



City of Chicago



O2016-6406

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 9/14/2016

Sponsor(s): Villegas (36)

Type: Ordinance

Title: Amendment of Municipal Code Section 2-74-020 concerning liability insurance requirements and indemnification of City in instances of police officer malfeasance

Committee(s) Assignment: Committee on Finance

Ordinance
**Amending the Department of Human Resources Ordinance to Hold Taxpayers Harmless
from Costs of Malfeasance on the Part of Police Officers**

WHEREAS, the overwhelming majority of the City of Chicago's police officers equip themselves on a daily basis with honor and fortitude in serving and protecting the people of the city; and

WHEREAS, the taxpayers of the city have borne millions of dollars in costs because of malfeasance on the part of a small number of city police officers; and

WHEREAS, the costs so borne by city taxpayers deprive taxpayers and their neighborhoods and communities of critical resources; and

WHEREAS, city police officers, by virtue of their training and experience, warrant the same degree of respect and responsibility as is expected of other professionals; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO that Chapter 2-74 of the Municipal Code is hereby amended by added the underscored text and deleting the struck-through text as follows:

2-74-020 Department established – Composition – Commissioner's powers and duties.

There is hereby established an executive department of the City of Chicago which shall be known as the department of human resources. The commissioner of human resources shall be the chief executive officer of the department of human resources and shall be appointed by the mayor with the advice and consent of the city council and shall serve at the pleasure of the mayor. The commissioner of human resources shall be responsible for the general management and control of the department of human resources in a manner consistent with the ordinances of the city, the laws of the state, and the rules of the department. The commissioner of human resources shall have the power and duty to:

- (1) encourage and exercise leadership in the development of effective personnel administration within the several departments in the government service, and to make available the facilities of the department of human resources to this end;
- (2) advise the mayor on utilization of employees;
- (3) foster and develop programs for the improvement of employee effectiveness including but not limited to position classification, salary administration, recruitment, selection, which may include as part of the selection process a preference for veterans and a further preference for disabled veterans, promotion, performance ratings, probationary periods, training, employee communications, employee benefits, affirmative action, safety and health;

- (4) investigate from time to time the operation and effect of this ordinance and of the rules made thereunder and to report the findings and recommendations to the mayor;
- (5) establish and maintain records of all employees in city service, in which there shall be set forth as to each employee the class title, pay and status, and other relevant data;
- (6) make an annual report to the mayor regarding the work of the department;
- (7) certify that persons named on every payroll have been appointed and employed in accordance with the provisions of this ordinance and the rules adopted thereunder. No city disbursing or auditing officer shall make or approve or take any part in making or approving any payment for personnel service to those persons holding a position in the city service unless said payroll voucher or account of such pay bears the certification of the commissioner or his authorized agent;
- (8) (a) Impose a fee for the preparation, administration and processing of examinations relating to entry level positions in the city service. The maximum examination fee relating to each entry level examination shall be as follows:

Police officer	\$30.00
Uniformed service in fire department	30.00
Professional series (multiple positions)	10.00
Other	5.00

The commissioner may provide by rule for a waiver of the examination fee for an applicant who provides appropriate documents that the applicant is receiving unemployment compensation, supplementary security income or general assistance, or that the applicant's income is below the federally-defined poverty level at the time of the application; provided, however, that, if the applicant is hired for the position for which the applicant took the examination, the applicant shall be required to reimburse the city for the examination fee.

The commissioner may provide by rule for a waiver of the examination fee relating to entry level positions for a police officer or for uniformed service in the fire department for an applicant who provides appropriate documents that the applicant is a veteran.

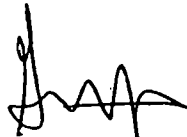
(b) Impose a fee for the preparation, administration and processing of promotional examinations. The maximum examination fee relating to each police sergeant or police lieutenant promotional examination shall be \$25.00. The maximum examination fee for each promotional examination for the position of fire engineer, lieutenant, battalion chief or other uniformed service within the fire department shall be \$75.00.

- (9) oversee compliance with the city's hiring policies and procedures.

(10) subject to the availability of funds duly appropriated therefor, to purchase off-the-shelf tests for the purpose of employee selection and promotion;

(11) apply and carry out this ordinance and the rules thereunder and to perform any other lawful acts which may be necessary or desirable to carry out the purposes and provisions of this ordinance.

(12) effective April 15, 2017 or 60 days from the effective date of any applicable proximate and succeeding collective bargaining agreement, require that each police officer in the employment of the city whose official conduct has, at any time in the past, resulted in a civil action against the city with a judgment against the city in excess of \$200,000 or a settlement by the city in excess of \$200,000, demonstrate on a continuing basis that he or she is carrying, at no cost to the city, no less than \$2,000,000 of liability insurance that expressly indemnifies and holds harmless the city from any prospective claim, action, or judgment against the city, or any settlement of a prospective claim or action against the city, that arises by virtue of reckless, wanton, willful, or intentional conduct on the part of the police officer in his or her official capacity.



Gilbert Villegas
Alderman, 36th Ward

September 14th, 2016
Chicago City Council
Referred to FINANCE COMMITTEE

Type: Ordinance

Title: Amending the Chicago Department of Human Resources Ordinance regarding indemnification of the city in instances of malfeasance.