



# City of Chicago



O2022-399

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:** 1/26/2022

**Sponsor(s):** Lightfoot (Mayor)

**Type:** Ordinance

**Title:** Authorization for issuance of tax-exempt housing revenue bonds for construction of Auburn Gresham Apartments at 834-858 W 79th St and 757 W 79th St

**Committee(s) Assignment:** Committee on Finance

## ORDINANCE

**WHEREAS**, the City of Chicago (the "City"), a home rule unit of government under Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, has heretofore found and does hereby find that there exists within the City a serious shortage of decent, safe and sanitary rental housing available for persons of low and moderate income; and

**WHEREAS**, the City has determined that the continuance of a shortage of affordable rental housing is harmful to the health, prosperity, economic stability and general welfare of the City; and

**WHEREAS**, Evergreen Imagine JV LLC, an Illinois limited liability company (the "Developer"), intends to cause to be formed Auburn Gresham Apartments LP, an Illinois limited partnership (the "Borrower"), and Auburn Gresham Apartments GP LLC, an Illinois limited liability company, which will be the general partner of Borrower, and cause Borrower to acquire certain property located generally at 834-858 West 79<sup>th</sup> Street and 757 West 79<sup>th</sup> Street in the City (the "Property"); and

**WHEREAS**, the Developer has proposed a certain low- and moderate-income housing development project that is anticipated to generate 58 newly built housing units on the Property (the "Project"). The Project is expected to be financed in whole or in part with the proceeds of the hereinafter mentioned Bonds; and

**WHEREAS**, the Developer has requested that the City issue multi-family housing revenue bonds, notes or other indebtedness in an amount not to exceed \$20,000,000 (the "Bonds") for the purpose of financing a portion of the Project costs; and

**WHEREAS**, it is intended that the interest on the Bonds will be excluded from gross income for federal income tax purposes; and

**WHEREAS**, it is intended that this ordinance shall constitute a declaration of intent to reimburse certain eligible expenditures for the Project made prior to the issuance of the Bonds ("Eligible Project Costs") from the proceeds of the Bonds (if and when issued) within the meaning of Section 1.150-2 of the Treasury Regulations promulgated under the Internal Revenue Code of 1986, as amended (the "Treasury Regulations"); now, therefore,

### **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 intends to issue the Bonds and lend all or a portion of the proceeds thereof ("Bond Proceeds") to the Borrower for the purpose of financing a portion of the Project costs, subject to the City and the Borrower agreeing to the terms and conditions necessary to issue the Bonds and further approval by the City Council of the City. The maximum principal amount of Bonds which the City intends to issue for the Project will not exceed \$20,000,000.

**SECTION 3.** Certain Eligible Project Costs will be incurred by the Borrower in connection with the Project prior to the issuance of the Bonds. The City reasonably expects to

reimburse such Eligible Project Costs with Bond Proceeds

**SECTION 4.** The Eligible Project Costs to be reimbursed with Bond Proceeds will be paid initially from funds of the Borrower

**SECTION 5.** This ordinance is consistent with the budgetary and financial circumstances of the City. No funds from sources other than Bond Proceeds are, or are reasonably expected to be, reserved, allocated on a long-term basis or otherwise set aside by the City for the Project for costs to be paid from Bond Proceeds.

**SECTION 6.** This ordinance constitutes a declaration of official intent under Section 1.150-2 of the Treasury Regulations.

**SECTION 7.** To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago, or any 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 of the other provisions of this ordinance.

**SECTION 8.** This ordinance shall be effective as of the date of its passage and approval.

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OFFICE OF THE MAYOR  
CITY OF CHICAGO

LORI E. LIGHTFOOT  
MAYOR

January 26, 2022

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

Ladies and Gentlemen:

At the request of the Commissioner of Housing, I transmit herewith an ordinance authorizing the issuance of up to \$20 million in tax-exempt housing revenue bonds for the Auburn Gresham Apartments Development.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in black ink that reads "Lori E. Lightfoot".

Mayor

CHICAGO February 23, 2022

**To the President and Members of the City Council:**

**Your Committee on Finance having had under consideration** A communication recommending a proposed ordinance concerning the authority to authorize the issuance of tax-exempt revenue bonds for the construction of the Auburn Gresham Apartments, located at 834-858 West 79<sup>th</sup> Street and 757 West 79<sup>th</sup> Street in the 17<sup>th</sup> Ward.

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

**This recommendation was concurred in by viva voce vote of members of the committee with     0     dissenting vote(s).**

Respectfully submitted,

(signed) 

Chairman

APPROVED

Celia Mesa  
CORPORATION COUNSEL

DATED: 3/4/2022

APPROVED

Leni E. Lightfoot <sup>(cr)</sup>  
MAYOR

DATED: 3/4/2022