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Legislation Text

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Annual Appropriation Ordinance Year 2023, as amended

THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF CHICAGO FOR THE YEAR 2023

WHEREAS, the City of Chicago (the "City") is a home rule unit of government as defined in Article VII, Section 6(a) of the Illinois Constitution, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the management of its finances is a matter pertaining to the government and affairs of the City; and

WHEREAS, it is appropriate and in the best interests of the City that the City Council adopt an annual appropriation for the year 2023 (for purposes of this ordinance "this fiscal year") in accordance with the powers granted to the City, including its powers as a home rule municipality; now, therefore,

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

SECTION 1. The following sums of money set apart according to departments and other separate agencies of the City Government and, as appropriate, City-wide, are appropriated from the respective funds designated in this ordinance for the objects and purposes stated herein, and no other, to defray necessary expenses and liabilities of the City of Chicago to be paid or incurred during this fiscal year.

SECTION 2. The estimates of current assets and liabilities as of January 1 of this fiscal year, the estimates of the amounts of such assets and of the revenues available for appropriation, the amounts appropriated, the objects and purposes of such appropriations and the salary rates of all City officers and employees are shown in detail hereinafter.

SECTION 3. The objects and purposes for which appropriations are made shall be accounted for pursuant to statutory standard classifications, designating objects and purposes of operation and administration in accordance with 65 ILCS 5/8-2-4 and 65 ILCS 5/8-2-5, and as described and provided for specifically herein.

SECTION 4. Included in the appropriation for Personal Services in applicable departments, bureaus and agencies is an account appearing as Code No. ".0015 Schedule Salary Adjustments" provided for the purpose of implementing the Classification and Pay Plan for classified City employees (for purposes of this section, "Classification and Pay Plan"), which the Department of Human Resources shall keep on file. The class grade for each class of positions in Schedule A to the Classification and Pay Plan shall determine the salary range applicable to all positions of the class. The Title Bargaining Unit Table, which the Department of Human Resources shall keep on file, shall determine the salary schedule applicable to bargaining unit and non-bargaining unit employees. The Classification and Pay Plan and the Salary Schedules thereto, and the "Regulations Governing the Administration of the Classification Plan and Employee Benefits for Classified Positions Set Forth in the Annual Appropriation Ordinance," also commonly known as the Salary Resolution, are by reference adopted by the City Council, and are incorporated into and made a part of this ordinance.

SECTION 5. The appropriation for estimated liabilities as of January 1 of this fiscal year shall not be construed as approval of any such liabilities, but shall be regarded only as appropriations for the payment thereof when they have been found to be valid and legal obligations against the City of Chicago and have been properly vouchered and audited.

SECTION 6. The appropriations herein made for personal services shall be regarded as maximum amounts to be expended from such appropriations. Such expenditures shall be further limited to personnel only as needed, or as may be required by law, not to exceed the maximum designated in this ordinance for any office or position by title by title. When there is no limitation as to the maximum that may be employed for any officer or position by title, one person may be employed, or more than one person may be employed with the approval of the Budget Director or his or her designated employee(s) (for purposes of this ordinance "Budget Director"), regardless of whether such title is printed in the singular or plural. The salary or wage rate fixed shall be regarded as the maximum salary or wage rate for the respective offices or positions, provided that salaries or wage rates are subject to change by the City Council during the fiscal year in accordance with contracts approved by the City Council. The salary or wage rates fixed are on a yearly basis unless otherwise indicated. Abbreviations or symbols used in this ordinance are as follows: m. monthly; d. daily; h. hourly.

An employee may be assigned to a title not appearing within the appropriation of the employee's department, in lieu of a specific title appearing in the appropriation, upon the written recommendation of the department head and approval of the Commissioner of Human Resources, the Budget Director and the Chairman of the Committee on the Budget and Government Operations or their respective designees. Such assignment may be requested and approved when the title requested is appropriate to the function of the department, and reflects the skills, training and experience of the employee. In no event shall the authority conferred herein be exercised in violation of the City's hiring plans, as amended.

No officer or employee shall have the right to demand continuous employment or compensation by reason of any appropriation if, upon the determination of the department head, his or her services are not needed or it becomes necessary to lay him or her off on account of lack of work or lack of funds.

In case of a vacancy in any office or position, the head of the department in which the vacancy occurs shall not be required to fill such office or position if, in his or her judgment and discretion, there is no necessity thereof.

Subject to the approval of the Budget Director and the City Comptroller, any expenditure in a series above the amount set forth herein may be subsequently balanced through the use of unassigned fund balance. The total of such expenditures shall not exceed the total appropriation for the associated fund.

Upon request of the Chairman of the Committee on the Budget and Government Operations, the Commissioner of Human Resources shall prepare a report on a quarterly basis, indicating all employees whose titles appear herein under one department or agency and who have been working for another department or agency for more than 60 days in the preceding three-month period. Such report shall indicate the name, title and salary of each such employee, the department or agency in which the title appears, the department or agency to which the employee is assigned, and a description of the duties being performed under the assignment. This provision shall not apply to work performed by one department or agency for another pursuant to contract.

SECTION 7. Upon request of the Chairman of the Committee on the Budget and Government Operations, the Budget Director and the Commissioner of Human Resources shall prepare a report detailing all vacancies occurring during the preceding month due to resignation, retirement, death, layoff, promotion, demotion, discharge, or termination.

Upon request of the Chairman of the Committee on the Budget and Government Operations, the Commissioner of Human Resources shall prepare a quarterly report on all City employees hired during the preceding quarter.

Upon request of the Chairman of the Committee on the Budget and Government Operations, the Budget Director shall prepare a quarterly report detailing the overtime compensation paid to employees during the preceding quarter.

The public official submitting a report pursuant to this section shall be responsible for determining the form and formatting.

SECTION 8. Grant applications, expenditures of grant funds, and all other aspects of the grant process described in this section shall be carried out in adherence to City-wide policies and procedures established and administered by the Office of Budget and Management in consultation with the Department of Finance, pursuant to the Mayor's direction, and shall further be subject to the limitations of this section. These mandatory policies and procedures shall govern all city grants, including those authorized under any municipal code provision or uncodified ordinance.

Subject to such policies and procedures, the Mayor and the heads of the various departments and agencies of the City Government are authorized to apply for grants from governmental and private grantors. With respect to such grants, and also with respect to city funds appropriated for grants to third parties, the Mayor and the heads of the various departments and agencies are authorized to execute grant and subgrant agreements and amendments thereto to effectuate the purposes of such grants and appropriations; to indemnify the grantor with respect to the performance of the grant, subject to the approval of the Corporation Counsel; and to execute such documents, and provide such additional information, assurances and certifications as are necessary, in connection with any of the foregoing, all subject to the foregoing mandatory Office of Budget and Management policies and procedures.

To the extent that revenue of a grant is not described in the appropriation from Fund 925- Grant Funds, or that an amendment increases the budget of a project beyond the appropriation described hereinafter, no expenditure of such grant revenues shall be made without prior approval of the City Council.

Upon request of the Chairman of the Committee on the Budget and Government Operations, the Budget Director shall prepare a report listing all grants awarded to the City in the fiscal year to date, and shall indicate the grantor and purpose of the funds.

The Comptroller is authorized to establish any grant appropriated through this annual appropriation ordinance in the City's financial system for expenditure upon approval by the Budget Director. In the event that an actual grant award does not equal the amount estimated in this Ordinance, the Budget Director shall adjust the allocation to reflect available funds. Notice of such adjustment shall be given to every affected department, agency and delegate agency as soon as possible after the adjustment has been computed. The Comptroller and the heads of the various departments and agencies of the City Government shall administer the revenues of grants

received by standard accounts, in accordance with the standard classification of accounts and with the manual of the Department of Finance.

In connection with any delegate agency grant agreements entered into between the City and the respective delegate agencies, the Chief Procurement Officer shall be authorized to resolve disputes between the respective delegate agency and the appropriate City department or agency and to promulgate and implement regulations in connection therewith.

The approval of any loan in the amount of \$150,000 or more, funded by any grant fund, shall be

subject to review and approval by the City Council.

The Budget Director and Commissioner of Human Resources are authorized to enter into agreements for the City to receive, at no cost to the City, grants of consulting, professional, and technical services, to indemnify the grantor with respect to the performance of the grant, subject to the approval of the Corporation Counsel; and to execute such documents, and provide such additional information, assurances and certifications as are necessary, in connection with any of the foregoing, all subject to the foregoing mandatory Office of Budget and Management policies and procedures. Any such agreements shall be signed by both officials and shall comply with the Hiring Plan and any applicable collective bargaining agreement.

SECTION 9. The Budget Director is authorized, on his or her own behalf and as the Mayor's designee, as the signatory for the approval of the Consolidated Plan and the Action Plan, as required by the United States Department of Housing and Urban Development ("HUD"), and shall have signatory authority, in the same dual capacity, for all entitlement grant applications, agreements, and certifications required for programs funded by HUD, including for the Community Development Block Grant, the Emergency Solutions Grants, Housing Opportunities for Persons with AIDS, and the HOME Investment Partnerships programs.

SECTION 10. Any employee who is required and is authorized to use his or her personally owned automobile in the regular conduct of official City business shall be allowed and paid at the rate established from time to time by the Internal Revenue Service for the number of miles per month use of such privately owned automobile, to a maximum amount of \$550 per month, such maximum to be adjusted upward on February 1 of each year by the percentage increase, if any, in the Transportation Expenditure Category of the Consumer Price Index for All Urban Consumers (CPI-U): U.S. City Average for the preceding year, as rounded to the nearest \$5 increment. Each annual adjustment shall be based on the adjusted amount for the preceding year. Provided further, the foregoing computation shall be subject to provisions contained in contracts approved by the City Council between the City and recognized collective bargaining agents; and provided further that this allowance is subject to change by the City Council during the fiscal year in accordance with such contracts.

SECTION 11. In accordance with Section 2-60-080 of the Municipal Code, no expenditure may be made from any fund or line item account herein for the purpose of executing settlement agreements or entering into consent orders except upon order of the City Council. Provided, however, that this section shall not apply to: (i) settlement agreements or consent orders entered into where the amount is \$100,000 or less, (ii) settling controverted workers' compensation claims as provided in Section 2-32-1400 of the Municipal Code, or (iii) offers of judgment of \$500,000 or less made and accepted pursuant to Federal Rule of Civil Procedure 68, if before making any such offer of judgment, the Corporation Counsel obtains the written concurrence of both the Chairman and Vice-Chairman of the Committee on Finance, following a careful review of the facts

and circumstances, that the making of such an offer is likely to reduce the City's liability in the case in question.

SECTION 12. The MEABF Obligations Fund, established in Section 12 of the Annual Appropriation Ordinance for the Year 2017 and exclusively dedicated to payment of MEABF Obligations, is hereby continued. The Budget Director is directed to annually place into the MEABF Obligations Fund such unencumbered monies as she deems necessary to fulfill MEABF Obligations, and to ensure the timely distribution to MEABF of those monies. Monies placed in the MEABF Obligations Fund shall be deemed to be appropriated in and for each year that they are distributed to satisfy MEABF Obligations. For purposes of this Section, the term "MEABF" means the Municipal Employees' Annuity and Benefit Fund of Chicago, and the term "MEABF Obligations" means employer contributions: (i) that the City of Chicago is obligated pursuant to 40 ILCS 5/8-101 et seq. to make to the MEABF and (ii) that the Budget Director does not anticipate will be fully satisfied by tax revenues dedicated to that purpose in a given year.

SECTION 13. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code or state law, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall be controlling. 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 14. This ordinance shall take effect upon its passage and approval, notwithstanding any provision of state law or any ordinance to the contrary.