

ORDINANCE

WHEREAS, Beginning in late 2019, a new and highly communicable type of Coronavirus, now commonly known as COVID-19, emerged and began to spread rapidly. Despite efforts to contain COVID-19, it continues to spread throughout Chicago and the State of Illinois; and

WHEREAS, COVID-19 presents an extraordinarily severe and unprecedented threat to the populace of Chicago. It is necessary and appropriate for the City of Chicago ("City") to take immediate measures to protect the health, safety, and welfare of its residents; and

WHEREAS, On March 18, 2020, acting pursuant to Section 2-4-110 of the Municipal Code ("Code"), the Mayor declared that a state of emergency exists in Chicago and issued Emergency Executive Order No. 2020-1, conferring additional temporary authority for certain essential City functions and services; and

WHEREAS, The City is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs, including the exercise of police powers to protect the public health, safety, and welfare of its citizens; and

WHEREAS, It is vital that City government continue to act swiftly and effectively to help and support our residents and employees during this public health emergency caused by COVID-19 ("Emergency"), including legislative adoption and ratification of provisions in Executive Order No. 2020-1 and the passage of additional legislative measures; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

ARTICLE I – FISCAL AND PROCUREMENT-RELATED

SECTION 1. The Budget Director is authorized to appropriate Emergency-related funds not otherwise appropriated by ordinance from federal, state and other sources. To enable prompt and efficient use of such funds to address the Emergency, the Budget Director is authorized to temporarily establish new funding lines, and temporarily transfer or otherwise reallocate currently appropriated funds within any given City Department, in anticipation of the pertinent Emergency funding. The Budget Director shall provide a weekly summary of any such Emergency-related budgetary activity to the Committee on the Budget and Government Operations.

SECTION 2. The Chief Procurement Officer is authorized to enter any contract that she deems necessary and appropriate to respond to the Emergency, subject to a limit of \$1,000,000.00 per contract. Any such contract shall include terms that the Chief Procurement Officer deems necessary to effectively address the Emergency, notwithstanding any Code provision to the contrary, and shall be subject to the availability of funds duly appropriated for said purpose. The Chief Procurement Officer shall provide a weekly summary of any such contracting activity to the Committee on the Budget and Government Operations.

SECTION 3. Any new contract or amendment to an existing contract executed by the Commissioner of Health to address the Emergency between March 1, 2020 (the threshold date for CARES Act reimbursement) and the effective date of this Ordinance, and in anticipation of the City receiving a federal or state grant or other reimbursement, is ratified regardless of the ultimate source of funds applied to that contract.

SECTION 4. The Commissioner of Assets, Information and Services, in exercising authority under Section 2-51-050(12) of the Code to enter into temporary agreements for the use and occupancy of real property, with prior advice and consent of the Corporation Counsel or his designee, is authorized to provide indemnification in such agreements and extend the temporary period of occupancy if the City concludes that doing so is necessary or appropriate to effectively address the Emergency.

SECTION 5. Any Economic Disclosure Statement or comparable disclosure that is required of any person entering into an Emergency-related agreement with the City for: (i) the temporary use and occupancy of real property, (ii) the purchase or lease of supplies, equipment, or other goods, or (iii) the provision of services for, on behalf of, or at the request of, the City, shall be submitted to the City pursuant to the standard processes and requirements, but within 60 days after the execution of the pertinent agreement.

ARTICLE II – TOLLING OF DEADLINES AND OTHER TIME-BASED REQUIREMENTS

SECTION 1. Until this ordinance self-repeals as provided for in Article IV, the Director of the Department of Administrative Hearings is authorized to continue or otherwise postpone hearings and determinations on matters before that Department as in her judgment will promote the public good and facilitate the work of the Department of Public Health. Said suspension of adjudicatory proceedings shall toll any mandatory time limits to request or hold a hearing, file a motion, or render a decision, and shall also toll any storage fees imposed by the Code.

SECTION 2. In this Section 2, the Chicago Plan Commission, the Building Board of Appeals, the Zoning Board of Appeals, the Commission on Chicago Landmarks and the Community Development Commission shall be referred to as the “Boards and Commissions.” If the Boards and Commissions fail to implement properly and fairly functioning remotely conducted proceedings by May 15, 2020, this Section 2 shall be automatically repealed on that date.

The chairmen of the Boards and Commissions shall promulgate Emergency rules for the conduct of their public meetings or hearings, which: (i) may include reasonable extensions on all deadlines that the Code imposes upon the Boards and Commissions regarding the timing of meetings, hearings, recommendations and final decisions, (ii) shall provide for public participation by remote means, and (iii) may impose reasonable limitations on the number or class of speakers. Any such rules shall only apply while this Section is in effect and shall

supersede any otherwise applicable Code provision that does not allow for public participation by remote means.

Any deadline for action imposed upon the Boards and Commissions, or upon the City Council pursuant to Chapter 2-120 (the Landmarks Ordinance) or Title 17 (the Zoning Ordinance) of the Code that, if not met, would result in an automatic approval or denial is hereby tolled, which tolling shall preserve the status quo at the time of tolling.

ARTICLE III – EMPLOYEE-RELATED AND MISCELLANEOUS

SECTION 1. Notwithstanding any more restrictive provision in the Salary Resolution, the City is authorized to pay employees who are rendered unable to work because of an Emergency-related suspension or discontinuation of City services, their regular salary or hourly wage and provide them their regular benefits.

SECTION 2. Notwithstanding any more restrictive provision in the Salary Resolution, the Commissioner of Human Resources is authorized to implement the City of Chicago Sick Leave Policy Addendum, published in the City of Chicago Employees portion of the Resources tab of the City of Chicago COVID-19 web page, as amended to reflect changes in pertinent governing state or federal law.

SECTION 3. Notwithstanding any more restrictive provision in Title 17 of the Code, public safety services that provide temporary government-authorized fire, police or life protection services are allowed in any zoning district when required to facilitate Emergency-related situations.

ARTICLE IV – EFFECTIVE DATE, IMPLEMENTATION AND REPEAL

SECTION 1. This ordinance shall take effect upon passage and approval and shall apply retroactively to March 18, 2020, except for Section 4 of Article I (CARES Act reimbursement), which applies retroactively to March 1, 2020. In the event of any inconsistency between this ordinance and any Code provision or other preexisting ordinance, this ordinance shall prevail.

SECTION 2. This ordinance shall be repealed of its own accord, without further action of the City Council, upon the earlier of either: (1) June 30, 2020, or (2) the Commissioner of Public Health making a written determination that the threat to public health posed by COVID-19 has diminished to the point that this ordinance can safely be repealed. Following the repeal of this ordinance, the affected City departments are authorized to take appropriate measures to ensure an orderly resumption of routine practice, including, if deemed appropriate by the pertinent Department head, providing grace periods of up to 30 days, coupled with notification to affected members of the public.