



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Text

File #: O2018-6910, Version: 1

PUBLIC HEARING ORDINANCE

WHEREAS, special service areas may be established pursuant to Article VII, Sections 6(1) and 7(6) of the Constitution of the State of Illinois, and pursuant to the provisions of the Special Service Area Tax Law, 35 ILCS 200/27-5 et seq., as amended from time to time (the "Special Service Area Tax Law") and pursuant to the Property Tax Code, 35 ILCS 200/1-1 et seq., as amended from time to time (the "Property Tax Code"); and

WHEREAS, on December 2, 2009, the City Council of the City of Chicago (the "City Council") enacted an ordinance (the "Establishment Ordinance") which established an area known and designated as City of Chicago Special Service Area Number 45 (the "Original Area") and authorized the levy of an annual tax, for the period beginning in 2009 through and including 2018 (the "Original Period"), not to exceed an annual rate of three percent (3%) of the equalized assessed value of the taxable property therein (the "Original Services Tax") to provide certain special services in and for the Area in addition to the services provided by and to the City of Chicago generally (the "Original Special Services"); and

WHEREAS, the Establishment Ordinance established the Original Area as that territory consisting approximately of the area on both sides of Halsted Street between the north side of 115th Street and the south side of 99th Street; both sides of 103rd Street between Morgan Avenue and Lowe Avenue; and along Vincennes Avenue between north 115th Street and 111th Street; and

WHEREAS, the boundary description of the Original Area in the Establishment Ordinance erroneously referred to Vincennes Avenue, which was inconsistent with the legal description and property identification numbers included in the Establishment Ordinance, and the City has clarified this reference in the boundary description for the Area, as hereinafter defined, in Section 3 herein; and

WHEREAS, the Original Special Services authorized in the Establishment Ordinance include but are not limited to: recruitment of new businesses to the Area, rehabilitation activities, maintenance and beautification activities, security, coordination of promotional and advertising activities, strategic planning for the Area, and other technical assistance activities to promote commercial and economic development (which may include, but are not limited to, streetscape improvements, strategic transit/parking improvement including parking management studies, enhanced land use oversight and control initiatives); and

WHEREAS, the City now desires to (i) enlarge the boundaries of the Original Area (as enlarged, the "Area") (ii) authorize certain special services in the Area distinct from the Original Special Services (the "Special Services"), (iii) decrease the maximum rate of the Original Services Tax from an annual rate of 3.0% to 2.0% of the equalized assessed value of the taxable property within the Area (the "Services Tax") and (iv) authorize the extension of the time period for which the levy of the Services Tax is authorized within the Area from the Original Period to a period from tax year 2018 through and including tax year 2032 (the "Levy Period"); and

WHEREAS, the City Council finds that

(a) it is in the public interest that consideration be given to (i) the enlargement of the boundaries

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of the Original Area to the Area while keeping its designation as City of Chicago Special Service Area Number 45, (ii) the authorization of the Special Services distinct from the Original Special Services, (iii) decreasing the maximum rate of the Original Services Tax from an annual rate of 3.0% to 2.0% of the equalized assessed value of the taxable property within the Area (the "Services Tax") and (iv) the authorization of the extended Levy Period for the levy of the Services Tax within the Area;

b) the Area is contiguous; and

c) the proposed Special Services are in addition to municipal services provided by and to the City generally; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The preambles of this ordinance are hereby incorporated into this text as if set out herein in full.

SECTION 2. A public hearing shall be held by the Committee on Finance of the City Council of the City of Chicago at the City Council Chambers, City Hall, Chicago, Illinois (the "Hearing") to consider (i) the enlargement of the boundaries of the Original Area to the Area while keeping its designation as City of Chicago Special Service Area Number 45, (ii) the authorization of the Special Services distinct from the Original Special Services, (iii) decreasing the maximum rate of the Original Services Tax from an annual rate of 3.0% to the Services Tax, an annual rate of 2.0%, and (iv) the authorization of the extended Levy Period for the levy of the Services Tax within the Area. At the Hearing there will be considered the extension of the levy of the Services Tax upon the taxable property within the Area sufficient to produce revenues required to provide the Special Services in the Area. The Services Tax shall not exceed the annual rate of 2.00% of the equalized assessed value of the taxable property within the Area. The Services Tax shall be authorized to be extended and levied in tax years 2018 through and including 2032. The proposed amount of the tax levy for Special Services for the initial year for which taxes will be levied within the Area in tax year 2018 is \$805,768. The Services Tax shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Property Tax Code, as amended from time to time. The Special Services to be considered include, but are not limited to: customer attraction, public way aesthetics, sustainability and public place enhancements, economic/business development, safety programs, and other activities to promote commercial and economic development. The Special Services may include new construction or maintenance. Some or all of the proceeds of the proposed Services Tax are anticipated to be used by an entity other than the City of Chicago to provide the Special Services to the Area, which such entity shall be a "service provider" pursuant to a "services contract," each as defined in the Special Service Area Tax Law. The Special Services shall be in addition to services provided to and by the City of Chicago generally. The Area shall consist of territory described on Exhibit 1 hereto and hereby incorporated herein. The approximate street location of said territory consists of both sides of Halsted Street between 97th Street on the north and 119th Street on the south, and both sides of 103rd Street from Morgan Street on the west to Lowe Street on the east, both sides of 119th Street from Halsted Street on the west to Princeton Avenue on the east, as well as the former right-of-way of the Pennsylvania Railroad between 111th Street and 115th Street.

SECTION 3. Notice of the Hearing shall be published at least once, not less than fifteen

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(15) days prior to the Hearing, in a newspaper of general circulation within the City of Chicago. In addition, notice by mail shall be given by depositing said notice in the United States mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each property lying within the Area. The notice shall be mailed not less than ten (10) days prior to the time set for the Hearing. In the event taxes for the last preceding year were not paid, the notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of the property.

SECTION 4. Notice of the Hearing shall be substantially in the following form:

Notice of Public Hearing

City of Chicago Special Service Area Number 45.

Notice is hereby given that at _____ o'clock _____ .m., on the day of _____, 2018 at the City Council Chambers, City Hall, 121 North LaSalle Street, Chicago, Illinois, a public hearing will be held by the Committee on Finance of the City Council of the City of Chicago to consider certain matters with respect to an area within the City of Chicago known and designated as Special Service Area Number 45. The matters shall include (i) enlarging the boundaries of the original special service area while keeping the designation as City of Chicago Special Service Area Number 45 (as enlarged, the "Area"), (ii) authorizing certain special services in the Area distinct from the original special services authorized to be provided (the "Special Services"), (iii) decreasing the maximum rate of the Original Services tax from an annual rate of 3.0% to 2.0% (the "Services Tax") and (iii) authorizing the extension of the Original Period for which the levy of the Services Tax is authorized within the Area through and including tax year 2032. The Special Services may include new construction or maintenance. Some or all of the proceeds of the proposed Services Tax are anticipated to be used by an entity other than the City of Chicago to provide the Special Services to the Area, which such entity shall be a "service provider" pursuant to a "services contract," each as defined in the Special Service Area Tax Law, 35 ILCS 200/27-5 et seq., as amended from time to time.

At the hearing there will be considered a Services Tax to be levied against the taxable property included within the Area for the provision of the Special Services not to exceed the annual sum of two percent of the equalized assessed value of taxable property within the Area. The proposed amount of the tax levy for special services for the initial year for which taxes will be levied within the Area in tax year 2018 is \$805,768. The Services Tax shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Property Tax Code, 35 ILCS 200/1-1 et seq., as amended from time to time.

The Area shall consist of the territory described herein and incorporated hereto as Exhibit 1. The approximate street location of said territory consists of both sides of Halsted Street between 97th Street on the north and 119th Street on the south, and both sides of 103rd Street from Morgan Street on the west to Lowe Street on the east, both sides of 119th Street from Halsted Street on the west to Princeton Avenue on the east, as well as the former right-of-way of the

Pennsylvania Railroad between 111th Street and 115th Street.

At the public hearing any interested person, including all persons owning taxable real property located within the proposed Area, affected-by (i) the enlargement of the boundaries of the original special service area to the Area while keeping the designation as City of Chicago Special Service Area Number 45, (ii) the authorization of the Special Services in the Area distinct from the original special services provided therein (iii) decreasing the maximum rate of the Original Services Tax from an annual rate of 3.0% to 2.0% of the equalized assessed value of the taxable property within the Area (the "Services Tax"), and (iv) the authorization of the extension of the time period for which the levy of the Services Tax is authorized within the Area from the Original Period to the period from tax year 2018 through and including tax year 2032, may file with the City Clerk of the City of Chicago written objections to and may be heard orally with respect to any issues embodied in this notice. The Committee on Finance of the City Council of the City of Chicago shall hear and determine all protests and objections at said hearing, and said hearing may be adjourned to another date without further notice other than a motion to be entered upon the minutes fixing the time and place it will reconvene.

If a petition signed by at least fifty-one percent (51%) of the electors residing within the boundaries of the Area and by at least fifty-one percent (51%) of the landowners included within the boundaries of the Area objecting to (i) the enlargement of the boundaries of the original special service area to the Area while keeping the designation as City of Chicago Special Service Area Number 45, (ii) the authorization of the Special Services in the Area distinct from the original special services provided therein, (iii) decreasing the maximum rate of the Original Services Tax from an annual rate of 3.0% to 2.0% of the equalized assessed value of the taxable property within the Area (the "Services Tax") and/or (iv) the authorization of the extension of the time period for which the levy of the Services Tax is authorized within the Area from the Original Period to the period from tax year 2018 through and including tax year 2032, is filed with the City Clerk of the City of Chicago within sixty (60) days following the final adjournment of the public hearing, then such action objected to shall not be approved or authorized.

By order of the City Council of the City of Chicago, Cook County, Illinois. Dated this 20th day
of September, 2018.

City Clerk, City of Chicago, Cook County,
Illinois

SECTION 5. This ordinance shall become effective from its passage and approval.

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EXHIBIT 1

Legal Description and Permanent Index Numbers See attached pages.

SSA #45 LEGAL DESCRIPTION

Being those parts of Sections 8,9,16,17,20,21 and 28 in Township 37 North Range 14 East of the Third Principal Meridian, in Cook County Illinois, more particularly described as follows:

Beginning at the intersection of the centerlines of S. Halsted Street and the extension of the centerline of W. 97th Street from the east;

Thence east along said centerline of W. 97th Street to the extension of the south centerline of first alley to the east of S. Halsted Street;

Thence south along said centerline of alley to the north right-of-way line of the Dan Ryan Expressway per city of Chicago Ordinance passed June 25th, 1947;

Thence east along said right-of-way line to the centerline of vacated S. Emerald Ave.; Thence south along said vacated centerline of S. Emerald Ave. to the centerline of W. 99th Street;

Thence west along said centerline of W. 99th Street to the extension of the south centerline of first alley to the east of S. Halsted Street;

Thence south along said centerline of alley to the centerline of first alley north of W. 103rd Street; Thence east along said centerline of alley to the centerline of S. Lowe Ave.;

Thence south along said centerline to the centerline of W. 103rd Street;

Thence south along centerline of W. Lowe Ave, to the centerline of first alley south of W.103rd Street; Thence west along said centerline of alley to the centerline of first slly east of S. Halsted Street; Thence south "along said centerline of alley to the centerline of W. 104th Street;

Thence south along centerline of first alley east of S. Halsted a distance of 298.70 feet to the north line of Lot 13 of School's Trustees' Subdivision, of the West $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 16-37-14;

Thence east 8 feet to the E. line of the W. 8 feet of the E V* of the W. $\frac{1}{2}$ of lots 13 and 20 of the School's Trustees' Subdivision, of the West $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 16-37-14;

Thence south along said line a distance of 497.58 feet to the south line of lot 20, of the School's Trustees' Subdivision, of the West $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 16-37-14;

Thence west 8 feet along said line to the centerline of first alley east of S. Halsted Street; Thence south along said centerline of alley to the centerline of W. 107th Street;

Thence south along centerline of first alley east of S. Halsted Street to the centerline of first alley north of W. 111th Street:

Thence east along said centerline of alley to the centerline S. Emerald Ave.;

Thence south along said centerline of S. Emerald Ave. to the centerline of W. 111th Street;

Thence west along said centerline of W. 111th Street to the extension of the south centerline of the first alley east of S. Halsted Street;

Thence south, southwest and south along said centerline of alley to the centerline of W. 112th Street, Thence south along centerline of first alley east of S. Halsted Street to the centerline of W. 113th Street;

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Thence east along said centerline of W. 113 Street to the centerline S. Emerald Ave.;

Thence south along said centerline of S. Emerald Ave. a distance of 233 feet to a point on said centerline;

Thence west and parallel to the centerline of W. 113th Street to the centerline of first alley east of S. Halsted Street;

Thence south along said centerline of alley to the centerline of W. 114th Street;

Thence south, southeast and south along centerline of first alley east of S. Halsted Street to the centerline of W. 115th Street;

Thence south along centerline of first alley east of S. Halsted Street to the centerline of W. 118th Street;

Thence west along said centerline of W. 118th Street to the south centerline of first alley east of S. Halsted Street;

Thence south along said centerline of alley to the centerline of W. 118th Place;

Thence east along said centerline of W. 118th Place to the extension of the east lot line of lot 28 of Block 4 of Kneeland & Wright's 2nd Addition to West Pullman;

Thence south along said lot line to the centerline of first alley north of W. 119th Street;

Thence east along said centerline of alley to the centerline of S. Wallace Street;

Thence east along centerline of first alley north of W. 119th Street to the centerline of Normal Ave.;

Thence north along said centerline of S. Normal Ave. to the extension of the east centerline of first alley north of W. 119th Street;

Thence east along said centerline of alley to the centerline of S. Eggleston Ave.;

Thence south along the centerline of S. Eggleston Ave to the extension of the east centerline of first alley -north of W. 119th Street;

Thence east along said centerline of alley to the centerline of S. Stewart Ave.;

Thence east along said centerline of first alley north of W. 119th Street to the centerline of S. Harvard Ave.;

Thence south along said centerline of S. Harvard Ave. to the extension of the east centerline of first alley north of W. 119th Street;

Thence east along the centerline of first alley north of W. 119th Street to the centerline of S. Princeton Ave.;

Thence south along said centerline of S. Princeton Ave to the centerline of W. 119th Street;

Thence south along centerline of W. Princeton Ave to the centerline of first alley south of W. 119th Street;

Thence west along said centerline of alley to the centerline of S. Stewart Ave.;

Thence west along the centerline of first alley south of W. 119th Street to the centerline of S. Wallace Street;

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Thence west along the centerline of first alley south of 119 Street to the centerline of S. Emerald Ave.;

Thence north along said centerline of S. Emerald Ave. to the centerline of W. 119th Street;

Thence west along said centerline of W. 119th Street to the centerline of S. Halsted Street;

Thence west along said centerline of W. 119th Street to the centerline of S. Peoria Street;

Thence north along said centerline of S. Peoria Street to the extension of the east centerline of the first alley north of W. 119th Street;

Thence east along said centerline of alley a distance 175.0 feet to the centerline of vacated alley (Doc # 16393826) east of S. Peoria Street;

Thence north and parallel to S. Peoria Street of said centerline of alley to the centerline of W. 118th Street;

Thence north along the centerline of first alley east of S. Peoria Street to the centerline of W. 117th Street;

Thence east along said centerline of W. 117th Street to the westerly right-of-way line of the former Penn Central Railroad;

Thence northwesterly along said westerly right-of-way line of the former Penn Central Railroad to the centerline W. 115th Street;

Thence east along said centerline of W. 115th Street to the easterly right-of-way line of the former Penn Central Railroad;

Thence northwesterly along the easterly right-of-way line of the former Penn Central Railroad to the centerline W. 111th Street;

Thence east along said centerline of W. 111th Street to the extended east right-of-way line of S. Morgan Street from the south;

Thence south along said east right-of-way line of S. Morgan Street to the centerline of first alley south of W. 111th Street;

Thence east along said centerline of alley to the west right-of-way line of first alley west of S. Sangamon Street;

Thence south, southeasterly and east along said right-of-way line of said alley to the east right-of-way line of the first alley west of S. Peoria Street;

Thence south along said east right-of-way line of alley to the south west corner of Lot 31 of Sheldon Heights West Fifth Add. of Sec 20-37-14;

Thence east along south line of Lot 31 of Sheldon Heights West Fifth Add. of Sec 20-37-14 to the west right-of-way line of first alley north of W. 115th street;

Thence south along said west right-of-way line of alley to the south right-of-way line of said alley;

Thence east along said south right-of-way line of alley to the centerline of first alley west of S. Halsted Street;

Thence north along said centerline of alley to the centerline of first alley south of 111th Street;

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Thence west along said centerline of alley to the south extension of a line 9 ft. east and parallel to lot line 16 of Block 13 of First Add. to Sheldon Heights West;

Thence north along said line to the centerline of W. 111th Street:

Thence west along said centerline of W. 111th Street to the centerline of S. Green Street,

Thence north along said centerline of S. Green Street to the extension of east centerline of first alley north of 111th Street;

Thence east along said centerline of alley to the centerline of the first alley west of S. Halsted Street; Thence north along said centerline of alley to the centerline of 107th Street;

Thence north along the centerline of first alley west of S. Halsted Street to the centerline of first alley south of W. 103rd Street;

Thence west along said centerline of alley to the centerline of S. Sangamon Street;

Thence north along said centerline of S. Sangamon Street to the centerline of W. 103rd Street;

Thence north along the centerline of S. Sangamon Street to the centerline of first alley north of 103rd Street;

Thence east along said centerline of alley to the centerline of S. Green Street;

Thence north along said centerline of S. Green Street a distance of 9.88 feet to a point 134.88 ft. north of the north right-of-way of W. 103rd Street,

Thence east and parallel to the north right-of-way line of W. 103rd Street to the centerline of first alley west of S. Halsted Street;

Thence north along said centerline of alley to the centerline of W. 99th Street;

Thence west along said centerline of W. 99th Street to the north centerline of vacated S. Green Street;

Thence north along said centerline of vacated S. Green Street a distance of 380.13 feet to the north right-of-way line of the Dan Ryan Expressway per city of Chicago Ordinance passed June 25th, 1947;

Thence east along said north right-of-way line of the Dan Ryan Expressway to the centerline of first alley west of W. Halsted Street;

Thence north along said centerline of alley to the centerline of W. 97th Street;

Thence east along said centerline of W. 97th Street to the centerline of S. Halsted Street;

Thence north along said centerline of S. Halsted Street to the centerline of W. 97th Street to the east and the point of beginning all in Cook County Illinois.

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CHICAGO September 20, 2018

To the President and Members of the City Council:

Your Committee on Finance having had under consideration an ordinance authorizing the Committee on Finance to hold a public hearing in order to consider: (1) the enlargement of the boundaries of the Original Area of Special Service Area Number 45 and to authorize the levy of a Services Tax upon the

property within the enlarged area; (2) the authorization of the Special Services distinct from the Original Special Services; and (3) the authorization of the extended Levy Period for the levy of the Services Taxes within Special Service Area Number 45.

Direct Introduction

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
of members of the committee with**

Respectfully submitted

Chairman

Department of Planning and Development city of chicago

September 7, 2018

TO THE HONORABLE, THE CHAIRMAN AND MEMBERS OF THE CITY
COUNCIL COMMITTEE ON FINANCE

Ladies and Gentlemen:

I transmit herewith twenty-three Special Service Area ordinances.

Very truly yours,

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ROOM 1000, CHICAGO, ILLINOIS 60602

Approved