



Office of the City Clerk

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Legislation Text

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CITY OF CHICAGO

MICHELLE A. HARRIS, ALDERMAN, 8TH-WARD CHAIRMAN-COMMITTEE ON COMMITTEES
AND RULES

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City Council Meeting October 14, 2021

To the President and Members of the City Council:

Your Committee on Committees and Rules, considered the following Ordinances which met October 12, 2021:

Your Committee on Committee and Rules, recommends "re-referral" of the following items:

Recommendation to refer proposed item 1 to the Committee on Finance:

1. (02021-1227) Amendment of Municipal Code Chapters 9-100 and 9-101 to further regulate automated speed enforcement system

Recommendation to refer proposed item 2 to the Committee on Budget & Government Operations:

(02021-2901) Amendment of Municipal Code Chapter 2-60 by adding new section 2-60-090 to establish position of Legislative Counsel

This recommendation of each item was concurred in by the Committee on Committees and Rules.

Sincerely,

**Michelle Harris, Chairman Committee on
Committees and Rules**

CITY OF CHICAGO
COOK COUNTY, ILLINOIS

ORDINANCE

NUMBER

AN ORDINANCE CREATING THE POSITION OF LEGISLATIVE COUNSEL BY
AMENDING TITLE 2, CHAPTER 2-60 OF THE MUNICIPAL CODE OF CHICAGO

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ORDINANCE NO.

AN ORDINANCE CREATING THE POSITION OF LEGISLATIVE COUNSEL BY AMENDING TITLE 2, CHAPTER 2-60 OF THE MUNICIPAL CODE OF CHICAGO

WHEREAS, the City of Chicago (the "City"), Cook County, Illinois, as a home rule municipality in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970, with full powers to enact ordinances and adopt resolutions for the benefits of the residents of the City; and

WHEREAS, the Mayor and City Council (the "Corporate Authorities") are committed to ensuring the effective administration of government; and

WHEREAS, Chapter 2-60 of the Municipal Code of Chicago establishes and governs the Department of Law, which is headed by the Corporation Counsel who is appointed by the Mayor with the advice and consent of the City Council; and

WHEREAS, the City currently employs a Corporation Counsel, who was temporarily appointed by and serves at the discretion of the Mayor; and

WHEREAS, the Alderpersons of the City Council may, from time to time, choose not to seek legal counsel from the Corporation Counsel; and

WHEREAS, the City Council has concerns with the manner in which parliamentary procedure is followed or ruled upon during full City Council Meetings and seeks to retain independent counsel to provide opinions on parliamentary procedure and other such matters as may be requested by the City Council; and

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WHEREAS, the Mayor and City Council may from time to time amend the text of Municipal Code of Chicago when it deems it to be in the best interests of the City and the Residents therein; and

WHEREAS, it is in the best interests of the City of Chicago for the City Council to retain legislative counsel to independently advise Alderpersons on matters relating to parliamentary procedure and their legislative duties, which may include, but is not limited to, the drafting of ordinances, resolutions, motions, contract documents, opinions on the powers of the legislative branch, analysis of the validity of actions taken or proposed by the City, review of litigation issues, and providing other advice on matters within the purview of the legislative branch of municipal government.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chicago, by and through its home rule powers, as follows:

SECTION 1. The above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

SECTION 2. The Municipal Code of Chicago is hereby amended by adding the underscored language as Section 2-60-090 to the Municipal Code of Chicago as follows:

Section 2-60-090 Legislative Counsel - Position Created; Powers & Duties.

It is in the best interests of the City of Chicago for the City Council to retain legislative counsel to independently advise Alderpersons on matters relating to their legislative duties and, therefore, there is hereby created the position of Legislative Counsel who shall be an independent contractor hired by majority vote of the City Council.

The Legislative Counsel shall have the following duties and shall be subject to the following requirements:

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fa) The Legislative Counsel shall be the legal adviser to the City Council to independently advise Alderpersons on matters relating to their legislative duties which may include, but are not limited to, the drafting of ordinances, contract documents, opinions on the powers of the legislative branch, analysis of the validity of actions taken by the City, review of litigation issues, representation of the corporate authorities regarding legislative matters in litigation, defend the City Council and its members against claims and lawsuits, advise

the City Council on other proposed amendments to the Municipal Code of Chicago, settlement of litigation, tax increment financing, economic development, other economic, finance, and tax related issues as may come before the City Council and any committees thereof, and providing other advice and representation on matters within the purview of the legislative branch of municipal government and as may be requested by the City Council.

(b) The Legislative Counsel shall attend meetings of the City Council and as requested by members of the City Council, its committees. The Legislative Counsel shall be parliamentarian of the City Council and, upon request, shall render an opinion and advice on the question of parliamentary law and procedure applicable to matters arising before the City Council.

Cc) Alderpersons shall each be authorized to seek legal counsel regarding any matters within the scope of items provided for in this Chapter.

(d) The Legislative Counsel shall be independent of the Corporation Counsel and shall be retained at a rate authorized by the City Council for any term but not exceeding the term of the then-current Mayor. No department or office of independent legislative counsel is hereby created.

SECTION 3. The hourly rate payable to Legislative Counsel shall be stated in a retention agreement.

SECTION 4. The City Council shall establish a committee to interview and recommend selection of its Legislative Counsel. Six (6) Alderpersons shall be members of said committee, with one being designated Chair and one Vice-Chair, and with each current caucus group (5) represented. Members shall be selected by majority vote of the City Council.

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SECTION 5. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

SECTION 6. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 7. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

ADOPTED this day of , 2021.

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AYES:

NAYS:

ABSENT: