

9/21/2019

117-O-19

**AN ORDINANCE OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS,
APPROVING FIRST AMENDMENT TO TAX INCREMENT
REDEVELOPMENT PLAN AND PROJECT FOR THE
HOWARD AND RIDGE REDEVELOPMENT PROJECT AREA**

WHEREAS, the City of Evanston ("City") is a home rule municipality organized under the laws of the State of Illinois; and

WHEREAS, the General Assembly of the State of Illinois has provided by law the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.* ("Act"), to assist in the financing of certain improvements in areas in the City which meet the requirements therein; and

WHEREAS, the City, pursuant to Ordinance Numbers 2-O-04 and 3-O-04 adopted on January 26, 2004, established the City's Howard and Ridge Tax Increment Financing District ("Original TIF District") relative to the redevelopment project area, legally described in EXHIBIT A attached hereto and made part hereof ("Original Redevelopment Project Area"), approved a redevelopment plan and project in relation to the Original TIF District ("Original Redevelopment Plan and Project") and adopted tax increment financing for the Original TIF District; and

WHEREAS, the City desires to add certain parcels of property to the Original Redevelopment Project Area, said parcels of property being legally described in EXHIBIT B attached hereto and made part hereof ("Added Parcels"); and

WHEREAS, pursuant to Section 11-74.4-5 of the Act, the Mayor and City Council of the City (the "Corporate Authorities") called a public hearing relative to amending the Original Redevelopment Project Area and Original Redevelopment Plan

and Project to add the Added Parcels to the Original Redevelopment Project Area ("First Amended Redevelopment Project Area") and the Original Redevelopment Plan and Project ("First Amended Redevelopment Plan and Project") under the Act for October 28, 2019; and

WHEREAS, due notice with respect to such hearing was given pursuant to Section 11-74.4-5 of the Act, said notice being given to taxing districts and to the Department of Commerce and Economic Opportunity of the State of Illinois by certified mail on September 10, 2019, by publication on _____, 2019, and _____, 2019, and by certified mail to taxpayers within the Area on October 7, 2019; and

WHEREAS, the City has heretofore convened a joint review board as required by, and in all respects in compliance with, the provisions of the Act; and

WHEREAS, the Corporate Authorities have reviewed the information concerning such factors presented at the public hearing and have reviewed other studies and are generally informed of the conditions in the proposed First Amended Redevelopment Project Area that could cause the First Amended Redevelopment Project Area to be confirmed as a "conservation area" as defined in the Act; and

WHEREAS, the Corporate Authorities have reviewed the conditions pertaining to lack of private investment in the proposed First Amended Redevelopment Project Area to determine whether private development would take place in the proposed First Amended Redevelopment Project Area as a whole without the adoption of the proposed First Amended Redevelopment Plan and Project; and

WHEREAS, the Corporate Authorities have reviewed the conditions pertaining to real property in the proposed First Amended Redevelopment Project Area to determine whether contiguous parcels of real property and improvements thereon in

the proposed First Amended Redevelopment Project Area would be substantially benefited by the proposed Project improvements; and

WHEREAS, the Corporate Authorities have reviewed the proposed First Amended Redevelopment Plan and Project and also the existing comprehensive plan for development of the City as a whole to determine whether the proposed First Amended Redevelopment Plan and Project conform to the comprehensive plan of the City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Evanston, Cook County, Illinois, as follows:

SECTION 1, Findings. That the Corporate Authorities of the City of Evanston hereby make the following findings:

a. The First Amended Redevelopment Area is legally described in EXHIBIT C attached hereto and incorporated herein as if set out in full by this reference. The general street location for the First Amended Redevelopment Area is described in EXHIBIT D attached hereto and incorporated herein as if set out in full by this reference. The map of the First Amended Redevelopment Area is depicted on EXHIBIT E attached hereto and incorporated herein as if set out in full by this reference.

b. There exist conditions that cause the First Amended Redevelopment Area to be subject to designation as a redevelopment project area under the Act and to be confirmed as a “conservation area” as defined in Section 11-74.4-3(b) of the Act.

c. The Added Parcels, on the whole, has not been subject to growth and development through investment by

private enterprise and would not reasonably be anticipated to be developed without the adoption of the First Amended Redevelopment Plan and Project.

d. The First Amended Redevelopment Plan and Project, conform to the comprehensive plan for the development of the City as a whole, as reflected in the City's zoning map.

e. As set forth in the First Amended Redevelopment Plan and Project, it is anticipated that all obligations incurred to finance redevelopment project costs, if any, as defined in the First Amended Redevelopment Plan and Project, shall be retired within twenty-three (23) years after the Area is designated.

f. The Added Parcels are contiguous to one another and the Original Redevelopment Project Area, and only those contiguous parcels of real property and improvements thereon that will be substantially benefited by the proposed Project improvements are included in the proposed Area.

SECTION 2, Plan and Project Approved. That the First Amended Redevelopment Plan and Project, which were the subject matter of the public hearing held on October 28, 2019, are hereby adopted and approved. A copy of the First Amended Redevelopment Plan and Project is set forth in EXHIBIT F attached hereto and incorporated herein as if set out in full by this reference.

SECTION 3, Invalidity of Any Section. That 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 4, Superseded and Effective Date. All ordinances, resolutions, motions, or orders in conflict herewith shall be, and the same hereby are, repealed to the extent of such conflict, and this Ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law. The following attachments are incorporated herein by reference.

AYES 9
NAYS 0
ABSENT 0

Introduced: November 11, 2019

Adopted: November 25, 2019

Approved:

December 16, 2019

Stephen H. Hagerty
Stephen H. Hagerty, Mayor

Attest:

Eduardo Gomez
~~Devon Reid, City Clerk~~

Eduardo Gomez, Deputy City Clerk

Approved as to form:

Michelle L. Masoncup
Michelle L. Masoncup, Corporation
Counsel

EXHIBIT A

**ORIGINAL REDEVELOPMENT PROJECT AREA
LEGAL DESCRIPTION**

EXHIBIT B

**ADDED PARCELS
LEGAL DESCRIPTION**

EXHIBIT C

**FIRST AMENDED REDEVELOPMENT PROJECT AREA
LEGAL DESCRIPTION**

EXHIBIT D

The Redevelopment Project Area (the "RPA") RPA is generally bounded on the north by various parcels that front Howard Street and Chicago Avenue, on the east by the City of Evanston's (the "City") boundaries and the Chicago Transit Authority (CTA) Red Line, on the south by City boundaries and on the west by Ashland Avenue. The RPA contains mixed residential uses, retail/commercial properties and institutional uses.

EXHIBIT E
MAP OF
FIRST AMENDED REDEVELOPMENT PLAN AND PROJECT

EXHIBIT F

FIRST AMENDED REDEVELOPMENT PLAN AND PROJECT

Alderman Braithwaite moved and Alderman Rue Simmons seconded the motion that said ordinance as presented and read by the City Clerk be adopted.

After a full discussion thereof including a public recital of the nature of the matter being considered and such other information as would inform the public of the nature of the business being conducted, the Mayor directed that the roll be called for a vote upon the motion to adopt said ordinance as read.

Upon the roll being called, the following Alderman voted AYE: Fiske,
Braithwaite, Wynne, Wilson, Rue Simmons, Revelle,
Suffredin, Rainey, Fleming

The following Alderman voted NAY: _____

Whereupon the Mayor declared the motion carried and said ordinance adopted, approved and signed the same in open meeting and directed the City Clerk to record the same in full in the records of the Mayor and City Council of the City of Evanston, Cook County, Illinois, which was done.

Other business not pertinent to the adoption of said ordinance was duly transacted at the meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

Edward Camp
Deputy City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION OF ORDINANCE AND MINUTES

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Evanston, Cook County, Illinois (the "City"), and that as such official I am the keeper of the records and files of the Mayor and City Council of the City (the "Corporate Authorities").

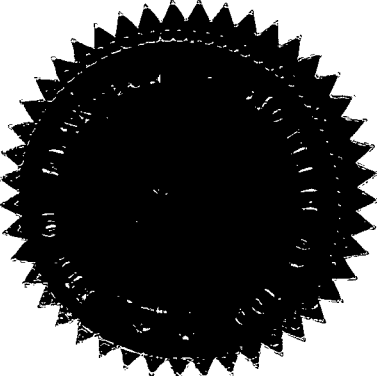
I do further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the meeting of the Corporate Authorities held on the 25 day of November, 2019, insofar as same relates to the adoption of an ordinance entitled:

AN ORDINANCE of the City of Evanston, Cook County, Illinois,
Approving First Amendment To Tax Increment Redevelopment
Plan And Project For The Howard and Ridge
Redevelopment Project Area.

a true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Corporate Authorities on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice; that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Corporate Authorities at least 48 hours in advance of the holding of said meeting; that said agenda described or made specific reference to said ordinance; that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Corporate Authorities.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the City, this 17 day of November, 2019.



Eduardo Conroy
Deputy City Clerk