

ORDINANCE

WHEREAS, The City of Chicago (the "City"), a home rule unit of government under Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, has heretofore found and does hereby find that there exists within the City a serious shortage of decent, safe and sanitary rental housing affordable to persons of low and moderate income; and

WHEREAS, The City has determined that the continuance of a shortage of rental housing affordable to persons of low and moderate income is harmful to the health, prosperity, economic stability and general welfare of the City; and

WHEREAS, The Department of Housing ("DOH") is an executive department of the City which supervises and coordinates the formulation and execution of projects and programs creating safe, decent and affordable housing for residents of the City; and

WHEREAS, By an ordinance adopted by the City Council of the City (the "City Council") on June 28, 1989 and published in the Journal of the Proceedings of the City Council (the "Journal") for such date at pages 3161 through 3180, as amended by an ordinance adopted by the City Council on November 29, 1989 and published in the Journal for such date at pages 7076 through 7078, the City Council authorized the organization of the Chicago Low-Income Housing Trust Fund (the "Trust Fund") as an Illinois not-for-profit corporation; and

WHEREAS, The Trust Fund was established to provide financial and other assistance to address the housing needs of low-income residents of the City and has the authority to accept money for such purposes; and

WHEREAS, The Trust Fund has successfully implemented several programs to address the housing needs of low-income residents of the City, including, but not limited to, a rental housing support program for low-income tenants (collectively, the "Programs"); and

WHEREAS, The Illinois General Assembly, pursuant to Public Act 094-0118, as supplemented, amended and restated from time to time, has, among other things, established a certain rental housing support program and authorized the Illinois Housing Development Authority to distribute certain funds to the City (the "Rental Support Funds"); and

WHEREAS, Pursuant to an ordinance enacted by the City Council on June 28, 2006 and published in the Journal for such date at pages 80161 through 80165, DOH, among other things, established and implemented a rental housing support program (the "RHS Program"); and

WHEREAS, The RHS Program requires that the City designate a local administering agency ("LAA") to distribute certain of the Rental Support Funds to landlords to enable such landlords to charge rents affordable for eligible low-income tenants; and

WHEREAS, The City has designated the Trust Fund as its LAA under the RHS Program; and

WHEREAS, Pursuant to an ordinance enacted by the City Council on July 6, 2011 and published in the Journal for such date at pages 2833 through 2836, the City and the Trust Fund entered into an agreement which, among other things, governed the use of the Rental Support Funds; and

WHEREAS, Pursuant to an ordinance enacted by the City Council on June 17, 2015 and published in the Journal for such date at pages 1315 through 1318, the City and the Trust Fund entered into an agreement which, among other things, governed the use of the Rental Support Funds (the "2015 Agreement"); and

WHEREAS, The City and the Trust Fund renewed the 2015 Agreement in 2018 and entered into agreements governing the use of Rental Support Funds, as well as other funds appropriated by the City Council for the Programs (the "Additional Funds" and collectively with the Rental Support Funds, the "Program Funds"), in 2021 and 2023; and

WHEREAS, The agreement the City and the Trust Fund entered into in 2023 will expire on December 31, 2025, and DOH wishes to enter into another agreement with the Trust Fund in connection with the use of the Program Funds; 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 Commissioner of Housing, or a designee or successor thereof (each, an "Authorized Officer") is hereby authorized, subject to the approval of the Corporation Counsel, to enter into, negotiate and execute such agreements, documents, renewals or instruments as may be necessary to govern the use of the Program Funds with the Trust Fund and may disburse the Program Funds pursuant to such agreements, documents, renewals or instruments. The Authorized Officer may determine, in the best interests of the City, the terms of such agreements, documents, renewals or instruments.

SECTION 3. The documents and instruments entered into between the City and the Trust Fund in connection with the Programs shall not be deemed to be "city contracts" within the meaning of Section 11-4-1600(e) of the Municipal Code of Chicago (the "Municipal Code"). Projects and properties assisted under the Programs shall be deemed to qualify as "Affordable Housing" for purposes of Chapter 16-18 of the Municipal Code. Sections 2-44-080 through 2-44-105 of the Municipal Code shall not apply to any projects or properties assisted under the Programs.

SECTION 4. To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code, 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.