

SUBSTITUTE 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, the Chicago Housing Authority, an Illinois municipal corporation (“**CHA**”) is a public housing agency engaged in the development and operation of affordable, decent, safe, and sanitary housing throughout the City for low-income families in accordance with the United States Housing Act of 1937, 42 U.S.C. Section 1437 et seq., as amended, regulations promulgated by the United States Department of Housing and Urban Development, and the State Housing Authorities Act, 310 ILCS 10/1 et seq., as amended, and other applicable laws, regulations, and ordinances; and

WHEREAS, CHA owns, operates, and maintains an affordable housing development known as Robert Brooks Homes generally located at 1300-1400 West 13th Street; 1300-1400 West 14th Street; and 1300-1400 West Hastings Street, Chicago, Illinois (the “**Property**”); and

WHEREAS, CHA desires to make certain improvements to the Property, specifically 1) replacing the aging water and sewer infrastructure including storm sewers, sanitary sewers, and water supply lines in order to meet City stormwater requirements; 2) installing permeable pavers in the parking lots and upgrading walkways; and 3) improving ADA access (the “**Project**”); 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, to induce certain redevelopment pursuant to the Act, the City Council of the City (the “**City Council**”) adopted ordinances on November 4, 1998 (as published in the Journal of the Proceedings of the City Council of the City for such date at pages 80527 through 80642), as amended (i) approving a redevelopment plan and project (the “**Roosevelt/Racine Plan**”) for the Roosevelt/Racine Redevelopment Area (the “**Redevelopment Area**”); (ii) designating the Redevelopment Area as a “redevelopment project area” within the requirements of the Act; and (iii) adopting tax increment financing for the Redevelopment Area. The Roosevelt/Racine Plan was amended by ordinances adopted on December 8, 2004, and June 23, 2013; and

WHEREAS, all of the Property lies wholly within the boundaries of the Redevelopment Area; and

WHEREAS, under 65 ILCS 5/11-74.4-3(q)(3), 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 (“**Incremental Taxes**”) may be used to pay the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project (Incremental Taxes collected from the Redevelopment Area shall be known as the “**Roosevelt/Racine Increment**”); and

WHEREAS, the Roosevelt/Racine Plan contemplates that tax increment financing

assistance would be provided for facilitating the rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements, such as the Project, within the boundaries of the Redevelopment Area; and

WHEREAS, the Project is necessary for the redevelopment of the Area; and

WHEREAS, the City and CHA desire to enter into an intergovernmental agreement (the "**Agreement**") in substantially the form attached hereto as Exhibit A whereby the City shall grant the Project Funds to the CHA for the Project Costs; and

WHEREAS, CHA will be obligated to undertake the Project in accordance with the Redevelopment Plan and the Agreement; and

WHEREAS, the City will use a portion of Roosevelt/Racine Increment in an amount not to exceed \$12,000,000 (the "**Project Funds**") to pay or reimburse CHA for a portion of the eligible redevelopment project costs of the Project (the "**Project Costs**"); now, therefore,

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

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

SECTION 2. CHA is hereby designated as the "Developer" for the Project pursuant to Section 5/11-74.4-4 of the Act.

SECTION 3. The Commissioner of Planning and Development (the "**Commissioner**") and a designee of the Commissioner are each hereby authorized, with the approval of the City's Corporation Counsel to negotiate, execute and deliver: (a) an intergovernmental agreement between the CHA and the City in substantially the form attached hereto as Exhibit A and made a part hereof (the "**Agreement**") and (b) such other supporting documents as may be necessary to carry out and comply with the provisions of the Agreement, with such changes, deletions and insertions as shall be approved by the persons executing the Agreement on behalf of the City.

SECTION 4. The City Council hereby finds that the City is authorized to pay an aggregate amount not to exceed \$12,000,000 from the Roosevelt/Racine Increment (the "**City TIF Funds**") to CHA to finance a portion of the eligible redevelopment project costs of the Project. The proceeds of the City TIF Funds are hereby appropriated for the purposes set forth in this Section 4.

SECTION 5. 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 other provisions of this ordinance.

SECTION 6. 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 7. This ordinance shall take effect immediately upon its passage and approval.

EXHIBIT A
(attached)