



Office of the City Clerk

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Legislation Details (With Text)

File #: O2019-1401
Type: Ordinance **Status:** Passed
File created: 3/13/2019 **In control:** City Council
Final action: 4/10/2019
Title: Intergovernmental agreement with Chicago Park District for field, track and lighting improvements at Ogden Park, 6500 S Racine Ave, using Tax Increment Financing assistance from Englewood Neighborhood Redevelopment Project funds
Sponsors: Emanuel, Rahm
Indexes: Intergovernmental
Attachments: 1. O2019-1401.pdf, 2. O2019-1401 (V1).pdf

Date	Ver.	Action By	Action	Result
4/12/2019	1	Office of the Mayor	Signed by Mayor	
4/10/2019	1	City Council	Passed	Pass
4/8/2019	1	Committee on Finance	Recommended to Pass	
3/13/2019	1	City Council	Referred	

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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, the Park District has undertaken to make certain park improvements at Ogden Park, which is generally located at 6500 South Racine Avenue, Chicago, Illinois and legally described in Exhibit A (the "Property"); and

WHEREAS, the Park District wishes to construct a new turf athletic field and to make additional field improvements which will include an eight-lane running track and field lighting on the Property (the "Project"); and

WHEREAS, the Property lies wholly within the boundaries of the Englewood Neighborhood Redevelopment Area (as hereinafter defined); 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 blight conditions and conservation factors that could lead to blight 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 June 27, 2001, and published in the Journal of the Proceedings of the City Council of the City of Chicago, for said date, as amended by ordinances adopted on November 13, 2013, the City Council: (i) approved and adopted a redevelopment plan and project (the "Plan") for a portion of the City known as the "Englewood Neighborhood Redevelopment Project Area" (the "Englewood Neighborhood Redevelopment Area"); (ii) designated the Englewood Neighborhood Redevelopment Area as a "redevelopment project area"; and (iii) adopted tax increment allocation financing for the Englewood Neighborhood Redevelopment 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 Englewood Neighborhood Redevelopment Area shall be known as the "Englewood Neighborhood Increment"); and

WHEREAS, the Department of Planning and Development of the City ("DPD") wishes to use a portion of the Englewood Neighborhood Increment in an amount not to exceed \$3,200,000 for the purpose of partially funding the construction of the Project on the Property (the "TIF-Funded Improvements") in the Englewood Neighborhood Redevelopment Area to the extent and in the manner provided in the Agreement (as hereinafter defined); and

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WHEREAS, the Plan contemplates that tax increment financing assistance would be provided for public improvements, such as the Project, within the boundaries of the Englewood Neighborhood Redevelopment Area; 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; and

WHEREAS, the City and the Park District wish to enter into an intergovernmental agreement in substantially the form attached hereto as Exhibit B (the "Agreement") whereby the City shall pay for or reimburse the Park District for a portion of the TIF-Funded Improvements; and

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. Subject to the approval of the Corporation Counsel of the City as to form and legality, and to the approval of the City Comptroller, the Commissioner of DPD (or any successor department thereto) is authorized to execute and deliver the Agreement, and such other documents as are necessary, between the City and the Park District, which may contain such other terms as are deemed necessary or appropriate by the parties executing the same on the part 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.

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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

March 13. 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 ordinances authorizing the execution of intergovernmental agreements for TIF assistance with the Chicago Park District.

Your favorable consideration of these ordinances will be appreciated.

Mayor

Very truly yours,

CHICAGO April 10.2019

To the President and Members of the City Council:

Your Committee on Finance having had under consideration a proposed ordinance concerning the authority to enter into and execute an Intergovernmental Agreement with the Chicago Park District for improvements to Ogden Park.

02019-1401

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

Approved Approved

XT

Corporation Counsel V Mayor

DATED:

DATED: