

CITY OF O'FALLON, ILLINOIS
RESOLUTION 2009 -

**AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE OSLAD
GRANT FOR FAMILY SPORTS & COMMUNITY PARK**

WHEREAS, the City of O'Fallon, a municipal corporation, hereby certifies and acknowledges that it has 100% of the funds necessary (including cash and value donated land) to complete the pending OSLAD/LWCF project within the timeframes specified herein for project execution, and that failure to adhere to the specified project timeframe or failure to proceed with the project because of insufficient funds or change in local recreation priorities is sufficient cause for project grant termination which will also result in the ineligibility of the local project sponsor for subsequent Illinois DNR outdoor recreation grant assistance consideration in the next two (2) consecutive grant cycles following project termination.

Acquisition Projects – It has understood that the project sponsor has up to twelve (12) months following project approval to acquire the subject property (*petition to condemn must be filed for acquisitions involving eminent domain*) and three (3) months following acquisition closing to submit a final reimbursement billing to the IDNR (*excluding eminent domain cases*).

Development Projects – It is understood that the local project sponsor has six (6) months following project approval to initiate project development and a total of 24 months to complete said development with a Final Billing request submitted to IDNR within three (3) months following completion.

The City of O'Fallon further acknowledges and certifies that it will comply with all terms, conditions, and regulations of 1) the Open Space Lands Acquisition and Development (OSLAD) program (17 IL Adm. Code 3025) or federal Land and Water Conservation Fund (LWCF) program (17 IL Adm. Code 3030), as applicable, 2) the federal Uniform Relocation Act (310 ILCS 40 et. Seq.), as applicable 3) the Illinois Human Rights Act (775 ILCS 5/1-101 et. seq.), 4) Title VI of the Civil Rights Act of 1964, (P.L. 83-352), 5) the Age Discrimination Act of 1975 (P.L. 94-135), 6) the Civil Rights Restoration Act of 1988, (P.L. 100-259) and 7) the Americans with Disabilities Act of 1990 (PL 101-336); and will maintain the project area in attractive and safe conditions, keep the facilities open to the general public during reasonable hours consistent with the type of facility, and obtain from the Illinois DNR written approval for any change or conversion of approved outdoor recreation use of the project site prior to initiating such change or conversion; and for property acquired with OSLAD/LWCF assistance, agree to place a covenants restriction on the project property deed at the time of recording that stipulates the property must be used, in perpetuity, for public outdoor recreation purposes in accordance with the OSLAD/LWCF programs and cannot be sold or exchanged in whole or part, to another party without approval from Illinois DNR.

BE IT FURTHER PROVIDED that the City of O'Fallon certifies to the best of its knowledge that the information provided within the attached application is true and correct.

Now, therefore, Be it resolved by the Mayor and City Council of the City of O'Fallon, St. Clair County, Illinois as follows:

This Resolution of Authorization has been duly discussed and adopted by the City of O'Fallon at a legal meeting held on the 15th day of June 2009.

ATTEST:

Approved by the Mayor this ____ day
of _____ 2009.

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor