



Office of the City Clerk

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Legislation Details (With Text)

File #: SO2021-2901

Type: Ordinance **Status:** Failed to Pass

File created: 6/25/2021 **In control:** City Council

Final action: 5/24/2023

Title: Amendment of Municipal Code Sections 2-8-820 through 2-8-850 to establish Office of Legislative Support, replacing Legislative Reference Bureau, and associated amendment of Annual Appropriation Ordinance Year 2022, and City Council Rules of Order and Procedure

Sponsors: Beale, Anthony, Hopkins, Brian, Hairston, Leslie A., Rodriguez Sanchez, Rossana

Indexes: Ch. 60 Dept. of Law, Miscellaneous

Attachments: 1. SO2021-2901.pdf, 2. O2021-2901.pdf

Date	Ver.	Action By	Action	Result
5/24/2023	1	City Council	Failed to Pass	
7/18/2022	1	Committee on Budget and Government Operations	Held in Committee	
3/16/2022	1	Committee on Budget and Government Operations	Held in Committee	
3/16/2022	1	Committee on Budget and Government Operations	Substituted in Committee	
1/26/2022	1	City Council	Re-Deferred	
10/14/2021	1	City Council	Deferred and Published	
10/12/2021	1	Committee on Committees and Rules	Recommended for Re-Referral	
6/25/2021	1	City Council	Referred	

SUBSTITUTE ORDINANCE

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

SECTION 1. Article IV of Chapter 2-8 of the Municipal Code of the City of Chicago is hereby amended by deleting the language struck through, and by inserting the language underscored, as follows:

ARTICLE IV. LEGISLATIVE REFERENCE BUREAU OFFICE OF LEGISLATIVE SUPPORT (2-8-820 et seq.)

2-8-820 Establishment and supervision.

There is hereby created and established an Office of Legislative Support of City Council, which shall include a Director of Legislative Support appointed by City Council and such other staff in such number and for such compensation as may be provided in the annual appropriation ordinance. The purpose of the Office of Legislative Support shall be to provide the members of City Council with clear and accurate advice, analysis, opinions, and assistance as requested regarding the execution of their legislative function, including but not limited to the preparation of legislative language, financial analysis, and legal opinions and advice, a legislative

2-8-830 Director - qualifications, appointment, compensation, and dismissal for cause. Staff;

The Director of Legislative Support shall be appointed by City Council by majority vote, and shall serve a term of four years from the date of his or her confirmation by majority vote of City

Council-fa) Qualifications. In considering a candidate for the position of Director of the Office of Legislative Support. City Council shall evaluate and consider any relevant qualifications, including but not limited to:

1. The candidate's proven experience in legislation, municipal law, municipal finances, or related fields:
2. The candidate's potential for strong leadership:
3. The candidate's proven integrity and ability to provide clear and honest advice and neutral, unbiased rulings, including in cases of public interest and sensitivity

(b) Appointment. When a vacancy occurs in the position of Director of the Office of Legislative Support. City Council shall within one month of the vacancy establish a Special Committee for the Appointment of the Director of Legislative Support comprised of seven Alderpersons. one being designated Chair and one Vice-Chair. The Special Committee shall include at least one member of each standing caucus of City Council at the time of its formation. It shall be the

responsibility of the Special Committee to conduct a candidate search, including a public posting, and to evaluate all candidates submitted. The Special Committee shall refer its selected nominee to City Council for confirmation by majority vote. If City Council declines to confirm by majority vote, the Special Committee shall recommend another candidate, repeating the process as needed until a Director is confirmed by majority vote.

(c) Compensation and dismissal. The Director of Legislative Support shall be an employee of the City of Chicago, with compensation as provided for in the annual appropriations ordinance. The Director of Legislative Support may be removed prior to the expiration of their term only for cause and in accordance with the provisions of this section. The Special Committee may at any time during the term of the Director by majority vote give written notice to the Director and to City Council of their intent to remove the Director and the cause. Within 10 days of receipt of the Special Committee's notice, the Director may request in writing a hearing in the Special Committee on the cause for removal. If no such request is made, the Director shall be deemed to have resigned their office on the 10th day after receipt of the notice. If a hearing is requested, the hearing shall be convened within 10 days of receipt of the Director's request, and concluded within 14 days thereafter. The notice of intended removal shall constitute the charge against the Director-Removal of the Director for cause after the hearing may be recommended by the Special Committee, and shall require the affirmative vote of a majority of the members of City Council then holding office.

The President Pro Tempore shall appoint bureau staff in such number and for such compensation as may be provided in the annual appropriation ordinance.

2-8-840 Authority and responsibilities. Office location and hours.

The Director of Legislative Support shall be the chief administrator of the Office of Legislative Support. They shall have authority to hire, fire, and assign staff with such budget as provided for in the annual appropriations ordinance. It shall be the power and responsibility of the Director to direct the staff, resources, assignments, and other operations of the Office of Legislative Support. The Director shall ensure that the Office of Legislative Support provides requested support for members of City Council in the execution of their legislative duties, including but not limited to:

a) Legislative Reference. The Office of Legislative Support shall assist, at the request of any member or committee of City Council, in the preparation of ordinances, resolutions and orders proposed to be introduced in the city council by said members, including amendments, substitutes and revisions of existing or proposed ordinances, resolutions and orders, and shall conduct upon request by any member or committee of City Council briefings on proposed or current ordinance.

b) Financial Analysis. The Office of Legislative Support shall provide financial analysis and support, including:

1. Upon request of any member or committee of City Council, analysis and, if requested, a fiscal impact statement recommended funding sources for any proposed piece of legislation that would require new or amended appropriations in the annual appropriations ordinance:

2. A fiscal impact statement for any piece of proposed legislation that proposes to add, eliminate, or amend line items in the annual appropriations ordinance:

3. A financial analysis of the Mayor's proposed budget;

4. An annual summary, presented to City Council no later than July 1 of each year, of the City's current and potential revenue sources for the upcoming annual budget.

Any such financial analysis provided by the Office of Legislative Support shall be submitted to City Council as a body, and placed on file with the City Clerk.

c) Legal Counsel. The Office of Legislative Support shall provide, at the request of any member or committee of City Council, a legal analysis and opinion of any proposed or current piece of legislation. Any such opinions shall be submitted to City Council as a body, and placed on file with the City Clerk. The Director of Legislative Support or their designee shall be present at all meetings of City Council and its committees to serve as parliamentarian in accordance with and subject to the City Council Rules of Order and Procedure, and to provide, upon request of any member of City Council, clear and unbiased advice on matters of parliamentary procedure, legislative interpretation, and other substantive and procedural matters related to their legislative duties. It shall not be the duty of the Office of Legislative Support to provide individual legal counsel on personal matters to any member of City Council, or to serve as any individual member's formal representation in any legal proceeding.

d) Report of Activities. The Office of Legislative Support shall produce annually, no later than January 31st, a summary report of its activities in the previous calendar year, including summary totals of types of requests received and reports, opinions, analyses, or other finished documents produced. The summary report shall not list the names of individual members of City Council or identify which members made requests of the Office of Legislative Support except with a member of City Council's written permission. The summary report shall be communicated to City Council as a body and placed on file with the City Clerk.

The office of the bureau shall be established in the City Hall building and shall be located as near as may be possible to the chamber of the city council. It shall be open on the weekdays that the City Hall building is open, during the hours set by the President Pro Tempore, including all hours during which the city council is in session.

2-8-850 Powers and duties-It shall be the duty of said

bureau:

(a)-To prepare, upon the request of any member of the city council, ordinances, resolutions and orders proposed to be introduced in the city council by said members, including amendments, substitutes and revisions of existing or proposed ordinances, resolutions and orders;

(b)-To collect, catalogue, classify, index, completely digest, topically index, checklist and summarize all ordinances, resolutions and orders as well as amendments or revisions thereof, if any, introduced in the city council, as soon as practicable after the same have been printed, and

to furnish copies of the digest, indexed and topically indexed, to each member of the city council after each meeting of the city council;

(g)-To collect, assemble and catalogue in such manner as may make the same readily accessible, the ordinances, resolutions, orders and laws of other cities and municipal corporations, and such other printed or written material as may aid the members of the city council in the performance of their duties;

(d) To coordinate and provide to the members of the City Council such trainings, briefings and seminars that the President Pro Tempore deems useful and informative.

2-8-860850 Cooperating departments.

The Director of Legislative Support is authorized to obtain such information, data, records, reports, estimates, and statistics from any official, employee, department, or agency of the City as the Director determines is necessary for the performance of their powers and duties. It shall be the duty of every elected or appointed official, employee, department, or agency of the City to cooperate with the Office of Legislative Support in the course of fulfilling its duties under this article, unless such materials are subject to attorney-client privilege or otherwise prohibited by law from release.

The board of directors of the Chicago Public Library and the department of law shall cooperate with the referenda

SECTION 2. Chapter 2-53 of the Municipal Code of the City of Chicago is hereby deleted in its entirety.

SECTION 3. The 2022 Annual Appropriation Ordinance is hereby amended by striking the words and figures and adding the words and figures indicated in the attached Exhibit A which is hereby made a part hereof.

SECTION 4. The City Council approves the resolution attached as Exhibit B to this ordinance.

SECTION 5. To the extent that any ordinance, resolution, order or provision of the Municipal Code of Chicago, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

SECTION 6. This ordinance shall take effect upon passage and approval.

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EXHIBIT B

RESOLUTION

BE IT RESOLVED BY THE CITY OF CHICAGO:

SECTION 1: Rule 1 of The Rules of Order and Procedure of the City Council, City of Chicago, For Years 2019 - 2023 (the "Rules") is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

Presiding Officer Of The Council; Mayor; President Pro Tempore; Parliamentarian.

RULE 1. The Mayor shall be Presiding Officer of the Council.

The Council shall elect one of its members President Pro Tempore of the Council, who shall act as Presiding Officer of the Council during a temporary absence or disability of the Mayor or when requested so to do by the Mayor. In the temporary absence of the President Pro Tempore, the Vice-Mayor shall act as Presiding Officer of the Council when requested to do so by the Mayor. The President Pro Tempore or the Vice-Mayor of the Council, when acting as the Presiding Officer, shall vote on all questions on which the vote is taken by yeas and nays, his name being called last.

There shall be a parliamentarian of the Council, who shall be the Director of the Office of Legislative Support or their designee, who shall serve at the pleasure of City Council and may provide, upon request of any member of Council, advice or opinion regarding the proper application of the Rules of Order and Procedure of City Council. Robert's Rules of Order, and such local, state, and federal law as may apply to the proceedings of City Council. It shall be the privilege of any member who has the floor to request an opinion of the parliamentarian, and no motion or vote shall be required for a member to request an opinion, or for the parliamentarian to provide it to the body.

~~The City Council Legislative Reference Bureau shall be under the control, supervision and direction of the President Pro Tempore.~~

SECTION 2: Rule 8 of the Rules is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

Visitors; Lobbying During Meeting Prohibited.

RULE 8. During the session of the City Council, no one, unless by consent of the Council, shall be admitted within the bar of the City Council Chamber except representatives of the press, television, radio, ex-Aldermen except as provided in Rule 56, Office of Legislative Support staff as directed by the Director of Legislative Support, and persons invited by the Mayor or other Presiding Officer. The Mayor or Presiding Officer shall

assign seats for the persons invited by them. The Committee on Committees and Rules shall assign an area or areas for said media of communications, and such area or areas shall be for the reporters and for such cameras and

recording devices or other equipment as may be necessary for use of said media of communications.

No person shall at any meeting of the Council solicit any Alderman to vote for or against any person or proposition. Nothing in this Rule 8 is intended to limit debate by Aldermen on any pending matter, or to prohibit discussion between Aldermen, or between Aldermen and any City employee, concerning a pending matter.

SECTION 3: Rule 10 of the Rules is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

Debate.

RULE 10. No member shall speak more than once on the same question until every other member desiring to speak shall have had an opportunity to do so; provided, however, that the proponent of the matter under consideration, or the chairman of the committee whose report is under consideration, as the case may be, shall have the right to open and close debate. No member shall speak longer than ten (10) minutes at any one time, except by consent of the Council; and in closing debate on any question, as above provided, the speaker shall be limited to five (5) minutes, except by consent of the Council.

While a member is speaking, no member shall hold any private discourse, nor pass between the speaker and the Chairr. except that members may seek counsel on the Rules of Order and Procedure from the parliamentarian, provided that such discussions are kept as quiet and brief as possible out of respect for the member who holds the floor.

SECTION 4: Rule 37 of the Rules is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

Jurisdiction of Committees

RULE 37. The jurisdiction of each standing committee, in terms of legislation and administrative activities of its particular concern, shall be as follows:

(Omitted text unaffected by this resolution)

3. The Committee on Committees and Rules shall have jurisdiction over the Rules of Order and Procedure, the procedures of the Council and its committees, including disputes over committee jurisdiction and referrals, ward redistricting, elections and referenda, committee assignments, the conduct of Council members, the provision of services to the City Council body; matters affecting the City Clerk; and council service agencies, except the City Council Legislative Reference Bureau Office of Legislative Support referenced in Rule 1. The Committee shall also have jurisdiction with regard to all corrections to the Journal of the Proceedings of the City Council.

(Omitted text unaffected by this resolution)

SECTION 5: Rule 40 of the Rules is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

Notice Of Committee Meetings; Postings, And Requirements For Written Notice And Agenda.

RULE 40. Notice of all committee meetings shall be in written or electronic form to all members of the Council, all other persons who have filed with the committee a request for notice of its meetings, all departments of the city government which may be affected by the matters to be considered at the meeting, and to the general public by posting in the Office of the City Clerk, the ~~Legislative Reference Bureau~~ Office of Legislative Support, the Municipal Reference Library and on the bulletin board in the Council Chamber. The notice shall state the day and hour of the meeting and shall contain a statement of the subject matter to be considered, or a statement that an agenda of the matters to be considered is available in the office of the committee, which agenda shall be prepared and distributed to all Aldermen by the Chairman not less than forty-eight hours prior to the meeting. Notice of all subcommittee meetings shall be given to all members of the City Council.

SECTION 6: Rule 46 of the Rules is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

General Provisions Concerning Ordinances.

RULE 46.

Introduction, Amendment And Printing Of Ordinances; Summarizing Of Ordinances In Journal.

All ordinances, orders and resolutions which are introduced in the City Council shall be submitted on paper or electronically in duplicate and the City Clerk shall deliver one (1) copy to the City Council ~~Legislative Reference Bureau~~ Office of Legislative Support.

All such matters introduced shall be typed, printed, or submitted electronically and the pages thereof shall be numbered. If the document is submitted electronically, the City Clerk shall provide a copy of the ordinance, order and/or resolution and transmit it to the appropriate committee. The City Clerk shall deliver to the City Council Committees the originals of the documents that are referred to each committee at each City Council meeting. Each matter introduced shall identify the sponsor and all co-sponsors. All ordinances introduced which propose to amend a section of the Municipal Code of Chicago or any general or special ordinance shall indicate all language or figures to be added to the existing ordinance by underlining such addition and language or figures to be omitted or repealed shall be struck through.

The City Clerk shall assign a sequential number to each proposed ordinance, resolution and order in accordance with a sequential numbering system for each type of such legislation established by the Clerk with the approval of the Committee on Committees and Rules. The City Clerk shall maintain continuous and up-to-date records of all matters introduced, and their status, and shall regularly report on such status, all of which shall be public records.

Ordinances, resolutions or orders shall be promptly reproduced by the City Clerk, upon introduction, in sufficient quantities for distribution to each Alderman, each elected City officer, the Law Department, the City Council ~~Legislative Reference Bureau~~ Office of Legislative Support, each department or agency of the City affected thereby and for a reasonable number of copies to be made available to the public in the City Clerk's office. Upon their adoption, the same publication requirement shall apply to amendments.

SECTION 7: Rule 51 of the Rules is hereby amended by deleting the language struck through, and inserting the language underscored, as follows:

Publication Of Aldermanic Voting And Attendance Record.

RULE 51. The ~~Legislative Reference Bureau~~ City Clerk shall publish and make available for public inspection on a quarterly basis a record for each City Council meeting which sets forth aldermanic attendance, a brief description of each ordinance passed by the Council and how each Alderman voted on each such ordinance.