



Your Committee on Special Events Cultural Affairs and Recreation, for which a meeting was held on January 14, 2014, having had under consideration the reappointment introduced by Mayor Rahm Emanuel on December 11, 2013, this being the expenditure of open space impact fee funds for creation of Park 569 at 1358 W. Monroe St., begs leave to recommend that Your Honorable Body Approve said appointments transmitted herewith.

This recommendation was concurred in by a via voce vote of all committee members present with no dissenting votes.

Respectfully submitted,

Joseph A. Moore, Chairman  
Committee on Special Events,  
Cultural Affairs and Recreation

OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

December 11, 2013

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

Ladies and Gentlemen:

At the request of the Commissioner of Housing and Economic Development, I transmit herewith ordinances authorizing the expenditure of Open Space Impact Fee Funds.

Your favorable consideration of these ordinances will be appreciated.

Mayor

Very truly yours,

#### ORDINANCE

WHEREAS, the City of Chicago (the "City") is a municipal corporation and 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, on January 18, 2012, the City Council of the City (the "City Council") enacted an ordinance ("Original Ordinance"), published at pages 18500 through 18536 of the Journal of the Proceedings of the City Council for that date, authorizing the Commissioner ("HED Commissioner") of the City's Department of Housing and Economic Development ("HED") and the Commissioner ("2FM Commissioner") of the City's Department of Fleet and Facility Management ("2FM") (which Department is the successor to the City's Department of General Services), and their respective designees, to enter into an intergovernmental agreement with the Park District to assist the Park District's project to build, develop, and operate a new park with dog-friendly features, to be known as Park 569 (the "Project") on land located at 1358 W. Monroe Street in Chicago, Illinois and legally described in the Original Ordinance (the "Property"), which Property is owned by the City; and

WHEREAS, the Original Ordinance authorized: (1) the conveying of the Property to the Park District; (2) providing the Park District a certain amount of tax increment funds from the Central West Redevelopment Area; and (3) providing the Park District an amount not to exceed \$250,000 in certain Open Space Fees (as defined in the Original Ordinance); and

WHEREAS, due to delays in the construction schedule and increases in the environmental remediation and construction costs, the budget for the Project has increased significantly since the enactment of the Original Ordinance and the intergovernmental agreement contemplated in the Original Ordinance has not yet been signed by the parties; and

WHEREAS, the City desires to increase the amount of Open Space Fees committed to the Project by an additional \$195,081.52, for a total of not to exceed \$445,081.52 in Open Space Fees, and to adjust the Project budget (such budget attached hereto as Exhibit A) and the intergovernmental agreement accordingly; 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 Council hereby finds that the expenditure of an additional \$195,081.52 of Open Space Fees for the Project as described herein, in addition to the \$250,000 in Open Space Fees committed to the Project in the Original Ordinance, will directly and materially benefit the residents of those Fee-Paying Developments (as defined in the Original Ordinance) from which the Open Space Fees were collected, and approves the use of the additional Open Space Fees for the Project.

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EXHIBIT A

Purpose Cost

Paving (asphalt & concrete)	\$75,000
Drinking Fountain w/RPZ	\$20,000
Drainage & Sewer	\$25,000
Site Topography	\$45,000
Fencing (chain link Somamental)	\$25,000
Seating (benches, picnic tables)	\$15,000
Surfacing (art turf & pea gravel)	\$50,000
Landscaping (trees, shrubs)	\$20,000
Lighting	\$25,000
Site Amenities (water feature, shade pavilion)	\$175,000
Environmental Remediation (tank removal, etc.)	\$240,000

Increased costs since 2010 estimate, including environmental testing fees, remediation, disposal, re-grading of the site \$195,081.52

Total \$910,081.52

The Commissioner may approve changes to the preliminary budget, but may not increase the amount of Project Assistance.

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SECTION 3. The HED Commissioner or a designee of the HED Commissioner is hereby authorized to provide additional Open Space Fee proceeds to the Park District in an amount not to exceed \$195,081.52 from the corresponding funds to pay for expenses permitted under the Open Space Ordinance (as defined in the Original Ordinance). The Original Ordinance is hereby amended accordingly.

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 of the other provisions of this ordinance.

SECTION 5. This ordinance takes effect upon its passage and approval.

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