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VILLAGE OF MELROSE PARK  
COOK COUNTY, ILLINOIS

ORDINANCE NO. 1435

AN ORDINANCE AUTHORIZING A REDEVELOPMENT  
AGREEMENT BETWEEN THE VILLAGE OF MELROSE PARK  
AND VHS WESTLAKE HOSPITAL, INC., FOR THE VILLAGE OF  
MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

ADOPTED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE  
VILLAGE OF MELROSE PARK

THIS 27<sup>TH</sup> DAY OF DECEMBER 2010

RONALD M. SERPICO, Village President  
MARY ANN PAOLANTONIO SALEMI, Village Clerk

Board Of Trustees

CATHLEEN COSSIDENT ITALIA  
ANTHONY J. PRIGNANO  
ARTURO J. MOTA  
MARY RAMIREZ TACONI  
JAIME ANGUIANO  
ANTHONY N. ABRUZZO

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Published by authority of the  
President and Board of Trustees  
Of the Village of Melrose Park,  
Cook County, Illinois on  
This 28<sup>TH</sup> day of DECEMBER 2010

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**AN ORDINANCE AUTHORIZING A REDEVELOPMENT AGREEMENT BETWEEN THE VILLAGE OF MELROSE PARK AND VHS WESTLAKE HOSPITAL, INC., FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

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**WHEREAS**, the Village of Melrose Park, County of Cook, State of Illinois (the “Village”) is a duly organized and existing municipality and unit of local government created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

**WHEREAS**, the Village President (the “President”), the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, and the Board of Trustees of the Village (the “Village Board”), the Honorable Cathleen Cossident Italia, Anthony J. Prignano, Arturo J. Mota, Mary Ramirez Taconi, Jaime Anguiano and Anthony N. Abruzzo, having taken office on April 30, 2009, constitute the duly elected, qualified and acting officials of the Village; and

**WHEREAS**, the President and the Village Board (collectively, the “Corporate Authorities”) are committed to developing and maintaining the Village as an attractive venue for redevelopment projects and to continuing to house medical facilities, which will provide Village residents with efficient medical services; and

**WHEREAS**, pursuant to the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4-1, *et seq.*) (the “TIF Act”), the Village previously passed an ordinance

that allowed the Village to use tax increment financing (“TIF”) for certain costs incurred in relation to redevelopment projects located within certain areas of the Village; and

**WHEREAS**, to stimulate and induce redevelopment pursuant to the TIF Act, after giving all notices and conducting all public hearings required by law, the Village passed the necessary legislation to approve and thereafter approved a TIF redevelopment plan (the “Plan”) for certain real property located within the Village; and

**WHEREAS**, VHS Westlake Hospital, Inc. (“Westlake”) desires to improve its facilities (the “Facilities”) at Westlake Hospital in the Village (the “Subject Property”), but cannot do so without certain financial incentives from the Village; and

**WHEREAS**, in accordance with the Plan, the Subject Property is located in one of the Village’s redevelopment areas (the “Redevelopment Area”); and

**WHEREAS**, pursuant to the abovementioned ordinance, the Plan and the TIF Act, the developer of the Subject Property may be eligible to receive TIF funds for certain redevelopment project costs incurred in connection with the redevelopment of the Subject Property; and

**WHEREAS**, Westlake is a highly regarded local hospital with the ability to generate substantial tax revenue for the Village, to continue to create numerous jobs for Village residents and local contractors and generally to contribute to the overall economic strength of the Village; and

**WHEREAS**, pursuant to the Illinois Compiled Statutes, the Village may enter into redevelopment agreements whereby the Village will share tax proceeds to incentivize the redevelopment of the Facilities; and

**WHEREAS**, the Village desires to enter into a redevelopment agreement with Westlake whereby Westlake and the Village will share tax revenue generated by

properties located within the same TIF district as the Subject Property (the “Agreement”), a form of which Agreement is attached hereto and incorporated herein as Exhibit “A”; and

**WHEREAS**, the Agreement sets forth the terms and conditions under which Westlake and the Village will share the tax revenue; and

**WHEREAS**, the Corporate Authorities have determined that it is advisable, necessary and in the best interests of the Village to approve and authorize the execution of the Agreement; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and the Board of Trustees of the Village of Melrose Park, County of Cook, State of Illinois, as follows:

## **ARTICLE I. IN GENERAL**

### **Section 01. Incorporation Clause.**

All of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct, and the Corporate Authorities do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

### **Section 02. Purpose.**

The purpose of this Ordinance is to authorize the negotiation of the terms of the transaction contemplated herein, to approve the form of the Agreement with such revisions as the President and Village Attorney deem necessary, to authorize the President or his designee to enter into the Agreement, or any modification thereof, and to authorize and direct the President or his designee to execute all necessary documents and perform all necessary acts to effectuate the intent of this Ordinance, including the expenditure of all necessary funds.

**Section 03. Invocation of Authority.**

This Ordinance is enacted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

**Section 04. State Law Adopted.**

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

**Sections 05 - 09. Reserved.**

**ARTICLE II.  
APPROVAL & AUTHORIZATION**

**Section 10.00. Authorization of Agreement.**

The Corporate Authorities hereby approve the Agreement, in substantially the same form as attached hereto, but with such revisions as the President, Village Attorney or their designees deem necessary, authorize and direct the President to execute all necessary documents and perform all necessary acts to effectuate the intent of this Ordinance and authorize and direct the expenditure of all costs related thereto or resulting therefrom.

**Section 10.01. Approval and Execution of Documents.**

The Agreement is hereby approved in substantially the same form as attached hereto with such revisions, insertions, omissions and changes as shall be approved by the President and the Village Attorney. The President or his designee is hereby authorized and directed to negotiate, finalize and execute the Agreement and any other documents deemed necessary to effectuate the intent of this Ordinance, whether or not such other documents are attached hereto. The Village Clerk is hereby authorized and directed to

attest to, countersign and affix the Seal of the Village to all such documents as are deemed necessary to effectuate the intent of this Ordinance. The Village is authorized to allocate and spend all necessary funds to fulfill the requirements of the Agreement and of this Ordinance.

**Section 10.02. Other Actions Authorized.**

The officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this Ordinance and otherwise to consummate the transactions contemplated hereby, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein. To the extent that any requirement of bidding would be applicable to the transaction contemplated herein, the same is hereby waived.

**Section 10.03. Acts of Village Officials.**

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this Ordinance are hereby, in all respects, ratified, approved, authorized and confirmed.

**Section 11.00 – Section 15.00 Reserved.**

**ARTICLE III.  
HEADINGS, SAVINGS CLAUSES,  
PUBLICATION, EFFECTIVE DATE**

**Section 16.00 Headings.**

The headings for the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

**Section 17.00 Severability.**

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, subparagraph, section or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision, clause, sentence, paragraph, subparagraph, section or part shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Corporate Authorities that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, subparagraph, section or part thereof been included.

**Section 18.00 Superseder.**

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**Section 19.00 Publication.**

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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**Section 20.00 Effective Date.**

This Ordinance shall be in full force and effect upon its passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board Of Trustees:

AYE VOTES: Trustee Italia, Trustee Mota, Trustee Taconi,  
Trustee Anguiano, Trustee Abruzzo

NAY VOTES:

ABSTAIN:

ABSENT: Trustee Prignano

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE  
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS  
TWENTY-SEVENTH DAY OF DECEMBER, 2010, A.D.

APPROVED:

  
\_\_\_\_\_  
RONALD M. SERPICO  
VILLAGE PRESIDENT

ATTEST:

  
\_\_\_\_\_  
Mary Ann Paolantonio Salemi  
Village Clerk

(SEAL)

Recorded in the Municipal Records: December 27, 2010  
Published in Pamphlet Form: December 28, 2010