

1 AMENDMENT TO SENATE BILL 400

2 AMENDMENT NO. _____. Amend Senate Bill 400 by replacing
3 the title with the following:

4 "AN ACT concerning railroad relocation."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "ARTICLE 1.

8 Section 1-1. Short title. This Article may be cited as
9 the Southwest Suburban Railroad Redevelopment Authority Law.

10 Section 1-5. Legislative declaration. The General
11 Assembly declares that the welfare, health, prosperity, and
12 moral and general well-being of the people of the State are,
13 in large measure, dependent upon the sound and orderly
14 development of municipal areas. The Southwest Suburban area,
15 by reason of the location therein of vital roadways and their
16 use for vehicular travel in access to the entire southwest
17 metropolitan Chicago area, as well as commercial and
18 industrial growth patterns and accessibility to manufacturing
19 and freight-related facilities, have become and will
20 increasingly be the hub of transportation from all parts of
21 the region and throughout the southwest metropolitan area.

1 Motor vehicle traffic, pedestrian travel, and the safety of
2 both motorists and pedestrians are substantially aggravated
3 by the location of railroad grade crossings. Additionally,
4 certain development opportunities may exist in the project
5 area that would stabilize and enhance the tax base of
6 existing communities, maintain and revitalize existing
7 commerce and industry, and promote comprehensive planning
8 within and between communities. The presence of the railroad
9 grade crossings are detrimental to the orderly expansion of
10 industry and commerce and to progress of the region. To
11 alleviate this situation it is necessary to relocate the
12 railroad tracks, to separate the grades at crossing, to
13 acquire property for relocation or submergence of the
14 railroad or highways, to create an agency to facilitate and
15 accomplish that relocation, and to direct infrastructure and
16 development improvements in the Southwest Suburban area.

17 Section 1-10. Creation; duration. There is created a
18 body politic and corporate, a unit of local government, named
19 the Southwest Suburban Railroad Redevelopment Authority,
20 embracing the municipalities of Chicago Ridge, Burbank,
21 Bedford Park, Worth, Lansing, Glenwood, Chicago Heights,
22 Robbins, Markham, Tinley Park, Orland Park, Palos Park,
23 Crestwood, Dolton, Riverdale, Harvey, Oak Lawn, Dixmoor,
24 Bridgeview, Alsip, Oak Forest, Midlothian, Palos Heights,
25 Evergreen Park, Posen, Blue Island, and Merrionette Park.
26 The Authority shall continue in existence until the
27 accomplishment of its objective, the relocation of railroad
28 tracks and roadways and the grade separation of railroads
29 from the right-of-way and at-grade crossing closures within
30 the Southwest Suburban area, or until the Authority
31 officially resolves that it is impossible or economically
32 unfeasible to fulfill that objective.

1 Section 1-15. Acquisition of property. The Authority
2 has the power to acquire by gift, purchase, or legacy the fee
3 simple title to real property located within the boundaries
4 of the Authority, including temporary and permanent
5 easements, as well as reversionary interests in the streets,
6 alleys, and other public places and personal property,
7 required for its purposes, and title thereto shall be taken
8 in the corporate name of the Authority. Any such property
9 that is already devoted to a public use may nevertheless be
10 acquired, provided that no property belonging to the United
11 States of America or the State of Illinois may be acquired
12 without the consent of that governmental unit. No property
13 devoted to a public use belonging to a corporation subject to
14 the jurisdiction of the Illinois Commerce Commission may be
15 acquired without a prior finding by the Illinois Commerce
16 Commission that the taking would not result in the imposition
17 of an undue burden on intrastate commerce. All land and
18 appurtenances thereto, acquired or owned by the Authority,
19 are to be deemed acquired or owned for a public use or public
20 purpose.

21 Section 1-20. Sale or exchange of property. The
22 Authority has the power to sell, transfer, exchange, vacate,
23 or assign property acquired for the purposes of this Article
24 as it deems appropriate.

25 Section 1-25. Acceptance of grants, loans, and
26 appropriations. The Authority has the power to apply for and
27 accept grants, loans, advances, and appropriations from the
28 federal government and from the State of Illinois or any
29 agency or instrumentality thereof to be used for the purposes
30 of the Authority, and to enter into any agreement in relation
31 to the grants, loans, advances, and appropriations. The
32 Authority may also accept from the State, any State agency,

1 department, or commission, any county or other political
2 subdivision, any municipal corporation, any railroad, any
3 school authority, or jointly therefrom, grants of funds or
4 services for any of the purposes of this Article. The
5 Authority shall be treated as a rail carrier subject to the
6 Illinois Commerce Commission's jurisdiction and eligible to
7 receive money from the Grade Crossing Protection Fund or any
8 fund of the State or other source available for purposes of
9 promoting safety and separation of at-grade railroad
10 crossings or highway improvements.

11 Section 1-30. Taxing powers. The Authority may not levy
12 real property taxes for any purpose whatsoever.

13 Section 1-35. Board; compensation and expenses. The
14 Authority shall be governed by a 28-member board consisting
15 of the mayors or village presidents, or their designees, of
16 Chicago Ridge, Dolton, Burbank, Bedford Park, Worth, Lansing,
17 Glenwood, Chicago Heights, Robbins, Markham, Tinley Park,
18 Orland Park, Palos Park, Crestwood, Riverdale, Harvey, Oak
19 Lawn, Dixmoor, Bridgeview, Alsip, Oak Forest, Midlothian,
20 Palos Heights, Evergreen Park, Posen, Blue Island, and
21 Merrionette Park and the Chairman of Commuter Rail Board
22 (created by the Regional Transportation Authority) or his or
23 her designee. The office of Chair shall rotate annually and
24 shall represent each of the participating municipalities
25 until each one has served as Chair, upon which time the
26 office of Chair shall rotate back to the original
27 representative member. Each representative member shall take
28 and subscribe the constitutional oath of office and file it
29 with the Secretary of State. The members of the board shall
30 serve without compensation, but may be reimbursed for actual
31 expenses incurred by them in the performance of duties
32 prescribed by the Authority. However, any member of the

1 board who serves as secretary or treasurer may receive
2 compensation for services as that officer. Any of the 27
3 member municipalities may opt out of the Authority by a
4 majority vote of the corporate authorities of that
5 municipality. That municipality shall notify the Authority in
6 writing of its vote to opt out of the Authority.

7 Section 1-40. Organization; chair and temporary
8 secretary. As soon as possible after the effective date of
9 this Act, the board shall organize for the transaction of
10 business, select a Chair and a temporary Secretary from its
11 own number, and adopt bylaws to govern its proceedings. The
12 initial Chair and successors shall be elected by the board
13 from time to time from among members. The board may act
14 through its members by entering into an agreement that a
15 member act on the board's behalf, in which instance the act
16 or performance directed shall be deemed to be exclusively of,
17 for, and by the board and not the individual act of the
18 member or its represented person.

19 Section 1-45. Meetings; quorum; resolutions. Regular
20 meetings of the board shall be held at least quarterly, the
21 time and place of those meetings to be fixed by the board.
22 Special meetings may be called by the Chair or by a majority
23 of the members of the board by giving notice thereof in
24 writing, stating the time, place, and purpose of the meeting.
25 The notice shall be served by special delivery letter
26 deposited in the mails at least 48 hours before the meeting.
27 A majority of the members of the board shall constitute a
28 quorum for the transaction of business. All action of the
29 board shall be by resolution and, except as otherwise
30 provided in this Article, the affirmative vote of at least a
31 majority shall be necessary for the adoption of any
32 resolution. The Chair shall be entitled to vote on any and

1 all matters coming before the board.

2 Section 1-50. Secretary and Treasurer; oaths; bond of
3 Treasurer. The board may appoint a Secretary and a
4 Treasurer, who need not be members of the board, to hold
5 office at the pleasure of the board, and fix their duties and
6 compensation. Before entering upon the duties of their
7 respective offices, they shall take and subscribe to the
8 constitutional oath of office, and the Treasurer shall
9 execute a bond with corporate sureties to be approved by the
10 board. The bond shall be payable to the Authority in
11 whatever penal sum may be directed by the board conditioned
12 upon the faithful performance of the duties of the office and
13 the payment of all money received by the Treasurer according
14 to law and the orders of the board. The board may, at any
15 time, require a new bond for the Treasurer in any penal sum
16 that may then be determined by the board.

17 Section 1-55. Deposit and withdrawal of funds;
18 signatures. All funds deposited by the Treasurer in any bank
19 or savings and loan association shall be placed in the name
20 of the Authority and shall be withdrawn or paid out only by
21 check or draft upon the bank or savings and loan association,
22 signed by the Treasurer and countersigned by the Chair of the
23 board. Subject to prior approval of the designations by a
24 majority of the board, the Chair may designate any other
25 member or any officer of the Authority to affix the signature
26 of the Treasurer to any Authority check or draft for payment
27 of salaries or wages and for payment of any other obligation
28 of not more than \$2,500.

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

1 Section 1-60. Delivery of check after executing officer
2 ceases to hold office. If any officer whose signature appears
3 upon any check or draft issued pursuant to this Article
4 ceases to hold office before the delivery of the check or
5 draft to the payee, the officer's signature nevertheless
6 shall be valid and sufficient for all purposes with the same
7 effect as if the officer had remained in office until
8 delivery of the check or draft.

9 Section 1-65. Rules. The board may make all rules and
10 regulations proper or necessary and to carry into effect the
11 powers granted to it. The rules and regulations shall be
12 consistent with the guidelines, objectives, and project scope
13 as set out by the Illinois Commerce Commission.

14 Section 1-70. Fiscal year. The Authority shall
15 designate its fiscal year.

16 Section 1-75. Reports and financial statements. Within
17 60 days after the end of its fiscal year, the board shall
18 cause to be prepared by a certified public accountant a
19 complete and detailed report and financial statement of the
20 operations and assets and liabilities as relate to the
21 projects undertaken by the Authority. A reasonably
22 sufficient number of copies of the report shall be prepared
23 for distribution to persons interested, upon request, and a
24 copy of the report shall be filed with the Illinois Commerce
25 Commission and with the county clerk of Cook County.

26 Section 1-80. Construction. Nothing in this Article
27 shall be construed to confer upon the Authority the right,
28 power, or duty to order or enforce the abandonment of any
29 present property of the railroads or the use in substitution
30 therefor of any property acquired for the railroads in the

1 absence of a contract duly executed by the railroads and the
2 Authority setting forth the terms and conditions upon which
3 relocation of the right-of-way and physical facilities of the
4 railroads is to be accomplished. No such contract shall be
5 or become enforceable until the provisions of the contract
6 have been approved or authorized by the Illinois Commerce
7 Commission.

8 Section 1-85. Existing contracts, obligations, and
9 liabilities. No contract, obligation, or liability whatever
10 of the railroads to pay any money into the State treasury,
11 nor any lien of the State upon or right to tax property of
12 the railroads, shall be released, suspended, modified,
13 altered, remitted, or in any manner diminished or impaired by
14 the contract with the Authority, and any such charter
15 provisions applicable to the property on which the railroads
16 are now located shall be deemed in full force and effect with
17 respect to any property on which the railroads are relocated
18 in substitution therefor pursuant to the provisions of this
19 Article or any such contract with the Authority pursuant
20 thereto. Notwithstanding, upon order of the Illinois
21 Commerce Commission, the Authority shall succeed to and
22 assume the performance and actions of the represented persons
23 under the terms of the order and amending orders previously
24 entered relative to projects undertaken by the Authority and
25 consistent with the objectives of the Authority.

26 Section 1-90. Severability. The provisions of this Act
27 are severable under Section 1.31 of the Statute on Statutes.

28 ARTICLE 5.

29 Section 5-1. Short title. This Article may be cited as
30 the Dixon Railroad Relocation Authority Law.

1 Section 5-5. Legislative declaration. The General
2 Assembly declares that the welfare, health, prosperity, and
3 moral and general well being of the people of the State are,
4 in large measure, dependent upon the sound and orderly
5 development of municipal areas. The City of Dixon has become
6 and will increasingly be the hub of transportation from all
7 parts of the region. Motor vehicle traffic, pedestrian
8 travel, and the safety of both motorists and pedestrians are
9 substantially aggravated by the location of a railroad spur
10 line running through the City of Dixon. The presence of the
11 railroad spur line in the City of Dixon is detrimental to the
12 orderly expansion of industry and commerce and to progress of
13 the region. To alleviate this situation it is necessary to
14 relocate the railroad, to acquire property for relocation of
15 the railroad or highways, and to create an agency to
16 facilitate and accomplish that relocation.

17 Section 5-10. Creation; duration. There is created a
18 body politic and corporate and a unit of local government
19 named the Dixon Railroad Relocation Authority, embracing Lee
20 County. The Authority shall continue in existence until the
21 accomplishment of its objective, the relocation of the
22 railroad spur line running through the City of Dixon or until
23 the Authority officially resolves that it is impossible or
24 economically unfeasible to fulfill that objective.

25 Section 5-15. Acquisition of property. The Authority
26 shall have the power to acquire by gift, purchase, or legacy
27 the fee simple title to real property located within the
28 boundaries of the Authority, including temporary and
29 permanent easements, as well as reversionary interests in the
30 streets, alleys and other public places and personal
31 property, required for its purposes, and title thereto shall
32 be taken in the corporate name of the Authority. Any such

1 property that is already devoted to a public use may
2 nevertheless be acquired, provided that no property belonging
3 to the United States of America or the State of Illinois may
4 be acquired without the consent of such governmental unit.
5 No property devoted to a public use belonging to a
6 corporation subject to the jurisdiction of the Illinois
7 Commerce Commission may be acquired without a prior finding
8 by the Illinois Commerce Commission that the taking would not
9 result in the imposition of an undue burden on intrastate
10 commerce. All land and appurtenances thereto, acquired or
11 owned by the Authority, are to be deemed acquired or owned
12 for a public use or public purpose.

13 Section 5-20. Sale or exchange of property. The
14 Authority shall have the power to sell, transfer, exchange,
15 vacate or assign property acquired for the purposes of this
16 Act as it shall deem appropriate.

17 Section 5-25. Acceptance of grants, loans, and
18 appropriations. The Authority shall have the power to apply
19 for and accept grants, loans, advances, and appropriations
20 from the Federal Government and from the State of Illinois or
21 any agency or instrumentality thereof to be used for the
22 purposes of the Authority, and to enter into any agreement in
23 relation to such grants, loans, advances, and appropriations.
24 The Authority may also accept from the State, any State
25 agency, department or commission, any county or other
26 political subdivision, any municipal corporation, any
27 railroad, or any school authorities, or jointly therefrom,
28 grants of funds or services for any of the purposes of this
29 Article. The Authority shall be treated as a rail carrier
30 subject to the Illinois Commerce Commission's jurisdiction
31 and eligible to receive money from the Grade Crossing
32 Protection Fund or any fund of the State or other source

1 available for purposes of promoting safety and separation of
2 at-grade railroad crossings or highway improvements.

3 Section 5-30. Borrowing money and issuance of bonds.
4 The Authority may incur debt and borrow money from time to
5 time and, in evidence thereof, may issue and sell bonds in
6 such amounts as the Authority may determine, to provide funds
7 for carrying out the purposes of this Article and to pay all
8 costs and expenses incident thereto, and to refund and
9 refinance, from time to time, bonds so issued and sold, as
10 often as may be deemed to be advantageous by the Authority.

11 Section 5-35. Taxing powers. The Authority shall not
12 have the power to levy real property taxes for any purpose
13 whatsoever.

14 Section 5-40. Board; composition; qualification;
15 compensation and expenses. The Authority shall be governed
16 by a board consisting of 5 members. The members of the
17 Authority shall serve without compensation, but may be
18 reimbursed for actual expenses incurred by them in the
19 performance of duties prescribed by the Authority. However,
20 any member of the Authority who serves as secretary or
21 treasurer may receive compensation for services as that
22 officer.

23 Section 5-45. Appointments; tenure; oaths; vacancies.
24 The members of the Authority shall be appointed by the
25 Governor, who shall give notice of the member's selection to
26 each other member within 10 days after selection and before
27 the member's entering upon the duties of office. Three of
28 the members shall be appointed by the Governor from a list of
29 4 candidates provided by the mayor of the City of Dixon, and
30 2 of the members shall be appointed by the Governor from a

1 list of 3 candidates provided by the chairman of the county
2 board of Lee County. Each member of the Authority shall take
3 and subscribe to the constitutional oath of office and file
4 it with the Secretary of State. If a vacancy occurs by
5 death, resignation, or otherwise, the vacancy shall be filled
6 by the Governor. All appointments of members shall be for a
7 3-year term. Each member shall continue to serve an
8 additional 3-year term unless that member is replaced by
9 appointment within 60 days of the end of his or her term.

10 Section 5-50. Removal of members. The Governor may
11 remove from office any Authority member immediately in case
12 of incompetency, neglect of duty, or malfeasance of office,
13 or otherwise upon 15 days written notice to the other
14 members. Absence from any 3 consecutive regular meetings of
15 the Authority shall be deemed neglect of duty.

16 Section 5-55. Organization; chairperson and temporary
17 Secretary. As soon as possible after the appointment of the
18 initial members, the Authority shall organize for the
19 transaction of business, select a chairperson and a temporary
20 secretary from its own number, and adopt bylaws to govern its
21 proceedings. The initial chairperson and successors shall be
22 elected by the Authority from time to time from among the
23 members. The Authority may act through its members by
24 entering into an agreement that a member act on the
25 Authority's behalf, in which instance the act or performance
26 directed shall be deemed to be exclusively of, for, and by
27 the Authority and not the individual act of the member or its
28 represented person.

29 Section 5-60. Meetings; quorum; resolutions. Regular
30 meetings of the Authority shall be held at least quarterly,
31 the time and place of those meetings to be fixed by the

1 Authority. Special meetings may be called by the chairperson
2 or by any 3 members of the Authority by giving notice thereof
3 in writing, stating the time, place, and purpose of the
4 meeting. The notice shall be served by special delivery
5 letter deposited in the mail at least 48 hours before the
6 meeting. A majority of the members of the Authority shall
7 constitute a quorum for the transaction of business. All
8 action of the Authority shall be by resolution and, except as
9 otherwise provided in this Article, the affirmative vote of
10 at least a majority shall be necessary for the adoption of
11 any resolution. The chairperson shall be entitled to vote on
12 any and all matters coming before the Authority.

13 Section 5-65. Secretary and treasurer; oaths; bond of
14 treasurer. The Authority may appoint a secretary and a
15 treasurer, who need not be members of the Authority, to hold
16 office during the pleasure of the Authority, and fix their
17 duties and compensation. Before entering upon the duties of
18 their respective offices, they shall take and subscribe to
19 the constitutional oath of office, and the treasurer shall
20 execute a bond with corporate sureties to be approved by the
21 Authority. The bond shall be payable to the Authority in
22 whatever penal sum may be directed by the Authority
23 conditioned upon the faithful performance of the duties of
24 the office and the payment of all money received by the
25 treasurer according to law and the orders of the Authority.
26 The Authority may, at any time, require a new bond for the
27 treasurer in such penal sum as may then be determined by the
28 Authority.

29 Section 5-70. Deposit and withdrawal of funds;
30 signatures. All funds deposited by the treasurer in any bank
31 or savings and loan association shall be placed in the name
32 of the Authority and shall be withdrawn or paid out only by

1 check or draft upon the bank or savings and loan association,
2 signed by the treasurer and countersigned by the chairperson
3 of the Authority. Subject to prior approval of the
4 designations by a majority of the Authority, the chairperson
5 may designate any other member or any officer of the
6 Authority to affix the signature of the treasurer to any
7 Authority check or draft for payment of salaries or wages and
8 for payment of any other obligation of not more than \$2,500.

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

13 Section 5-75. Delivery of check after executing officer
14 ceases to hold office. If any officer whose signature appears
15 upon any check or draft issued pursuant to this Article
16 ceases to hold office before the delivery of the check or
17 draft to the payee, the officer's signature nevertheless
18 shall be valid and sufficient for all purposes with the same
19 effect as if the officer had remained in office until
20 delivery of the check or draft.

21 Section 5-80. Rules. The Authority may make all rules
22 proper or necessary to carry into effect the powers granted
23 to it. The rules shall be consistent with the guidelines,
24 objectives, and project scope as set out by the Illinois
25 Commerce Commission.

26 Section 5-85. Fiscal year. The Authority shall
27 designate its fiscal year.

28 Section 5-90. Reports and financial statements. Within
29 60 days after the end of its fiscal year, the Authority shall
30 cause to be prepared by a certified public accountant a

1 complete and detailed report and financial statement of the
2 operations and assets and liabilities as relate to the Dixon
3 railroad relocation project. A reasonably sufficient number
4 of copies of the report shall be prepared for distribution to
5 persons interested, upon request, and a copy of the report
6 shall be filed with the Illinois Commerce Commission and with
7 the county clerk of Lee County.

8 Section 5-95. Construction. Nothing in this Article
9 shall be construed to confer upon the Authority the right,
10 power, or duty to order or enforce the abandonment of any
11 present property of the railroads or the use in substitution
12 therefor of any property acquired for the railroads in the
13 absence of a contract duly executed by the railroads and the
14 Authority setting forth the terms and conditions upon which
15 relocation of the right of way and physical facilities of the
16 railroads is to be accomplished. No such contract shall be
17 or become enforceable until the provisions of the contract
18 have been approved or authorized by the Illinois Commerce
19 Commission.

20 Section 5-100. Existing contracts, obligations, and
21 liabilities. No contract, obligation, or liability whatever
22 of the railroads to pay any money into the State treasury,
23 nor any lien of the State upon or right to tax property of
24 the railroads, shall be released, suspended, modified,
25 altered, remitted, or in any manner diminished or impaired by
26 the contract with the Authority, and any such charter
27 provisions applicable to the property on which the railroads
28 are now located shall be deemed in full force and effect with
29 respect to any property on which the railroads are relocated
30 in substitution therefor pursuant to the provisions of this
31 Act or any such contract with the Authority pursuant thereto.
32 Notwithstanding, upon order of the Illinois Commerce

1 Commission, the Authority shall succeed to and assume the
 2 performance and actions of the represented persons under the
 3 terms of the order and amending orders previously entered
 4 relative to the Dixon railroad relocation project and
 5 consistent with the objectives of the Authority.

6 Section 5-105. Severability. The provisions of this Act
 7 are severable under Section 1.31 of the Statute on Statutes.

8 ARTICLE 10.

9 Section 10-5. The 25th Avenue Railroad Relocation and
 10 Development Authority Act is amended by changing the title of
 11 the Act and Sections 1, 5, 10, 40, 45, 60, and 90 as follows:

12 (70 ILCS 1920/Act title)

13 An Act creating the West Cook 25th--Avenue Railroad
 14 Relocation and Redevelopment Authority.

15 (70 ILCS 1920/1)

16 Sec. 1. Short title. This Act may be cited as the West
 17 Cook 25th--Avenue Railroad Relocation and Development
 18 Authority Act.

19 (Source: P.A. 91-562, eff. 8-14-99.)

20 (70 ILCS 1920/5)

21 Sec. 5. Legislative declaration. The General Assembly
 22 declares that the welfare, health, prosperity, and moral and
 23 general well being of the people of the State are, in large
 24 measure, dependent upon the sound and orderly development of
 25 municipal areas. The Village of Bellwood, the Village of
 26 Maywood, and the Village of Melrose Park, by reason of the
 27 location therein of 25th Avenue and the First Avenue vicinity
 28 between Lake Street on the North, Oak Street on the South,

1 the Des Plaines River on the East, and Fifth Avenue on the
2 West and their its use for vehicular travel in access to the
3 entire west metropolitan Chicago area, including
4 municipalities in 2 counties, as well as commercial and
5 industrial growth patterns and accessibility to O'Hare
6 International Airport, Midway Airport, manufacturing, and
7 freight related facilities, have become and will increasingly
8 be the hub of transportation from all parts of the region and
9 throughout the west metropolitan area. Motor vehicle
10 traffic, pedestrian travel, and the safety of both motorists
11 and pedestrians are substantially aggravated by the location
12 of a major railroad right of way that divides the Village of
13 Bellwood and the Village of Melrose Park. Additionally,
14 certain development opportunities may exist in the project
15 area that would stabilize and enhance the tax base of
16 existing communities, maintain and revitalize existing
17 commerce and industry, create opportunities for intersurface
18 modal transportation efficiencies, and promote comprehensive
19 planning within and between communities. The presence of the
20 railroad right of way at the 25th Avenue grade crossing is
21 detrimental to the orderly expansion of industry and commerce
22 and to progress of the region. To alleviate this situation
23 it is necessary to relocate the railroad tracks and right of
24 way on 25th Avenue and First Avenue, to separate the grades
25 at crossings crossing, to acquire property for relocation or
26 submergence of the railroad or highways, to create an agency
27 to facilitate and accomplish that relocation, and to direct
28 infrastructure and development improvements in the 25th
29 Avenue vicinity between St. Charles Road and Lake Street and
30 the First Avenue vicinity between Lake Street on the North,
31 Oak Street on the South, the Des Plaines River on the East,
32 and Fifth Avenue on the West.

33 Additionally, certain development opportunities may exist
34 in the West Cook County region from Harlem Avenue on the East

1 to I-294 on the West and from Grand Avenue on the North to
 2 31st Street on the South that would stabilize and enhance the
 3 tax base of existing communities, maintain and revitalize
 4 existing commerce and industry, create opportunities for
 5 modal transportation efficiencies, and promote comprehensive
 6 planning within and between communities.

7 (Source: P.A. 91-562, eff. 8-14-99.)

8 (70 ILCS 1920/10)

9 Sec. 10. Creation; duration. There is created a body
 10 politic and corporate, a unit of local government, named the
 11 West Cook 25th-Avenue Railroad Relocation and Development
 12 Authority, embracing that portion of Proviso Township
 13 embracing that portion of the Village of Bellwood and the
 14 Village of Melrose Park from St. Charles Road on the South to
 15 Lake Street on the North, and from the Indiana Harbor Belt
 16 Railroad on the West to 22nd Avenue on the East, Cook County,
 17 Illinois and the Village of Maywood, Cook County, Illinois.
 18 The Authority shall continue in existence until the
 19 accomplishment of its objective, the relocation of the
 20 railroad tracks and 25th Avenue, the grade separation of
 21 railroads from the right of way and at-grade crossing
 22 closures within the Village of Bellwood and the Village of
 23 Melrose Park, the grade separation of railroads from the
 24 right-of-way and at grade crossing in the First Avenue
 25 vicinity between Lake Street, Oak Street, the Des Plaines
 26 River, and Fifth Avenue, and the establishment of a
 27 transit-oriented intersurface modal development facility in
 28 the project area, or until the Authority officially resolves
 29 that it is impossible or economically unfeasible to fulfill
 30 that objective.

31 (Source: P.A. 91-562, eff. 8-14-99.)

32 (70 ILCS 1920/40)

1 Sec. 40. Board; composition; qualification; compensation
2 and expenses. The Authority shall be governed by a board
3 consisting of 7 5 members. The members of the Authority
4 shall serve without compensation, but may be reimbursed for
5 actual expenses incurred by them in the performance of duties
6 prescribed by the Authority. However, any member of the
7 Authority who serves as secretary or treasurer may receive
8 compensation for services as that officer.

9 (Source: P.A. 91-562, eff. 8-14-99.)

10 (70 ILCS 1920/45)

11 Sec. 45. Appointments; tenure; oaths; vacancies. The
12 members of the Authority shall be appointed by the Governor,
13 who shall give notice of the member's selection to each other
14 member within 10 days after selection and before the member's
15 entering upon the duties of office. Two of the members shall
16 be recommended to the Governor from a list of 3 candidates
17 provided by the village president of the Village of Bellwood,
18 2 of the members shall be recommended to the Governor from a
19 list of 3 candidates provided by the village president of the
20 Village of Maywood, and 2 of the members shall be recommended
21 to the Governor from a list of 3 candidates provided by the
22 village president of the Village of Melrose Park. The office
23 of chairman shall rotate annually and shall represent the
24 Village of Bellwood, the Village of Melrose Park, the Village
25 of Maywood, and the Governor's appointments, respectively,
26 for each of the 3 years of the term of office. Each
27 representative member of the Authority shall take and
28 subscribe to the constitutional oath of office and file it
29 with the Secretary of State. If a vacancy occurs by death,
30 resignation, or otherwise, the vacancy shall be filled by the
31 appropriate selecting party. All appointments of members
32 shall be for a 3-year term. Each member shall continue to
33 serve an additional 3-year term unless that member is

1 replaced by appointment within 60 days of the end of his or
2 her term.

3 (Source: P.A. 91-562, eff. 8-14-99.)

4 (70 ILCS 1920/60)

5 Sec. 60. Meetings; quorum; resolutions. Regular
6 meetings of the Authority shall be held at least quarterly,
7 the time and place of those meetings to be fixed by the
8 Authority. Special meetings may be called by the Chair or by
9 any 4 3 members of the Authority by giving notice thereof in
10 writing, stating the time, place, and purpose of the meeting.
11 The notice shall be served by special delivery letter
12 deposited in the mails at least 48 hours before the meeting.
13 A majority of the members of the Authority shall constitute a
14 quorum for the transaction of business. All action of the
15 Authority shall be by resolution and, except as otherwise
16 provided in this Act, the affirmative vote of at least a
17 majority shall be necessary for the adoption of any
18 resolution. The Chair shall be entitled to vote on any and
19 all matters coming before the Authority.

20 (Source: P.A. 91-562, eff. 8-14-99.)

21 (70 ILCS 1920/90)

22 Sec. 90. Reports and financial statements. Within 60
23 days after the end of its fiscal year, the Authority shall
24 cause to be prepared by a certified public accountant a
25 complete and detailed report and financial statement of the
26 operations and assets and liabilities as relate to the 25th
27 Avenue railroad grade separation project and the First Avenue
28 railroad grade separation project. A reasonably sufficient
29 number of copies of the report shall be prepared for
30 distribution to persons interested, upon request, and a copy
31 of the report shall be filed with the Illinois Commerce
32 Commission and with the county clerk of Cook County.

1 (Source: P.A. 91-562, eff. 8-14-99.)

2 Section 1-90. Effective date. This Act takes effect
3 upon becoming law."