



City of Chicago



O2020-5745

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	11/16/2020
Sponsor(s):	Lightfoot (Mayor)
Type:	Ordinance
Title:	Expenditure of portion of Motor Fuel Tax funds allocated to City of Chicago for Year 2021
Committee(s) Assignment:	Committee on Budget and Government Operations



CITY OF CHICAGO



COMMITTEE ON THE BUDGET AND GOVERNMENT OPERATIONS
CITY COUNCIL
CITY HALL - ROOM 200
121 NORTH LASALLE STREET
CHICAGO, ILLINOIS 60602

ALDERMAN PAT DOWELL
CHAIRMAN

PHONE: 312-744-3166
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**November 24, 2020
CHICAGO, ILLINOIS**

TO THE PRESIDENT AND MEMBERS OF THE CITY COUNCIL:

Your Committee on the Budget and Government Operations which was referred an ordinance concerning expenditure of portion of the Motor Fuel Tax finds allocated to the City of Chicago for Year 2021 (O2020-5745).

Having the same under advisement, begs leave to report and recommend that Your Honorable Body **Pass** the proposed ordinance transmitted herewith.

This recommendation was concurred by a unanimous vote of the members of the committee present.

(signed)

Pat Dowell, Chairman
Committee on the Budget and Government
Operations

BUDG



OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

November 16, 2020

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

Ladies and Gentlemen:

At the request of the Budget Director, I transmit herewith ordinances authorizing the allocation of Motor Fuel Tax Funds and authorizing the execution of an associated intergovernmental agreement with the Chicago Transit Authority.

Your favorable consideration of these ordinances will be appreciated.

Very truly yours,

A handwritten signature in black ink that reads "Lori E. Lightfoot".

Mayor

ORDINANCE

EXPENDITURE OF THE PORTION OF THE MOTOR FUEL TAX FUND ALLOCATED TO THE CITY OF CHICAGO IN THE YEAR 2021

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

SECTION 1. Definitions. As used in this ordinance:

The term "authorized use" means any use permitted pursuant to Division 2 of Article 7 of the Illinois Highway Code, 605 ILCS 5/7-202, et seq., as described and interpreted by the Illinois Department of Transportation in its Bureau of Local Roads and Streets Manual, Figure 4-3B.

The term "eligible debt service" means debt service eligible for payment out of the portion of the Motor Fuel Tax Fund allocated to the City pursuant to 605 ILCS 5/7-202.13.

The term "Fund 310" means Fund 310 as set forth in the Annual Appropriation Ordinance for the year 2021.

The term "Fund 383" means Fund 383 as set forth in the Annual Appropriation Ordinance for the year 2021.

SECTION 2. The City is hereby authorized to make the following expenditures from the portion of the Motor Fuel Tax Fund which has been or may be allocated to the City for the period beginning January 1, 2021, and ending December 31, 2021:

SUBSECTION A. The Commissioner of Transportation is authorized to expend:

(i) the sum of Nine-Hundred Thousand Dollars (\$900,000) for authorized uses related to Engineering maintenance, inspection, and oversight of, bridges, tunnels, underpasses, and viaducts, as more fully described in Fund 310, and

(ii) the sum of Seven Million, Three-Hundred Eighty-Six Thousand, Three-Hundred Fifty-Four Dollars (\$7,386,354) for authorized uses related to Sign Management guardrail maintenance, pavement markings, and sign maintenance as more fully described in Fund 310, and

(iii) the sum of Eight-Hundred Fifteen Thousand, Four-Hundred Sixty-Six Dollars (\$815,466) for authorized uses related to Project Development traffic studies, as more fully described in fund 310, and

(iv) the sum of Thirty Million, Two-Hundred One Thousand, Two-Hundred Twenty Dollars (\$30,201,220) for authorized uses related to Electrical Operations construction and maintenance services of the street lighting and traffic signal system, as more fully described in Fund 310, and

(v) the sum of Forty-Six Million, Twelve Thousand, Nine-Hundred Ninety Dollars (\$46,012,990) for authorized uses related to In-House Construction services related to bridge maintenance, pothole and pavement maintenance, and concrete maintenance, as more fully described in Fund 310.

SUBSECTION B. The Commissioner of Assets, Information, and Services is authorized to expend the sum of Eleven Million, Four-Hundred Fifty-Nine Thousand, Nine Hundred Thirty-Four Dollars (\$11,459,934) for authorized uses related to energy costs of the street lighting system, as budgeted in Fund 310.

SUBSECTION C. The Commissioner of Streets and Sanitation is authorized to expend the sum of Fourteen Million, Eight Hundred Ninety-Two Thousand, Five Hundred Dollars (\$14,892,500) for authorized uses related to the purchase of road salt, beet juice, snow fencing, tarping, and materials for Street Operation's snow and ice removal program, as budgeted in Fund 310.

SUBSECTION D. [Reserved]

SUBSECTION E. Subject to the execution of an agreement among the City of Chicago, the Chicago Transit Authority (CTA), and the County of Cook, substantially in the form set forth in Exhibit A hereto, the City is authorized to expend the sum of Three Million Dollars (\$3,000,000) for contribution to the CTA, as budgeted in Fund 310.

SUBSECTION F. The City is authorized to expend the sum of Twelve Million, Five Hundred and Forty-Five Thousand Dollars (\$12,545,000) for eligible debt service payment, and costs or fees related thereto paid from MFT resources, as budgeted in Fund 383.

SECTION 3. Subject to compliance with the Illinois Highway Code and any applicable intergovernmental agreement, the Director of the Office of Budget and Management is authorized to administratively amend the appropriated amounts within and between Subsections A through F in Section 2 hereinabove as may be reasonably required to accommodate City operations and to comply with statutory motor fuel tax requirements.

SECTION 4. In the event that the City is provided with motor fuel tax funds in excess of those set forth in this ordinance, such funds shall be allocated to the uses set forth herein in the same proportion as set forth herein.

SECTION 5. The City shall maintain one or more separate ledger accounts recording expenditures from its portion of the Motor Fuel Tax Fund, utilizing standard account classifications acceptable under generally accepted accounting principles, with all charges for direct or indirect expenses categorized and detailed.

SECTION 6. Except as otherwise provided in Section 3 of this ordinance, Motor Fuel Tax Fund monies specifically allocated for a particular use shall not be transferred to any other Motor Fuel Tax funded use without prior approval of the City Council. The operating departments shall use allocated monies only for the objects and purposes associated with those monies in the annual appropriation ordinance.

SECTION 7. The City Clerk is directed to transmit two (2) certified copies of this ordinance to the Division of Highways of the Department of Transportation of the State of Illinois, through the District Engineer of District 1 of said Department of Transportation.

SECTION 8. This ordinance shall be in force and effect from and after its passage and approval.

INTERGOVERNMENTAL AGREEMENT

This agreement is made as of this ___ day of _____, 2021, by and among the Chicago Transit Authority, a municipal corporation of the State of Illinois that was established pursuant to the Metropolitan Transit Authority Act, 70 ILCS 3605/1, et seq. (the "Authority"), the City of Chicago, an Illinois municipal corporation (the "City"), and the County of Cook, an Illinois body corporate and politic (the "County").

Witnesseth

1. The City hereby agrees that, prior to December 31, 2021, and pursuant to an ordinance of the City Council of the City passed on _____, 2020 and recorded in the Journal of Proceedings of the City Council for that date at pages _____ through _____ thereof, it shall contribute to the Authority, for the Authority's public transportation purposes, the amount of Three Million Dollars (\$3,000,000) (the "City Contribution") from the City's allotment of State of Illinois ("Illinois") motor fuel tax funds.
2. The County hereby agrees that, prior to December 31, 2021, and pursuant to authority granted by the County Board of Commissioners on _____, it shall contribute to the Authority, for the Authority's public transportation purposes, the amount of Two Million Dollars (\$2,000,000) (the "County Contribution") from the County's allotment of Illinois motor fuel tax funds.
3. The Authority hereby agrees that, pursuant to an ordinance of the Chicago Transit Board passed on September 15, 2010, it has the authority to accept the City Contribution and the County Contribution.
4. The Authority hereby agrees to use the City Contribution and the County Contribution for its public transportation purposes as set forth in Section 4.10 of the Regional Transportation Authority Act, 70 ILCS 3615/1.01, et seq.
5. The Authority agrees that, if Illinois audits or otherwise questions the City or the County in connection with the City Contribution or the County Contribution, the City and the County shall each have the right to audit or question the Authority to the same extent thereof.
6. The Authority agrees to indemnify the City and the County from and against repayment losses, if any, to the extent Illinois requires the repayment to it of all or any part of the City Contribution or the County Contribution.
7. This agreement may be executed in several counterparts, each of which shall be deemed an original and all of which shall constitute one and the same agreement.
8. The Authority, the City and the County agree to cooperate fully with one another in the implementation of this agreement.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized officers, have executed this agreement on the date first referenced above.

City of Chicago, an Illinois municipal corporation, acting by and through its Mayor

By: _____
Lori E. Lightfoot
Mayor

County of Cook, an Illinois body corporate and politic

By: _____
Toni R. Preckwinkle
President

Chicago Transit Authority, a municipal corporation of the State of Illinois that was established pursuant to the Metropolitan Transit Authority Act, 70 ILCS 3606/1, et seq.

By: _____
[name, title]

Approved as to form:

Assistant State's Attorney