

**BOARD OF COMMISSIONERS OF THE
PUBLIC BUILDING COMMISSION OF CHICAGO
EXPANDED USES OF RICHARD J. DALEY CENTER
RESOLUTION NO. _____**

WHEREAS, in *Grutzmacher v. Public Building Commission of Chicago*, No. 87 C 10746, it was determined by the United States District Court for the Northern District of Illinois that the Richard J. Daley Center (“RJDC”) Plaza is a traditional public forum entitled to the protection of the First Amendment of the United States Constitution and must be governed, as to time, place, manner and duration of use, in accordance with principles of First Amendment jurisprudence; and

WHEREAS, the Board of Commissioners (“Board”) of the Public Building Commission of Chicago (“PBC”) has heretofore adopted Amended and Restated Regulations and Procedures (the “Amended Regulations”), as amended from time to time, Governing the Use of the Lobby and Plaza of the Richard J. Daley Center (collectively, the Lobby and the Plaza of the RJDC are referred to herein as the “Premises”), and

WHEREAS, PBC acting through its Property Manager, has adopted procedural guidelines (the “RJDC Guidelines”) that must be followed by individuals and groups seeking to obtain permits in order to conduct an event or activity, or to erect a display, exhibit or structure on the Premises, and providing for the payment of costs and fees for the use of the Premises; and

WHEREAS, heretofore the Amended Regulations and RJDC Guidelines have restricted the use of the Premises by requiring that uses or activities involving the sale or promotion of goods or services, including food or beverages, in connection with any commercial activity undertaken primarily for the benefit or profit of an individual or group within the Lobby or the Plaza to be sponsored by PBC or an Authorized Lessee (i.e., the County of Cook or the City of Chicago); and

WHEREAS, the Board is committed to increasing the revenues generated by activities and events conducted at the RJDC to defray a portion of the costs of administration, operation and maintenance of the RJDC and to reducing the costs that must be borne by the taxpayers as a result of such activities in a manner consistent with principles of First Amendment jurisprudence consistent with the provisions of this Resolution; and

WHEREAS, it has been proposed that the Board authorize the expanded use of the Premises to permit private, corporate and commemorative uses to be conducted at the RJDC, including without limitation commercial events and activities involving the sale or promotion of goods or services or the consumption of alcoholic beverages, in order to generate additional revenues that would be used to defray a portion of the administrative, maintenance and operating costs of the RJDC; and

WHEREAS, it has been further proposed that the Board authorize the use of additional portions of the RJDC that include, without limitation, the concourse level, non-occupied spaces, and -court room spaces for private, corporate and commemorative events and activities so long as

such use does not interfere with activities and events by the Authorized Lessees and are approved by the PBC acting through its Property Manager as a means of obtaining additional revenue to defray expenses incurred to operate, maintain and administer the RJDC; and

WHEREAS, pursuant to Section 14 of the Public Building Commission Act of the State of Illinois, 50 ILCS 20 et. seq.), PBC has the express and incidental powers necessary to carry out its statutory powers and essential governmental functions including the authority “to operate, maintain and manage . . . its building and facilities” including RJDC, upon such terms and in such manner as the Board shall determine; and

WHEREAS, the Board may authorize the Executive Director to approve all necessary procedural guidelines, policies, rules and regulations providing for the expanded use of the RJDC for the conduct of activities and events , and the display of exhibits or structures by individuals and groups, including commercial users or vendors, subject to principles of First Amendment jurisprudence.

THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Public Building Commission of Chicago as follows:

1. The foregoing recitals are hereby incorporated herein by reference.
2. The Board of Commissioners hereby authorizes and approves the expanded uses of RJDC to include private, corporate and commemorative uses including, without limitation, commercial events and activities involving the sale or promotion of goods or services and the sale or consumption of alcoholic beverages, as a means of generating additional revenues for the administration, operation and maintenance of the RJDC.
3. The Executive Director is hereby authorized and directed to take such action as may be necessary and appropriate in order to implement this Resolution providing for the expanded uses of the RJDC including, without limitation, promulgation of rules and regulations with regard to the requirements of this Resolution, approval of an appropriate fee structure for permitted events and activities, directing the Property Manager to undertake appropriate activities to obtain prospective users, and advising prospective users of the expanded activities and events which may be held at the RJDC through appropriate outreach efforts by PBC and its Property Manager.
4. This Resolution shall take effect immediately upon its adoption.