CITY comments within forty-five (45) days of the meeting described in #3. Individual notices of the meeting shall be given to all property owners within 200 feet of the site. Notice shall be generally circulated in the neighborhood and given individually to any neighborhood homeowner groups or associations, and affected City District Councilpersons. At the meeting the project shall be fully explained by the SCHOOL DISTRICT staff and agents and input, both oral and written, shall be invited from the public.

6. The SCHOOL BOARD shall make a final decision on the project at a regular or special meeting giving full notice as provided by the Illinois Public Meeting Act and shall consider any CITY recommendations, requests, and also public input before making a decision. The SCHOOL DISTRICT shall provide the City Manager with a copy of the School Board's final decision on each project.

7. The CITY administration shall promptly advise the CITY COUNCIL of all SCHOOL DISTRICT applications under this intergovernmental agreement and their disposition.

8. The Zoning Ordinance shall apply to the SCHOOL DISTRICT and its agents for those projects which are of a commercial nature or not related to the educational function of the SCHOOL DISTRICT. The educational function of the SCHOOL DISTRICT shall include but shall not be limited to the providing of primary and secondary instruction to public school students, physical and outdoor education, intramural and competitive athletics, extracurricular activities, transportation, including parking, improvement of existing facilities, shared use educational facilities with another public body provided the real estate is owned by the SCHOOL DISTRICT, educational facilities annexed to the SCHOOL DISTRICT, and all educational activities as specifically provided for in the Illinois School Code.

9. By entering into this intergovernmental agreement, neither the CITY nor the SCHOOL DISTRICT waive any rights they may have under the laws regarding the applicability of the Zoning Ordinance to the SCHOOL DISTRICT. This agreement shall not prejudice any legal position, right of action, defense, or prerogative which either party may now or hereafter have or assert. This agreement may be terminated by either party by giving the other party fourteen (14) days written notice of such intended termination.

10. This Agreement shall apply only to property of the SCHOOL DISTRICT or its agents lying within the limits of the City of Peoria as now or hereafter determined.

This intergovernmental agreement is entered into in the true spirit and cooperation by and between the CITY OF PEORIA, ILLINOIS, and the BOARD OF EDUCATION, CITY OF PEORIA SCHOOL DISTRICT 150, for the greater benefit of all of the citizens of the CITY and residents of the SCHOOL DISTRICT.

This Agreement shall become effective on the date on which the last of the two parties approve the Agreement by official action.

BOARD OF EDUCATION, CITY OF PEORIA SCHOOL DISTRICT 150

By: Linda E. Daley
President

Attest:
By: Jeanette D. Sullivan
Secretary

Date Approved: February 4, 1991

CITY OF PEORIA

By: James Maloof
Mayor

Attest:
By: Mary S. Haignes

Date approved: February 5, 1991