



Office of the City Clerk

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Legislation Details (With Text)

File #: O2019-1402
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 fieldhouse and swimming pool improvements and renovations at Douglas Park, 1401 S Sacramento Dr, with Tax Increment Financing assistance from Midwest Redevelopment Project Area funds
Sponsors: Emanuel, Rahm
Indexes: Intergovernmental
Attachments: 1. O2019-1402.pdf, 2. O2019-1402 (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	

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 Douglas Park, which is generally located at 1401 South Sacramento Avenue, Chicago, Illinois and legally described in Exhibit A (the "Property"); and

WHEREAS, the Park District wishes to renovate and make improvements to the existing fieldhouse which will include concrete and masonry restoration, renovation of the windows and doors, new roof and gutters, plumbing infrastructure upgrades, and interior finishes such as upgraded restrooms, locker rooms, lobby, and lighting, and to renovate and make improvements to the existing pool which will include new plumbing, electric, and filter system laterals and controls, and to restore the existing turf athletic field on the Property (the "Project"); and

WHEREAS, the Property lies wholly within the boundaries of the Midwest 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 May 17, 2000, 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 May 9, 2012, and December 9, 2015, the City Council: (i) approved and adopted a redevelopment plan and project (the "Plan") for a portion of the City known as the "Midwest Redevelopment Project Area" (the "Midwest Redevelopment Area"); (ii) designated the Midwest Redevelopment Area as a "redevelopment project area"; and (iii) adopted tax increment allocation financing for the Midwest 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 Midwest Redevelopment Area shall be known as the "Midwest Increment"); and ¹

WHEREAS, the Department of Planning and Development of the City ("DPD") wishes to use a portion of the Midwest Increment in an amount not to exceed \$1,100,000 for the purpose

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of partially funding the construction of the Project on ■ the Property (the "TIF-Funded Improvements") in the Midwest Redevelopment Area to the extent and in the manner provided in the Agreement (as hereinafter defined); and

WHEREAS, the Plan contemplates that tax increment financing assistance would be provided for public improvements, such as the Project, within the boundaries of the Midwest 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

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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 Douglas Park.

02019-1402

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