



City of Chicago



O2023-1603

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 4/19/2023

Sponsor(s): Lightfoot (Mayor)

Type: Ordinance

Title: Frist Amendment to Intergovernmental agreement with Chicago Park District to increase Tax Increment Financing (TIF) funds maximum limit for renovations at Blackhawk Park, 2318 N Lavergne Ave

Committee(s) Assignment: Committee on Finance

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OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

April 19, 2023

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 an ordinance authorizing the execution of the first amendment to the intergovernmental agreement with the Chicago Park District to provide TIF funds for improvements at Blackhawk Park.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Lori E. Lightfoot
Mayor

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, in accordance with the provisions of the Act, and pursuant to ordinances adopted on January 12, 2000, and published in the Journal of the Proceedings (the "Journal") of the City Council of the City (the "City Council") for said date at pages 22590 to 22739, and as subsequently amended on May 17, 2000, July 6, 2011 and October 14, 2015, the City Council: (i) approved and adopted a redevelopment plan and project (the "Plan") for a portion of the City known as the "Belmont/Central Redevelopment Project Area" (the "Area"); (ii) designated the Area as a "redevelopment project area"; and (iii) adopted tax increment allocation financing for the 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 Area shall be known as the "Belmont/Central Increment"); and

WHEREAS, in an ordinance adopted on May 20, 2020 and published at pages 16849 to 16867 of the Journal for that date, the City Council authorized the Department of Planning and Development of the City ("DPD") to use a portion of the Belmont/Central Increment in an amount not to exceed \$3,000,000 for the purpose of renovating a public fieldhouse at Blackhawk Park, which is generally located at 2318 North Lavergne Avenue, Chicago, Illinois (the "Project") in the Area, and authorized the making of an intergovernmental agreement; and

WHEREAS, on December 18, 2020, the City and the Park District entered into an Intergovernmental Agreement (the "Agreement") whereby the City agreed to pay or reimburse the Park District for a portion of the Project; and

WHEREAS, DPD desires to reallocate to the Park District an additional \$2,755,266 from the Belmont/Central Increment in order to pay for additional TIF-funded improvements in the Project; and

WHEREAS, the City and the Park District desire to enter into an amendment to the Agreement in substantially the form attached as Exhibit A (the "First Amendment") whereby the City shall increase the amount of assistance by \$2,755,266 for a total of \$5,755,266 to pay or reimburse the Park District for certain costs of the Project; 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 Commissioner of DPD (the "Commissioner") and a designee are each hereby authorized, subject to the approval of the Corporation Counsel, to negotiate, execute and deliver the First Amendment in substantially the form attached hereto as Exhibit A and made a part hereof and such other documents as may be necessary to carry out and comply with the provisions of the First Amendment, with such changes, deletions and insertions as shall be approved by the persons executing the First Amendment on behalf of the City.

SECTION 3. 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 4. This ordinance shall be in full force and effect from and after the date of its passage and approval.

EXHIBIT A
FIRST AMENDMENT

(see attached)

**FIRST AMENDMENT
TO INTERGOVERNMENTAL AGREEMENT**

This amendment (the "First Amendment") to that certain Intergovernmental Agreement by and between the City of Chicago ("City"), an Illinois municipal corporation, by and through its Department of Planning and Development ("DPD"), and the Chicago Park District (the "Park District"), a body politic and corporate, dated as of December 18, 2020 (the "Agreement"), is made and entered into as of _____, 2023, by and between the City and the Park District.

RECITALS

WHEREAS, an ordinance approved by the City Council of the City (the "City Council") on May 20, 2020, and published at pages 16849 --16867 of the Journal of the Proceedings of the City Council of the City of Chicago (the "Journal") of that date, authorized the Commissioner of DPD, to execute an intergovernmental agreement with the Park District, to undertake renovation of the fieldhouse at Blackhawk Park (the "Project"), generally located at 2318 North Lavergne Avenue in Chicago, Illinois (the "Property"), as legally described in Exhibit A of the Agreement; 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 blighted conditions and conservation area factors 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 January 12, 2000, and published in the Journal for said date at pages 22590 -- 22739, the City Council: (i) approved and adopted a Tax Increment Redevelopment Project and Plan (the "Plan") for a portion of the City known as the "Belmont/Central Redevelopment Project Area" (the "Belmont/Central Redevelopment Area"); (ii) designated the Belmont/Central Redevelopment Area as a "redevelopment project area" and a Tax Increment Financing District; and (iii) adopted tax increment allocation financing for the Belmont/Central Redevelopment Area, and the foregoing Plan being subsequently amended on May 17, 2000, July 6, 2011, and October 14, 2015; 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 Belmont/Central Redevelopment Area shall be known as the "City Increment"); and

WHEREAS, pursuant to the Agreement and in accordance with the Act, DPD agreed to provide to the Park District a portion of the City Increment in an amount not to exceed \$3,000,000 for the purpose of funding certain Project costs to the extent and in the manner provided in the Agreement; and

WHEREAS, DPD and the Park District have determined that it is in the best interests of both parties provide additional funding for the TIF-funded improvements at the fieldhouse at Blackhawk Park ("Project") on the Property; and

WHEREAS, the Project includes installation of a new roof and gutter systems, waterproofing, tuckpointing, window and door replacement, restoration of interior finishes and improving ADA access throughout the fieldhouse; and

WHEREAS, the City wishes to make available to the Park District an additional portion of the City Increment in an amount not to exceed \$2,755,266 for the purpose of paying for or reimbursing the Park District for certain Project costs; and

WHEREAS, the City and the Park District wish to amend the Agreement to increase the amount of City Increment available to the Park District from an amount not to exceed \$3,000,000 to an amount not to exceed \$5,755,266; and

WHEREAS, on _____, the Park District's Board of Commissioners (the "Board") adopted a resolution authorizing the execution of this First Amendment; and

WHEREAS, on _____, 2023, the City Council authorized an ordinance which is published at pages _____ to _____ of the Journal of said date that authorized the making of this First Amendment; and

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

SECTION 1. RECITALS

The foregoing recitals are hereby incorporated into this Amendment by reference.

SECTION 2. TERMS AND CONDITIONS

Recital J and Section 2.6 of the Agreement are hereby amended by deleting the amount of \$3,000,000 and inserting the amount of \$5,755,266.

SECTION 3. EXHIBITS

1. Exhibit C, Project Budget to the Agreement is hereby amended by deleting Exhibit C, Project Budget in its entirety and replacing it with Exhibit C as indicated below:

EXHIBIT C

PROJECT BUDGET

The total cost of the Project is \$5,755,266. In no event, however, shall funding from the Belmont/Central TIF Fund exceed \$5,755,266.

Sources	Amount
Belmont/Central TIF	\$5,755,266
Total:	\$5,755,266

Uses	Amount
Fieldhouse roof, gutters, windows and doors	\$2,552,376
Field house water proofing and tuckpointing	\$577,110
Interior finishes and access improvements	\$915,780
Design costs and construction contingency for discovered conditions	\$975,000
ADA access improvements	\$735,000
Total:	\$5,755,266

The Commissioner may approve changes to this preliminary budget.

2. If any of the provisions of the Agreement conflict with the provisions of this First Amendment, the provisions of this First Amendment shall prevail.

3. Except as modified by this First Amendment, the Agreement shall remain in full force and effect.

[Remainder of page intentionally left blank; signature page follows]

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be executed and delivered as of the date first above written.

CITY OF CHICAGO

By: _____

Name: Maurice D. Cox

Its: Commissioner
Department of Planning Development

CHICAGO PARK DISTRICT

By: _____

Name: Rosa Escareno

Its: General Superintendent and CEO

ATTEST

By: _____
Kantrice Ogletree
Secretary