

ORDINANCE

WHEREAS, the City of Chicago (the "City"), is a home rule unit of government as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois and may exercise any power related to its local government affairs; and

WHEREAS, the Chicago Housing Authority (the "CHA") is a municipal corporation of the State of Illinois; and

WHEREAS, the CHA is engaged in the development and operation of safe, decent and sanitary housing throughout the City for low-income families and low-income senior citizens, and seeks to provide its residents with a fair and efficient grievance procedure to resolve disputes between CHA tenants and the CHA and/or its property management companies; and

WHEREAS, the City Council of the City ("City Council"), by ordinance adopted March 31, 2004 and published in the Journal of the Proceedings of the City Council of the City of Chicago for such date at pages 20968 – 20981, amended the powers and duties of the Director of the Department of Administrative Hearings ("DOAH"), as set forth in Title 2, Chapter 14, Section 030 of the Municipal Code of Chicago, to include the power and duty to establish a system for hearing grievances brought by CHA tenants against the CHA and/or its property manager; and

WHEREAS, in 2019, the City, by and through DOAH and pursuant to said ordinance, entered into an intergovernmental agreement with the CHA to provide hearing officers and related services in order to hear and adjudicate grievances brought by CHA tenants pursuant to the CHA grievance procedure; and

WHEREAS, the term of said intergovernmental agreement was for the period from April 1, 2019 through March 31, 2022 with the option to extend the agreement for one (1) additional two-year term through March 31, 2024; and

WHEREAS, the City and the CHA desire to enter into an intergovernmental agreement, in substantially the form attached as Exhibit A (the "Fifth IGA"), whereby CHA tenant grievances will continue to be heard and adjudicated by DOAH for a new three-year term, with the option to extend the Fifth IGA for one (1) additional two-year term; and

WHEREAS, the City and the CHA each have the legal authority to enter into the Fifth IGA pursuant to Article VII, §10 of the Illinois Constitution of 1970 and the Intergovernmental Cooperation Act, as amended (5 ILCS 220/1 et seq.), now, therefore,

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

SECTION 1. The above recitals are expressly incorporated by reference as if fully set forth herein.

SECTION 2. The Director of DOAH ("Director"), or designee, is authorized, with the approval of the City's Corporation Counsel as to form and legality, to execute and deliver the Fifth IGA, and specifically with the indemnity provisions contained therein, and such other documents as are necessary, between the City and the CHA, which Fifth IGA may contain such changes, deletions or insertions as shall be approved by the parties executing the same on the part of the City.

SECTION 3. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago, or any 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 other provision of this ordinance.

SECTION 4. This ordinance shall be effective as of the date of its passage and approval.