

ORDINANCE NO. 009-143

AN ORDINANCE AUTHORIZING AN
INTERGOVERNMENTAL COOPERATION
AGREEMENT BETWEEN THE CHICAGO
TRANSIT AUTHORITY AND THE CITY OF
CHICAGO, BY AND THROUGH ITS
DEPARTMENT OF POLICE, FOR PUBLIC
SAFETY, PURSUANT TO A HOMELAND
TRANSIT SECURITY GRANT

WHEREAS, The Chicago Transit Authority ("Authority") currently operates a public transportation system in the city of Chicago; and

WHEREAS, The security of Authority passengers, employees and property is a matter of public concern and the provision of such security is in the public interest; and

WHEREAS, Security is currently provided for the Authority's public transportation system by details of Chicago Police Department ("CPD") officers who are the primary security responder for the Authority; and

WHEREAS, Pursuant to Ordinance No. 86-190, dated December 15, 1986, the Authority, the City of Chicago ("City") and CPD were authorized to develop a long range strategy for the provision of additional security to Authority passengers, employees and property; and

WHEREAS, In Fiscal Year 2009, the Federal Transit Security Grant Program will distribute \$388,600,000 to protect critical surface transportation infrastructure and the traveling public from acts of terrorism, major disasters, and other emergencies under sections 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007; and

WHEREAS, The Authority and the United States Department of Homeland Security FEMA, entered into a Grant Agreement on August 5, 2009, by virtue of the Authority's application for and the award of a FY 2009 Transit Security Grant Program Award (number 2009-RA-T9-K016) on July 24, 2009; and

WHEREAS, These grant funds will be used by CPD to support the following projects: Three Million Dollars (\$3,000,000) for the Explosives Detection Canine program; One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) for the Visible Intermodal Prevention and Response Team; Five Million One Thousand Four Hundred Thirty-seven Dollars (\$5,001,437) for Chicago Transit Security Analytics, and Five Hundred Eighty-seven Thousand Five Hundred Thirty-six Dollars (\$587,536) for Transit Terrorist Tools & Tactics Training; and

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WHEREAS, The Authority and CPD both desire to enter into an Intergovernmental Cooperation Agreement ("IGCA") to effectuate the purposes of the identified Grant Agreement; and

WHEREAS, On behalf of the City, this IGCA is made under the authority of Section 8 of the City's Annual Appropriation Ordinance for 2009, which was approved and accepted by the City Council on September 9, 2009; and

WHEREAS, Pursuant to Section 54.3-3 of the Authority's Regulations Governing Purchase and Sales Transactions, contracts between units of government are not subject to a competitive bid process; and

WHEREAS, The Authority and CPD find that entry into this IGCA pursuant to the Intergovernmental Cooperation Act of the State of Illinois, 5 ILCS 220/1, et.seq, is in the best interests of all parties hereto, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this IGCA; and

WHEREAS, The Authority agrees to provide Transit Security funds to CPD in the amount of Nine Million Eight Hundred Thirty-eight Thousand Nine Hundred Seventy-three Dollars (\$9,838,973) as such funds become available to the Authority; and

WHEREAS, The parties wish to express their intention to cooperate in matters relating to the Transit Security funds in order to enhance the efficiency and success of the U.S. Department of Homeland Security Transit Security Grant Program; now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. That the Chairman of the Transit Board, or his designee, is hereby authorized to enter into an agreement with the City of Chicago, acting through its Department of Police, substantially in the form of the Intergovernmental Cooperation Agreement attached hereto as Exhibit A, for a term which shall commence on the date of its execution and which shall expire when DHS FEMA provides a close-out notice for the grant, or on December 31, 2012, whichever may occur sooner and in which the Authority will pass through to the City's Department of Police Homeland Transit Security Grant funds in the total amount of Nine Million Eight Hundred Thirty-eight Thousand Nine Hundred Seventy-three Dollars (\$9,838,973) for the projects set forth herein.

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

APPROVED:

PASSED:

Chairman

December 9, 2009

Assistant Secretary

December 9, 2009