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**THE VILLAGE OF BLOOMINGDALE**

DUPAGE COUNTY, ILLINOIS

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**ORDINANCE**

NUMBER 2021-27

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**AN ORDINANCE  
APPROVING AND AUTHORIZING THE EXECUTION OF A  
REDEVELOPMENT AGREEMENT BY AND BETWEEN  
THE VILLAGE OF BLOOMINGDALE AND CAPUTO'S  
FRESH MARKETS**

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FRANCO A. COLADIPIETRO, MAYOR  
PAMELA S. HAGER, VILLAGE CLERK

VINCE ACKERMAN  
WILLIAM BELMONTE  
BILL BOLEN  
FRANK BUCARO  
PATRICK SHANNON  
JUDI VON HUBEN

VILLAGE BOARD

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Published in pamphlet form by authority of the  
President and the Board of Trustees of the Village of Bloomingdale  
on this the 26th day of July 2021

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**ORDINANCE NO. 2021-27**

**AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT BY AND BETWEEN THE VILLAGE OF BLOOMINGDALE AND CAPUTO'S FRESH MARKETS**

**WHEREAS**, the Village of Bloomingdale (hereinafter referred to as "Village") is a home rule unit of local government with authority granted pursuant to the Illinois Constitution of 1970, to exercise certain powers and perform certain functions pertaining to its local government and affairs;

**WHEREAS**, the Illinois Constitution of 1970 provides that a Home Rule Unit may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license, to tax; and to incur debt;

**WHEREAS**, the Village upon approval of the Corporate Authorities may enter into an Agreement with another party pursuant to Illinois Statute;

**WHEREAS**, Caputo's New Farm Produce, Inc., D/B/A Caputo's Fresh Markets (hereinafter referred to as "Caputo's") is the lessee of certain real estate (the "Subject Property") within the Village's Springbrook Tax Increment Financing District, as further defined in the Redevelopment Agreement attached hereto and incorporated herein as EXHIBIT A;

**WHEREAS**, Caputo's is desirous of repairing, replacing, and redeveloping the interior and the exterior of the structure currently existing on said Subject Property;

**WHEREAS**, the Village is interested in and supportive of new development and further redevelopment in and about the community and recognizes the need to provide incentives in order to support certain developments;

**WHEREAS**, Caputo's has requested financial assistance from the Village as an economic incentive for having undertaken the construction of the development and the Village has agreed to reimburse Caputo's for Eligible Redevelopment Project Costs as defined by the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/11-74.4-1, *et seq.*, it has incurred or will incur in constructing the development pursuant to the Redevelopment Agreement attached hereto and incorporated herein as EXHIBIT A; and

**WHEREAS**, the Corporate Authorities of the Village of Bloomingdale are of the opinion that the foregoing actions are in the best interest of the public safety, health and welfare of the residents of the Village of Bloomingdale.

**NOW, THEREFORE, BE IT ORDAINED** by the Village President and Board of Trustees of the Village of Bloomingdale, DuPage County, Illinois pursuant to the Village of Bloomingdale's Home Rule Powers as follows:

**Section One - Recitals**

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

**Section Two – Approval and Authorization to Execute the Redevelopment Agreement**

The Village Board of Trustees hereby approves the Redevelopment Agreement substantially in the form attached hereto and made a part hereof as Exhibit A, and any additional terms and conditions as negotiated by the Village President with the assistance of the Village Attorney.

### **Section Three – Authorization and Direction to Execute the Redevelopment Agreement**

The Village President is hereby authorized to execute, and the Village Clerk is hereby authorized to attest the Agreement, substantially in the form of such agreement attached hereto as Exhibit A, with such changes therein as shall be approved by the Village Attorney and the officials of the Village executing the same, their execution thereof to constitute exclusive evidence of their approval to any and all changes or revisions therein from and after the execution and delivery of such Agreement.

### **Section Four - 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 herein, 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 which shall include the execution of any and all related and necessary documents.

### **Section Five - Authorization of Expenditures**

The Corporate Authorities hereby authorize and direct the expenditure of all costs related to the execution of the Agreement, additionally, the Village is authorized and directed to allocate and spend all necessary funds to fulfill the requirements of the Redevelopment Agreement and this Ordinance.

### **Section Six - 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 Seven - Effective Date**

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

**Section Eight - Publication**

This Ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

**Section Nine – Conflict Clause**

That all Ordinances or parts of Ordinances in conflict with the terms of this Ordinance shall be repealed to the extent of said conflict.

**Section Ten – Saving Clause**

If any section, paragraph, clause or provision of this Ordinance is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of the remaining provisions of the Village’s Municipal Code, which are hereby declared to be separable.

**Section Eleven - Recording**

This Ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Bloomingdale.

*[Remainder of Page Intentionally left blank; Role Call to follow]*

**DECIDED** pursuant to a roll call vote as follows:


	YES	NO	ABSENT	PRESENT
Vince Ackerman	X			
William Belmonte	X			
Bill Bolen	X			
Frank Bucaro	X			
Patrick Shannon			X	
Judi Von Huben	X			
Franco Coladipietro (if necessary)				
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>1</b>	

**PASSED AND APPROVED** by the Village of Bloomingdale Board of Trustees on the  
26th day of July 2021.

  
\_\_\_\_\_  
Franco A. Coladipietro, Village President



ATTEST:

  
\_\_\_\_\_  
Pamela S. Hager, Village Clerk

**Exhibit A**  
**Redevelopment Agreement**