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Legislation Details (With Text)

File #: O2020-901
Type: Ordinance
File created: 2/19/2020
Status: Passed
In control: City Council
Final action: 4/24/2020
Title: Amendment No. 3 to Jefferson Park Business District Tax Increment Financing (TIF) Plan - statutory conformity
Sponsors: Lightfoot, Lori E.
Indexes: Jefferson Park T.I.F.
Attachments: 1. O2020-901.pdf

Date	Ver.	Action By	Action	Result
4/24/2020	1	City Council	Passed	Pass
3/12/2020	1	Committee on Finance	Recommended to Pass	
2/19/2020	1	City Council	Referred	

OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI F. LIGHTFOOT
MAYOR

February 19, 2020

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 amending various TIF Plans.

Your favorable consideration of these ordinances will be appreciated.

ORDINANCE

WHEREAS, pursuant to ordinances adopted on September 9, 1998, and published in the Journal of Proceedings of the City Council of the City of Chicago (the "Journal") for such date at pages 75994 to 76078, and under the provisions of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et seq., as amended (the "Act"), the City Council (the "Corporate Authorities") of the City of Chicago (the "City"): (i) approved a redevelopment plan and project (the "Original Plan") for a portion of the City known as the "Jefferson Park Business District Redevelopment Project Area" (the "Area") (the "Original Plan Ordinance"); (ii) designated the Area as a "redevelopment project area" within the requirements of the Act (the "Designation Ordinance"); and (iii) adopted tax increment financing for the Area (the "TIF Adoption Ordinance" and together with the Original Plan Ordinance, the Designation Ordinance, and the ordinances described in the following paragraph, the "TIF Ordinances"); and

WHEREAS, the Corporate Authorities amended the Original Plan Ordinance pursuant to ordinances adopted on March 10, 1999, and published in the Journal for such date at pages 90396 to 90484 ("Amendment No. 1"), and September 29, 1999, and published in the Journal for such date at pages 11403 to 11411 (together with the Original Plan, and Amendment No. 1, the "Plan"); and

WHEREAS, the Plan established the estimated dates of completion of the redevelopment project described in the Plan and of the retirement of obligations issued to finance redevelopment project costs to be not more than twenty-three (23) years from the date of the adoption of the Plan Ordinance, such ultimate retirement date occurring in the year 2021, and the Corporate Authorities made a finding in the Original Plan Ordinance that such dates were not more than twenty-three (23) years from the date of the adoption of the Designation Ordinance in accordance with the provisions of Section 11-74.4-3(n)(3) of the Act in effect on the date of adoption of the TIF Ordinances; and

WHEREAS, Public Act 91-478 (the "Amendatory Act"), which became effective November 1, 1999, amended Section 11-74.4-3(n)(3) of the Act, among other things, to: (i) provide that the estimated dates of completion of certain redevelopment projects and retirement of obligations issued to finance redevelopment project costs shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in Section 11-74.4-8(b) of the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving a redevelopment project area is adopted; and (ii) provide that a municipality may by municipal ordinance amend an existing redevelopment plan to conform such redevelopment plan to Section 11-74.4-3(n)(3) of the Act, as amended by the Amendatory Act, which ordinance may be adopted, without further hearing or notice and without complying with the procedures provided in the Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area; and

WHEREAS, the Corporate Authorities desire to amend the Plan to conform the Plan to Section 11-74.4-3(n)(3) of the Act, as amended by the Amendatory Act, in accordance with the procedures set forth in amended Section 11-74.4-3(n)(3); now, therefore,

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

SECTION 1. Recitals. The above recitals are incorporated herein and made a part

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hereof.

SECTION 2. Approval of Amendment to Plan. "Amendment Number 3 to Jefferson Park Business District Redevelopment Project Area Redevelopment Plan and Project", a copy of which is attached hereto as Exhibit A (the "Plan Amendment"), is hereby approved. As amended hereby, the Plan shall remain in full force

and effect.

SECTION 3. Finding. The Corporate Authorities hereby find that the estimated dates of completion of the redevelopment project described in the Plan, as amended by the Plan Amendment, and the retirement of obligations issued to finance redevelopment project costs set forth in the Plan, as amended by the Plan Amendment, conform to the provisions of Section 11-74.4-3(n)(3) of the Act, as amended by the Amendatory Act.

SECTION 4. Invalidity of Any Section. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this ordinance.

SECTION 5. Superseder. All ordinances (including, without limitation, the TIF Ordinances), resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflicts.

SECTION 6. Effective Date. This ordinance shall be in full force and effect immediately upon its passage and approval.

EXHIBIT A

AMENDMENT NUMBER 3 TO JEFFERSON PARK BUSINESS DISTRICT REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN AND PROJECT

1. In Section 1 entitled "Introduction," the sub-section entitled "Tax Increment Financing," in the third indent paragraph, the sentence following numeric three (3) shall be deleted and replaced with the following:

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates may not be later than [December 31 of the year in which the payment to the City treasurer as provided in the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year following the year in which the ordinance approving the redevelopment project area]

2. In Section 8 entitled "Redevelopment Plan Financing," the sub-section entitled "Nature and Term of Obligations to be Issued," the first sentence in the second paragraph shall be deleted and replaced with the following:

Any obligations issued by the City pursuant to this Redevelopment Plan and the Act shall be retired no later than December 31 of the year in which the payment to the City treasurer as provided in the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year following the year in which the ordinance approving the Redevelopment Project Area was adopted, such ultimate retirement date occurring on December 31, 2022.

3. In Section 8 entitled "Redevelopment Plan Financing," the sub-section entitled "Completion of the Redevelopment Project and Retirement of Obligations to Finance Redevelopment Project Costs," the first sentence in the paragraph shall be deleted and replaced with the following:

This Redevelopment Plan will be completed, including any obligations issued to finance redevelopment project costs, no later than December 31 of the year in which the payment to the City treasurer as provided in the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year following the year in which the ordinance approving the Redevelopment Project Area was adopted, such ultimate completion and retirement date

occurring on December 31, 2022.