

1 AN ACT creating the Southwest Suburban Railroad
2 Redevelopment Authority.

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
6 Southwest Suburban Railroad Redevelopment Authority Act.

7 Section 5. Legislative declaration. The General
8 Assembly declares that the welfare, health, prosperity, and
9 moral and general well-being of the people of the State are,
10 in large measure, dependent upon the sound and orderly
11 development of municipal areas. The Southwest Suburban area,
12 by reason of the location therein of vital roadways and their
13 use for vehicular travel in access to the entire southwest
14 metropolitan Chicago area, as well as commercial and
15 industrial growth patterns and accessibility to manufacturing
16 and freight-related facilities, have become and will
17 increasingly be the hub of transportation from all parts of
18 the region and throughout the southwest metropolitan area.
19 Motor vehicle traffic, pedestrian travel, and the safety of
20 both motorists and pedestrians are substantially aggravated
21 by the location of railroad grade crossings. Additionally,
22 certain development opportunities may exist in the project
23 area that would stabilize and enhance the tax base of
24 existing communities, maintain and revitalize existing
25 commerce and industry, and promote comprehensive planning
26 within and between communities. The presence of the railroad
27 grade crossings are detrimental to the orderly expansion of
28 industry and commerce and to progress of the region. To
29 alleviate this situation it is necessary to relocate the
30 railroad tracks, to separate the grades at crossing, to
31 acquire property for relocation or submergence of the
32 railroad or highways, to create an agency to facilitate and

1 accomplish that relocation, and to direct infrastructure and
2 development improvements in the Southwest Suburban area.

3 Section 10. Creation; duration. There is created a body
4 politic and corporate, a unit of local government, named the
5 Southwest Suburban Railroad Redevelopment Authority,
6 embracing the municipalities of Chicago Ridge, Burbank,
7 Bedford Park, Worth, Lansing, Glenwood, Chicago Heights,
8 Robbins, Markham, Tinley Park, Orland Park, Palos Park,
9 Crestwood, Dolton, Riverdale, Harvey, Oak Lawn, Dixmoor,
10 Bridgeview, Alsip, Oak Forest, Midlothian, Palos Heights,
11 Evergreen Park, Posen, Blue Island, and Merrionette Park.
12 The Authority shall continue in existence until the
13 accomplishment of its objective, the relocation of railroad
14 tracks and roadways and the grade separation of railroads
15 from the right-of-way and at-grade crossing closures within
16 the Southwest Suburban area, or until the Authority
17 officially resolves that it is impossible or economically
18 unfeasible to fulfill that objective.

19 Section 15. Acquisition of property. The Authority has
20 the power to acquire by gift, purchase, or legacy the fee
21 simple title to real property located within the boundaries
22 of the Authority, including temporary and permanent
23 easements, as well as reversionary interests in the streets,
24 alleys, and other public places and personal property,
25 required for its purposes, and title thereto shall be taken
26 in the corporate name of the Authority. Any such property
27 that is already devoted to a public use may nevertheless be
28 acquired, provided that no property belonging to the United
29 States of America or the State of Illinois may be acquired
30 without the consent of that governmental unit. No property
31 devoted to a public use belonging to a corporation subject to
32 the jurisdiction of the Illinois Commerce Commission may be

1 acquired without a prior finding by the Illinois Commerce
2 Commission that the taking would not result in the imposition
3 of an undue burden on intrastate commerce. All land and
4 appurtenances thereto, acquired or owned by the Authority,
5 are to be deemed acquired or owned for a public use or public
6 purpose.

7 Section 20. Sale or exchange of property. The Authority
8 has the power to sell, transfer, exchange, vacate, or assign
9 property acquired for the purposes of this Act as it deems
10 appropriate.

11 Section 25. Acceptance of grants, loans, and
12 appropriations. The Authority has the power to apply for and
13 accept grants, loans, advances, and appropriations from the
14 federal government and from the State of Illinois or any
15 agency or instrumentality thereof to be used for the purposes
16 of the Authority, and to enter into any agreement in relation
17 to the grants, loans, advances, and appropriations. The
18 Authority may also accept from the State, any State agency,
19 department, or commission, any county or other political
20 subdivision, any municipal corporation, any railroad, any
21 school authority, or jointly therefrom, grants of funds or
22 services for any of the purposes of this Act. The Authority
23 shall be treated as a rail carrier subject to the Illinois
24 Commerce Commission's jurisdiction and eligible to receive
25 money from the Grade Crossing Protection Fund or any fund of
26 the State or other source available for purposes of promoting
27 safety and separation of at-grade railroad crossings or
28 highway improvements.

29 Section 30. Taxing powers. The Authority may not levy
30 real property taxes for any purpose whatsoever.

1 Section 35. Board; compensation and expenses. The
2 Authority shall be governed by a 28-member board consisting
3 of the mayors or village presidents, or their designees, of
4 Chicago Ridge, Dolton, Burbank, Bedford Park, Worth, Lansing,
5 Glenwood, Chicago Heights, Robbins, Markham, Tinley Park,
6 Orland Park, Palos Park, Crestwood, Riverdale, Harvey, Oak
7 Lawn, Dixmoor, Bridgeview, Alsip, Oak Forest, Midlothian,
8 Palos Heights, Evergreen Park, Posen, Blue Island, and
9 Merrionette Park and the Chairman of Commuter Rail Board
10 (created by the Regional Transportation Authority) or his or
11 her designee. The office of Chair shall rotate annually and
12 shall represent each of the participating municipalities
13 until each one has served as Chair, upon which time the
14 office of Chair shall rotate back to the original
15 representative member. Each representative member shall take
16 and subscribe the constitutional oath of office and file it
17 with the Secretary of State. The members of the board shall
18 serve without compensation, but may be reimbursed for actual
19 expenses incurred by them in the performance of duties
20 prescribed by the Authority. However, any member of the
21 board who serves as secretary or treasurer may receive
22 compensation for services as that officer. Any of the 27
23 member municipalities may opt out of the Authority by a
24 majority vote of the corporate authorities of that
25 municipality. That municipality shall notify the Authority in
26 writing of its vote to opt out of the Authority.

27 Section 40. Organization; chair and temporary secretary.
28 As soon as possible after the effective date of this Act, the
29 board shall organize for the transaction of business, select
30 a Chair and a temporary Secretary from its own number, and
31 adopt bylaws to govern its proceedings. The initial Chair
32 and successors shall be elected by the board from time to
33 time from among members. The board may act through its

1 members by entering into an agreement that a member act on
2 the board's behalf, in which instance the act or performance
3 directed shall be deemed to be exclusively of, for, and by
4 the board and not the individual act of the member or its
5 represented person.

6 Section 45. Meetings; quorum; resolutions. Regular
7 meetings of the board shall be held at least quarterly, the
8 time and place of those meetings to be fixed by the board.
9 Special meetings may be called by the Chair or by a majority
10 of the members of the board by giving notice thereof in
11 writing, stating the time, place, and purpose of the meeting.
12 The notice shall be served by special delivery letter
13 deposited in the mails at least 48 hours before the meeting.
14 A majority of the members of the board shall constitute a
15 quorum for the transaction of business. All action of the
16 board shall be by resolution and, except as otherwise
17 provided in this Act, the affirmative vote of at least a
18 majority shall be necessary for the adoption of any
19 resolution. The Chair shall be entitled to vote on any and
20 all matters coming before the board.

21 Section 50. Secretary and Treasurer; oaths; bond of
22 Treasurer. The board may appoint a Secretary and a
23 Treasurer, who need not be members of the board, to hold
24 office at the pleasure of the board, and fix their duties and
25 compensation. Before entering upon the duties of their
26 respective offices, they shall take and subscribe to the
27 constitutional oath of office, and the Treasurer shall
28 execute a bond with corporate sureties to be approved by the
29 board. The bond shall be payable to the Authority in
30 whatever penal sum may be directed by the board conditioned
31 upon the faithful performance of the duties of the office and
32 the payment of all money received by the Treasurer according

1 to law and the orders of the board. The board may, at any
2 time, require a new bond for the Treasurer in any penal sum
3 that may then be determined by the board.

4 Section 55. Deposit and withdrawal of funds; signatures.

5 All funds deposited by the Treasurer in any bank or savings
6 and loan association shall be placed in the name of the
7 Authority and shall be withdrawn or paid out only by check or
8 draft upon the bank or savings and loan association, signed
9 by the Treasurer and countersigned by the Chair of the board.
10 Subject to prior approval of the designations by a majority
11 of the board, the Chair may designate any other member or any
12 officer of the Authority to affix the signature of the
13 Treasurer to any Authority check or draft for payment of
14 salaries or wages and for payment of any other obligation of
15 not more than \$2,500.

16 No bank or savings and loan association shall receive
17 public funds as permitted by this Section unless it has
18 complied with the requirements established under Section 6 of
19 the Public Funds Investment Act.

20 Section 60. Delivery of check after executing officer
21 ceases to hold office. If any officer whose signature appears
22 upon any check or draft issued pursuant to this Act ceases to
23 hold office before the delivery of the check or draft to the
24 payee, the officer's signature nevertheless shall be valid
25 and sufficient for all purposes with the same effect as if
26 the officer had remained in office until delivery of the
27 check or draft.

28 Section 65. Rules. The board may make all rules and
29 regulations proper or necessary and to carry into effect the
30 powers granted to it. The rules and regulations shall be
31 consistent with the guidelines, objectives, and project scope

1 as set out by the Illinois Commerce Commission.

2 Section 70. Fiscal year. The Authority shall designate
3 its fiscal year.

4 Section 75. Reports and financial statements. Within 60
5 days after the end of its fiscal year, the board shall cause
6 to be prepared by a certified public accountant a complete
7 and detailed report and financial statement of the operations
8 and assets and liabilities as relate to the projects
9 undertaken by the Authority. A reasonably sufficient number
10 of copies of the report shall be prepared for distribution to
11 persons interested, upon request, and a copy of the report
12 shall be filed with the Illinois Commerce Commission and with
13 the county clerk of Cook County.

14 Section 80. Construction. Nothing in this Act shall be
15 construed to confer upon the Authority the right, power, or
16 duty to order or enforce the abandonment of any present
17 property of the railroads or the use in substitution therefor
18 of any property acquired for the railroads in the absence of
19 a contract duly executed by the railroads and the Authority
20 setting forth the terms and conditions upon which relocation
21 of the right-of-way and physical facilities of the railroads
22 is to be accomplished. No such contract shall be or become
23 enforceable until the provisions of the contract have been
24 approved or authorized by the Illinois Commerce Commission.

25 Section 85. Existing contracts, obligations, and
26 liabilities. No contract, obligation, or liability whatever
27 of the railroads to pay any money into the State treasury,
28 nor any lien of the State upon or right to tax property of
29 the railroads, shall be released, suspended, modified,
30 altered, remitted, or in any manner diminished or impaired by

1 the contract with the Authority, and any such charter
2 provisions applicable to the property on which the railroads
3 are now located shall be deemed in full force and effect with
4 respect to any property on which the railroads are relocated
5 in substitution therefor pursuant to the provisions of this
6 Act or any such contract with the Authority pursuant thereto.
7 Notwithstanding, upon order of the Illinois Commerce
8 Commission, the Authority shall succeed to and assume the
9 performance and actions of the represented persons under the
10 terms of the order and amending orders previously entered
11 relative to projects undertaken by the Authority and
12 consistent with the objectives of the Authority.

13 Section 90. Severability. The provisions of this Act
14 are severable under Section 1.31 of the Statute on Statutes.

15 Section 999. Effective date. This Act takes effect upon
16 becoming law.