



Office of the City Clerk

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Legislation Text

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OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL MAYOR

November 14, 2018

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 termination of various TIF areas.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

CHICAGO December 12, 2018

To the President and Members of the City Council:

Your Committee on Finance having had under consideration an ordinance authorizing the termination of the Calumet/Cermak Redevelopment Project Area.

02018-9040

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

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Chairman

Document No.

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

WHEREAS, the City Council (the "City Council") of the City of Chicago (the "City") adopted ordinances in accordance with the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et seq. (the "Act") on July 29, 1998: (1) approving a tax increment redevelopment project and plan for the Calumet/Cermak Redevelopment Project Area (the "Area"); (2) designating the Area as a tax increment financing district; and (3) adopting tax increment allocation financing for the Area; and

WHEREAS, the City Council adopted an ordinance on November 17, 2010 repealing the designation of the Area as a redevelopment project area pursuant to Section 4(r) of the Act (the "Repeal Ordinance"); and

WHEREAS, on March 18, 2011, Illinois Public Act 96-1555 ("PA 96-1555") became law;
and

WHEREAS, PA 96-1555 amended Section 4(r) of the Act with respect to the Area (1) extending the date by which a redevelopment project has been initiated from within 7 years of designation of the Area to

within 15 years of designation of the Area, retroactive to July 27, 2005, and (2) authorizing the City retroactively to repeal the Repeal Ordinance by ordinance within 90 days of PA 96-1555 becoming law; and

WHEREAS, the City Council adopted an ordinance on May 4, 2011 repealing the Repeal Ordinance; and

WHEREAS, pursuant to Section 8 of the Act, when redevelopment projects costs for a redevelopment project area, including without limitation all municipal obligations financing redevelopment project costs incurred under the Act, have been paid, all surplus funds then remaining in the special tax allocation fund for a redevelopment project area designated under the Act shall be distributed by being paid by the municipal treasurer to the State of Illinois Department of Revenue, the municipality and the county collector; first to the Department of Revenue and the municipality in direct proportion to the tax incremental revenue received from the State of Illinois and the municipality, but not to exceed the total incremental revenue received from the State or the municipality less any annual surplus distribution of incremental revenue previously made; with any remaining funds to be paid to the county collector who shall immediately thereafter pay said funds to the taxing districts in the redevelopment project area in the same manner and proportion as the most recent distribution by the county collector to the affected districts of real property taxes from real property in the redevelopment project area; and

WHEREAS, furthermore, pursuant to Section 8 of the Act, upon the payment of all redevelopment project costs, the retirement of obligations, the distribution of any excess monies pursuant to Section 8 of the Act, and final closing of the books and records of the redevelopment project area, the municipality shall adopt an ordinance dissolving the special tax allocation fund for the redevelopment project area and terminating the designation of the redevelopment project area as a redevelopment project area under the Act; and

WHEREAS, furthermore, pursuant to Section 8 of the Act, municipalities shall notify affected taxing districts prior to November 1 if a redevelopment project area is to be terminated

by December 31 of that same year; and

WHEREAS, the City has, prior to November 1, 2018, notified the affected taxing districts of the proposed termination of the Area as a redevelopment project area, in accordance with the provisions of the Act; and

WHEREAS, with respect to the Area, by December 31, 2018 all redevelopment projects for which redevelopment project costs have been paid or incurred shall be completed, all obligations relating thereto shall be paid and retired, and, subject to Section 3 of this Ordinance, all excess monies, if any, shall be distributed; and

WHEREAS, subject to Section 3 of this Ordinance, the City shall accomplish the final closing of the books and records of the Area; and

WHEREAS, in accordance with the provisions of Section 8 of the Act, the City desires to dissolve the special tax allocation fund for the Area (the "Special Fund") and terminate the designation of the Area as a redevelopment project area as of December 31, 2018; now, therefore,

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

Section 1. The above recitals are incorporated herein and made a part hereof.

Section 2. The designation of the Area legally described on Exhibit A attached hereto and otherwise depicted on Exhibit B attached hereto shall be terminated as of December 31, 2018. The list of parcels comprising the Area is attached hereto as Exhibit C.

Section 3. Notwithstanding Section 2 hereof, it is anticipated that the City will continue to receive incremental property taxes for assessment year 2017/collection year 2018. Accordingly, although the designation of the Area is repealed by Section 2 hereof, the City will continue to maintain the Special Fund for the limited purpose of receiving any remaining incremental property taxes for assessment year 2017/collection year 2018. Pursuant to the Act, upon receipt of such taxes, the City shall calculate and declare surplus revenue, and shall return surplus revenue to the Cook County Treasurer in a timely manner for redistribution to the local taxing districts that overlap the Area: Thereupon, the Special Fund shall be considered to be dissolved.

Section 4. The method of calculating and allocating property tax increment by the County of Cook pursuant to the Act for the parcels listed on Exhibit C shall be terminated from and after December 31, 2018.

Section 5. The Commissioner of the Department of Planning and Development (the "Commissioner"), or a designee thereof, is authorized to execute any documents and take any steps necessary to terminate the designation of the Area pursuant to this Ordinance and the Act on behalf of the City, and the previous execution of any documents and the previous taking of any steps necessary to terminate the designation of the Area pursuant to the Act by the Commissioner, or a designee thereof, on behalf of the City are hereby ratified.

Section 6. This Ordinance shall be in full force and effect upon its passage.

Section 7. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 8. All ordinances (including but not limited to the three ordinances identified in the first recital hereof), resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent of their conflict.

Approved Approved

Exhibit A, Area Legal Description

A parcel of land in the east half of the southwest quarter of Section 22, Township 39 North, Range 14, East of the Third Principal Meridian, described as commencing at a point on the south line of Lot 9 produced east across the entrance of vacated alley to the southwesterly line of the right-of-way of the I.C.R.R. Company in Gurley and Keith's Subdivision of Block 23 in Assessor's Division of the southwest fractional quarter of Section 22, Township 39 North, Range 14, East the Third Principal Meridian, 13 feet west of the southwesterly line of the right-of-way of the I.C.R.R. Company; thence north 89 degrees, 52 minutes, 41 seconds east on said line to the southwesterly line of the right-of-way of the I.C.R.R. Company; thence south 16 degrees, 43 minutes, 06 seconds east on the last described line a distance of 40 feet to the point of beginning; thence north 32 degrees, 37 minutes, 34 seconds west 6.32 feet on a straight line to its intersection with the centerline of East Cermak Road as vacated per Document Number 1680888; thence south 89 degrees, 52 minutes, 41 seconds west along said centerline 448.95 feet to its intersection with the centerline of South Calumet Avenue; thence continuing south 89 degrees, 52 minutes, 41 seconds west 408.52 feet along the centerline to its intersection with the southerly extension of the east line of South Prairie Avenue; Thence north 00 degrees, 01 minutes, 50 seconds west 458.95 feet along the last said east line to its intersection with the south line of East 21st Street; thence north 89 degrees, 53 minutes, 55 seconds east 442.00 feet along said south line to its intersection with the east line of South Calumet Avenue; thence north 00 degrees, 00 minutes, 00 seconds west 863.51 feet along said east line to the northwest corner of Lot 14 in Culver and Others' Subdivision of Lots 2 and 3 in Block 5 in Jones Addition to Chicago with Lot 2 in Block 11 and Lots 3 and 4 in Block 12 in Assessor's Division in the southwest fractional quarter of Section 22, Township 39 North, Range 14, East of the Third Principal Meridian; thence north 89 degrees, 55 minutes, 14 seconds east 20.56 feet along said north line to the northeast corner of said Lot 14 being also the southwesterly line of the right-of-way of the I.C.R.R. Company; thence south 16 degrees, 45 minutes, 35 seconds east 374.74 feet along said southwesterly line to a bend therein; thence south 16 degrees, 43 minutes, 06 seconds east 1.010.67 feet along said southwesterly line to the point of beginning, in Cook County, Illinois.

Exhibit B, Area Map (see attached)

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Exhibit C List of Parcels within the Area

1. 17-22-310-006-0000
2. 17-22-310-010-0000
3. 17-22-310-011-0000
4. 17-22-310-012-0000
5. 17-22-316-002-0000
6. 17-22-316-003-0000
7. 17-22-316-004-0000
8. 17-22-316-005-0000
9. 17-22-321-001-0000
10. 17-22-321-014-0000
11. 17-22-321-015-0000
12. 17-22-321-016-0000
13. 17-22-321-017-0000
14. 17-22-321-018-0000
15. 17-22-322-003-0000