

ORDINANCE

WHEREAS, the City of Chicago ("City"), a home rule unit of government under Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, 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 blighted conditions and conservation area factors through the use of tax increment allocation financing for redevelopment projects; and

WHEREAS, by an ordinance adopted by the City Council of the City ("City Council") on July 21, 1999, and published in the Journal of Proceedings of the City Council ("Journal") for said date at pages 8307 to 8344, inclusive (the "Program Ordinance"), the City implemented a redevelopment program known as the Small Business Improvement Fund program (the "Program") to provide financing assistance pursuant to the Act for the improvement of commercial and industrial facilities of small businesses in certain redevelopment project areas of the City; and

WHEREAS, by successive ordinances that amended the Program Ordinance, the City has restated and refined the Program and extended its reach to additional redevelopment project areas of the City (the Program Ordinance, as amended by these amending ordinances, the "SBIF Ordinance"); and

WHEREAS, The City Council now desires to extend the Program to the Cortland and Chicago River, Lake Calumet and North Pullman redevelopment project areas of the City (the "New TIF/SBIF Areas"), which are identified on Exhibit A attached hereto and incorporated herein, and which are not already reached under the SBIF Ordinance; and

WHEREAS, The City Council desires to authorize the Department of Planning and Development ("DPD") (i) to fund the Program in the New TIF/SBIF Areas and (ii) to provide additional funding to 33 redevelopment project areas that are already reached under the SBIF Ordinance, all as set forth in Exhibit B attached hereto and incorporated herein; and

WHEREAS, DPD also desires to amend the program rules for the Program ("Program Rules") and other terms of the Program to improve the operation and effectiveness of the Program; and

WHEREAS, pursuant to the SBIF Ordinance, DPD entered into an agreement with SomerCor 504, Inc., an Illinois not-for-profit corporation ("SomerCor"), which agreement continues in full force and effect, as amended from time to time (the "Agreement"), pursuant to which SomerCor performs certain administrative services for the Program, and DPD now desires to further amend the Agreement by entering into a Sixty-Sixth Amending Agreement (the "Sixty-Sixth Amending Agreement") to the Agreement to (a) increase the amount of grant funds available in various redevelopment project areas, as provided by this ordinance; (b) amend the Program Rules, as provided by this ordinance; and (c) authorize SomerCor to continue providing administrative services for the Program; and

WHEREAS, the City's obligation to provide funds under the Agreement and the Sixty-Sixth Amending Agreement may be met through (i) incremental taxes from redevelopment project areas identified in this ordinance, as applicable; and/or (ii) any other funds legally available to the City for this purpose; now, therefore,

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

SECTION 1. The above recitals are expressly incorporated in and made a part of this ordinance as though fully set forth herein.

SECTION 2. The amounts of funding set forth in Exhibit B hereto in the column entitled "Funding Authorized By This Ordinance" are hereby appropriated from the incremental taxes of the respective redevelopment project areas that are set forth in Exhibit B hereto in the column entitled "Redevelopment Project Areas."

SECTION 3. The Program Rules and the Application Intake and Processing Procedures for the Program are hereby amended and restated as attached hereto as Exhibit C and Exhibit D, respectively, and made a part hereof.

SECTION 4. SomerCor is hereby authorized to continue to administer the Program, subject to the supervision of DPD.

SECTION 5. The Commissioner of Planning and Development or a designee are each hereby authorized, with the approval of the City's Corporation Counsel as to legal form, to negotiate, execute and deliver the Sixty-Sixth Amending Agreement between SomerCor and the City substantially in the form attached hereto as Exhibit E and made a part hereof, and such other supporting documents as may be necessary to carry out and comply with the provisions of the Sixty-Sixth Amending Agreement, with such changes, deletions and insertions as shall be approved by the persons executing the Sixty-Sixth Amending Agreement.

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. All sections of the SBIF Ordinance that are in conflict with this ordinance are hereby repealed to the extent of such conflict. 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 be effective as of the date of its passage and approval.