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OFFICE OF THE MAYOR
CITY OF CHICAGO

BRANDON JOHNSON
MAYOR

July 19, 2023

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Assets, Information and Services, I transmit herewith an ordinance authorizing the acquisition of property located at 3034 West Foster Avenue from the Metropolitan Water Reclamation District of Greater Chicago.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in black ink, appearing to read "BJ", with a horizontal line extending to the right.

Mayor

ORDINANCE

WHEREAS, the City of Chicago (“City”) is a duly constituted and existing municipality within the meaning of Section 1, Article VII, of the 1970 Constitution of the State of Illinois (“Constitution”), and is a home rule unit of local government under Section 6(a), Article VII, of the Constitution, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Metropolitan Water Reclamation District of Greater Chicago (the “District”) is a body corporate and politic organized and existing under the laws of the State of Illinois; and

WHEREAS, pursuant to ordinances adopted on February 16, 2000, and published in the Journal of the Proceedings of the City Council (the “Journal”) for such date at pages 24803 through 24917, the City Council of the City (the “City Council”): (i) approved a certain redevelopment plan and project (the “Redevelopment Plan”) for a portion of the City known as the Lawrence/Kedzie Redevelopment Project Area (the “Redevelopment Area”), pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4.1, et seq., as amended (the “Act”); (ii) designated the Redevelopment Area as a "redevelopment project area" within the requirements of the Act; and (iii) adopted tax increment financing as a means of financing certain Redevelopment Area redevelopment project costs (as defined in the Act) incurred pursuant to the Original Redevelopment Plan; and

WHEREAS, the District is the owner of the property legally described on Exhibit A attached hereto, which is located in the Redevelopment Area; and

WHEREAS, the Property consists of approximately 10.7 acres of land located along the west bank of the North Shore Channel between Foster Avenue and Bryn Mawr Avenue, and is situated adjacent to the CTA North Park Garage to the west and the Northside College Preparatory High School to the north; and

WHEREAS, the Property is improved with a building complex, which is leased to the Marine Corps Forces Reserve (the “Marine Corps”); and

WHEREAS, the Marine Corps has vacated the buildings on the Property, and the District and the Marine Corps are in the process of terminating the lease; and

WHEREAS, the District desires to sell the Property, and the City, acting by and through its Department of Assets, Information, and Services (“AIS”), has determined that it is useful, desirable and necessary that the City acquire the Property for public ownership and control for the public purposes of operating a migrant shelter on the Property in the immediate future, dedicating the Property to other government purposes in the long term in coordination with surrounding public uses, and achieving the objectives of the Redevelopment Plan, which include, among other things, ensuring convenient access to public open space and expanding greenways along the North branch of the Chicago River and the North Shore Channel; and

WHEREAS, the City and the District have negotiated certain business and legal terms that will govern the purchase of the Property, as set forth in the term sheet attached hereto as Exhibit B (the “Term Sheet”); and

WHEREAS, the purchase price for the Property shall be paid from legally available funds of the City, which are hereby appropriated for such purpose; *now, therefore,*

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

SECTION 1. The foregoing recitals, findings and statements of fact are hereby adopted as the findings of the City Council.

SECTION 2. It is hereby determined, declared and found that it is useful, desirable and necessary that the City acquire the Property for public purposes, including, without limitation, the operation of a migrant shelter and coordination with surrounding public uses, and for purposes of implementing the objectives of the Redevelopment Plan.

SECTION 3. The City's purchase of the Property from the District for a negotiated purchase price, plus closing costs and post-closing adjustments and other amounts due and payable under the Purchase Agreement (as hereafter defined), together with the City's performance of its other obligations and indemnity undertakings under the Purchase Agreement, are hereby approved.

SECTION 4. The Commissioner of AIS (the “AIS Commissioner”), or a designee of the AIS Commissioner, is each hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute, and deliver a purchase agreement for the Property (“Purchase Agreement”), subject to the terms and conditions of the Term Sheet, and such other documents as may be necessary or appropriate to consummate the City's purchase of the Property, and to accept a deed to the Property.

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. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 7. This ordinance shall be effective upon its passage and approval.