



City of Chicago



O2019-1400

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 3/13/2019

Sponsor(s): Emanuel (Mayor)

Type: Ordinance

Title: Intergovernmental agreement with Chicago Park District to acquire 1500-1530 N Larrabee St from Chicago Housing Authority for development of a public park and reconstruction of Near North Park

Committee(s) Assignment: Committee on Finance

ORDINANCE

WHEREAS, the City of Chicago (the "City"), is a home rule unit of government under Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Chicago Park District (the "Park District"), is an Illinois municipal corporation and a unit of local government under Article VII, Section 1 of the 1970 Constitution of the State of Illinois, and as such is authorized to exercise control over and supervise the operation of all parks within the corporate limits of the City; and

WHEREAS, the Board of Commissioners of the Park District has authorized the acquisition of a parcel of real estate generally located at 1500 – 1530 North Larrabee Street, Chicago, Illinois and legally described in Exhibit A (the "Property") from the Chicago Housing Authority, an Illinois municipal corporation ("CHA"), pursuant to an ordinance adopted on May 9, 2018; and CHA has approved the transfer of the Property to the Park District by Resolution Number 2017-CHA-25 adopted by the Board of Commissioners of the CHA on February 21, 2017; and

WHEREAS the Park District intends to operate a public park on the Property and has undertaken to reconstruct the Near North Park to include an open lawn area, playground, plaza, dog park, and walking paths, and to make additional park improvements which will include lighting, trees, grass, and park benches on the Property (the "Project"); and

WHEREAS, the Property lies wholly within the boundaries of the Near North Redevelopment Area (as hereinafter defined); and

WHEREAS, the City is authorized under the provisions of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as amended from time to time (the "Act"), to finance projects that eradicate blight conditions and conservation factors that could lead to blight through the use of tax increment allocation financing for redevelopment projects; and

WHEREAS, in accordance with the provisions of the Act, and pursuant to ordinances adopted on June 30, 1997, and published in the Journal of the Proceedings of the City Council of the City of Chicago, for said date, the City Council: (i) approved and adopted a redevelopment plan and project (the "Plan") for a portion of the City known as the "Near North Redevelopment Project Area" (the "Near North Redevelopment Area"); (ii) designated the Near North Redevelopment Area as a "redevelopment project area"; and (iii) adopted tax increment allocation financing for the Near North Redevelopment Area; and

WHEREAS, under 65 ILCS 5/11-74.4-3(q)(7), such incremental ad valorem taxes which pursuant to the Act have been collected and are allocated to pay redevelopment project costs and obligations incurred in the payment thereof ("Increment") may be used to pay all or a portion of a taxing district's capital costs resulting from a redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs (Increment collected from the Near North Redevelopment Area shall be known as the "Near North Increment"); and

WHEREAS, the Department of Planning and Development of the City ("DPD") wishes to use a portion of the Near North Increment in an amount not to exceed \$3,150,000 for the

purpose of funding the construction of the Project on the Property (the "TIF-Funded Improvements") in the Near North Redevelopment Area to the extent and in the manner provided in the Agreement (as hereinafter defined); and

WHEREAS, the Plan contemplates that tax increment financing assistance would be provided for public improvements, such as the Project, within the boundaries of the Near North Redevelopment Area; and

WHEREAS, the Park District is a taxing district under the Act; and

WHEREAS, in accordance with the Act, the TIF-Funded Improvements shall include such of the Park District's capital costs necessarily incurred or to be incurred in furtherance of the objectives of the Plan, and the City has found that the TIF-Funded Improvements consist of the cost of the Park District's capital improvements that are necessary and directly result from the redevelopment project constituting the Project and, therefore, constitute "taxing districts' capital costs" as defined in Section 5/11-74.4-3(u) of the Act; and

WHEREAS, the City and the Park District wish to enter into an intergovernmental agreement in substantially the form attached hereto as Exhibit B (the "Agreement") whereby the City shall pay for or reimburse the Park District for a portion of the TIF-Funded Improvements; and

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The above recitals are expressly incorporated in and made a part of this ordinance as though fully set forth herein.

SECTION 2. The City hereby finds that the TIF-Funded Improvements, among other eligible redevelopment project costs under the Act approved by the City, consist of the cost of the Park District's capital improvements that are necessary and directly result from the redevelopment project constituting the Project and, therefore, constitute "taxing districts' capital costs" as defined in Section 5/11-74.4-3(u) of the Act.

SECTION 3. Subject to the approval of the Corporation Counsel of the City as to form and legality, and to the approval of the City Comptroller, the Commissioner of DPD (or any successor department thereto) is authorized to execute and deliver the Agreement, and such other documents as are necessary, between the City and the Park District, which may contain such other terms as are deemed necessary or appropriate by the parties executing the same on the part of the City.

SECTION 4. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provisions of this ordinance.

SECTION 5. This ordinance shall be in full force and effect from and after the date of its passage and approval.



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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

March 13, 2019

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith ordinances authorizing the execution of intergovernmental agreements for TIF assistance with the Chicago Park District.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

Mayor

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Darth
Palm

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CHICAGO April 10, 2019

To the President and Members of the City Council:

Your Committee on Finance having had under consideration a proposed ordinance concerning the authority to enter into and execute an Intergovernmental Agreement with the Chicago Park District for development of a public park and reconstruction of Near North Park.

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

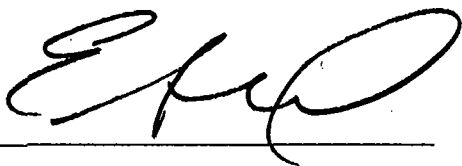
This recommendation was concurred in by _____ (a viva voce vote of members of the committee with _____ dissenting vote(s).

Respectfully submitted

(signed) Patrick O'Connor

Chairman

APPROVED



CORPORATION COUNSEL

DATED:

4/12/19

APPROVED



MAYOR

DATED:

4/12/19