

Ordinance

FI-O-0066-18

AN ORDINANCE PROPOSING THE DISSOLUTION OF THE  
HIGHLAND HILLS SANITARY DISTRICT

WHEREAS, it is in the best interests of DuPage County taxpayers that more efficient service delivery models be established in order to replace units of government that are not financially sustainable; and

WHEREAS, the Chairman and members of the County Board under the DuPage ACT Initiative (accountability, consolidation, transparency) sought and received supplemental legislative authority from the General Assembly authorizing the dissolution of certain units of local government and the consolidation of governmental functions in the best interest of taxpayers; and

WHEREAS, Public Act 98-0126, as subsequently amended, authorizes county boards to propose by ordinance the dissolution of certain specified units of local government, including the Highland Hills Sanitary District; and

WHEREAS, the Highland Hills Sanitary District is a sanitary district duly organized pursuant to 70 ILCS 2805/1, et seq., and, pursuant to said authority, operates a waterworks and a sanitary sewerage system servicing an area of DuPage County located in York Township; and

WHEREAS, the County of DuPage previously established a special service area (Special Service Area No. 37) under the Special Service Area Tax Law (35 ILCS 200/27-5) to provide potable water services to an area of DuPage County in York Township located contiguous to the Highland Hills Sanitary District's boundaries; and

WHEREAS, County of DuPage Special Service Area No. 37 is part of the County's York Township Water System, a system having ample capacity and capabilities to provide a Lake Michigan-supplied water service to Highland Hills Sanitary District's water service customers; and

WHEREAS, the Flagg Creek Water Reclamation District is a sanitary district duly organized pursuant to 70 ILCS 2405/1, et seq., and, pursuant to said authority, operates a sanitary sewerage system servicing an area of DuPage County located in York and Downers Grove Townships located contiguous to the Highland Hills Sanitary District's boundaries; and

WHEREAS, Flagg Creek's sanitary sewerage system is interconnected with Highland Hills' sanitary sewerage system and, further, by a prior agreement between those parties, the Flagg Creek Water Reclamation District provides wastewater treatment for Highland Hills' sanitary sewerage system; and

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WHEREAS, a majority of the Highland Hills Sanitary District's residents and the Highland Hills Sanitary District's Board of Trustees favor dissolving that district and ceasing that District's operations and, further, having the County of DuPage provide water service for the District's residents and for the Flagg Creek Water Reclamation District to directly provide sanitary sewer services; and

WHEREAS, the COUNTY retained the services of Crowe Horwath, LLC to perform an independent assessment of some county appointed agencies in DuPage County, in order to determine whether any of those governmental agencies were potential candidates for dissolution pursuant to Public Act 98-0126; and

WHEREAS, Crowe Horwath, LLC determined that Highland Hills Sanitary District was a likely candidate for dissolution following an evaluation of the costs, benefits and feasibility of shared services, streamlining of existing operations, merging, consolidating and/or transferring certain operations and, or, system components of Highland Hills to the County of DuPage and the Flagg Creek Water Reclamation District; and

WHEREAS, based on the foregoing factors, the Highland Hills Sanitary District, the County of DuPage and the Flagg Creek Water Reclamation District entered into an Intergovernmental Agreement, adopted by the DuPage County Board as Resolution (PW-R0381-17), to provide for the eventual transfer of Highland Hills' functions, public records and assets to the other two parties in anticipation of Highland Hills' dissolution; and

WHEREAS, the dissolution of the Highland Hills Sanitary District, and the consolidation of the District's services with those of the County of DuPage and the Flagg Creek Water Reclamation District will provide additional cost savings for its residents as the annual tax levy of approximately \$53,500 will be abolished, and over \$25,000 in professional services costs and trustee compensation (as provided by statute) will no longer be necessary to maintain the Highland Hills Sanitary District; and

WHEREAS, consistent with Public Act 98-0126, as amended, the dissolution of the Highland Hills Sanitary District will improve the quality and dependability of water and sanitary sewer services provided [at a lower cost to the District's residents].

NOW, THEREFORE BE IT ORDAINED, by the County Board of DuPage County, Illinois that:

1. The County Board does hereby propose the dissolution of the Highland Hills Sanitary District pursuant to 55 ILCS 5/5-44005, et seq.; and

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2. The Chairman of the County Board shall cause an audit of the Highland Hills Sanitary District, the findings of which are to be reported back to the County Board within thirty (30) days; and
3. The Clerk shall publish public notice of this Ordinance in a newspaper of general circulation served by the Highland Hills Sanitary District and on the County's website.

Enacted and approved this 25th day of September, 2018 at Wheaton, Illinois.

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DANIEL J. CRONIN, CHAIRMAN  
DU PAGE COUNTY BOARD

Attest: \_\_\_\_\_  
PAUL HINDS, COUNTY CLERK

<b>RESULT:</b>	<b>APPROVED BY CONSENT VOTE [UNANIMOUS]</b>
<b>MOVER:</b>	James Zay, Vice Chair
<b>SECONDER:</b>	James Healy, District 5
<b>AYES:</b>	Anderson, Chaplin, DiCianni, Eckhoff, Elliott, Gavanese, Grant, Hart, Healy, Khouri, Krajewski, Larsen, Noonan, Puchalski, Wiley, Zay
<b>ABSENT:</b>	Gary Grasso, Sam Tornatore