

SUBSTITUTE 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 ordinances adopted by the City Council, the first on November 8, 2000, and published in the Journal for said date at pages 43877 to 43930, inclusive (the “First Amending Ordinance”) and the most recent sixty-third amending ordinance adopted by the City Council on January 18, 2023 and published in the Journal for said date beginning at page 59626 (the “Sixty-Third Amending Ordinance,” collectively with the Program Ordinance, the First Amending Ordinance and the other amending ordinances, the “SBIF Ordinance”), the City has restated and refined the Program and extended its reach to additional redevelopment project areas of the City; and

WHEREAS, the City Council desires to authorize the Department of Planning and Development (“DPD”) to allocate additional funding to nineteen redevelopment project areas that are already reached under the SBIF Ordinance, with the amounts of Funding Authorized by this Ordinance, Funding Authorized by Previous Ordinances, and Total Funding Authorized by this Ordinance and Previous Ordinances for each such redevelopment project area set forth in Exhibit A 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, the City Council, under the SBIF Ordinance, authorized DPD to enter into an agreement with SomerCor 504, Inc., an Illinois not-for-profit corporation (“SomerCor”), and DPD entered into such agreement on March 12, 2001, which agreement continues in full force and effect, as amended from time to time, pursuant to which SomerCor performs certain administrative services for the Program, and DPD now desires to further amend that agreement by entering into a Sixty-Fourth Amending Agreement (the “Sixty-Fourth Amending Agreement”) with SomerCor to (a) increase the amount of grant funds available in various redevelopment project areas, as provided by this ordinance; (b) amend the Program Rules and other terms of the Program; and (c) authorize SomerCor to continue providing the same administrative services for the Program, which Sixty-Fourth Amending Agreement is set forth in more detail on Exhibit C, attached hereto and incorporated herein; and

WHEREAS, the City's obligation to provide funds under the Sixty-Fourth 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 Program Rules for the Program shall be amended and restated in the form attached hereto as Exhibit B and made a part hereof.

SECTION 3. SomerCor is hereby authorized to continue to administer the Program, subject to the supervision of DPD.

SECTION 4. 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-Fourth Amending Agreement between SomerCor and the City substantially in the form attached hereto as Exhibit C 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-Fourth Amending Agreement, with such changes, deletions and insertions as shall be approved by the persons executing the Sixty-Fourth Amending Agreement.

SECTION 5. 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 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 6. This ordinance shall be effective as of the date of its passage and approval.