



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/04/04, by Wyvetter H. Younge

SYNOPSIS AS INTRODUCED:

New Act

Re-enacts certain provisions of the East St. Louis Area Development Act as the East St. Louis Area Development Act of 2004. Provides that the East St. Louis Area Development Authority shall exercise authority over the zone regarding specified matters. Provides for operation of the zone. Effective immediately.

LRB093 19168 BDD 44903 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT in relation to East St. Louis Area economic
2 development.

3 **Be it enacted by the People of the State of Illinois,**
4 **represented in the General Assembly:**

5 Section 1. Short title. This Act may be cited as the East
6 St. Louis Area Development Act of 2004.

7 Section 2. The General Assembly finds that there has been a
8 dramatic decrease in the population of depressed areas in East
9 St. Louis and that blight, deterioration and decay have
10 resulted in (a) inefficient and wasteful use of land resources;
11 (b) destruction of irreplaceable natural, industrial,
12 recreational, housing and commercial resources; (c) diminished
13 opportunity for the private home building industry to operate
14 at its highest potential capacity in providing good housing
15 needed for those who now live in depressed areas and those
16 expected to move to depressed areas in the future, and to
17 replace substandard housing; (d) the need for costly and
18 effective public facilities and services at all levels; (e)
19 unduly limited options for many depressed areas residents as to
20 where they may live, and the types of housing and environment
21 in which they may live; (f) a failure to make the most
22 economical use of the land available for development in
23 depressed areas; (g) decreasing employment and business
24 opportunities for the citizens of depressed areas, and the
25 inability of depressed areas to retain a tax base adequate to
26 support vital services for all our citizens, particularly our
27 poor and disadvantaged; and (h) the decreased effectiveness of
28 public and private facilities for urban transportation.

29 Section 2.01. The General Assembly finds that better
30 patterns of development and revitalization in the East St.
31 Louis depressed areas are essential to accommodate future

1 population growth; to prevent further deterioration of the city
2 and the people's physical and social environment; and to make a
3 positive contribution to improving the overall quality of life
4 in the East St. Louis depressed areas of Illinois. The General
5 Assembly finds that the health, welfare, morals and safety of
6 its citizens require the encouragement of well planned,
7 diversified and economically sound community development,
8 including major additions to existing areas of depression. The
9 General Assembly finds that desirable community development on
10 a significantly large scale has been prevented by difficulties
11 in (a) obtaining adequate financing at moderate cost for
12 enterprises which involve large initial capital investment,
13 extensive periods before investment can be returned, and
14 regular patterns of return; (b) the timely assembly of
15 sufficiently large sites in economically favorable locations
16 at reasonable costs; and (c) making necessary arrangements
17 among all private and public organizations involved, for
18 providing site and related improvements (including streets,
19 sewer and water facilities, and other public and community
20 facilities) in a timely and coordinated manner.

21 Section 3. The following terms specified in Sections 3.01
22 through 3.08, whenever used or referred to in this Act, shall
23 have the meanings ascribed to them in those Sections, except in
24 those instances where the context clearly indicates otherwise.

25 Section 3.01. "Authority" means the East St. Louis Area
26 Development Authority created by this Act.

27 Section 3.02. "Project" means any utility, structure,
28 facility or other undertaking which will implement a defined,
29 organized, planned and scheduled, diversified, economically
30 and technologically sound, quality community environment,
31 which the authority is authorized to construct, reconstruct,
32 improve, equip or furnish under this Act. "Project" will
33 include, but is not limited to: buildings and other facilities

1 intended for use as classrooms, laboratories, student
2 residence halls, instructional and administrative facilities
3 for students, faculty, officers and employees, and motor
4 vehicle parking facilities and fixed equipment, and industrial
5 or manufacturing plants or facilities, any industrial park, any
6 commercial facilities, the construction or improvement of
7 streets, sidewalks, and sewer and water facilities, the
8 construction of schools, parks, playgrounds, community and
9 municipal buildings and the implementation of new community
10 development programs. "Project" further means apartments,
11 housing facilities, health, hospital and medical facilities,
12 stadiums, physical education installations, hotels, motels,
13 dormitories, New Town Programs, aquariums, museums, convention
14 centers, planetariums, civic buildings, nursing homes,
15 harbors, and terminal facilities. Nothing in this Act shall be
16 construed to authorize the financing for or the construction of
17 plants, projects or facilities for (1) the manufacture or
18 generation of electric energy in competition with an electric
19 supplier as defined in the Electric Supplier Act or (2) the
20 transmission, distribution or manufacture of gas in
21 competition with a public utility as defined in "An Act
22 concerning public utilities", approved June 29, 1921, as
23 amended.

24 Section 3.03. "Land development" means the process of
25 clearing and grading land, making, installing, or constructing
26 water lines and water supply installations, sewer lines and
27 sewage disposal installations, steam, gas, and electrical
28 plants and installations, roads, streets, curbs, gutters,
29 sidewalks, storm drainage facilities, and other installations
30 or work, whether on or off the site, which the Authority deems
31 necessary or desirable to prepare land for residential,
32 commercial, industrial, or other uses, or in providing
33 facilities for public or other facilities.

34 "Land development" further means to construct, acquire by
35 gift or purchase, reconstruct, improve, better or extend any

1 project within or without the municipality or partially within
2 the municipality, but in no event farther than 3 miles from the
3 territorial boundaries of such municipality, and to acquire by
4 gift or purchase lands or rights in land in connection
5 therewith.

6 Section 3.04. "Blighted area" means any area of not less,
7 in the aggregate, than 2 acres located within the territorial
8 limits of the East St. Louis depressed areas where industrial,
9 commercial, recreational, residential, or any other buildings
10 or improvements, because of age, dilapidation, obsolescence,
11 overcrowding, lack of ventilation, light, sanitary facilities,
12 adequate utilities, or excessive land coverage, deleterious
13 land use or layout or any combination of these factors, are
14 detrimental to the public safety, health, morals or welfare.

15 Section 3.05. "Redevelopment plan" means the comprehensive
16 process for the clearing or rehabilitation and physical
17 development of a commercial, residential, industrial or
18 recreational blighted area, and necessary for the elimination
19 or rehabilitation of a residential, commercial, or
20 industrially blighted area and the protection of adjacent
21 areas, and all administrative, funding and financial details
22 and proposals necessary to effectuate the plan, including but
23 not limited to a new community development program.

24 Section 3.06. "Redevelopment area" means the blighted area
25 of not less in the aggregate than 2 acres, to be developed in
26 accordance with the redevelopment plan.

27 Section 3.07. "East St. Louis Depressed Areas" means the
28 territorial areas of East St. Louis, Alorton, Venice,
29 Centreville, Washington Park, and Brooklyn, Illinois.

30 Section 3.08. "Depressed Areas" means the areas of East St.
31 Louis, Alorton, Venice, Centreville, Washington Park, and

1 Brooklyn, Illinois.

2 Section 4. There is created an East St. Louis Area
3 Development Authority within the State of Illinois. The
4 Authority shall: (a) act as Public Developer in carrying out
5 community development programs in and for the East St. Louis
6 depressed areas of the State of Illinois; (b) make available
7 adequate management, administrative and technical, financial,
8 and other assistance necessary for encouraging the defined,
9 organized, planned and scheduled, diversified, economically
10 and technologically sound, quality community environment in
11 depressed areas, and to do so through the use of management
12 task force procedures which will rely to the maximum extent on
13 private enterprise; (c) strengthen the capacity of the State
14 and Federal governments to make their resources available to
15 the people of East St. Louis depressed areas; (d) increase for
16 all persons living in depressed areas the available choices of
17 locations for living and working, thereby providing a more just
18 economic and social environment; (e) encourage the fullest
19 utilization of the economic potential of supply of residential,
20 commercial and industrial building sites at reasonable costs;
21 (f) utilize improved technology in producing the large volume
22 of well-designed housing needed to accommodate the people of
23 depressed areas; (g) help create neighborhoods designed for
24 easier access between the places where people live and the
25 place where they work and find recreation; (h) encourage
26 desirable innovations in meeting domestic problems whether
27 physical, economical or social; and (i) assist, plan, develop,
28 build and construct any facility or project to enhance the
29 community environment and technological management when
30 requested to do so by any State, county or federal agency,
31 school district, community college, municipality, municipal
32 corporation, special district, authority, local or State
33 public body, commission, public corporation or entity within
34 the East St. Louis depressed area.

1 Section 5. The Authority shall consist of 10 members,
2 including as members the Director of the Department of Commerce
3 and Community Affairs or his designee, the Director of the
4 Illinois Housing Development Authority or his designee, the
5 Executive Director of the Illinois Development Finance
6 Authority or his designee, and the mayors of East St. Louis,
7 Centreville, Venice, Brooklyn, Washington Park, and Alorton or
8 their respective designees. The other member of the Authority
9 shall be appointed by the Governor, by and with the advice and
10 consent of the Senate. One member of the authority shall be
11 designated as chairman by the members of the Authority.

12 If the Senate is not in session when the appointment is
13 made, the Governor shall make a temporary appointment as in the
14 case of a vacancy. The member appointed by the Governor shall
15 serve for a 4-year term expiring on the third Monday in January
16 or until his successor is appointed and qualified. Any vacancy
17 occurring in the office held by the member appointed by the
18 Governor, whether by death, resignation or otherwise, shall be
19 filled by the Governor in the same manner as the original
20 appointment. A member appointed to fill a vacancy shall serve
21 for the remainder of the unexpired term or until his successor
22 is appointed and qualified.

23 Section 6. Members of the Authority shall serve without
24 compensation but shall be reimbursed for their reasonable
25 expenses necessarily incurred in the performance of their
26 duties and the exercise of their powers under this Act. Each
27 member shall before entering upon the duties of his office,
28 take and subscribe to the constitutional oath of office. The
29 oath shall be filed in the office of the Secretary of State.

30 Section 7. The Authority shall meet at such times and
31 places as is provided for by the Authority or, in the absence
32 of such a provision, on call of the chairman after at least 5
33 days' written notice to the members or the request of 2 or more
34 members. Six members shall constitute a quorum. No vacancy in

1 the membership shall impair the right of a quorum of the
2 members to exercise all of the rights and powers, and to
3 perform all of the duties, of the Authority.

4 Section 8. The Authority may employ and fix the
5 compensation of an executive director, to serve as the chief
6 executive officer of the Authority, and such other agents or
7 employees as it considers necessary or desirable. Such
8 employment other than of technical or engineering personnel
9 shall be subject to the Personnel Code. If any employees are
10 transferred to the Authority from any other State agency, such
11 a transfer shall not affect the status of such employees under
12 the Personnel Code, under any retirement system under the
13 Illinois Pension Code, or under any civil service, merit
14 service or other law relating to State employment.

15 Section 9. The Authority has the following rights, powers
16 and duties specified in Sections 9.01 through 9.25.

17 Section 9.01. To sue and be sued, implead and be impleaded,
18 complain and defend in all courts.

19 Section 9.02. To make regulations for the management and
20 regulation of its affairs.

21 Section 9.03. To acquire by purchase or gift, and hold or
22 dispose of real or personal property, or rights or interests
23 therein.

24 Section 9.04. To accept loans or grants of money or
25 materials or property of any kind from a Federal or State
26 agency or department or others, upon such terms and conditions
27 as may be imposed.

28 Section 9.05. To borrow money to implement any project, or
29 any combination of projects.

1 Section 9.06. To recommend the issuance of revenue bonds to
2 implement any project or combination of projects.

3 Section 9.07. To make contracts and leases and exercise all
4 instruments and perform all acts and do all things necessary or
5 convenient to carry out the powers granted in this Act.

6 Section 9.08. To develop and recommend to the
7 municipalities in the East St. Louis depressed areas a long
8 range comprehensive master redevelopment plan for community
9 growth and development of depressed areas including assisting
10 in the preparation of new town applications to the Department
11 of Housing and Urban Development.

12 Section 9.09. To collect, analyze and evaluate such
13 statistics, data and other information (including demographic,
14 economic, social, environmental and governmental information)
15 as will enable the Authority to transmit to the corporate
16 authorities within the East St. Louis depressed areas, at the
17 beginning of each year, a required report on the growth of
18 depressed areas for the year passed. Such report shall include,
19 but not be limited to:

20 (a) Information and statistics describing characteristics
21 of depressed areas growth and stabilization and identifying
22 significant trends and developments;

23 (b) A summary of significant problems facing depressed
24 areas as to their growth trends and development;

25 (c) An evaluation of the progress and effectiveness of
26 Federal, State, and local programs designed to meet such
27 problems and development and to carry out the depressed areas
28 urban growth policies;

29 (d) An assessment of the policies and structures of
30 existing and proposed interstate and regional planning and
31 development affecting such policy; and

32 (e) A review of State, Federal, local and private policies,

1 plans and programs relevant to such policy.

2 Section 9.10. To lease or rent any of the housing or other
3 accommodations or any of the lands, buildings, structures or
4 facilities in which the Authority holds fee simple or lesser
5 interest, and to otherwise sell, exchange, transfer, or assign,
6 any property, real or personal or any interest therein, and to
7 own, hold, clear and improve property.

8 Section 9.11. To acquire by purchase, gift or otherwise as
9 provided in this Act the fee simple or lesser title to all or
10 any part of the real property in any redevelopment area.

11 Section 9.12. To renovate or rehabilitate any structure or
12 building acquired, or if any structure or building or the land
13 supporting it has been acquired, to permit the owner to
14 renovate or rebuild the structure or building in accordance
15 with a redevelopment plan.

16 Section 9.13. To install, repair, construct, reconstruct
17 or relocate streets, roads, alleys, sidewalks, utilities and
18 site improvements essential to the preparation of the
19 redevelopment area for use in accordance with a redevelopment
20 plan.

21 Section 9.14. To mortgage or convey real or personal
22 property acquired for use in accordance with a redevelopment
23 plan.

24 Section 9.15. To borrow money, apply for and accept
25 advances, loans, gifts, grants, contributions, services or
26 other financial assistance from the federal government or any
27 agency or instrumentality thereof, the State, county,
28 municipality or other public body or from any source, public or
29 private, for or in aid of any of the purposes of the
30 redevelopment plan, and to secure the payment of any loans or

1 advances by the issuance of revenue bonds and by the pledge of
2 any loan, grant or contribution, or parts thereof, or the
3 contracts therefore, to be received from the federal government
4 or any agency or instrumentality thereof, and to enter into and
5 carry out contracts in connection therewith.

6 Section 9.16. To create parks, playgrounds, recreational
7 community education, water, sewer or drainage facilities, or
8 any other work which it is otherwise empowered to undertake,
9 adjacent to or in connection with housing projects.

10 Section 9.17. To dedicate, sell, convey or lease any of its
11 interests in any property, or grant easements, licenses or
12 other rights or privileges therein to a public housing
13 development body or the Federal or State governments.

14 Section 9.18. To exercise all powers available to land
15 clearance commissions under the "Blighted Areas Redevelopment
16 Act of 1947", as now or hereafter amended, and to initiate and
17 implement slum and blighted areas redevelopment projects.
18 However, the Authority shall not exercise eminent domain powers
19 pursuant to the "Blighted Areas Redevelopment Act of 1947", and
20 with reference to the exercise of eminent domain authority,
21 this Act shall control.

22 Section 9.19. To develop a comprehensive redevelopment
23 plan for each neighborhood in depressed areas.

24 Section 9.20. To hold public hearings on redevelopment
25 plans.

26 Section 9.21. To fix, alter, charge and collect fees,
27 rentals and other charges for the use of the facilities of or
28 for the services rendered by the Authority, or projects
29 thereof, at rates to be determined by agreement or otherwise,
30 for the purpose of providing for the expenses of the Authority,

1 the construction, improvement, repair, equipping, and
2 furnishing of its facilities and properties, the payment of the
3 principal and interest on its obligations and to fulfill the
4 terms and provisions of any agreements made with the purchasers
5 or holders of any such obligations. Such fees, rentals and
6 other charges shall include charges for interest due bond
7 holders on all outstanding construction and improvement, and
8 engineering and administration costs not reimbursed to the
9 Authority; and shall include charges to reimburse completely
10 the Authority beginning in an appropriate year for the
11 principal on such bonds within a period of years specified by
12 the Authority to meet its bond payment schedules.

13 Section 9.22. (a) To borrow money pursuant to a revenue
14 bond ordinance or resolution passed by the Authority within 4
15 years of the effective date of this Act, for the acquisition,
16 construction and improvement of projects in such amounts as
17 necessary for defraying the cost of such projects and to secure
18 the payment of all or any of its revenues, rentals and
19 receipts, and to make such agreements with the purchasers or
20 holders of such bonds or with others in connection with any
21 bonds whether issued or to be issued, as the Authority shall
22 deem advisable and in general, to provide for the security of
23 such bonds and the rights of the holders thereof.

24 (b) However no bonds may be issued by the Authority unless
25 the Authority offers, in writing, to the agencies or
26 municipalities represented by directors on the Authority,
27 excluding the director appointed by the Governor, the first
28 opportunity to issue revenue bonds for the project or
29 combination of projects. If the offer to issue bonds is not
30 accepted in writing, within 6 weeks, by any such agency or
31 municipality, the Authority may issue revenue bonds for the
32 purpose for which the bonding opportunity was offered to the
33 agencies or municipalities.

34 Section 9.23. To provide that any real property sold by the

1 Authority is used in accordance with the final redevelopment
2 plan, and the Authority shall inquire into and satisfy
3 themselves concerning the financial ability of the purchaser to
4 complete the redevelopment in accordance with the
5 redevelopment plan and shall require the purchaser to execute
6 in writing such undertakings as the Authority may deem
7 necessary to obligate the purchaser to:

8 (a) Use the land for the purposes designated in the
9 approved plan,

10 (b) Commence and complete the building of the improvements
11 within the periods of time which the Authority fixes as
12 reasonable, and

13 (c) Comply with such other conditions as are necessary to
14 carry out the purposes of the final redevelopment plan.

15 Section 9.24. To sell any property within a redevelopment
16 area in which the Authority holds the fee simple title or any
17 lesser interest, provided that all real property shall be sold
18 for at least its use value, which may be less than its
19 acquisition cost.

20 Section 9.25. Pursuant to appropriations, to direct
21 disbursements from the "Depressed Areas Land Use and Community
22 Development Fund" for the purposes of this Act.

23 Section 10. The Authority may by resolution provide for an
24 initial study and survey to determine if a depressed area
25 contains any commercially, industrially, residentially,
26 recreationally or other blighted areas.

27 (a) In making the survey and study the Authority board
28 shall:

29 (1) Cooperate with and use evidence gathered by any
30 public or private organization relative to the existence or
31 extent of blight in the depressed area;

32 (2) Hold public hearings, conduct investigations, hear
33 testimony and gather evidence relating to blight and its

1 elimination;

2 (3) Create an Advisory Committee of not less than 11
3 persons, to be appointed by the chairman with the approval
4 of the Authority, which committee shall consist of
5 representatives from among local merchants, property
6 owners, associations, human relations commissions, labor
7 organizations and other civic groups; and

8 (4) Formulate a proposed redevelopment plan for the
9 East St. Louis blighted area, provided that such plan has
10 received the approval and recommendations of a 2/3 majority
11 vote of the members.

12 (b) If as a result of their initial study and survey the
13 Authority determines that one or more commercially,
14 industrially, residentially, recreationally, educationally, or
15 other blighted areas are existing in the depressed areas, the
16 Authority may by resolution set forth the boundaries of each
17 blighted area and the factors that exist in the blighted area
18 that are detrimental to the public health, safety, morals and
19 welfare.

20 In the same resolution the Authority may provide for a
21 public hearing on the designation of an area as a blighted area
22 and may submit proposed redevelopment plans for the blighted
23 area.

24 At least 20 days before the hearing the Authority shall
25 give notice of the hearing by publication at least once in a
26 newspaper of general circulation within the depressed area.

27 (c) At the hearing on the designation of an area as a
28 blighted area, the Authority shall introduce the testimony and
29 evidence that entered into their decision to declare an area a
30 blighted area, and shall enter into the record of the
31 proceedings all proposed redevelopment plans received at or
32 prior to the hearing. All interested persons may appear and
33 shall be given an opportunity to testify for or against any
34 proposed redevelopment plan. The hearing may be continued from
35 time to time at the discretion of the Authority to allow
36 necessary changes in any proposed plan or to hear or receive

1 additional testimony from interested persons.

2 (d) At the conclusion of the hearing on blight the
3 Authority shall formulate and publish a final redevelopment
4 plan for the blighted area after approval of a 2/3 majority
5 vote of the members of the Advisory Committee, which plan may
6 incorporate any exhibit, plan, proposal, feature, model or
7 testimony resulting from the hearing. The final redevelopment
8 plan shall be presented to the corporate authorities in the
9 territory covered by the redevelopment plan. The final
10 redevelopment plan shall be made available for inspection by
11 all interested parties.

12 (e) Within 30 days after the publication of a final
13 redevelopment plan, any person aggrieved by the action of the
14 Authority may seek a review of the decision and the
15 redevelopment plan under the "Administrative Review Law". The
16 provisions of that Law and all amendments and modifications
17 thereof and the rules adopted pursuant thereto shall apply to
18 review of the final redevelopment plan. If no action is
19 initiated under the Administrative Review Law, or if the court
20 sustains the Authority and the redevelopment plan as presented,
21 or as amended by the court, the Authority may proceed to carry
22 out the final redevelopment plan.

23 Section 11. The Authority is authorized and empowered to
24 incur indebtedness and issue revenue bonds in compliance with
25 subsection (b) of Section 9.22 for the purpose of raising funds
26 for carrying out the provisions of a final redevelopment plan
27 providing for the eradication and elimination of blight and
28 acquisition, development or redevelopment of blight areas and
29 any other area which may constitute a redevelopment area within
30 the depressed area. The resolution of the Authority authorizing
31 the issuance of revenue bonds shall specify the total amount of
32 the bonds to be issued, the form and denomination, the date or
33 dates of maturity which shall not be later than 20 years after
34 the date of issuance, and the rate of interest, which rate
35 shall not exceed the rate permitted in "An Act to authorize

1 public corporations to issue bonds, other evidences of
2 indebtedness and tax anticipation warrants subject to interest
3 rate limitations set forth therein", approved May 26, 1970, as
4 amended. The bonds shall be executed by such officials as may
5 be provided by the bond ordinance. The bonds may be made
6 registerable to principal and may be made callable on any
7 interest payment date at par and accrued interest after notice
8 has been given in the manner provided by the bond ordinance.
9 The bonds shall remain valid even though one or more of the
10 officials executing the bonds cease to hold office before the
11 bonds are delivered.

12 The bonds shall contain a provision that the principal and
13 interest thereon shall be payable exclusively from the proceeds
14 and revenues of any redevelopment plan which is financed in
15 whole or in part with the proceeds of such bonds, together with
16 whatever funds of the Authority from whatever source derived as
17 are necessary to constitute a local matching cash grant-in-aid
18 or contribution for the redevelopment plan within the meaning
19 of any applicable federal or State law. Such bonds may be
20 additionally secured by a pledge of any loan, grant or
21 contribution, or parts thereof, received from the United States
22 of America, or any agency or instrumentality thereof, or any
23 loan, grant or contribution from any other public or private
24 body, instrumentality, corporation or individual, or any duly
25 executed contract for such pledge, loan, grant or contribution.

26 The officials executing the revenue bonds shall not be
27 personally liable on the bonds because of their issuance. The
28 bonds shall not be the debt of any municipality or the State,
29 or any subdivision thereof. The bonds shall not be payable out
30 of any funds of the Authority except those indicated in this
31 Act.

32 In connection with the issuance of the revenue bonds
33 authorized by this Act and in order to secure the payment of
34 such bonds, the Authority may recommend to the corporate
35 authority in which the redevelopment plan is proposed subject
36 to the powers and limitations contained in this Act, that such

1 corporate authority convene and agree in the bonds, bond
2 ordinance, or resolution, or any trust agreement executed
3 pursuant thereto, to any necessary condition, power, duty,
4 liability, or procedure for the issuance, payment, redemption,
5 security, marketing, replacement or refinancing of such bonds,
6 and the use, disposition or control of all or any part of the
7 revenues realized from a redevelopment or new community plan.

8 The revenue bonds issued pursuant to a resolution passed by
9 the Authority shall be sold to the highest and best bidder at
10 not less than their par value and accrued interest. The
11 Authority shall, from time to time as bonds are to be sold,
12 advertise for proposals to purchase the bonds. Each such
13 advertisement may be published in such newspapers and journals
14 as the Authority may determine, but must be published at least
15 once in a newspaper having a general circulation in the
16 respective area at least 10 days prior to the date of the
17 opening of the bids. The Authority may reserve the rights to
18 reject any and all bids and readvertise for bids.

19 The bonds may be issued without submitting any proposition
20 to the electorate by referendum or otherwise.

21 Section 12. Before any proposed new construction of a
22 specific project or proposed rehabilitation project is
23 commenced by the Authority a public hearing must be held by the
24 Authority affording interested persons residing in the area an
25 opportunity to be heard. There shall be a notice of the time
26 and place of the hearing published at least once, not more than
27 30 and not less than 15 days before the hearing, in one or more
28 newspapers published in the municipalities located within the
29 area of the project. This notice shall contain the particular
30 site and location to be affected as well as a brief statement
31 of what is proposed in the project.

32 Section 13. Any deed executed by the Authority under this
33 Act may contain such restrictions as may be required by the
34 final redevelopment plan and necessary building and zoning

1 ordinances. All such deeds of conveyance shall be executed in
2 the name of the Authority and the seal of the Authority shall
3 be attached to the deeds.

4 Section 14. The Authority may let contracts for the
5 demolition or removal of buildings and for the removal of any
6 debris. The Authority shall advertise for sealed bids for doing
7 such work. The advertisement shall describe by street number or
8 other means of identification the location of buildings to be
9 demolished or removed and the time and place when sealed bids
10 for the work may be delivered to the Authority. The
11 advertisement shall be published once in a newspaper having a
12 general circulation in the respective area 20 days prior to the
13 date for receiving bids.

14 The contract for doing the work shall be let to the lowest
15 responsible bidder, but the Authority may reject any and all
16 bids received and readvertise for bids. Any contract entered
17 into by the Authority under this Section shall contain
18 provisions requiring the contractor to give bond in an amount
19 to be determined by the Authority, and shall require the
20 contractor to furnish insurance of a character and amount to be
21 determined by the Authority protecting the Authority and the
22 municipality, its officers, agents and employees against any
23 claims for personal injuries, including death and property
24 damage which may be asserted because of the contract. The
25 Authority may include in any advertisement and in the contract
26 one or more buildings as they in their sole discretion may
27 determine.

28 Section 15. In carrying out the provisions of a final
29 redevelopment plan, the Authority may pave and improve streets
30 in the redevelopment area, construct walks and install or
31 relocate sewers, water pipes and other similar facilities. The
32 Authority shall advertise for sealed bids for doing such work.
33 The advertisement shall describe the nature of the work to be
34 performed and the time when and place where sealed bids for the

1 work may be delivered to the Authority. The advertisement shall
2 be published once in a newspaper having a general circulation
3 in the municipality at least 20 days prior to the date for
4 receiving bids. A contract for doing the work shall be let to
5 the lowest responsible bidder, but the Authority may reject any
6 and all bids received and readvertise for bids. The contractor
7 shall enter into bond as a condition for the faithful
8 performance of the contract. The sureties on such bond shall be
9 approved by the Authority.

10 Section 16. When the Authority has acquired title to, and
11 possession of any or all real property in the redevelopment
12 area, they may convey any part of the redevelopment area to
13 which the Authority holds the fee simple title or any lesser
14 interest to any public body or State chartered corporation
15 having jurisdiction over schools, parks, low or moderate
16 housing, or playgrounds in the area. The property so conveyed
17 shall be used for parks, playgrounds, schools, housing for low
18 or moderate income families, and other public purposes as the
19 Authority may determine. The Authority may charge for such
20 conveyance whatever price they and the officials of the public
21 bodies or State Chartered Corporations receiving the land may
22 agree upon. The Authority may also grant with or without
23 charge, easements for public utilities, sewerage and other
24 similar facilities.

25 Section 17. For the purposes of this Act, the terms "cost
26 of the construction" of any project includes the following:

27 (a) Obligations incurred for labor, and to contractors,
28 builders and material men, in connection with the construction
29 of any such project or projects, for machinery and equipment
30 and for the restoration of property damaged or destroyed in
31 connection with such construction.

32 (b) The cost of acquiring any property, real, personal or
33 mixed, tangible or intangible, or any interest therein,
34 necessary or desirable for the construction of any such project

1 or projects.

2 (c) The principal and interest requirements upon any such
3 bonds for the period during which, and to the extent, the
4 rentals received by the Authority from such project or projects
5 shall be insufficient for the payment thereof, the fees and
6 expenses of the fiscal agent of the Authority in respect of
7 such bonds during any such period, and the reasonable fees and
8 expenses of any paying agents for such bonds during such
9 period.

10 (d) The taxes or other municipal or governmental charges,
11 if any, in connection with any such project or projects during
12 construction.

13 (e) The cost and expenses of preliminary investigations of
14 the feasibility or practicality of constructing any such
15 project or projects and fees and expenses of engineers for
16 making preliminary studies, surveys, repairs, estimates, and
17 for preparing plans and specifications and supervising
18 construction as well as for the performance of all other duties
19 of engineers in relation to such construction or the issuance
20 of bonds therefor.

21 (f) Expenses of administration properly chargeable to any
22 such project or projects during construction, legal expenses
23 and fees, financing charges, costs of audits and of preparing
24 and issuing such bonds, and all other items of expense not
25 elsewhere specified, ancient to the construction of any such
26 projects, the financing thereof and the acquisition of lands,
27 property rights, rights of way, franchises, easements and
28 interest therefor, including abstracts of title, title
29 insurance, title opinions, costs of surveys, reports and other
30 expenses in connection with such acquisition.

31 Section 18. The Authority may pledge, hypothecate or
32 otherwise encumber all or any of the revenues or receipts of
33 the Authority as security for all or any of the obligations of
34 the Authority.

1 Section 19. The Authority may construct, acquire by gift or
2 purchase, reconstruct, improve, better or extend any project
3 within or without the municipality or partially within or
4 without the municipality, but in no event farther than 3 miles
5 from the territorial boundaries of such municipality, and
6 acquire by gift or purchase lands or rights in land in
7 connection therewith.

8 Section 20. The Authority shall have no power at any time
9 or in any manner to pledge the credit or taxing power of the
10 State of Illinois, or a municipality or corporate authority or
11 any other unit of local government nor shall any of its
12 obligations be considered obligations of the State of Illinois,
13 or any other unit of government.

14 Section 21. Within 60 days after the end of each fiscal
15 year, the Authority shall cause to be prepared by a certified
16 public accountant a complete and detailed report and financial
17 statement of the operation and assets and liabilities of the
18 Authority. A sufficient number of copies of such report shall
19 be prepared for distribution to persons interested, upon
20 request, and a copy thereof shall be filed with the Governor
21 and the General Assembly.

22 Section 22. The Authority may investigate conditions in any
23 project in which it has an interest. In the conduct of such
24 investigations the Authority may hold public hearings on its
25 own motion, and shall do so on complaint or petition of any
26 person. Each member of the Authority shall have power to
27 administer oaths, and the secretary, by order of the Authority,
28 shall issue subpoenas to secure the attendance and testimony of
29 witnesses, and the production of books and papers, before the
30 Authority or before any member thereof or any officer or
31 committee appointed by the Authority.

32 In the conduct of any investigation the Authority shall, at
33 its expense, provide a stenographer to take down all testimony

1 and shall preserve a record of such proceedings. The notice of
2 hearing, complaint, and all other documents in the nature of
3 pleading and written motions and orders of decision of the
4 Authority shall constitute the record of such proceedings.

5 The Authority is not required to testify and record or file
6 any answer, or otherwise respond in any proceedings for
7 judicial review of an administrative decision unless the party
8 asking for review deposits with the clerk of the court the sum
9 of \$1 per page of records representing the cost of such
10 certification. Failure to make such deposit is ground for
11 dismissal of action.

12 Section 23. The Authority has the power to pass all
13 resolutions and make all rules and regulations proper and
14 necessary to give effect to the power granted the Authority
15 under this Act.

16 Section 24. All final administrative decisions of the
17 Authority shall be subject to judicial review pursuant to the
18 provisions of the Administrative Review Law, and all amendments
19 and modifications thereof and the rules adopted pursuant
20 thereto. The term "administrative decision" is defined as in
21 Section 3-101 of the Administrative Review Law.

22 Section 25. The powers contained in this Act shall not be
23 exercised by the Authority:

24 (1) within the boundaries of any municipality or within the
25 boundaries of any territory over which a municipality has
26 jurisdiction unless the exercise of those powers therein has
27 been approved by the mayor or village president of the
28 municipality; or

29 (2) within the boundaries of any unincorporated area of a
30 township unless the exercise of those powers therein has been
31 approved by the supervisor of the township.

32 Section 999. Effective date. This Act takes effect upon

1 becoming law.