



City of Chicago



O2014-9330

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	11/5/2014
Sponsor(s):	Dept./Agency
Type:	Ordinance
Title:	Second public hearing for re-establishment of Special Service Area No. 43
Committee(s) Assignment:	Committee on Finance

PUBLIC HEARING 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, and pursuant to the Property Tax Code, 35 ILCS 200/1-1 et seq., as amended from time to time (the "Property Tax Code"); and

WHEREAS, on November 1, 2006, the City Council of the City of Chicago (the "City Council") enacted an ordinance which established an area known and designated as City of Chicago Special Service Area Number 43 (the "Area") and authorized the levy of an annual tax, for the period beginning in tax year 2006 through and including tax year 2015 (the "Original Levy Period"), not to exceed an annual rate of 0.40% of the equalized assessed value of the taxable property therein (the "Original Services Tax") to provide certain special services in and for the Area in addition to the services provided by and to the City of Chicago generally (the "Original Special Services"); and

WHEREAS, the City Council adopted an ordinance on September 10, 2014 (the "First Public Hearing Ordinance") which was published in the Journal of Proceedings of the City Council of the City of Chicago for such date, and which authorized a public hearing to consider (i) the authorization of certain special services which are distinct from the Original Special Services, (ii) the authorization of the extension of the Original Levy Period through and including tax year 2028, and (iii) the increase of the levy of the Original Services Tax from 0.40 percent to 1.5 percent (the "Services Tax") for the provision of certain special services (the "Special Services") in the Area; and

WHEREAS, a public hearing was held on October 2, 2014 pursuant to the First Public Hearing Ordinance; and

WHEREAS, the City Council finds that (a) it is in the public interest that a second public hearing be held for consideration to be given to (i) the authorization of the Special Services which are distinct from the Original Special Services, (ii) the authorization of the extension of the Original Levy Period through and including tax year 2028, and (iii) the increase of the levy of the Original Services Tax from 0.40 percent to 1.5 percent for the provision of the Special Services in the Area; (b) the Area is contiguous; and (c) the proposed Special Services are in addition to municipal services provided by and to the City generally; now, therefore,

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

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

SECTION 2. A public hearing shall be held by the Committee on Finance of the City Council of the City of Chicago at the City Council Chambers, City Hall, Chicago, Illinois (the "Hearing") to consider (i) the authorization of the Special Services which are distinct from the Original Special Services, and (ii) the authorization of the extension of the Original Levy Period, and (iii) the increase of the levy of the Original Services Tax from 0.4 percent to 1.5 percent for the provision of the Special Services in the Area. At the Hearing there will be considered the extension of the levy of the Services Tax upon the taxable property within the Area sufficient to

produce revenues required to provide Special Services in the Area. The Services Tax shall not exceed the annual sum of 1.5 percent of the equalized assessed value of the taxable property within the Area. The Services Tax shall be authorized to be extended and levied in tax years 2014 through and including 2028. The proposed amount of the tax levy for special services for the initial year for which taxes will be levied within the Area in tax year 2014 is \$325,310. The Services Tax shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Property Tax Code, as amended from time to time. The Special Services to be considered include, but not limited to: recruitment of new businesses to the area, rehabilitation activities, maintenance and beautification activities, security, coordination of promotional and advertising activities, strategic planning for the area, and other technical assistance activities to promote commercial and economic development including, but not limited to: streetscape improvements; strategic transit/parking improvement including parking management studies; and enhanced land use oversight and control initiatives. The Special Services shall be in addition to services provided to and by the City of Chicago generally. The Area shall consist of territory described on Exhibit 1 hereto and hereby incorporated herein. The approximate street location of said territory consists of the Area on Devon Avenue from Kedzie Avenue to Damen Avenue and Western Avenue from Arthur Avenue to Granville Avenue.

SECTION 3. Notice of the Hearing shall be published at least once, not less than fifteen (15) days prior to the Hearing, in a newspaper of general circulation within the City of Chicago. In addition, notice by mail shall be given by depositing said notice in the United States mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each property lying within the Area. The notice shall be mailed not less than ten (10) days prior to the time set for the Hearing. In the event taxes for the last preceding year were not paid, the notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of the property.

SECTION 4. Notice of the Hearing shall be substantially in the following form:

Notice of Public Hearing

City of Chicago Special Service Area Number 43.

Notice is hereby given that at _____ o'clock ____m., on the _____ day of _____, 2014 at the City Council Chambers, City Hall, 121 North LaSalle Street, Chicago, Illinois, a public hearing will be held by the Committee on Finance of the City Council of the City of Chicago to consider certain matters with respect to an area within the City of Chicago to be known and designated as Special Service Area Number 43 (the "Area") and the authorization of the levy of a special annual services tax (the "Services Tax") within the Area. The matters shall include (i) the authorization of certain special services (the, "Special Services") which are distinct from the original special services currently authorized within the Area, and (ii) the authorization of an extension of the original levy period, and (iii) the increase of the levy of the original services tax from 0.40 percent to 1.5 percent for the provision of the Special Services in the Area. The Services Tax under consideration shall be authorized to be levied annually in tax years 2014 through and including 2028. The purpose of creating the Area shall be to provide Special Services within the Area, which may include, but not limited to: recruitment of new businesses to the area, rehabilitation activities, maintenance and beautification activities, security, coordination of promotional and advertising activities, strategic planning for the area,

and other technical assistance activities to promote commercial and economic development including, but not limited to: streetscape improvements; strategic transit/parking improvement including parking management studies; and enhanced land use oversight and control initiatives.

At the public hearing there will be considered a Services Tax to be levied against the taxable property included within the Area for the provision of the Special Services not to exceed the annual sum of 1.5 percent of the equalized assessed value of taxable property within the Area. The proposed amount of the tax levy for Special Services for the initial year for which taxes will be levied within the Area in tax year 2014 is \$325,310. The Services Tax shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Property Tax Code, 35 ILCS 200/1-1 et seq., as amended from time to time.

The Area shall consist of the territory described herein and incorporated hereto as Exhibit 1. The approximate street location of said territory the Area on of the Area on Devon Avenue from Kedzie Avenue to Damen Avenue and Western Avenue from Arthur Avenue to Granville Avenue.

At the public hearing any interested person, including all persons owning taxable real property located within the proposed Area, affected by (i) the authorization of Special Services which are distinct from the original special services currently authorized within the Area, and (ii) the authorization of the extension of the original levy period, and (iii) the increase of the levy of the original services tax for the provision of the Special Services in the Area may file with the City Clerk of the City of Chicago written objections to and may be heard orally with respect to any issues embodied in this notice. The Committee on Finance of the City Council of the City of Chicago shall hear and determine all protests and objections at said hearing, and said hearing may be adjourned to another date without further notice other than a motion to be entered upon the minutes fixing the time and place it will reconvene.

If a petition signed by at least fifty-one percent (51%) of the electors residing within the boundaries of the proposed Area and by at least fifty-one percent (51%) of the landowners included within the boundaries of the proposed Area objecting to (i) the authorization of the Special Services which are distinct from the original special services currently authorized within the Area, and (ii) the authorization of the extension of the original levy period, and (iii) the increase of the levy of the original services tax for the provision of the Special Services in the Area is filed with the City Clerk of the City of Chicago within sixty (60) days following the final adjournment of the public hearing, the Special Services which are distinct from the original special services currently authorized within Area shall not be authorized and the period of years in which the levy of the Services Tax shall not be extended through and including tax year 2028 and the increase of the levy of the original services tax shall not be authorized.

By order of the City Council of the City of Chicago, Cook County, Illinois.

Dated this _____ day of _____, 2014.

City Clerk, City of Chicago,

SECTION 5. This ordinance shall become effective from its passage and approval.

EXHIBIT 1

Legal Description and Permanent Index Numbers

See attached pages.

SPECIAL SERVICE AREA #43 – LEGAL DESCRIPTION

Legal Description Of Special Service Area Number 43/Devon Avenue.

All that part of Section 36, Township 41 North, Range 13 East, Section 31, Township 41 North, Range 14 East, Section 6, Township 40 North, Range 14 East and Section 1, Township 40 North, Range 13 East of the Third Principal Meridian, being bounded and described as follows: beginning at the intersection of the east line of Kedzie Avenue with the north line of the 16 foot wide alley north of Devon Avenue in the west half of the southwest quarter of Section 36, Township 41 North, Range 13 East of the Third Principal Meridian, and running; thence east along said north line of the 16 foot wide alley north of Devon Avenue and its east extension to the east line of Rockwell Street; thence north along said east line of Rockwell Street to the north line of Lot 11 in Block 5 in Wm.L. Wallen Edgewater Golf Club Addition to Rogers Park, a subdivision in the southeast quarter of the southeast quarter of Section 36; thence east along said north line of Lot 11 in Block 5 in said Wm. L. Wallen Edgewater Golf Club Addition to Rogers Park to the east line thereof; thence south along said east line Lot 11 in Block 5 in said Wm. L. Wallen Edgewater Golf Club Addition to Rogers Park to the north line of the 16 foot wide alley north of Devon Avenue; thence east along said north line of the 16 foot wide alley north of Devon Avenue to the east line of the 16 foot wide alley west of Western Avenue; thence north along said east line of the 16 foot wide alley west of Western Avenue to the south line of Arthur Avenue; thence east along said south line of Arthur Avenue to the west line of the 16 foot wide alley east of Western Avenue; thence south along said west line of the 16 foot wide alley east of Western Avenue to the north line of the 16 foot wide alley north of Devon Avenue; thence east along said north line of the 16 foot wide alley north of Devon Avenue and the easterly extension thereof to the east line of Claremont Avenue; thence south along said east line of Claremont Avenue to the north line of the 16 foot wide alley north of Devon Avenue; thence east along said north line of the 16 foot wide alley north of Devon Avenue to the west line of Damen Avenue; thence south along said west line of Damen Avenue to the south line of Devon Avenue; thence west along said south line of Devon Avenue to the east line of Lot 1 in Block 1 in Wietor's Devon-Leavitt Addition to North Edgewater in the north half of the northwest half of Section 6; thence south along said east line of Lot 1 in Block 1 of said Wietor's Devon-Leavitt Addition to North Edgewater and the southerly extension thereof to the south line of the 16 foot wide alley south of Devon Avenue; thence west along said south line of the 16 foot wide alley south of Devon Avenue to the east line of Leavitt Street; thence westerly along a straight line to the intersection of the west line of Leavitt Street with the south line of the 16 foot wide alley south of Devon Avenue; thence west along said south line of the 16 foot wide alley south of Devon Avenue to the east line of Bell Avenue; thence westerly along a straight line to the intersection of the west line of Bell Avenue with the south line of the 16 foot wide alley south of Devon Avenue; thence west along said south line of the 16 foot wide alley south of Devon Avenue to the east line of the 16 foot wide alley east of Western Avenue; thence south along said east line of the 16 foot wide alley east of Western Avenue to the north line of Rosemont Avenue; thence southerly along a straight line to the intersection of the south line of Rosemont Avenue with the east line of the 16 foot wide alley east of Western Avenue; thence south along said east line of the 16 foot wide alley east of Western Avenue to the north line of Granville Avenue; thence west along the said north line of Granville Avenue to the west line of the 16 foot wide alley west of Western Avenue; thence north along said west line of the 16 foot wide alley west of Western Avenue to the south line of Rosemont Avenue; thence northerly along a straight line to the intersection of the north line of Rosemont Avenue with the west line of the 16 foot wide alley west of Western Avenue; thence north along said west line of the 16 foot wide alley west of Western Avenue to the north line of Lot 27 in Devon Artesian Subdivision of part of the east half of the east half of the northeast quarter of Section 1; thence west along said north line of Lot 27 in said Devon Artesian Subdivision and the westerly extension thereof to the west line of Artesian Avenue; thence north along said west line of Artesian Avenue to the south line of the 16 foot wide alley 97 south of Devon Avenue; thence west along said south line of the 16 foot wide alley south of Devon Avenue and the westerly extension thereof to the west line of California Avenue; thence north along said west line of California Avenue to the centerline of the vacated 16 foot wide alley south of Devon Avenue; thence west along said centerline of the vacated 16 foot wide alley south of Devon Avenue to the centerline of the vacated 16 foot wide alley west of California Avenue; thence south along said centerline of the vacated 16 foot wide alley west of California Avenue to the north line of the 16 foot wide alley north of Rosemont

SPECIAL SERVICE AREA #43 – LEGAL DESCRIPTION

Avenue; thence west along said north line of the 16 foot wide alley north of Rosemont Avenue and the westerly extension thereof to the west line of Mozart Street; thence north along said west line of Mozart Street to the south line of the 16 foot wide alley south of Devon Avenue; thence west along said south line of the 16 foot wide alley south of Devon Avenue and the westerly extension thereof to the east line of Kedzie Avenue; thence north along said east line of Kedzie Avenue to the point of beginning of the heretofore described tract of land, all in Cook County, Illinois.

Legal Description revised June 09, 2014:
Alfred Benesch & Company
Illinois Professional Land Surveyor No. 3685
License expires November 30, 2014

SPECIAL SERVICE AREA #43 – LIST OF PINs

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SPECIAL SERVICE AREA #43 – LIST OF PINs

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CHICAGO November 5, 2014

To the President and Members of the City Council:

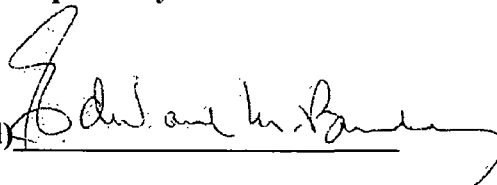
Your Committee on Finance having had under consideration

An ordinance authorizing the Committee on Finance to hold a second public hearing in order to re-establish Special Service Area Number 43.

Having had the same under advisement, begs leave to report and recommend that your Honorable Body pass the proposed Ordinance Transmitted Herewith

This recommendation was concurred in by _____ (a viva voce vote of members of the committee with _____ dissenting vote(s).

Respectfully submitted

(signed) 

Chairman



Document No. _____

**REPORT OF THE COMMITTEE ON FINANCE
TO THE CITY COUNCIL
CITY OF CHICAGO**
