



# City of Chicago



O2018-7960

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	10/29/2018
<b>Sponsor(s):</b>	Dept./Agency
<b>Type:</b>	Ordinance
<b>Title:</b>	Amendment of tax levy for Special Service Area No. 20, South Western Avenue (Year 2019)
<b>Committee(s) Assignment:</b>	Committee on Finance



DEPARTMENT OF PLANNING AND DEVELOPMENT  
CITY OF CHICAGO

October 16, 2018

**TO THE HONORABLE CHAIRMAN, EDWARD M. BURKE AND MEMBERS OF THE  
COMMITTEE ON FINANCE OF THE CITY COUNCIL**

Ladies and Gentlemen:

I transmit herewith twelve Special Service Area ordinances.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

David L. Reifman  
Commissioner

## ORDINANCE

**WHEREAS**, special service areas may be established pursuant to Article VII, Sections 6(l) and 7(6) of the Constitution of the State of Illinois, and pursuant to the provisions of the Special Service Area Tax Law, 35 ILCS 200/27-5 et seq., as amended from time to time (the "Act") and pursuant to the Property Tax Code, 35 ILCS 200/1-1 et seq., as amended from time to time; and

**WHEREAS**, on October 28, 1997, the City Council of the City of Chicago (the "City Council") enacted an ordinance, as amended by an ordinance by the City Council on November 15, 2000, which established an area known and designated as City of Chicago Special Service Area Number 20 and authorized the levy of an annual tax, for the period beginning in 1997 through and including 2003 (the "Initial Levy Period"), not to exceed an annual rate of one and zero hundredths percent (1.00%) of the equalized assessed value of the taxable property in the area to provide certain special services in and for the area in addition to the services provided by and to the City of Chicago (the "City") generally; and

**WHEREAS**, the Initial Levy Period expired; and

**WHEREAS**, on December 8, 2004, the City Council enacted an ordinance (the "Original Ordinance") which again established a special service area known and designated as City of Chicago Special Service Area Number 20 (the "Area") to provide certain special services in and for the Area in addition to services provided generally by the City (the "Original Special Services") and authorizing a levy of an annual tax for the period beginning in 2004 through and including 2013 (the "Second Period") not to exceed an annual rate of one and zero hundredths percent (1.00%) of the equalized assessed value of all property within the Area (the "Services Tax") to provide the Original Special Services for an additional period of 10 years; and

**WHEREAS**, on December 11, 2013, the City Council enacted an ordinance (the "Levy Extension Ordinance") which (i) authorized certain special services in the Area distinct from the Original Special Services (the "Special Services"), and (ii) authorized the extension of the Second Period and of the levy of the Services Tax for the provision of the Special Services in the Area in addition to services provided generally by the City for a period beginning 2013 through and including tax year 2022; and

**WHEREAS**, the Original Ordinance and the Levy Extension Ordinance are herein collectively referred to as the "Establishment Ordinance"; and

**WHEREAS**, the Establishment Ordinance established the Area as that territory on Western Avenue from 99<sup>th</sup> Street to 111<sup>th</sup> Place and on the west side of Western Avenue from 111<sup>th</sup> Place to 119<sup>th</sup> Street; and

**WHEREAS** the Special Services authorized in the Establishment Ordinance include, but are not limited to: recruitment of new businesses to the Area, rehabilitation activities, maintenance and beautification activities, new construction, security, promotional and advertising activities, strategic planning for the Area, and other technical assistance activities to promote commercial and economic development (which may include, but are not limited to, streetscape improvements, strategic transit/parking improvement including parking management studies, and enhanced land use oversight and control initiatives); and

**WHEREAS**, the Establishment Ordinance provided for the appointment of the South Western Special Service Area Commission (the "Commission") to advise the City Council regarding the amount of the Services Tax to be levied and for the purpose of recommending to the City Council: (1) a yearly budget based upon the cost of providing the Special Services; (2) an entity to serve as a service provider (the "Service Provider"); (3) an agreement between the City and the Service Provider for the provision of Special Services to the Area (the "Service Provider Agreement"); and (4) a budget to be included in the agreement between the City and the Service Provider (the "Budget") (the aforementioned items 1 through 4 shall be known collectively herein as the "Recommendations"); and

**WHEREAS**, on September 20, 2018, the City Council enacted an ordinance (the "2019 Levy Ordinance"), among other things, appropriating the sums necessary to provide the Special Services in and for the Area for 2019, levying the Services Tax for the tax year 2018, and authorizing an agreement with Morgan Park Beverly Hills Business Association, an Illinois not-for-profit corporation, as the Service Provider, for the provision of the Special Services in 2019; and

**WHEREAS**, the City therefore desires to amend the 2019 Levy Ordinance, as set forth below; now, therefore

**Be It Ordained by the City Council of the City of Chicago:**

**SECTION 1. Incorporation of Preambles.** The preambles of this ordinance are hereby incorporated into this text as if set out herein in full.

**SECTION 2. Amendment of 2019 Levy Ordinance.** Section 3 of the 2019 Levy Ordinance is hereby amended by deleting the language indicated by strikeout and adding the double-underlined language as follows:

**"SECTION 3. Levy of Taxes.** There is hereby levied pursuant to the provisions of Article VII, Sections 6(a) and 6(l)(2) of the Constitution of the State of Illinois and pursuant to the provisions of the Act and pursuant to the provisions of the Establishment Ordinance, the sum of \$493,157 \$189,131 as the amount of the Services Tax for the tax year 2018."

**SECTION 3. Enforceability.** If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

**SECTION 4. Conflict.** This ordinance shall control over any provision of any other ordinance, resolution, motion or order in conflict with this ordinance, to the extent of such conflict.

**SECTION 5. Effective Date.** This ordinance shall take effect after its passage and publication.