

## ORDINANCE

**WHEREAS**, the Columbian Exposition of 1893, which was the last and greatest of the world's fairs of the 19<sup>th</sup> Century, first enabled the City of Chicago ("City") to emerge as a world-class city; and

**WHEREAS**, just one year after the Columbian Exposition of 1893, modern Olympism was conceived by Pierre de Coubertin, on whose initiative the International Athletic Congress of Paris was held in June 1894; and

**WHEREAS**, the International Olympic Committee ("IOC") constituted itself on June 23, 1894, and the first Olympic Games of modern times was then celebrated in Athens, Greece in 1896; and

**WHEREAS**, for over a century, the Olympic Games have been the world's greatest festival, a unique blending of sport with culture and education; and

**WHEREAS**, the Olympic Games celebrate a way of life based on the joy of effort, the educational value of a good example, the respect for universal fundamental ethical principles, all in the context of athletic competitions held in a spirit of friendship, solidarity and fair play; and

**WHEREAS**, the City has proposed hosting the summer Olympic Games, including the Paralympic Games constituting a part thereof (the "2016 Games"), in 2016; and

**WHEREAS**, in pursuing the honor of hosting the 2016 Games, the City has worked cooperatively with Chicago 2016, an Illinois not-for-profit corporation (the "Bid Committee"), which Bid Committee was formed for the purpose of assisting and representing the City in the Olympic Games bid application process in accordance with IOC protocols; and

**WHEREAS**, in early 2007, the Bid Committee submitted the City's bid application materials to the United States Olympic Committee ("USOC") in connection with the USOC's selection of the United States' host city candidate in April 2007; and

**WHEREAS**, in connection with such bid application, and by ordinance adopted by the City Council of the City (the "City Council") on March 14, 2007 and published in the Journal of Proceedings of the City Council for such date at pages 99145 through pages 99276 (the "Prior Ordinance"), the City Council has previously authorized the City's execution of, among other things: (a) that certain City of Chicago Olympic Commitments Agreement; (b) certain Intergovernmental Agreements by and between the City and the Chicago Park District, the Metropolitan Pier and Exposition Authority, The Board of Education of the City of Chicago and certain other public bodies whose properties may serve as venues for Olympic Games; and (c) a Joinder Undertaking and Joinder Agreement (the "Joinder Agreement") pursuant to which the City has committed to provide certain guarantees and indemnities, subject to the limitations set forth therein; and

**WHEREAS**, on April 14, 2007, the USOC selected the City as the United States' Applicant City for the 2016 Games; and

**WHEREAS**, on June 4, 2008, the IOC selected the City as one of the final four Candidate Cities for the 2016 Games; and

**WHEREAS**, after June 4, 2008, the IOC then issued its "2016 Candidature Procedure and Questionnaire" (the "Candidature Procedure"); and

**WHEREAS**, the Candidature Procedure is the document provided by the IOC to Candidate Cities that explains the candidature process, sets forth certain questions that the Candidate Cities must answer, and requests certain mandatory guarantees that the Candidate Cities must provide prior to February 12, 2009, as part of their bid application; and

**WHEREAS**, in July 2008, the IOC also issued the form of "Host City Contract for the Games of the XXXI Olympiad in the Year 2016" (the "Host City Contract"); and

**WHEREAS**, the Host City Contract is the primary legal document that shall govern the organization and operation of the 2016 Games, and, if the City is selected to host the 2016 Games, must be executed by the City and the USOC immediately following the IOC's selection of the host city on October 2, 2009; and

**WHEREAS**, following the IOC's selection of the host city for the 2016 Games, the IOC shall also execute the Host City Contract, which shall become binding upon such parties;

**WHEREAS**, the Host City Contract requires the prior execution by the USOC and the City of a Joint Marketing Programme Agreement setting forth the respective rights and obligations of the USOC, the City and the IOC pertaining to the marketing and commercial rights relating to the 2016 Games; and

**WHEREAS**, in connection with the City's bid application, and consistent with the Candidature Procedure and the Host City Contract, the City must demonstrate certain legally binding commitments on the part of the City and various other governmental bodies whose participation and cooperation will be required to insure the successful staging of the 2016 Games; and

**WHEREAS**, to demonstrate the broad-based support and cooperation behind the City's bid application, to coordinate certain security, transportation and anti-ambush marketing functions, and to provide for the orderly planning and administration of the 2016 Games, the City desires to execute and enter into the venue use agreements and other agreements described herein; and

**WHEREAS**, the City also desires to provide for the appointment of City representatives to the organizing committees, commissions and councils that shall be created pursuant to IOC requirements or as otherwise necessary to plan for and administrate the 2016 Games;

**WHEREAS**, the spirit, principles and ideals underlying the Olympic Games are beneficial to the citizens of the City, and to the international community of athletic participants, the host cities, host states and sponsoring countries, as well as to spectators and observers; and

**WHEREAS**, the privilege of hosting the Olympic Games would be a great honor for the City and serve as catalyst to the City's continued redevelopment and flourishing as a world-class city in the 21<sup>st</sup> Century; and

**WHEREAS**, the City is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970, and as such, may exercise any power and perform any function pertaining to its government and affairs; now, therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** The foregoing recitals are hereby adopted as the findings of the City Council and are incorporated herein and made a part of this Ordinance.

**SECTION 2.** The City Council hereby authorizes the Mayor of the City (the "Mayor") and the Commissioners or executive directors or officers of any applicable City department or office (each, as applicable, "Commissioner" or "Executive Director"), or such person's designated representative, to execute and deliver, and the City Clerk to attest to, the following undertakings, agreements and documents on behalf of the City: (a) all documents necessary to comply with the Candidature Procedure and to complete the City's candidature file; (b) a Host City Contract in substantially the form of Exhibit A; (c) a 2016 Olympic and Paralympic Games City of Chicago Olympic Commitments Agreement in substantially the form of Exhibit B (the "City Commitments Agreement"); (d) a 2016 Olympic and Paralympic Games Governmental Cooperation Agreement in substantially the form of Exhibit C (the "Governmental Cooperation Agreement"); (e) a Joint Marketing Programme Agreement in substantially the form of Exhibit D; (f) public venue use agreements and intergovernmental agreements by and between the City, the Bid Committee and the public bodies whose properties shall serve as venues for, or otherwise be used in connection with, the 2016 Games (the "Public Venue Use Agreements"); (g) private venue use agreements by and between the City, the Bid Committee and the private parties whose properties shall serve as venues for, or otherwise be used in connection with, the 2016 Games (the "Private Venue Use Agreements"); and (h) such further undertakings, agreements, requests for proposals and other documents as may be necessary or appropriate to the implementation of the City's bid for the 2016 Games and the actual planning and organization of the 2016 Games in the event that the City is selected as the host city for the 2016 Games. The City shall timely appropriate amounts sufficient to pay the obligations of the City pursuant to the above agreements (if any), and the City hereby covenants to take timely action as required by law to carry out the appropriation provisions of this sentence, subject to the limitations set forth in the Joinder Agreement. All documents referred to in this Section 2 shall be subject to the review and approval of the Corporation Counsel. Subject to the express limiting terms and conditions of this Ordinance, it is the intent of the City Council that the grant of authority contained in this ordinance be broadly construed to permit the Mayor, such Commissioners and such Executive Directors to take all necessary or appropriate actions to complete and prosecute the City's bid submission, to effect the City's performance of its obligations under the above agreements and as otherwise related to the implementation, planning, organization and hosting of the Games, and to execute such additional documents as may be necessary or appropriate in connection therewith, time being of the essence.

**SECTION 3.** In connection with the Public Venue Use Agreements, Private Venue Use Agreements, and the planning and implementation of the 2016 Games, and subject to the approval of the Corporation Counsel, the Mayor, the Commissioners and Executive Directors, or their designees, are hereby authorized to (a) execute on behalf of the City any additional leases, easement agreements, land use agreements, rights of entry or other documents for the temporary use of City land for the period leading up to and extending six months after the end of the 2016 Games, and (b) accept on behalf of the City any deeds, leasehold interests, land

use agreements, rights of entry or other documents for the use and/or acceptance of title or interests in real estate, subject to customary terms and conditions, including indemnification by the City, to the extent reasonably necessary or appropriate, provided, however that any acceptance of such an interest in real estate that requires the payment by the City of more than Ten Thousand Dollars (\$10,000) shall be subject to the further approval of the City Council.

**SECTION 4.** The Mayor, the Commissioners and the Executive Directors are also authorized to accept grants of funds and other tangible and intangibles assets (including, without limitation, the provision of services) and, in connection therewith, execute such ancillary agreements on behalf of the City as may be necessary or appropriate.

**SECTION 5.** The City Council hereby authorizes the Mayor to appoint such members, officers and City representatives as may be necessary or appropriate to (a) the organizing committee for the 2016 Games, which shall be formed pursuant to the Host City Contract; (b) the Governmental Cooperation Advisory Council, the Chicago Olympic Public Safety Command, the Olympic Transport Command and the Olympic Brand Protection Commission, which are to be formed pursuant to the Governmental Cooperation Agreement and the City Commitments Agreement, and (c) to such other committees, boards, councils, commands, task forces and other planning bodies that may be formed in connection with the organization, planning and hosting of the 2016 Games.

**SECTION 6.** The City Council hereby waives the imposition and collection of fees and charges otherwise imposed and collected by or on behalf of the City for services, permits and licenses issued to the Bid Committee, the organizing committee for the 2016 Games and their contractors and subcontractors and related to the design, development, construction, operation and/or use of projects, buildings and improvements for the 2016 Games undertaken in furtherance of the agreements authorized under this ordinance.

**SECTION 7.** The City Council hereby confirms its prior designation and empowerment of the Bid Committee to represent the City in connection with the City's preparation, submission and negotiation of the City's bid application for the 2016 Games.

**SECTION 8.** If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

**SECTION 9.** All ordinances, laws, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict. The Prior Ordinance, and the authority and approvals granted thereunder, including, without limitation, the execution of the Joinder Agreement, shall continue in full force and effect,

**SECTION 10.** This ordinance shall take effect upon its passage and approval.

[Exhibit(s) attached to this document on file and available  
for public inspection in the Office of the City Clerk.]

Document No. P02008-10371

REFERRED TO COMMITTEE ON FINANCE
DEC 17 2008
<i>Miguel del Valle</i> City Clerk. City of Chicago