

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE CITY OF PEORIA AND THE PEORIA HOUSING AUTHORITY
FOR THE
CONSTRUCTION OF A NATURE BASED PLAY AREA**

The PEORIA HOUSING AUTHORITY, a municipal corporation ("PHA") and the CITY OF PEORIA, ILLINOIS, a municipal corporation ("CITY") agree as follows:

INTRODUCTION

WHEREAS, Article VII, §10, of the Constitution of the State of Illinois authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and

WHEREAS, 5 ILCS 220/1, *et seq.*, entitled the “Intergovernmental Cooperation Act,” provides that any power or powers, privileges, or authority exercised or that may be exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government; and

WHEREAS, 5 ILCS 220/5 provides that any one or more public agencies may contract with any one or more public agencies to perform any governmental service, activity, or undertaking that any of the public agencies entering into the contract is authorized by law to perform, provided that such contract shall be authorized by the governing body of each party to the contract; and

WHEREAS, the City is the recipient of a grant from the National Recreation and Park Association (NRPA) in the amount of One Hundred Fifty Thousand Dollars (\$150,000.00) for the purposes of creating opportunities for nature based play in local parks, educating the public about the environment, particularly water resource stewardship and encouraging volunteerism; and

WHEREAS, the City has entered into a Memorandum of Understanding (hereinafter MOU) with NRPA, with support from the American Water Charitable Foundation (WCF) to use the grant funds for the construction of a water play park known as “Peoria GreenSplash” (Project) on property owned and maintained by PHA; and

WHEREAS, the City, PHA, NRPA, and AWCF hereto desire to create opportunities for nature-based play in local parks, educate people about the environment, particularly water resource stewardship, and encourage community volunteerism through the construction of Peoria GreenSplash; and

WHEREAS, the City and PHA desire to facilitate the construction of the Project on the playground of PHA’s Harrison Homes Development, located at 2022-2054 S. Friedan Street, Peoria, IL (Site).

NOW, THEREFORE, IN CONSIDERATION of the promises contained herein, the sufficiency of which is hereby acknowledged, the City and PHA agree as follows:

1. PHA will allow the City to build the Project at the Site as depicted in Exhibit A, in accordance with the MOU (Exhibit B). While the Project does not have detailed construction plans available at the time of this IGA being executed, it will generally include the construction of a 30' +/- diameter concrete pad with ground level water jets that are controlled by an in ground pump system. The Project will further have native plans installed around the splash pad, as well as signage indicating the project name and partner agencies.

2. The City will be responsible for maintenance and operation of the Project equipment and plant materials and PHA will facilitate access to the Project, as necessary for ongoing maintenance and operation.

3. PHA will be responsible for lawn maintenance. PHA will have no responsibility for the cost of the Project construction.

4. PHA will not be liable to the City for any liability of any kind relating to or arising out of participation in the Project.

5. This Agreement shall be effective as of April _____, 2018.

City of Peoria

Peoria Housing Authority

By: _____
Its:

By: _____
Its: