



City of Chicago



O2019-295

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	1/23/2019
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Amendment of year 2015 Intergovernmental Agreement with Public Building Commission, for extension of terms of Agreement
Committee(s) Assignment:	Committee on Budget and Government Operations

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OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

January 23, 2019

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Inspector General, I transmit herewith an ordinance authorizing the execution of an amended intergovernmental agreement with the Public Building Commission.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Rahm Emanuel".

Mayor

ORDINANCE

WHEREAS, Article VII, Section 10 of the Illinois Constitution, the Illinois Intergovernmental Cooperation Act, 5 ILCS 220, and other applicable law permit units of local government to cooperate with and support each other exercising their authority and performing their responsibilities; and

WHEREAS, the City of Chicago (the "City") and the Public Building Commission of Chicago ("PBC") share the common goal of detecting and preventing misconduct, inefficiency, and waste within their respective operations; and

WHEREAS, the City and PBC also share the common goals of promoting economy, efficiency, effectiveness, and integrity in their respective operations by reviewing programs, identifying any inefficiencies, waste, and potential for misconduct therein, and recommending policies and methods for the elimination of inefficiencies and waste and the prevention of misconduct; and

WHEREAS, pursuant to an ordinance adopted by the City Council of the City ("City Council") on October 8, 2014, and published in the Journal of Proceedings of the City Council for said date at pages 92142 to 92153, inclusive, the City and PBC entered into an intergovernmental agreement dated as of January 1, 2015 (the "Agreement") under which the City's Inspector General is authorized to exercise powers and perform duties with respect to PBC and its officers and employees in a manner similar to that which those powers are exercised and those duties are performed with respect to the City and its officers and employees; and

WHEREAS, the City and PBC now desire to extend the termination date of the Agreement by an additional five (5) years through and including December 31, 2023; now therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. The above recitals are expressly incorporated in and made a part of this ordinance as though fully set forth herein.

SECTION 2. The Mayor or a designee of the Mayor are each hereby authorized, with the approval of the City's Corporation Counsel as to legal form, to negotiate, execute and deliver the amendment to the Agreement (the "Amendment") between the City and PBC substantially in the form attached hereto as Exhibit A and made a part hereof.

SECTION 3. The Mayor and the Inspector General are authorized to take such actions as may be necessary or appropriate in order to implement the terms of the Amendment or otherwise necessary or appropriate to carry out the intent of this ordinance.

SECTION 4. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision

shall not affect any of the other provisions of this ordinance.

SECTION 5. This ordinance shall be effective as of the date of its passage and approval.

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EXHIBIT A

**Form of Amendment to Intergovernmental Agreement between the
City of Chicago and the Public Building Commission**

[see attached]

**AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN THE
PUBLIC BUILDING COMMISSION AND THE CITY OF CHICAGO PROVIDING
THAT THE CITY'S OFFICE OF INSPECTOR GENERAL WILL ALSO SERVE AS
THE COMMISSION'S INSPECTOR GENERAL**

This Amendment to the Intergovernmental Agreement ("**Agreement**"), dated and effective as of December 7, 2018, is made by and between the City of Chicago, an Illinois municipal corporation, having its principal office at City Hall, 121 North LaSalle Street, Chicago, Illinois 60602 (the "**City**") and the Public Building Commission of Chicago ("**PBC**"), an Illinois municipal corporation, having its office located at the Richard J. Daley Center, Room 200, Chicago, Illinois 60602.

RECITAL

WHEREAS, the City and PBC have determined that it is necessary, desirable, and in the public interest to amend the Intergovernmental Agreement between PBC and the City dated January 1, 2015, providing that the City's Office of Inspector General will also serve as PBC's Inspector General by extending the term of the Agreement for a period of five (5) years:

NOW, THEREFORE, the City, by and through its Mayor, and PBC, by and through the Chairman of its Audit Committee, in consideration of the mutual agreements contained in this Agreement, agree as follows:

1. **Recital.** The foregoing recital is incorporated herein by reference.
2. **Incorporation by Reference of Provisions in Intergovernmental Agreement Between the Parties Dated January 1, 2015.** With the exception of paragraph 13, headed "**Term of Agreement**," each provision in the Intergovernmental Agreement between the City and PBC dated January 1, 2015 (copy attached as Exhibit A), is hereby incorporated by reference.
3. **Term of Agreement.** The term of this Agreement shall be from its effective date through December 31, 2023, provided, however, that City or PBC may terminate the Agreement at any time upon providing 30 days prior notice to the other party.
4. **Administration of the Agreement.** PBC and the City's Office of Inspector General shall implement the protocols and procedures authorized by this Agreement in the manner described in the Memorandum of Understanding between those parties executed on January 13, 2015 (copy attached as Exhibit B).

IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed this Amendment to Intergovernmental Agreement between the Public Building Commission of Chicago and the City of Chicago providing that the City's Office of Inspector General will also serve as the Commission's Inspector General, all as of the date first written above.

CITY OF CHICAGO

By: _____
Mayor Rahm Emanuel

PUBLIC BUILDING COMMISSION OF CHICAGO

By: _____
David Todd Whittley
Chairman of the Audit Committee

**Approved as to form and legality for the
Public Building Commission of Chicago**

Neal & Leroy, LLC

By: _____

Name: _____

Title: _____