



Office of the City Clerk

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

Legislation Text

File #: O2017-7069, Version: 1

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 "Act"), and pursuant to the Property Tax Code, 35 ILCS 200/1-1 et seq., as amended from time to time; and

WHEREAS, on November 7, 2007, the City Council of the City of Chicago (the "City Council") enacted an ordinance, as amended on December 12, 2007 (collectively the "Original Ordinance") which established an area known and designated as City of Chicago Special Service Area Number 44 (the "Original Area") and authorized the levy of an annual tax, for the period beginning in 2007 through and including 2016 (the "Original Period"); not to exceed an annual rate of two and a half percent (2.5%) of the equalized assessed value of the taxable property therein (the "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 (the "City") generally (the "Original Special Services"); and

WHEREAS, on December 9, 2015, the City Council enacted an ordinance (the "Enlargement Ordinance") which (i) enlarged the boundaries of the Original Area (as enlarged, the "Area"), (ii) authorized certain special services in the Area distinct from the Original Special Services (the "Special Services"), and (iii) authorized the extension of the Original Period and of the levy of the Services Tax for the provision of the Special Services in the Area in addition to the services provided by the City generally for a period beginning in tax year 2015 through and including tax year 2029; and

WHEREAS, the Original Ordinance and the Enlargement Ordinance are herein collectively referred to as the "Establishment Ordinance"; and

WHEREAS, the Establishment Ordinance established the Area consisting of Walden Parkway from 99th Street to 107th Street, and from Longwood Drive to Wood Street along 103rd Street; and

WHEREAS, the Special Services authorized in the Establishment Ordinance 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; and

WHEREAS, the Establishment Ordinance provided for the appointment of the 103rd St. Beverly Special Service Area Commission (the "Commission") to advise the City Council regarding the amount of the Services Tax to be levied and for the purpose of recommending to the City Council: (1) a yearly budget based upon the cost of providing the Special Services, (2) an entity to serve as a service provider (the "Service Provider"), (3) an agreement between the City and the Service Provider for the provision of Special Services to the Area (the "Service Provider Agreement"), and (4) a budget to be included in the agreement between the City and the Service Provider (the "Budget") (the aforementioned items 1 through 4 shall be known collectively herein as the "Recommendations"); and

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WHEREAS, the Commission has heretofore prepared and transmitted to the Commissioner of the Department of Planning and Development (the "Commissioner") its Recommendations to the City Council, including the Budget attached hereto as Exhibit A and hereby made a part hereof; now, therefore,

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

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

SECTION 2. Appropriations. There is hereby appropriated the following sums in the amounts and for the purposes necessary to provide the Special Services in and for the Area, the estimated amounts of miscellaneous income and the amounts required to be raised by the levy of the Services Tax indicated as follows:

103rd ST. BEVERLY SPECIAL SERVICE AREA COMMISSION SPECIAL
SERVICE AREA BUDGET

For the fiscal year commencing January 1, 2018 and ending December 31, 2018:

EXPENDITURES

Service Provider Agreement for the provision
of Special

Services \$14,458 TOTAL BUDGET REQUEST \$14,458

SOURCE OF FUNDING

Tax levy at an annual rate not to
exceed an annual rate of two and a
half percent (2.5%) of the equalized
assessed value, of the taxable property within
Special Service Area Number 44 \$14,458

Carryover funds currently available
from prior tax years \$0

Late collections received by the City
attributable to the levy of the Services Tax
in prior tax years, along with interest income
thereon, if any \$0

SECTION 3. Levy of Taxes. There is hereby levied pursuant to the provisions of Article VII, Sections 6 (a) and 6(l)(2) of the Constitution of the State of Illinois and pursuant to the provisions of the Act and pursuant to the provisions of the Establishment Ordinance, the sum of \$14,458 as the amount of the Services Tax for the tax year 2017.

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SECTION 4. The City Clerk of the City (the "City Clerk") is hereby ordered and directed to file in the Office of the County Clerk of Cook County, Illinois (the "County Clerk") a certified copy of this ordinance on or prior to December 26, 2017, and the County Clerk shall thereafter extend for collection together with all other taxes to be levied by the City, the Services Tax herein provided for, said Services Tax to be extended for collection by the County Clerk for the tax year 2017 against all the taxable property within the Area, the amount of the Services Tax herein levied to be in addition to and in excess of all other taxes to be levied and extended against all taxable property within the Area.

SECTION 5. Service Provider Agreement. The Commissioner, or a designee of the Commissioner (each, an "Authorized Officer"), are each hereby authorized, subject to approval by the Corporation Counsel as to form and legality, to enter into, execute and deliver a Service Provider Agreement as authorized herein with Beverly Area Planning Association, an Illinois not-for-profit corporation, as the Service Provider, for a one-year term in a form acceptable to such Authorized Officer, along with such other supporting documents, if any, as may be necessary to carry out and comply with the provisions of the Service Provider Agreement. The Budget shall be attached to the Service Provider Agreement as an exhibit. Upon the execution of the Service Provider Agreement and the receipt of proper documentation, the Authorized Officer and the City Comptroller are each hereby authorized to disburse the sums appropriated in Section 2 above to the Service Provider in consideration for the provision of the Special Services described in the Budget. The Department of Planning and Development shall promptly make a copy of the executed Service Provider Agreement readily available for public inspection.

SECTION 6. Enforceability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 7. Conflict. This ordinance shall control over any provision of any other ordinance, resolution, motion or order in conflict with this ordinance, to the extent of such conflict.

SECTION 8. Publication. This ordinance shall be published by the City Clerk, in special pamphlet form, and made available in her office for public inspection and distribution to members of the public who may wish to avail themselves of a copy of this ordinance.

SECTION 9. Effective Date. This ordinance shall take effect 10 days after its passage and publication.

EXHIBIT A BUDGET

Exhib

A

Budg

Special Service Area

44

Service Provider Agency: Beverly Area Planning Association

2018 BUDGET SUMMARY

Budget and Services Period: January 1, 2018 through December 31, 2018

CATEGORY	2017 Levy Collectable Levy	Estimated Loss Collection	Carry Over	TIF Rebate Fund # A52	Estimated Late Collections and Interest	Total All Sources 2018 Budget
1.00 Customer Attraction	\$4,085	\$0	\$0	\$0	\$0	\$4,085
2.00 Public Way Aesthetics	\$8,143	\$0	\$0	\$0	\$0	\$8,143
3.00 Sustainability and Public Places	\$0	\$0	\$0	\$0	\$0	\$0
4.00 Economic/ Business Development	\$0	\$0	\$0	\$0	\$0	\$0
5.00 Safety Programs	\$0	\$0	\$0	\$0	\$0	\$0
6.00 SSA Management	\$630	\$0	\$0	\$0	\$0	\$630
7.00 Personnel	\$1,600	\$0	\$0	\$0	\$0	\$1,600
Sub-total	\$14,458	\$0				
GRAND TOTALS	Levy Total \$14,458		\$0	\$0	\$0	\$14,458

LEVY ANALYSIS

Estimated 2017 EAV: \$3,008,102

Authorized Tax Rate Cap: 2.500%

Maximum Potential Levy in \$75,203

Rate Cap:

Requested 2017 Levy Amount \$14,458

Estimated Tax Rate to Generate \$14,458

Levy:

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 11, 2017

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 a scope of services, budget and management agreement for various Special Service Areas.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

_5s Pi & "K/

To the President and Members of the City Council:

Your Committee on Finance having had under consideration

An ordinance authorizing the imposition of a tax levy, the approval of the 2018 budget, and the approval of the Service Provider Agreement for Special Service Area Number 44.

02017-7069 Amount to be levied:

\$14,458

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 (aOTva voce vote^)
of members of the committee with dissenting vote(s):**

Respectfully submitted

Chairman