

5/23/22

49-O-22

AN ORDINANCE

Amending Title 1, Chapter 9, "Municipal Officers and Employees" to Add Section 8, "Excluding the Presence of Cannabinoids in the City's Pre-Employment Drug Screening Program from Employment Criteria"

WHEREAS, on January 1, 2020, the State of Illinois legalized recreational marijuana use, passing the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/; and

WHEREAS, the City of Evanston desires to exclude the presence of cannabinoids from the City's pre-employment drug screening for applicants applying for City employment; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: City Code Title 1, Chapter 9, "Municipal Officers and Employees," of the Evanston City Code of 2012, as amended, is hereby amended to read as follows:

1-9-8 – EXCLUDING THE PRESENCE OF CANNABINOIDS IN THE CITY'S PRE-EMPLOYMENT DRUG SCREENING PROGRAM FROM EMPLOYMENT CRITERIA.

No person shall be denied employment by the City of Evanston for the presence of cannabinoids in the City's pre-employment drug screening.

SECTION 2: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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SECTION 4: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid application of this ordinance is severable.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 6: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: May 23, 2022

Approved:

Adopted: October 24, 2022

October 31, 2022

Daniel Biss

Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza

Nicholas E. Cummings

Stephanie Mendoza, City Clerk

Nicholas E. Cummings, Corporation Counsel

9/12/22

73-R-22

A RESOLUTION

Authorizing the Mayor to sign an Illinois Department of Transportation Resolution for Maintenance of Streets and Highways in order to transfer funds previously allocated in the 2022 Fiscal Year Budget from the Motor Fuel Tax fund to the General Fund for the General Maintenance of Streets

WHEREAS, the City of Evanston is a home rule unit of government and operates under the Budget Officer form of Illinois governmental budgeting; and

WHEREAS, the City Council previously approved the 2022 fiscal year budget, which included a fund transfer from the Motor Fuel Tax fund (“MFT Fund”) to the City’s General Fund for the purpose of general maintenance of streets by City staff for street maintenance, cleaning and snow and ice removal;

WHEREAS, the MFT Fund is distributed to the City through the Illinois Department of Transportation (“IDOT”) and held by IDOT for the City as an unobligated balance in the City’s MFT Account;

WHEREAS, the City Council must approve the attached IDOT Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code, in order to transfer the unobligated balance of the MFT Fund to the General Fund for general maintenance of streets (the “IDOT Resolution”);

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That the Mayor is hereby authorized and directed to sign and the City Clerk authorized and directed to attest on behalf of the City the IDOT

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Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code, the IDOT Resolution is attached as Exhibit A.

SECTION 2: That the City Manager shall direct the Municipal Budget Officer to make said transfer promptly. That the City Budget Officer is authorized to transfer the MFT Fund to the General Fund for the purpose of general maintenance of streets in the City of Evanston in the principal amount of \$1,044,987.00 (One million forty-four thousand nine hundred eighty-seven dollars).

SECTION 3: That the uses and expenditures from the General Fund for general maintenance of streets within the City are all for lawful corporate purposes.

SECTION 4: That this Resolution, 73-R-22 shall be in full force and effect from and after the date of its passage and approval in the manner provided by law.

Daniel Biss
Daniel Biss, Mayor

Attest:

Stephanie Mendoza
Stephanie Mendoza, City Clerk

Adopted: October 24, 2022

Approved as to form:

Nicholas E. Cummings
Nicholas E. Cummings, Corporation Counsel

EXHIBIT A

**IDOT Resolution for Maintenance of Streets and Highways by the
Municipality under the Illinois Vehicle Code**



District	County	Resolution Number	Resolution Type	Section Number
1	Cook	73-R-22	Original	22-00000-00-GM

BE IT RESOLVED, by the Council of the City of Evanston Illinois that there is hereby appropriated the sum of _____ Dollars (\$1,044,987.00)

of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of Illinois Highway Code from 01/01/22 to 12/31/22 .

BE IT FURTHER RESOLVED, that only those operations as listed and described on the approved Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that City of Evanston shall submit within three months after the end of the maintenance period as stated above, to the Department of Transportation, on forms available from the Department, a certified statement showing expenditures and the balances remaining in the funds authorized for expenditure by the Department under this appropriation, and

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I City Clerk in and for said City of Evanston in the State of Illinois, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the

Council of Evanston at a meeting held on _____ Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this _____ Day _____ Month, Year _____ .

(SEAL)

Clerk Signature & Date

APPROVED

Regional Engineer Signature & Date
Department of Transportation