

**THE ANNUAL APPROPRIATION ORDINANCE OF THE
CITY OF CHICAGO FOR THE YEAR 2010**

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 2010 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 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 the fiscal year beginning January 1, 2010. References hereinafter to Community Development Block Grant funds are provided for descriptive purposes only, and shall not be considered appropriations.

SECTION 2. The estimates of current assets and liabilities as of January 1, 2010, 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 are designated herein by asterisk, except for the accounts .0901 through .0999 and the accounts .9001 through .9999 (for purposes of this section, collectively "9-series accounts"), which specifically designate each object and purpose. When expenditures are made from any appropriation in a 9-series account, such expenditures shall be accounted for pursuant to statutory standard classifications, designating objects and purposes of operation and administration.

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 compensation plan for classified City employees adopted by the City Council, the Salary Schedules of which plan, class grade one to eighteen, both inclusive, are made a part hereof. The amounts set up under account .0015 "Schedule Salary Adjustments" are for the adjustments of salaries (a) of all employees who are at the entrance rate indicated in the schedule for the grade level of their positions and who after six months of satisfactory service are entitled to a salary increase under Schedule B and Schedule BX for the grade level of their respective positions after completing the additional period indicated; and (b) of employees who are entitled to salary adjustments under Schedule B and Schedule BX after completing the periods of service specified in said Schedule B and Schedule BX; and (c) base salary schedules for Sworn Police Personnel, as set forth in Schedule D and Schedule E; and (d) base salary schedules for Uniformed Firefighters as set forth in Schedule F; and (e) base salary schedules for Registered Nurses as set forth in Schedule S and Schedule SY; and (f) base salary schedules for physicians and dentists as set forth in Schedule M and Schedule MX; and (g) base salary schedules for technical employees as set forth in Schedule G and

Schedule GY; and (h) base salary schedules and longevity salary schedules for public safety employees as set forth in Schedule I; and (i) base salary schedules and longevity salary schedules for Plumbers Local No. 130 employees as set forth in Schedule J; and (j) base salary schedules and longevity salary schedules for Teamsters Local No. 726 employees as set forth in Schedule P; and (k) base salary schedules and longevity salary schedules for Machinist Lodge No. 126 employees as set forth in Schedule R; and (l) base salary schedules and longevity salary schedules for Carpenters Local No.13 employees as set forth in Schedule T; and (m) base salary schedules and longevity salary schedules for Laborers Local No. 1092 employees as set forth in Schedule U; and (n) base salary schedules and longevity salary schedules for Laborers Local No. 1001 employees as set forth in Schedule V and defined in the classification and pay plan as maintained by the Commissioner of Human Resources. The class grade for each class of positions in Schedule A as on file with the Department of Human Resources shall determine the salary range applicable to all positions of the class. The Title Bargaining Unit Table as on file with the Department of Human Resources shall determine the salary schedule applicable to bargaining unit and non-bargaining unit employees. The resolution setting forth employee benefits, and the Classification and Compensation Plan for City employees, adopted by the City Council, is by reference thereto incorporated herein and made a part hereof.

SECTION 5. The appropriation for estimated liabilities as of January 1, 2010, 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. 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 and the Comptroller 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.

Initial appointments to any positions shall be made at the entrance rate of the salary range prescribed for the applicable class grade. In exceptional cases, upon recommendation by the department head and approval of the Commissioner of Human Resources and the Budget Director and the Chairman of the Committee on Finance or their respective designees, initial appointments may be made at a rate above the normal entrance rate. Entrance above the normal entrance rate shall be based on the outstanding and unusual character of the applicant's education, experience and training over and above the minimum qualifications specified for the class. 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 Shakman Judgment.

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.

The Director of the Office of Budget and Management shall prepare a report to be presented to the City Council on the twentieth day following each quarter 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 previous 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. The first report shall be presented on April 20, 2010, and shall cover the period beginning January 1, 2010.

SECTION 7. The Commissioner of Human Resources shall prepare and present to the City Council on the twentieth day of each month a written report of all vacancies occurring during the preceding month due to resignation, retirement, death, layoff, promotion, demotion, discharge, or termination. The report shall be submitted on a form to be prepared by the

Commissioner of Human Resources. The Commissioner of Human Resources shall prepare and present to the City Council monthly reports on all City employees hired during the preceding quarter.

The City Comptroller shall prepare and present to the City Council on the twentieth day of each month a report of the overtime compensation paid to employees during the preceding month, on a form to be prepared by the Committee on the Budget and Government Operations.

SECTION 8. In accordance with procedures prescribed by the Mayor, and subject to the limitations of this section, 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 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.

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.

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.

No later than the tenth day of each month, the Budget Director shall file with the Committee on Finance a compilation of all grants awarded to the City in the preceding month.

On or before May 15, 2010, and on or before November 15, 2010, the Office of Budget and Management shall file with the City Council a report showing all federal and state funds received or administered by the City for the time periods October 1, 2009, through March 31, 2010, and April 1, 2010, through September 30, 2010, respectively. Community Development Block Grant funds shall be excluded from this report. The report shall list the amounts disbursed and purposes for which disbursements were made, and shall indicate the Grantor of the funds, purpose, service area(s) and number of positions supported.

In connection with any delegate agency grant agreements entered into between the City and the respective delegate agencies for 2010, 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.

SECTION 9. 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 previous year, as rounded to the nearest \$5 increment. Each annual adjustment shall be based on the adjusted amount for the previous 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 10. 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 settlement agreements or consent orders entered into where the amount is \$100,000 or less.

SECTION 11. The head of each department or other agency shall submit to the Committee on the Budget and Government Operations on or before June 15, 2010, a detailed report showing what steps have been taken to improve or maintain productivity in the department or agency since June 1, 2009, and the results which those steps have brought about. The form of the report shall be defined by the Committee on the Budget and Government Operations, and shall be submitted to the Budget Director by May 1, 2010, for distribution to the various departments and other agencies.

SECTION 12. Subparagraphs (i) through (iv) of this Section 12 apply to an ordinance passed by the City Council on December 4, 2008 regarding a metered parking transaction and associated concession agreement and published in special pamphlet form (for purposes of this Section 12, the "Meter Ordinance"). Any provision of the Meter Ordinance not amended by this Section 12 shall remain in full force and effect. Section 5(b) of the Meter Ordinance is hereby amended as follows:

(i) With regard to the Revenue Replacement Fund referred to in subparagraph 5(b)(i), the

amount of Two Hundred Fifty Million Dollars (\$250,000,000) is hereby transferred to and appropriated in the Corporate Fund for 2010. Following such transfer and appropriation, the Budget Director shall replenish the Revenue Replacement Fund, in whole or in part, when in his judgment the City of Chicago's fiscal condition supports such replenishment.

(ii) With regard to the Mid-Term Fund referred to in subparagraph 5(b)(iii), the amount of One Hundred Million Dollars (\$100,000,000) scheduled to be transferred into the Corporate Fund for 2012 pursuant to provision (5) of that subparagraph is instead hereby transferred to and appropriated in the Corporate Fund for 2010, in addition to the transfer of Fifty Million Dollars scheduled to be transferred to the Corporate Fund for 2010 pursuant to subparagraph 5(b)(iii).

(iii) With regard to the Stabilization Fund referred to in subparagraph 5(b)(iv), the amount of Two Hundred Seventeen Million Six Hundred Twenty Five Thousand Dollars (\$217,625,000) is hereby transferred to and appropriated in the Corporate Fund for 2009.

(iv) With regard to the Stabilization Fund referred to in subparagraph 5(b)(iv), the balance remaining in that Fund following the transfer described in subparagraph (iii) of this Section 12 shall be transferred to and appropriated in the Corporate Fund for 2010.

(v) The sum of Four Million One Hundred Fifty-Three Thousand Dollars (\$4,153,000), plus all interest accruing thereon, in Fund 649 (the North Loop Default Fund) is hereby transferred to and appropriated in the Corporate Fund for expenditures in 2010.

SECTION 13. 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 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.