

# HB1596



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB1596

Introduced 2/22/2007, by Rep. 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 2007. 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.

LRB095 10407 RCE 30622 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 2007.

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

1 opportunities for the citizens of depressed areas, and the  
2 inability of depressed areas to retain a tax base adequate to  
3 support vital services for all our citizens, particularly our  
4 poor and disadvantaged; and (h) the decreased effectiveness of  
5 public and private facilities for urban transportation.

6 Section 2.01. The General Assembly finds that better  
7 patterns of development and revitalization in the East St.  
8 Louis depressed areas are essential to accommodate future  
9 population growth; to prevent further deterioration of the city  
10 and the people's physical and social environment; and to make a  
11 positive contribution to improving the overall quality of life  
12 in the East St. Louis depressed areas of Illinois. The General  
13 Assembly finds that the health, welfare, morals and safety of  
14 its citizens require the encouragement of well planned,  
15 diversified and economically sound community development,  
16 including major additions to existing areas of depression. The  
17 General Assembly finds that desirable community development on  
18 a significantly large scale has been prevented by difficulties  
19 in (a) obtaining adequate financing at moderate cost for  
20 enterprises which involve large initial capital investment,  
21 extensive periods before investment can be returned, and  
22 regular patterns of return; (b) the timely assembly of  
23 sufficiently large sites in economically favorable locations  
24 at reasonable costs; and (c) making necessary arrangements  
25 among all private and public organizations involved, for

1 providing site and related improvements (including streets,  
2 sewer and water facilities, and other public and community  
3 facilities) in a timely and coordinated manner.

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

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

10 Section 3.02. "Project" means any utility, structure,  
11 facility or other undertaking which will implement a defined,  
12 organized, planned and scheduled, diversified, economically  
13 and technologically sound, quality community environment,  
14 which the authority is authorized to construct, reconstruct,  
15 improve, equip or furnish under this Act. "Project" will  
16 include, but is not limited to: buildings and other facilities  
17 intended for use as classrooms, laboratories, student  
18 residence halls, instructional and administrative facilities  
19 for students, faculty, officers and employees, and motor  
20 vehicle parking facilities and fixed equipment, and industrial  
21 or manufacturing plants or facilities, any industrial park, any  
22 commercial facilities, the construction or improvement of  
23 streets, sidewalks, and sewer and water facilities, the

1 construction of schools, parks, playgrounds, community and  
2 municipal buildings and the implementation of new community  
3 development programs. "Project" further means apartments,  
4 housing facilities, health, hospital and medical facilities,  
5 stadiums, physical education installations, hotels, motels,  
6 dormitories, New Town Programs, aquariums, museums, convention  
7 centers, planetariums, civic buildings, nursing homes,  
8 harbors, and terminal facilities. Nothing in this Act shall be  
9 construed to authorize the financing for or the construction of  
10 plants, projects or facilities for (1) the manufacture or  
11 generation of electric energy in competition with an electric  
12 supplier as defined in the Electric Supplier Act or (2) the  
13 transmission, distribution or manufacture of gas in  
14 competition with a public utility as defined in "An Act  
15 concerning public utilities", approved June 29, 1921, as  
16 amended.

17 Section 3.03. "Land development" means the process of  
18 clearing and grading land, making, installing, or constructing  
19 water lines and water supply installations, sewer lines and  
20 sewage disposal installations, steam, gas, and electrical  
21 plants and installations, roads, streets, curbs, gutters,  
22 sidewalks, storm drainage facilities, and other installations  
23 or work, whether on or off the site, which the Authority deems  
24 necessary or desirable to prepare land for residential,  
25 commercial, industrial, or other uses, or in providing

1 facilities for public or other facilities.

2 "Land development" further means to construct, acquire by  
3 gift or purchase, reconstruct, improve, better or extend any  
4 project within or without the municipality or partially within  
5 the municipality, but in no event farther than 3 miles from the  
6 territorial boundaries of such municipality, and to acquire by  
7 gift or purchase lands or rights in land in connection  
8 therewith.

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

18 Section 3.05. "Redevelopment plan" means the comprehensive  
19 process for the clearing or rehabilitation and physical  
20 development of a commercial, residential, industrial or  
21 recreational blighted area, and necessary for the elimination  
22 or rehabilitation of a residential, commercial, or  
23 industrially blighted area and the protection of adjacent  
24 areas, and all administrative, funding and financial details

1 and proposals necessary to effectuate the plan, including but  
2 not limited to a new community development program.

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

6 Section 3.07. "East St. Louis Depressed Areas" means the  
7 territorial areas of East St. Louis, Alorton, Venice,  
8 Centreville, Washington Park, and Brooklyn, Illinois.

9 Section 3.08. "Depressed Areas" means the areas of East St.  
10 Louis, Alorton, Venice, Centreville, Washington Park, and  
11 Brooklyn, Illinois.

12 Section 4. There is created an East St. Louis Area  
13 Development Authority within the State of Illinois. The  
14 Authority shall: (a) act as Public Developer in carrying out  
15 community development programs in and for the East St. Louis  
16 depressed areas of the State of Illinois; (b) make available  
17 adequate management, administrative and technical, financial,  
18 and other assistance necessary for encouraging the defined,  
19 organized, planned and scheduled, diversified, economically  
20 and technologically sound, quality community environment in  
21 depressed areas, and to do so through the use of management  
22 task force procedures which will rely to the maximum extent on

1 private enterprise; (c) strengthen the capacity of the State  
2 and Federal governments to make their resources available to  
3 the people of East St. Louis depressed areas; (d) increase for  
4 all persons living in depressed areas the available choices of  
5 locations for living and working, thereby providing a more just  
6 economic and social environment; (e) encourage the fullest  
7 utilization of the economic potential of supply of residential,  
8 commercial and industrial building sites at reasonable costs;  
9 (f) utilize improved technology in producing the large volume  
10 of well-designed housing needed to accommodate the people of  
11 depressed areas; (g) help create neighborhoods designed for  
12 easier access between the places where people live and the  
13 place where they work and find recreation; (h) encourage  
14 desirable innovations in meeting domestic problems whether  
15 physical, economical or social; and (i) assist, plan, develop,  
16 build and construct any facility or project to enhance the  
17 community environment and technological management when  
18 requested to do so by any State, county or federal agency,  
19 school district, community college, municipality, municipal  
20 corporation, special district, authority, local or State  
21 public body, commission, public corporation or entity within  
22 the East St. Louis depressed area.

23 Section 5. The Authority shall consist of 10 members,  
24 including as members the Director of the Department of Commerce  
25 and Economic Opportunity or his designee, the Director of the



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

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

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

1 oath shall be filed in the office of the Secretary of State.

2 Section 7. The Authority shall meet at such times and  
3 places as is provided for by the Authority or, in the absence  
4 of such a provision, on call of the chairman after at least 5  
5 days' written notice to the members or the request of 2 or more  
6 members. Six members shall constitute a quorum. No vacancy in  
7 the membership shall impair the right of a quorum of the  
8 members to exercise all of the rights and powers, and to  
9 perform all of the duties, of the Authority.

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

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

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

3           Section 9.02. To make regulations for the management and  
4 regulation of its affairs.

5           Section 9.03. To acquire by purchase or gift, and hold or  
6 dispose of real or personal property, or rights or interests  
7 therein.

8           Section 9.04. To accept loans or grants of money or  
9 materials or property of any kind from a Federal or State  
10 agency or department or others, upon such terms and conditions  
11 as may be imposed.

12           Section 9.05. To borrow money to implement any project, or  
13 any combination of projects.

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

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

19           Section 9.08. To develop and recommend to the

1 municipalities in the East St. Louis depressed areas a long  
2 range comprehensive master redevelopment plan for community  
3 growth and development of depressed areas including assisting  
4 in the preparation of new town applications to the Department  
5 of Housing and Urban Development.

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

14 (a) Information and statistics describing characteristics  
15 of depressed areas growth and stabilization and identifying  
16 significant trends and developments;

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

19 (c) An evaluation of the progress and effectiveness of  
20 Federal, State, and local programs designed to meet such  
21 problems and development and to carry out the depressed areas  
22 urban growth policies;

23 (d) An assessment of the policies and structures of  
24 existing and proposed interstate and regional planning and  
25 development affecting such policy; and

1 (e) A review of State, Federal, local and private policies,  
2 plans and programs relevant to such policy.

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

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

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

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

1           Section 9.14. To mortgage or convey real or personal  
2 property acquired for use in accordance with a redevelopment  
3 plan.

4           Section 9.15. To borrow money, apply for and accept  
5 advances, loans, gifts, grants, contributions, services or  
6 other financial assistance from the federal government or any  
7 agency or instrumentality thereof, the State, county,  
8 municipality or other public body or from any source, public or  
9 private, for or in aid of any of the purposes of the  
10 redevelopment plan, and to secure the payment of any loans or  
11 advances by the issuance of revenue bonds and by the pledge of  
12 any loan, grant or contribution, or parts thereof, or the  
13 contracts therefore, to be received from the federal government  
14 or any agency or instrumentality thereof, and to enter into and  
15 carry out contracts in connection therewith.

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

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

1           Section 9.18. To exercise all powers available to land  
2 clearance commissions under the "Blighted Areas Redevelopment  
3 Act of 1947", as now or hereafter amended, and to initiate and  
4 implement slum and blighted areas redevelopment projects.  
5 However, the Authority shall not exercise eminent domain powers  
6 pursuant to the "Blighted Areas Redevelopment Act of 1947", and  
7 with reference to the exercise of eminent domain authority,  
8 this Act shall control.

9           Section 9.19. To develop a comprehensive redevelopment  
10 plan for each neighborhood in depressed areas.

11           Section 9.20. To hold public hearings on redevelopment  
12 plans.

13           Section 9.21. To fix, alter, charge and collect fees,  
14 rentals and other charges for the use of the facilities of or  
15 for the services rendered by the Authority, or projects  
16 thereof, at rates to be determined by agreement or otherwise,  
17 for the purpose of providing for the expenses of the Authority,  
18 the construction, improvement, repair, equipping, and  
19 furnishing of its facilities and properties, the payment of the  
20 principal and interest on its obligations and to fulfill the  
21 terms and provisions of any agreements made with the purchasers  
22 or holders of any such obligations. Such fees, rentals and

1 other charges shall include charges for interest due bond  
2 holders on all outstanding construction and improvement, and  
3 engineering and administration costs not reimbursed to the  
4 Authority; and shall include charges to reimburse completely  
5 the Authority beginning in an appropriate year for the  
6 principal on such bonds within a period of years specified by  
7 the Authority to meet its bond payment schedules.

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

19 (b) However no bonds may be issued by the Authority unless  
20 the Authority offers, in writing, to the agencies or  
21 municipalities represented by directors on the Authority,  
22 excluding the director appointed by the Governor, the first  
23 opportunity to issue revenue bonds for the project or  
24 combination of projects. If the offer to issue bonds is not  
25 accepted in writing, within 6 weeks, by any such agency or



1 municipality, the Authority may issue revenue bonds for the  
2 purpose for which the bonding opportunity was offered to the  
3 agencies or municipalities.

4 Section 9.23. To provide that any real property sold by the  
5 Authority is used in accordance with the final redevelopment  
6 plan, and the Authority shall inquire into and satisfy  
7 themselves concerning the financial ability of the purchaser to  
8 complete the redevelopment in accordance with the  
9 redevelopment plan and shall require the purchaser to execute  
10 in writing such undertakings as the Authority may deem  
11 necessary to obligate the purchaser to:

12 (a) Use the land for the purposes designated in the  
13 approved plan,

14 (b) Commence and complete the building of the improvements  
15 within the periods of time which the Authority fixes as  
16 reasonable, and

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

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

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

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

8           (a) In making the survey and study the Authority board  
9 shall:

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

13           (2) Hold public hearings, conduct investigations, hear  
14 testimony and gather evidence relating to blight and its  
15 elimination;

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

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

1           (b) If as a result of their initial study and survey the  
2 Authority determines that one or more commercially,  
3 industrially, residentially, recreationally, educationally, or  
4 other blighted areas are existing in the depressed areas, the  
5 Authority may by resolution set forth the boundaries of each  
6 blighted area and the factors that exist in the blighted area  
7 that are detrimental to the public health, safety, morals and  
8 welfare.

9           In the same resolution the Authority may provide for a  
10 public hearing on the designation of an area as a blighted area  
11 and may submit proposed redevelopment plans for the blighted  
12 area.

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

16           (c) At the hearing on the designation of an area as a  
17 blighted area, the Authority shall introduce the testimony and  
18 evidence that entered into their decision to declare an area a  
19 blighted area, and shall enter into the record of the  
20 proceedings all proposed redevelopment plans received at or  
21 prior to the hearing. All interested persons may appear and  
22 shall be given an opportunity to testify for or against any  
23 proposed redevelopment plan. The hearing may be continued from  
24 time to time at the discretion of the Authority to allow  
25 necessary changes in any proposed plan or to hear or receive  
26 additional testimony from interested persons.

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

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

22           Section 11. The Authority is authorized and empowered to  
23 incur indebtedness and issue revenue bonds in compliance with  
24 subsection (b) of Section 9.22 for the purpose of raising funds  
25 for carrying out the provisions of a final redevelopment plan

1 providing for the eradication and elimination of blight and  
2 acquisition, development or redevelopment of blight areas and  
3 any other area which may constitute a redevelopment area within  
4 the depressed area. The resolution of the Authority authorizing  
5 the issuance of revenue bonds shall specify the total amount of  
6 the bonds to be issued, the form and denomination, the date or  
7 dates of maturity which shall not be later than 20 years after  
8 the date of issuance, and the rate of interest, which rate  
9 shall not exceed the rate permitted in "An Act to authorize  
10 public corporations to issue bonds, other evidences of  
11 indebtedness and tax anticipation warrants subject to interest  
12 rate limitations set forth therein", approved May 26, 1970, as  
13 amended. The bonds shall be executed by such officials as may  
14 be provided by the bond ordinance. The bonds may be made  
15 registerable to principal and may be made callable on any  
16 interest payment date at par and accrued interest after notice  
17 has been given in the manner provided by the bond ordinance.  
18 The bonds shall remain valid even though one or more of the  
19 officials executing the bonds cease to hold office before the  
20 bonds are delivered.

21 The bonds shall contain a provision that the principal and  
22 interest thereon shall be payable exclusively from the proceeds  
23 and revenues of any redevelopment plan which is financed in  
24 whole or in part with the proceeds of such bonds, together with  
25 whatever funds of the Authority from whatever source derived as  
26 are necessary to constitute a local matching cash grant-in-aid

1 or contribution for the redevelopment plan within the meaning  
2 of any applicable federal or State law. Such bonds may be  
3 additionally secured by a pledge of any loan, grant or  
4 contribution, or parts thereof, received from the United States  
5 of America, or any agency or instrumentality thereof, or any  
6 loan, grant or contribution from any other public or private  
7 body, instrumentality, corporation or individual, or any duly  
8 executed contract for such pledge, loan, grant or contribution.

9 The officials executing the revenue bonds shall not be  
10 personally liable on the bonds because of their issuance. The  
11 bonds shall not be the debt of any municipality or the State,  
12 or any subdivision thereof. The bonds shall not be payable out  
13 of any funds of the Authority except those indicated in this  
14 Act.

15 In connection with the issuance of the revenue bonds  
16 authorized by this Act and in order to secure the payment of  
17 such bonds, the Authority may recommend to the corporate  
18 authority in which the redevelopment plan is proposed subject  
19 to the powers and limitations contained in this Act, that such  
20 corporate authority convene and agree in the bonds, bond  
21 ordinance, or resolution, or any trust agreement executed  
22 pursuant thereto, to any necessary condition, power, duty,  
23 liability, or procedure for the issuance, payment, redemption,  
24 security, marketing, replacement or refinancing of such bonds,  
25 and the use, disposition or control of all or any part of the  
26 revenues realized from a redevelopment or new community plan.

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

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

14           Section 12. Before any proposed new construction of a  
15 specific project or proposed rehabilitation project is  
16 commenced by the Authority a public hearing must be held by the  
17 Authority affording interested persons residing in the area an  
18 opportunity to be heard. There shall be a notice of the time  
19 and place of the hearing published at least once, not more than  
20 30 and not less than 15 days before the hearing, in one or more  
21 newspapers published in the municipalities located within the  
22 area of the project. This notice shall contain the particular  
23 site and location to be affected as well as a brief statement  
24 of what is proposed in the project.

1           Section 13. Any deed executed by the Authority under this  
2 Act may contain such restrictions as may be required by the  
3 final redevelopment plan and necessary building and zoning  
4 ordinances. All such deeds of conveyance shall be executed in  
5 the name of the Authority and the seal of the Authority shall  
6 be attached to the deeds.

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

17           The contract for doing the work shall be let to the lowest  
18 responsible bidder, but the Authority may reject any and all  
19 bids received and readvertise for bids. Any contract entered  
20 into by the Authority under this Section shall contain  
21 provisions requiring the contractor to give bond in an amount  
22 to be determined by the Authority, and shall require the  
23 contractor to furnish insurance of a character and amount to be  
24 determined by the Authority protecting the Authority and the  
25 municipality, its officers, agents and employees against any



1 claims for personal injuries, including death and property  
2 damage which may be asserted because of the contract. The  
3 Authority may include in any advertisement and in the contract  
4 one or more buildings as they in their sole discretion may  
5 determine.

6 Section 15. In carrying out the provisions of a final  
7 redevelopment plan, the Authority may pave and improve streets  
8 in the redevelopment area, construct walks and install or  
9 relocate sewers, water pipes and other similar facilities. The  
10 Authority shall advertise for sealed bids for doing such work.  
11 The advertisement shall describe the nature of the work to be  
12 performed and the time when and place where sealed bids for the  
13 work may be delivered to the Authority. The advertisement shall  
14 be published once in a newspaper having a general circulation  
15 in the municipality at least 20 days prior to the date for  
16 receiving bids. A contract for doing the work shall be let to  
17 the lowest responsible bidder, but the Authority may reject any  
18 and all bids received and readvertise for bids. The contractor  
19 shall enter into bond as a condition for the faithful  
20 performance of the contract. The sureties on such bond shall be  
21 approved by the Authority.

22 Section 16. When the Authority has acquired title to, and  
23 possession of any or all real property in the redevelopment  
24 area, they may convey any part of the redevelopment area to

1 which the Authority holds the fee simple title or any lesser  
2 interest to any public body or State chartered corporation  
3 having jurisdiction over schools, parks, low or moderate  
4 housing, or playgrounds in the area. The property so conveyed  
5 shall be used for parks, playgrounds, schools, housing for low  
6 or moderate income families, and other public purposes as the  
7 Authority may determine. The Authority may charge for such  
8 conveyance whatever price they and the officials of the public  
9 bodies or State Chartered Corporations receiving the land may  
10 agree upon. The Authority may also grant with or without  
11 charge, easements for public utilities, sewerage and other  
12 similar facilities.

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

15 (a) Obligations incurred for labor, and to contractors,  
16 builders and material men, in connection with the construction  
17 of any such project or projects, for machinery and equipment  
18 and for the restoration of property damaged or destroyed in  
19 connection with such construction.

20 (b) The cost of acquiring any property, real, personal or  
21 mixed, tangible or intangible, or any interest therein,  
22 necessary or desirable for the construction of any such project  
23 or projects.

24 (c) The principal and interest requirements upon any such  
25 bonds for the period during which, and to the extent, the

1 rentals received by the Authority from such project or projects  
2 shall be insufficient for the payment thereof, the fees and  
3 expenses of the fiscal agent of the Authority in respect of  
4 such bonds during any such period, and the reasonable fees and  
5 expenses of any paying agents for such bonds during such  
6 period.

7 (d) The taxes or other municipal or governmental charges,  
8 if any, in connection with any such project or projects during  
9 construction.

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

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

1 expenses in connection with such acquisition.

2 Section 18. The Authority may pledge, hypothecate or  
3 otherwise encumber all or any of the revenues or receipts of  
4 the Authority as security for all or any of the obligations of  
5 the Authority.

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

13 Section 20. The Authority shall have no power at any time  
14 or in any manner to pledge the credit or taxing power of the  
15 State of Illinois, or a municipality or corporate authority or  
16 any other unit of local government nor shall any of its  
17 obligations be considered obligations of the State of Illinois,  
18 or any other unit of government.

19 Section 21. Within 60 days after the end of each fiscal  
20 year, the Authority shall cause to be prepared by a certified  
21 public accountant a complete and detailed report and financial  
22 statement of the operation and assets and liabilities of the

1 Authority. A sufficient number of copies of such report shall  
2 be prepared for distribution to persons interested, upon  
3 request, and a copy thereof shall be filed with the Governor  
4 and the General Assembly.

5 Section 22. The Authority may investigate conditions in any  
6 project in which it has an interest. In the conduct of such  
7 investigations the Authority may hold public hearings on its  
8 own motion, and shall do so on complaint or petition of any  
9 person. Each member of the Authority shall have power to  
10 administer oaths, and the secretary, by order of the Authority,  
11 shall issue subpoenas to secure the attendance and testimony of  
12 witnesses, and the production of books and papers, before the  
13 Authority or before any member thereof or any officer or  
14 committee appointed by the Authority.

15 In the conduct of any investigation the Authority shall, at  
16 its expense, provide a stenographer to take down all testimony  
17 and shall preserve a record of such proceedings. The notice of  
18 hearing, complaint, and all other documents in the nature of  
19 pleading and written motions and orders of decision of the  
20 Authority shall constitute the record of such proceedings.

21 The Authority is not required to testify and record or file  
22 any answer, or otherwise respond in any proceedings for  
23 judicial review of an administrative decision unless the party  
24 asking for review deposits with the clerk of the court the sum  
25 of \$1 per page of records representing the cost of such

1 certification. Failure to make such deposit is ground for  
2 dismissal of action.

3 Section 23. The Authority has the power to pass all  
4 resolutions and make all rules and regulations proper and  
5 necessary to give effect to the power granted the Authority  
6 under this Act.

7 Section 24. All final administrative decisions of the  
8 Authority shall be subject to judicial review pursuant to the  
9 provisions of the Administrative Review Law, and all amendments  
10 and modifications thereof and the rules adopted pursuant  
11 thereto. The term "administrative decision" is defined as in  
12 Section 3-101 of the Administrative Review Law.

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

15 (1) within the boundaries of any municipality or within the  
16 boundaries of any territory over which a municipality has  
17 jurisdiction unless the exercise of those powers therein has  
18 been approved by the mayor or village president of the  
19 municipality; or

20 (2) within the boundaries of any unincorporated area of a  
21 township unless the exercise of those powers therein has been  
22 approved by the supervisor of the township.

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

1 becoming law.