

AMENDING THE MUNICIPAL CODE OF THE CITY OF DEKALB, ILLINOIS, CHAPTER 3, "CITY ADMINISTRATION," SECTION 3.06, "MAYOR," RELATING TO THE AUTHORITY OF THE MAYOR OF THE CITY OF DEKALB, ILLINOIS.

WHEREAS, the City of DeKalb, DeKalb County, Illinois is a home rule community with those powers granted under the provisions of the Illinois Constitution and the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et. seq.*; and,

WHEREAS, the Corporate Authorities of the City have heretofore established Chapter 3 of the City Code of Ordinances, relating to the administration of the City; and,

WHEREAS, Chapter 3 includes Section 3.06, which section is one source of authority that is either inherent in the position of City Mayor or which has been delegated to the City Mayor of the City of DeKalb; and,

WHEREAS, pursuant to the Illinois Intergovernmental Cooperation Act, the City has the ability and authority to enter into intergovernmental agreements for the mutual or shared exercise of governmental authority with other units of local government and similar public entities, typically through the approval, by the City Council, of an intergovernmental agreement between the affected entities; and,

WHEREAS, the City Council has determined that, from time to time there exist exigencies that generate the need for rapid agreement between units of government so as to provide for responses to unique situations, to provide for the efficient provision of public services, and so as to protect and promote the public health, welfare, safety and morals; and,

WHEREAS, the Corporate Authorities have determined that the interests of public health, welfare, safety and morals are promoted by delegating certain authority to the Mayor to enter into intergovernmental agreements from time to time, without requiring the approval of the City Council, within the conditions described below; now,

THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

Section 1. That the Municipal Code of the City of DeKalb, Chapter 3, Section 3.06 shall be amended with the addition of Section 3.06(f) as follows:

(f) Power to Approve Intergovernmental Agreements. In the event that the Mayor determines that circumstances relating to a proposed intergovernmental agreement are such that

the proposed agreement requires action that cannot be delayed until the next available agenda for a regularly scheduled meeting of the City Council of the City of DeKalb, the Mayor or his designee shall be authorized to sign, approve and enter into such agreement on behalf of the City, provided that: 1) the agreement has a term that is equal to or shorter than the remaining then-current term of office of the Mayor; 2) the agreement does not involve the expenditure of funds in excess of the then-current City Manager's spending authority; 3) the agreement does not involve the expenditure of funds in excess of the amounts budgeted, appropriated and otherwise available for the intended purpose; and, 4) the proposed agreement is an intergovernmental agreement pursuant to Illinois law, with another public entity or association or coalition thereof. For purposes of this Agreement, use of budgeted City staff time and/or otherwise budgeted City resources or consumables (e.g. use of previously authorized and purchased salt to aid another unit of local government during a snow emergency), shall not be counted towards the value of the expenditure at issue.

Section 2. All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

Section 3. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

Section 4. Upon its passage and approval according to law, this Ordinance shall, by authority of the City Council be published in pamphlet form. On the tenth day after the date of publication, this Ordinance shall be in full force and effect. Publication date: July 17, 2012. Effective date: July 27, 2012.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the 9th day of July, 2012 and approved by me as Mayor on the same day. Passed on the Consent Agenda by roll call vote 7-0-1. Aye: Lash, Teresinski, Gallagher, Naylor, Baker, O'Leary, Povlsen. Absent: Jacobson.

ATTEST:



DIANE K. WRIGHT, City Clerk



KRIS POVLSEN, Mayor

