

**ORDINANCE NO. CO-2019-17**

**AN ORDINANCE APPROVING AND AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE MADISON STREET / FIFTH AVENUE TAX INCREMENT FINANCING DISTRICT TO PAY PORTION OF TIF-ELIGIBLE PROJECT EXPENSES ASSOCIATED WITH SMART ROUTE PROGRAM COSTS, AND APPROVING AND AUTHORIZING EXECUTION OF A COST SHARING AGREEMENT BETWEEN VILLAGE OF MAYWOOD, PROVISO TOWNSHIP, BOARD OF TRUSTEES OF SCHOOL DISTRICT 89 AND COALITION FOR SPIRITUAL & PUBLIC LEADERSHIP FOR SMART ROUTE PROGRAM**

**(PROJECT: WAYFINDING SIGNAGE, SUPPLIES, JOB TRAINING AND PART-TIME PERSONNEL COSTS FOR WALKING ROUTE SUPERVISOR AND WORKERS AND INSURANCE)**

**WHEREAS**, the President and Board of Trustees (the "Corporate Authorities") of the Village of Maywood, Cook County, Illinois (the "Village"), in an effort to revitalize the Village's local economy and provide for the comprehensive and coordinated development of an underutilized and blighted area within the Village, have adopted a redevelopment plan and project, designated a redevelopment project area, and adopted the use of tax increment financing ("TIF") in accordance with the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as amended (the "Act"), for the Madison Street / Fifth Avenue Tax Increment Financing Redevelopment Project Area (the "Project Area"); and

**WHEREAS**, the Corporate Authorities have determined that, in order to encourage private investment and restore and enhance the tax base of the Village and affected taxing districts, certain blighting and adverse conditions within the Project Area must be removed, certain infrastructure improvements must be made, and the Project Area must be redeveloped; and

**WHEREAS**, the removal of blight and adverse conditions, the completion of infrastructure improvements and the redevelopment of the Project Area require the expenditure of redevelopment project costs as defined in the Act, as summarized in the Madison Street / Fifth Avenue Tax Increment Financing Redevelopment Project and Plan (the "Plan") by the Village; and

**WHEREAS**, under Ordinance No. CO-2013-12, approved at a public meeting on March 13, 2013, the Corporate Authorities extended the estimated date of completion of the Original Plan and Project, and the estimated date of the retirement of all obligations incurred to finance redevelopment project costs as defined by the Original Plan and Project, to December 31, 2020, subject to receipt of year 2020 incremental real estate tax revenues during calendar year 2021; and

**WHEREAS**, it is necessary to consider and approve the use of TIF Funds during calendar year 2019 to complete certain improvement projects in order to stimulate reinvestment in the Project Area; and

**WHEREAS**, Coalition for Spiritual & Public Leadership ("CSPL") desires to implement a Smart Route Program in the Village that would increase adult supervision for students walking to and from Irving Middle School (the "Project"). CSPL has requested equal financial contributions in an amount not to exceed Forty Thousand and 00/100 Dollars (\$40,000.00) from the Village, Proviso Township and School District 89 to meet the above Annual Total Project Costs; and

**WHEREAS**, it is necessary for the Village to enter into a Cost Sharing Agreement with Proviso Township, School District 89 and Coalition for Spiritual & Public Leadership in order to set forth the obligations of each party with respect to the Project. The Cost Sharing Agreement is attached hereto as **Exhibit "A"** and made a part hereof; and

**WHEREAS**, it is desirable and in the best interests of the residents of the Village for the Corporate Authorities to authorize the expenditure of TIF Funds in accordance with the Cost Sharing Agreement for the Project which is located within the Project Area, which expenditures will be paid on or after the date of passage of this Ordinance (the "Expenditures").

**BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, THAT:**

**SECTION 1: Recitals.** The statements set forth in the preambles of this Ordinance are found to be true and correct and are adopted as part of this Ordinance.

**SECTION 2: Authority.**

- (a) The Village is a duly constituted and organized home rule municipality, as described in Division 6 of Article VII of the Illinois Constitution of 1970, and, as such, may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to tax and incur debt.
- (b) This Ordinance is adopted in connection with implementing the Plan in accordance with the Act.
- (c) This Ordinance is a declaration of official intent under Treasury Regulation Section 1.150-2.

**SECTION 3: Estimate of Expenditures.**

- (a) The Village intends to incur Expenditures in connection with the Project within the Plan and Project Area, including, but not limited to, the following:
  - 1. Costs for professional services related to the Project, including, but not limited to, legal, zoning, redevelopment, consulting, architectural and engineering services, landscape architectural services, design guidelines, appraisals, surveys, market studies, traffic studies, and environmental and geotechnical services.
  - 2. Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation and site improvements.
  - 3. Training costs for staff and volunteers, including costs of job training, retraining and advanced vocational education or career education.
- (b) The Annual Total Project Costs are estimated to be an amount not to exceed One Hundred Seventeen Thousand Nine Hundred Fifty-Two and 00/100 Dollars (\$117,952.00), with the Village's share of the Annual Total Project Costs in an amount

not to exceed Forty Thousand and 00/100 Dollars (\$40,000.00). The Village authorizes the expenditure of Madison TIF Funds in an amount not to exceed One Hundred Twenty Thousand and 00/100 Dollars (\$120,000.00) to be allocated for Project Year 2019 (\$40,000.00), Project Year 2020 (\$40,000.00) and Project Year 2021 (\$40,000.00).

**SECTION 4: Authorization of Expenditures.** The expenditure of funds from the TIF Fund is authorized up to the amounts set forth in Section 3, or such additional amounts necessary to complete any of the specified projects as subsequently approved or authorized by the Corporate Authorities.

**SECTION 5: Approval of Cost Sharing Agreement.** The Village President and the Village Clerk, or their designees, are authorized and directed to execute the Cost Sharing Agreement, marked as **Exhibit "A"**, and to take such further steps to comply with the terms and conditions set forth therein. Further, the Village President and Village Clerk, or their designees, are authorized and directed to execute the final version of the Cost Sharing Agreement, which may contain certain non-substantive and non-financial modifications that are approved by the Village Attorney, and to execute and deliver all other instruments, documents and payments that are necessary to fulfill the Village's obligations under the Cost Sharing Agreement. The Village Clerk, or his/her designee, shall transmit executed originals or certified copies of all documents, including the Cost Sharing Agreement, to all parties and agencies that are entitled to receive such documents, as required and directed by any other governmental oversight regulatory agency, in order to comply with the terms of the Cost Sharing Agreement.

**SECTION 6: Public Inspection.** This Ordinance shall be immediately available for inspection by the public at the office of the Village Clerk.

**SECTION 7: Repealer.** All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

**SECTION 8: Severability.** Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

**SECTION 9: Ratification.** All actions of the Corporate Authorities, agents and employees of the Village that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption of this Ordinance, are ratified, confirmed and approved.

**SECTION 10: Effective Date.** This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as required by law.

**ADOPTED** this 7th day of May, 2019, pursuant to a roll call vote as follows:

**AYES:** Mayor Perkins, Trustees H. Yarbrough, I. Brandon, A. Sanchez, K. Wellington and M. Lightford

**NAYS:** None

**ABSENT:** Trustee R. Rivers

**APPROVED** by me as Village President, and attested to by the Village Clerk, on the 8th day of May, 2019.

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Edwenna Perkins, Village President

**ATTEST:**

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Viola Mims, Village Clerk

Exhibit "A"

**COST SHARING AGREEMENT  
BETWEEN THE VILLAGE OF MAYWOOD, PROVISO TOWNSHIP,  
BOARD OF TRUSTEES OF SCHOOL DISTRICT 89  
AND COALITION FOR SPIRITUAL & PUBLIC LEADERSHIP  
FOR SMART ROUTE PROGRAM**

(attached)

STATE OF ILLINOIS     )  
  ) SS.  
COUNTY OF COOK     )

**CLERK’S CERTIFICATE**

I, Viola Mims, Village Clerk of the Village of Maywood, Cook County, Illinois, certify that the attached document is a true and correct copy of the Ordinance now on file in my office, entitled:

**ORDINANCE NO. CO-2019-17**

AN ORDINANCE APPROVING AND AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE MADISON STREET / FIFTH AVENUE TAX INCREMENT FINANCING DISTRICT TO PAY PORTION OF TIF-ELIGIBLE PROJECT EXPENSES ASSOCIATED WITH SMART ROUTE PROGRAM COSTS, AND APPROVING AND AUTHORIZING EXECUTION OF A COST SHARING AGREEMENT BETWEEN VILLAGE OF MAYWOOD, PROVISIO TOWNSHIP, BOARD OF TRUSTEES OF SCHOOL DISTRICT 89 AND COALITION FOR SPIRITUAL & PUBLIC LEADERSHIP FOR SMART ROUTE PROGRAM

(PROJECT: WAYFINDING SIGNAGE, SUPPLIES, JOB TRAINING AND PART-TIME PERSONNEL COSTS FOR WALKING ROUTE SUPERVISOR AND WORKERS AND INSURANCE)

which was passed by the Board of Trustees of the Village of Maywood at a Regular Meeting of the Board of Trustees held on the 7th day of May, 2019, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 8th day of May, 2019.

I further certify that the vote on the question of the passage of the said Ordinance by the Board of Trustees of the Village of Maywood was taken by the Ayes and Nays and recorded in the Journal of Proceedings of the Board of Trustees of the Village of Maywood, and that the result of the vote was as follows, to wit:

**AYES:** Mayor Perkins, Trustees H. Yarbrough, I. Brandon, A. Sanchez, K. Wellington and M. Lightford

**NAYS:** None

**ABSENT:** Trustee R. Rivers

I do further certify that the original Ordinance, of which the attached is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

**IN WITNESS WHEREOF,** I have hereunto set my hand and affixed the seal of the Village of Maywood, this 8th day of May, 2019.

\_\_\_\_\_  
Viola Mims, Village Clerk

SEAL