



City of Chicago



O2019-9432

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 12/18/2019

Sponsor(s): Lightfoot (Mayor)

Type: Ordinance

Title: First Amendment of intergovernmental Tax Incremental Financing ordinance for Revere Park Fieldhouse and Revere Park Boys and Girls Clubhouse at 2509 W Irving Park Rd to increase funds for roof and ventilation renovations

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, in accordance with the provisions of Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et seq., as amended from time to time (the "Act"), and pursuant to ordinances adopted on January 12, 2000, and published in the Journal of the Proceedings of the City Council of the City of Chicago (the "Journal"), for said date, and as subsequently amended, the City Council: (i) approved and adopted a redevelopment plan and project (as amended on May 17, 2000, the "Plan") for a portion of the City known as the "Western Avenue South 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 "Western Avenue South Increment"); and

WHEREAS, in an ordinance adopted on November 14, 2018 and published at pages 90473 to 90492 of the Journal for that date, the City Council of the City of Chicago authorized the Department of Planning and Development of the City ("DPD") to use a portion of the Western Avenue South Increment in an amount not to exceed \$6,000,000 for the purpose of partially funding the construction of the Revere Park Fieldhouse and the Revere Park Boys and Girls Clubhouse at Revere Park which is generally located at 2509 West Irving Park Road, Chicago, Illinois (the "Original TIF-Funded Improvements") in the Area and authorized the making of an intergovernmental agreement; and

WHEREAS, on March 19, 2019, the City and the Park District entered into an Intergovernmental Agreement (the "Agreement") whereby the City agreed to pay for or reimburse the Park District for the Original TIF-Funded Improvements; and

WHEREAS, DPD desires to provide to the Park District an additional \$1,500,000 from the Western Avenue South Increment to support heating and ventilation upgrades to be constructed with planned roof renovations at the fieldhouse and clubhouse at Revere Park (together with the Original TIF-Funded Improvements, the "Amended TIF-Funded Improvements"); and

WHEREAS, the City and the Park District wish 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 \$1,500,00 for a total of \$7,500,000 to pay for or reimburse the Park District for the Amended TIF-Funded Improvements; 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; 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 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. The Commissioner of DPD (the "Commissioner") and a designee of the Commissioner 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 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.

EXHIBIT A to the Ordinance

FIRST AMENDMENT

**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 March 24, 2019 (the "Agreement"), is made and entered into as of _____, 2020, 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 November 14, 2018, and published at pages 90473 -- 90492 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, subject to the approval of the Corporation Counsel of the City as to form and legality, and to the approval of the City Comptroller, an intergovernmental agreement with the Park District, to undertake certain improvements to Revere Park (the "Project"), generally located at 2509 West Irving Park Road 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 22277 -- 22394, 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 "Western Avenue South Redevelopment Project Area" (the "Western Avenue South Redevelopment Area"); (ii) designated the Western Avenue South Redevelopment Area as a "redevelopment project area" and a Tax Increment Financing District; and (iii) adopted tax increment allocation financing for the Western Avenue South Redevelopment Area, and the foregoing Plan being amended on May 17, 2000; 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 Western Avenue South 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 \$6,000,000 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 the City to revise the Project to include certain fieldhouse improvements ("Phase II") on the

Property; and

WHEREAS, the City wishes to make available to the Park District a portion of the City Increment in an amount not to exceed \$1,500,000 for the purpose of funding Phase II; and

WHEREAS, the City and the Park District wish to amend the Agreement to include Phase II and to increase the amount of City Increment available to the Park District from an amount not to exceed \$6,000,000 to an amount not to exceed \$7,500,000; and

WHEREAS, on January 16, 2019, the Park District's Board of Commissioners (the "Board") adopted resolutions authorizing the execution of the Agreement and of this First Amendment; and

WHEREAS, on _____, 2020, the City Council approved an ordinance which is published at pages _____ to _____ of the Journal of that 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 First 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 \$6,000,000 and inserting the amount of \$7,500,000.

SECTION 3. EXHIBITS

1. Exhibit C, Project Budget to the Agreement is hereby amended by deleting the numbers indicated by ~~strikeout~~ and adding the underlined numbers as indicated below:

EXHIBIT C

PROJECT BUDGET

The total cost of the project is ~~\$6,000,000~~ \$7,500,000. In no event, however, shall funding from the Western Avenue South TIF Fund exceed ~~\$6,000,000~~ \$7,500,000.

Sources:

City of Chicago (Western Avenue South TIF)

Amount

~~\$6,000,000~~ \$7,500,000

Total Project Cost

~~\$6,000,000~~ \$7,500,000

Uses:

Amount

New roof, soffit and gutter (fieldhouse)	\$ 575,000 <u>\$975,000</u>
Door and window renovations (fieldhouse and clubhouse)	\$1,900,000
ADA elevator and ramp improvements (fieldhouse)	\$1,750,000
Interior finish improvements, including gym floor (fieldhouse)	\$ 225,000 <u>\$525,000</u>
HVAC improvements (fieldhouse and club house)	\$1,000,000
<u>\$1,800,000</u>	
Architectural design services (fieldhouse and clubhouse)	<u>\$ 550,000</u>
Total =	\$6,000,000
<u>\$7,500,000</u>	

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.

CHICAGO PARK DISTRICT

By: _____

Name: Michael P. Kelly
Its: General Superintendent and CEO

CITY OF CHICAGO

By: _____

Name: Maurice D. Cox
Its: Commissioner
Department of Planning Development

ATTEST

By: _____
Kantrice Ogletree
Secretary

FIN



OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

December 18, 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 an ordinance authorizing an amendment to a previously executed intergovernmental agreement with the Park District regarding TIF assistance for Revere Park.

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 January 15, 2020

To the President and Members of the City Council:

Your Committee on Finance having had under consideration an ordinance amending the intergovernmental Tax Increment Financing ordinance for Revere Park Fieldhouse and Revere Park Boys and Girls Clubhouse at 2509 W Irving Park Rd to increase funds for certain renovations.

O2019-9438

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

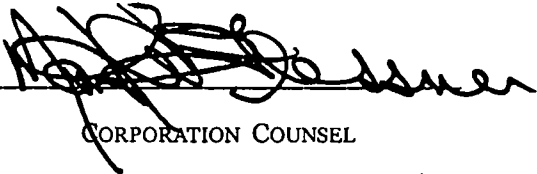
This recommendation was concurred in by _____ (a viva voce vote) of members of the committee with Ø dissenting vote(s).

Respectfully submitted,

(signed) Scott A. Laguarda


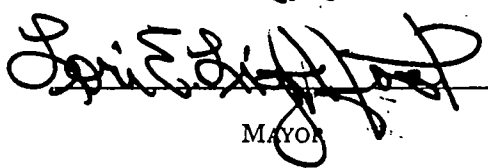
Chairman

APPROVED


CORPORATION COUNSEL

DATED: 01/21/20

APPROVED



MAYOR

DATED: 01/21/20