

RESOLUTION NO. 21 - _____

**A RESOLUTION OF THE CITY OF NAPERVILLE
CONFIRMING CITY FUNDING COMMITMENT OF NAPER SETTLEMENT'S
INNOVATION GATEWAY CAPITAL IMPROVEMENT**

RECITALS

1. **WHEREAS**, the City of Naperville, DuPage and Will Counties, of the State of Illinois is an Illinois municipal corporation and home rule unit of government under the laws and Constitution of the State of Illinois; and
2. **WHEREAS**, the City of Naperville (**City**) is the owner of the land and buildings known as the Naper Settlement; and
3. **WHEREAS**, the Naperville Heritage Society (**Society**) was established in 1969 to preserve Naperville's historic landmarks and materials, exhibiting, educating, and interpreting them to the public as well as developing the City's nationally accredited outdoor museum known as Naper Settlement; and
4. **WHEREAS**, in 1979, the City and Society formally partnered and reached certain agreements pertaining to the management, maintenance, development, operation, and financing of the Naper Settlement; and
5. **WHEREAS**, the Society has determined it to be in the best interest of the Naper Settlement, to engage in a capital campaign for the construction and establishment of two significant capital improvements on the Naper Settlement property, the Innovation Gateway and the Agricultural Center (**Capital Improvements**); and
6. **WHEREAS**, the proposed Innovation Gateway (**Innovation Gateway**) will be an approximately 4,000 square foot Digital Experience & Welcome Zone and Education Center, and will serve as the entrance to Naper Settlement where visitors may enjoy an interactive digital experience that will connect them to Naperville's 20th and 21st century residents – from humanitarians to visionaries – and visitors will be able to upload their own story and become a part of history; and
7. **WHEREAS**, the proposed Agricultural Center (**Agricultural Center**) will be an approximately 3,900 square foot exhibition and lab space on Naper Settlement's premises showcasing the contributions of Naperville's farming community. Visitors will be able to visit the learning laboratory and talk with today's botanists and engineers working to generate new ways of feeding, clothing and energizing the world; and
8. **WHEREAS**, the Society has informed the City that it desires to construct and establish the Capital Improvements and the Society desires the City to assist with financing the Capital Improvements; and

9. **WHEREAS**, the City has the authority, pursuant to the laws of the State of Illinois and its home rule authority, to use its credit, revenues, and other resources to pay costs and service debt related to activities which involve a public purpose; and
10. **WHEREAS**, the City has the authority, pursuant to the laws of the State of Illinois and its home rule authority, to promote the health, safety, and welfare of the City and its residents, and to act to achieve such objectives; and
11. **WHEREAS**, the City has determined it is in the public interest to assist with financing the Capital Improvements as they will enhance the quality of life for the greater Naperville community; and
12. **WHEREAS**, on November 19, 2019, Naperville's City Council unanimously adopted Resolution 19-045, which memorialized that Naperville's City Council is supportive of the proposed Capital Improvements and that the City will consider contributing \$2,400,000 for the Capital Improvements subject to certain conditions. A copy of Resolution 19-045 is attached hereto as Exhibit A; and
13. **WHEREAS**, Resolution 19-045, in part, specified that the total amount of funding which may be provided by the City for the Capital Improvements shall not exceed one-third (1/3) of the total cost of the construction and establishment of the Capital Improvements; and that the City shall not contribute any funds towards the Capital Improvements unless and until the Society has received funds from other donors which constitute at least two-thirds (2/3) of the total cost of the construction and establishment of the Capital Improvements; and
14. **WHEREAS**, on July 20, 2021, Naperville's City Council unanimously adopted Resolution 21-20 authorizing the City to transfer up to \$1,200,000 to the Society for the Agricultural Center; and
15. **WHEREAS**, at that time the Society shared that it would be returning to the City Council re: City funding for the Innovation Gateway; and
16. **WHEREAS**, the Society is seeking a matching grant through the National Endowment for the Humanities (**NEH**) as a component of the two-thirds (2/3) funding requirement for the Innovation Gateway and request that the City Council re-affirm its commitment for the remaining one-third (1/3) of construction costs associated with the Innovation Gateway; and
17. **WHEREAS**, the City included in its 2021 budget sufficient funds to cover the \$1,200,000 transfer to the Society for the construction and establishment of the Innovation Gateway.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, COUNTIES OF DUPAGE AND WILL, ILLINOIS, in exercise of its home rule authority, as follows:

SECTION 1: The foregoing recitals are incorporated as though fully set forth in this Section 1.

SECTION 2: The City Council re-affirms its commitment for the remaining one-third (1/3) of construction costs associated with the Innovation Gateway subject to the following conditions:

1. The total amount of funding which may be provided by the City for the Innovation Gateway shall not exceed one-third (1/3) of the total cost of the construction and establishment of the Innovation Gateway.
2. The City shall not contribute any funds towards the Innovation Gateway unless and until the Society has provided written proof, to the satisfaction of the Naperville City Manager, that the Society has secured funding by way of donations, pledged donations, and grants to cover at least two-thirds (2/3) of the total cost of the construction and establishment of the Innovation Gateway; and that the Innovation Gateway shall be completed and open to the public by January 1, 2024.
3. The City will contribute up to \$1,200,000 for the Innovation Gateway based on Society representations that the estimated cost, without endowment costs, is \$3,659,000, including an approximately \$231,498 contingency.
4. The City will disburse its contribution, up to \$1,200,000 to the Society in a construction draw method, whereby the City will issue progress payments to the Society as Innovation Gateway construction work is completed.
5. The City shall be reimbursed for any unused or unspent portion of the designated contingency (currently estimated at \$231,498) related to the construction and establishment of the Innovation Gateway.
6. The Society will lead, oversee and be financially responsible for the construction efforts as construction owner/managers and as has been customary with previous capital projects the Society will gift ownership and possession of the Innovation Gateway to the City after its completion.

SECTION 3: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED this _____ day of _____, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this ___ day of _____, 2021.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk