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COPY



JOURNAL of the PROCEEDINGS of the CITY COUNCIL of the CITY of CHICAGO, ILLINOIS

Regular Meeting -- Friday, October 6, 2023

at 10:45 A.M.

(Council Chamber -- City Hall -- Chicago, Illinois)

OFFICIAL RECORD.

BRANDON JOHNSON
Mayor

ANDREA M. VALENCIA
City Clerk

JOURNAL OF THE PROCEEDINGS OF THE CITY COUNCIL
Regular Meeting -- Friday, October 6, 2023

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Attendance At Meeting.

Present -- The Honorable Brandon Johnson, Mayor, and Alderpersons La Spata, Hopkins, Dowell, Robinson, Yancy, Hall, Mitchell, Harris, Chico, Lee, Ramirez, Quinn, Gutiérrez, Lopez, Coleman, Moore, Curtis, O'Shea, Taylor, Mosley, Rodríguez, Tabares, Scott, Sigcho-Lopez, Fuentes, Burnett, Ervin, Taliaferro, Cruz, Cardona, Waguespack, Rodríguez-Sánchez, Ramirez-Rosa, Villegas, Mitts, Sposato, Nugent, Vasquez, Napolitano, Reilly, Knudsen, Lawson, Gardiner, Clay, Martin, Manaa-Hoppenworth, Hadden, Silverstein.

Absent -- Alderpersons Beale, Conway.

Call To Order.

On Friday, October 6, 2023 at 10:45 A.M., the Honorable Brandon Johnson, Mayor, called the City Council to order. The Honorable Andrea M. Valencia, City Clerk, called the roll of members and it was found that there were present at that time: Alderpersons La Spata, Hopkins, Dowell, Robinson, Yancy, Hall, Mitchell, Harris, Chico, Lee, Ramirez, Quinn, Lopez, Moore, Curtis, O'Shea, Taylor, Rodríguez, Tabares, Scott, Sigcho-Lopez, Fuentes, Burnett, Ervin, Taliaferro, Cruz, Cardona, Waguespack, Ramirez-Rosa, Villegas, Sposato, Nugent, Reilly, Lawson, Martin, Manaa-Hoppenworth, Hadden, Silverstein -- 38.

Quorum present.

At this point in the proceedings, the Honorable Brandon Johnson, Mayor, informed the City Council that Alderpersons Coleman, Mosley, Mitts, Vasquez, Napolitano, Conway, Knudsen and Gardiner submitted requests, pursuant to Rule 59 of the City Council's Rules of Order and Procedure, to attend the meeting remotely.

Thereupon, on motion of Alderperson Lopez, the request by Alderpersons Coleman, Mosley, Mitts, Vasquez, Napolitano, Conway, Knudsen and Gardiner to attend the meeting remotely was *Accepted* by a vica voce vote.

Pledge Of Allegiance.

Mayor Brandon Johnson led the City Council and assembled guests in the Pledge of Allegiance to the Flag of the United States of America.

Invocation.

Reverend Dr. Janette Wilson of Rainbow Push Coalition opened the meeting with prayer.

PUBLIC COMMENT.

In accordance with the City Council's Rules of Order and Procedure, the following members of the general public addressed the City Council:

Zoe Leigh

James Rodriguez

Wendy Pollack

George Blakemore

Kwesi Holmes

Saru Jayaraman

Beth Wagner

Antonio Lightfoot

Barry

Michael Young-Bey

In accordance with the City Council's Rules of Order and Procedure, the following members of the general public submitted written comments to the City Council:

John Paul Jones

Judy King

REPORTS AND COMMUNICATIONS FROM CITY OFFICERS.

City Council Informed As To Miscellaneous Documents Filed In City Clerk's Office.

The Honorable Andrea M. Valencia, City Clerk, informed the City Council that the following document was filed in her office:

Placed On File -- NOTIFICATION OF SALE OF CITY OF CHICAGO SALES TAX SECURITIZATION BONDS, REFUNDING SERIES 2023D AND SECOND LIEN SALES TAX SECURITIZATION BONDS, REFUNDING SERIES 2023C.

[F2023-0005092]

A communication from Chasse Rehwinkel, City Comptroller, Department of Finance, received in the Office of the City Clerk on October 5, 2023, transmitting, pursuant to Sections 5(j) and 6(a) of the ordinance establishing the Sales Tax Securitization Corporation, a notification of sale of Sales Tax Securitization Bonds, refunding Series 2023D and second lien Sales Tax Securitization Bonds, refunding Series 2023C, together with the series designation, aggregate principal amount and maturity schedule and authorized denominations and redemption provisions summary of the Series 2023 bonds purchase agreement, summary of refinanced obligations, identity of the underwriters for the bonds, and the purpose for which the bonds were issued, which was *Placed on File*.

City Council Informed As To Certain Actions Taken.

PUBLICATION OF PAMPHLET.

Amendment Of Chapter 6-105 Of Municipal Code By Modifying Section 6-105-030 Regarding Minimum Hourly Wage For Occupations Receiving Gratuities.

[SO2023-0002995]

The City Clerk informed the City Council that the substitute ordinance (SO2023-0002995) amending Chapter 6-105 of the Municipal Code of Chicago by modifying Section 6-105-030 regarding minimum hourly wage in occupations receiving gratuities and which was reported out of the Committee on Workforce Development at the October 4, 2023 City Council meeting and action upon said matter was deferred, was published in pamphlet form on October 6, 2023.

REPORTS OF COMMITTEES.

None.

AGREED CALENDAR.

None.

MATTERS PRESENTED BY THE ALDERPERSONS.

*(Presented By Wards, In Order, Beginning
With The First Ward)*

Arranged under the following subheadings:

1. Traffic Regulations, Traffic Signs and Traffic-Control Devices.
 2. Zoning Ordinance Amendments.
 3. Unclassified Matters (arranged in order according to ward numbers).
-

**1. TRAFFIC REGULATIONS, TRAFFIC SIGNS
AND TRAFFIC-CONTROL DEVICES.**

*Referred -- PROHIBITION OF PARKING AT ALL TIMES.
(Except For Disabled)*

The alderpersons named below presented proposed ordinances to prohibit the parking of vehicles at all times at the locations designated and for the distances specified, which were *Referred to the Committee on Pedestrian and Traffic Safety*, as follows:

Aldersperson	Location And Permit Number
<i>HARRIS</i> (8 th Ward)	South Euclid Avenue, at 7914 (Handicapped Parking Permit 129837); [O2023-0005048]
<i>RAMIREZ</i> (12 th Ward)	South California Avenue, at 4545 (Handicapped Parking Permit 130017); [O2023-0005113] South Campbell Avenue, at 4061 (Handicapped Parking Permit 131412); [O2023-0005115] South Hamilton Avenue, at 3303 (Handicapped Parking Permit 131871); [O2023-0005118] South Rockwell Street, at 4241 (Handicapped Parking Permit 131584); [O2023-0005117] West 38 th Street, at 3218 (Handicapped Parking Permit 131051); [O2023-0005114] West 40 th Street, at 2946 (Handicapped Parking Permit 132032); [O2023-0005119]
<i>SILVERSTEIN</i> (50 th Ward)	North Oakley Avenue, at 6437 (Handicapped Parking Permit 131405); [O2023-0005050] North Richmond Street, at 6234 (Handicapped Parking Permit 131792); [O2023-0005051] West Rosemont Avenue, at 2148 (Handicapped Parking Permit 131632). [O2023-0005055]

2. ZONING ORDINANCE AMENDMENTS.

None.

3. UNCLASSIFIED MATTERS.

(Arranged In Order According To Ward Number)

Proposed ordinances, orders and resolutions were presented by the alderpersons named below, respectively, and were acted upon by the City Council in each case in the manner noted, as follows:

Presented By

ALDERPERSON RODRÍGUEZ-SÁNCHEZ (33rd Ward):

Referred -- AMENDMENT OF SECTION 4-60-023 OF MUNICIPAL CODE BY DELETING SUBSECTION 33.152 TO ALLOW ISSUANCE OF ADDITIONAL PACKAGE GOODS LICENSES ON PORTION OF N. ALBANY AVE.

[O2023-0005106]

A proposed ordinance to amend Title 4, Chapter 60, Section 023 of the Municipal Code of Chicago by deleting subsection 33.152 which restricted the issuance of additional package goods licenses on North Albany Avenue, from West Lawrence Avenue to West Wilson Avenue, which was *Referred to the Committee on License and Consumer Protection*.

Referred -- AMENDMENT OF SECTION 4-60-023 OF MUNICIPAL CODE BY DELETING SUBSECTION 33.17 TO ALLOW ISSUANCE OF ADDITIONAL PACKAGE GOODS LICENSES ON PORTION OF W. MONTROSE AVE.

[O2023-0005107]

Also, a proposed ordinance to amend Title 4, Chapter 60, Section 023 of the Municipal Code of Chicago by deleting subsection 33.17 which restricted the issuance of additional package

goods licenses on West Montrose Avenue, from North Kedzie Avenue to North Sacramento Avenue, which was *Referred to the Committee on License and Consumer Protection*.

Presented By

ALDERPERSON MARTIN (47th Ward):

Referred -- TRANSFER OF YEAR 2023 FUNDS WITHIN CITY COUNCIL COMMITTEE ON ETHICS AND GOVERNMENT OVERSIGHT.

[O2023-0005105]

A proposed ordinance authorizing and directing the City Comptroller to transfer Year 2023 funds within the City Council Committee on Ethics and Government Oversight to meet the necessary obligations that have been or may be incurred during Year 2023, which was *Referred to the Committee on the Budget and Government Operations*.

Presented By

ALDERPERSON HADDEN (49th Ward):

Referred -- INITIATION AND AUTHORIZATION OF ADVISORY REFERENDUM FOR SUBMISSION TO CHICAGO VOTERS AT MARCH 19, 2024 MUNICIPAL GENERAL PRIMARY ELECTION CONCERNING CREATION OF FLOOD MITIGATION AND RESPONSE PLAN.

[R2023-0005109]

A proposed resolution to initiate and authorize a public question to be submitted to all Chicago voters in a referendum at the regularly scheduled election occurring March 19, 2024 on whether the City of Chicago shall create a flooding mitigation and response plan to address resident flood damage and negative health impacts and after adoption of this public question, the City Clerk is to certify such public question to the Chicago Board of Election Commissioners, which was *Referred to the Committee on Committees and Rules*.

Referred -- INITIATION AND AUTHORIZATION OF ADVISORY REFERENDUM FOR SUBMISSION TO CHICAGO VOTERS AT MARCH 19, 2024 MUNICIPAL GENERAL PRIMARY ELECTION CONCERNING IF CHICAGO SHALL INCREASE NUMBER OF PUBLIC MENTAL HEALTH CLINICS.

[R2023-0005108]

Also, a proposed resolution to initiate and authorize a public question to be submitted to all Chicago voters in a referendum at the regularly scheduled election occurring March 19, 2024 on whether the City of Chicago shall increase the number of public mental health clinics throughout the city and after adoption of this public question, the City Clerk is to certify such public question to the Chicago Board of Election Commissioners, which was *Referred to the Committee on Committees and Rules*.

APPROVAL OF JOURNAL OF PROCEEDINGS.

None.

UNFINISHED BUSINESS.

AMENDMENT OF CHAPTER 6-105 OF MUNICIPAL CODE BY MODIFYING SECTION 6-105-030 REGARDING MINIMUM HOURLY WAGE IN OCCUPATIONS RECEIVING GRATUITIES.

[SO2023-0002995]

On motion of Alderperson Rodriguez, the City Council took up for consideration the report of the Committee on Workforce Development, which was deferred and published in the *Journal of the Proceedings of the City Council of the City of Chicago* of October 4, 2023, pages 3268 through 3271, recommending that the City Council pass a proposed substitute ordinance which amends Chapter 6-105 of the Municipal Code by modifying Section 6-105-030 regarding minimum hourly wage in occupations receiving gratuities.

On motion of Alderperson Fuentes, the said proposed substitute ordinance was *Passed* by yeas and nays as follows:

Yeas -- Alderpersons La Spata, Dowell, Robinson, Yancy, Hall, Mitchell, Harris, Chico, Ramirez, Gutiérrez, Lopez, Coleman, Moore, Curtis, Taylor, Mosley, Rodríguez, Tabares, Scott, Sigcho-Lopez, Fuentes, Burnett, Ervin, Taliaferro, Cruz, Cardona, Rodríguez-Sánchez, Ramirez-Rosa, Mitts, Vasquez, Knudsen, Clay, Martin, Manaa-Hoppenworth, Hadden, Silverstein -- 36.

Nays -- Alderpersons Hopkins, Lee, Quinn, O'Shea, Waguespack, Sposato, Nugent, Napolitano, Reilly, Gardiner -- 10.

Alderperson Mitchell moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

WHEREAS, The City of Chicago is a home rule unit of government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a) and pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, The majority of workers who receive a portion of their wages are women and nonwhite; and

WHEREAS, Many of those who receive a portion of their wages from tips have economic instability and therefore have a greater chance of having to rely on food stamps and other government-sponsored safety net programs; and

WHEREAS, Economic instability and reliance on tips has been shown to lead to underreporting of workplace abuse by employees; and

WHEREAS, Data has shown that where governments in the United States have reduced or removed the wage discount to employers for employee-received tips, workers' take-home pay has gone up, unemployment has gone down, and employee turnover has reduced; and

WHEREAS, Recognizing the research that indicates that phasing out the discount employers receive on paying tipped employees will protect those employees; now, therefore,

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Section 6-105-030 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

6-105-030 Minimum Hourly Wage In Occupations Receiving Gratuities.

(a) Every Employer of a Covered Employee engaged in an Occupation in which Gratuities have customarily constituted part of the remuneration is entitled to an allowance for gratuities as part of the hourly wage rate provided in Section 6-105-020(b) in an amount not to exceed:

- (1) 40 percent of the applicable minimum wage rate until July 1, 2024.
- (2) 32 percent of the applicable minimum wage rate on and after July 1, 2024, until and including June 30, 2025.
- (3) 24 percent of the applicable minimum wage rate on and after July 1, 2025, until and including June 30, 2026.
- (4) 16 percent of the applicable minimum wage rate on and after July 1, 2026, until and including June 30, 2027.
- (5) 8 percent of the applicable minimum wage rate on and after July 1, 2027, until and including June 30, 2028.
- (6) On and after July 1, 2028, an employer shall not be entitled to an allowance for gratuities and shall pay each Covered Employee no less than the applicable minimum wage rate.

(b) Every Employer that pays a Covered Employee the Wage described in subsection (a) shall transmit to the Commissioner, in a manner provided by rule, substantial evidence establishing: (1) the amount the Covered Employee received as Gratuities during the relevant pay period; and (2) that no part of that amount was returned to the Employer. If an Employer is required by the Minimum Wage Law to provide substantially similar data to the Illinois Department of Labor, the Commissioner may allow the Employer to comply with this subsection (b) by filing a copy of the state documentation.

(c) The Commissioner shall make available to Employers a bulletin announcing the City's minimum hourly Wage for the upcoming year for workers who receive Gratuities.

SECTION 2. Section 6-105-060 of the Municipal Code of Chicago is hereby reprinted for reference here:

6-105-060 Application To Collective Bargaining Agreements.

Nothing in this chapter shall be deemed to interfere with, impede, or in any way diminish the right of Employees to bargain collectively with their Employers through representatives of their own choosing in order to establish wages or other conditions of work in excess of the applicable minimum standards of the provisions of this chapter. The minimum wage requirements of this chapter may be waived in a bona fide collective bargaining

agreement, but only if the waiver is set forth explicitly in such agreement in clear and unambiguous terms. Nothing in Section 6-105-045 shall be deemed to affect the validity or change the terms of bona fide collective bargaining agreements in force on July 1, 2017. After that date, requirements of Section 6-105-045 may be waived in a bona fide collective bargaining agreement, but only if the waiver is set forth explicitly in such agreement in clear and unambiguous terms. In no event shall Section 6-105-045 apply to any Employee working in the construction industry who is covered by a bona fide collective bargaining agreement.

SECTION 3. Section 6-105-100 of the Municipal Code of Chicago is hereby reprinted for reference here:

6-105-100 Violation -- Penalty.

Any Employer who violates this chapter or any rule promulgated thereunder shall be subject to a fine of not less than \$500.00 nor more than \$1,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply.

SECTION 4. This ordinance shall take effect upon passage and approval.

MISCELLANEOUS BUSINESS.

Time Fixed For Next Succeeding Regular Meeting.

[O2023-0005104]

By unanimous consent, Alderperson Mitchell presented a proposed ordinance which reads as follows:

Be It Ordained by the City Council of the City of Chicago:

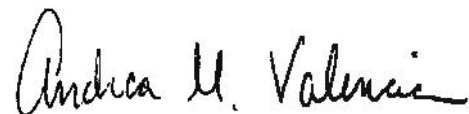
SECTION 1. That the next regular meeting of the City Council of the City of Chicago shall be held on Wednesday, October 11, 2023, beginning at 12:00 P.M., in the Council Chamber on the second floor in City Hall, 121 North LaSalle Street, Chicago, Illinois.

SECTION 2. This ordinance shall take effect and be in force from and after its passage.

On motion of Alderperson Mitchell, the foregoing proposed ordinance was *Passed* by a viva voce vote.

Adjournment.

Thereupon, Alderperson Mitchell moved that the City Council do *Adjourn*. The motion *Prevailed* and the City Council *Stood Adjourned* to meet in regular meeting on Wednesday October 11, 2023, beginning at 12:00 P.M., in the Council Chamber in City Hall.



ANDREA M. VALENCIA,
City Clerk.