

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, on March 18, 1956, the City Council of the City (the "City Council") created the Public Building Commission of Chicago (the "Commission"), an Illinois municipal corporation, pursuant to the Public Building Commission Act of the State of Illinois (the "Act") for the purpose of facilitating the funding, acquiring and constructing of public buildings, improvements and facilities for use by local public agencies in the furnishing of essential governmental services; and

WHEREAS, the Commission is authorized and empowered by the Act to acquire fee simple title to real property, including easements and reversionary interests in streets, alleys and other public places, by leasing, purchase or the exercise of eminent domain (collectively, the "Property Activities"), for public improvements in an area or areas that have been selected, located and approved by the governing bodies of the City and the Commission; and

WHEREAS, the Commission has undertaken the Property Activities, construction, alteration, repair, renovation, rehabilitation, demolition, maintenance and equipping of buildings and facilities (collectively, the "Work") for use by various public bodies including the City, the Board of Education of the City of Chicago, the Chicago Park District, and the Board of Trustees of Community College District No. 508, County of Cook and State of Illinois; 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 "TIF Act"), to finance projects that eradicate blight conditions through the use of tax increment allocation financing for redevelopment projects; and

WHEREAS, under the TIF Act, such incremental ad valorem taxes which pursuant to the TIF Act have been collected and are allocated to pay redevelopment project costs and obligations incurred in the payment thereof (such ad valorem taxes so allocated, collected, paid and deposited pursuant to the TIF Act are known generally as "Increment") may be used, among other purposes authorized by the TIF Act, to pay the cost of public works and improvements, rehabilitation, reconstruction or repair or remodeling of existing public buildings, and to acquire and construct public facilities, as contemplated in a redevelopment plan, and obligations relating thereto; and

WHEREAS, pursuant to an ordinance adopted by the City Council on June 25, 2021 and published at pages 31680-31685 in the Journal of the Proceedings of the City Council ("Journal") for such date, the Commission agreed to undertake certain Work in connection with various City-owned buildings and facilities (the "Projects"); and

WHEREAS, the City and the Commission entered into an agreement for the Commission to implement the Projects (the "Agreement") as indicated on the project list attached thereto as Exhibit A; and

WHEREAS, pursuant to an ordinance adopted by the City Council on July 20, 2022 and

published at pages 51331-51341 in the Journal for such date, the Commission agreed to undertake additional Projects; and

WHEREAS, the City and the Commission amended the Agreement (the "First Amendment") to implement the additional Projects as indicated on the project list attached thereto as Exhibit B (the "TIF Project List"); and

WHEREAS, the City and the Commission wish to enter into a second amendment to the Agreement in substantially the form attached hereto as Exhibit A, whereby the City and the Commission shall further update the TIF Project List (the "Second Amendment"); and

WHEREAS, certain City-owned buildings and facilities are identified in Exhibit A to the Second Amendment (each, a "Property"); and

WHEREAS, in accordance with the provisions of the TIF Act, the City Council: (i) approved and adopted a redevelopment plan and project (the "Plan") for a portion of the City identified in the Second Amendment (a "Redevelopment Area"); (ii) designated a Redevelopment Area as a "redevelopment project area"; and (iii) adopted tax increment allocation financing for a Redevelopment Area, pursuant to certain ordinances designating, adopting and approving a Plan and Redevelopment Area and published in the Journal; and

WHEREAS, all of the Property related to each Project lies wholly within the boundaries of a Redevelopment Area identified on Exhibit A to the Second Amendment; and

WHEREAS, Increment collected from a Redevelopment Area shall be known as the "Redevelopment Area Increment"; and

WHEREAS, the Department of Fleet and Facility Management ("2FM") of the City desires to use a portion of each Redevelopment Area Increment in an amount not to exceed the amount identified in the Second Amendment (the "TIF Funds") for the purpose of wholly or partially funding certain TIF-eligible costs of each Project (the "TIF-Funded Improvements") to the extent and in the manner provided in this ordinance and the Second Amendment; and

WHEREAS, the maximum amount of TIF Funds related to each Project and authorized to be used for TIF-Funded Improvements are incorporated into the Second Amendment; and

WHEREAS, each Plan contemplates that tax increment financing assistance would be provided for public improvements, such as the Projects, within the boundaries of each Redevelopment Area; now, therefore,

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

SECTION 1. The above recitals, and the statements of fact and findings made therein, are incorporated herein and made a material part of this ordinance.

SECTION 2. The Commissioner of Fleet and Facility Management and a designee thereof and the City Comptroller are each hereby authorized, subject to approval by the City's Corporation Counsel, to execute and deliver the Second Amendment and such other documents

as may be necessary to carry out and comply with the provisions of the Second Amendment, which Second Amendment may contain such other terms as are deemed necessary or appropriate by the parties executing the same on the part of the City.

SECTION 3. 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 4. This ordinance shall take effect upon its passage and approval.