



Rules Committee Meeting

MONDAY, MAY 5, 2014

6:00 P.M.

**Lorraine H. Morton Civic Center, 2100 Ridge Avenue
Council Chambers**

AGENDA

- I. CALL TO ORDER/DECLARATION OF QUORUM: Ald. Ann Rainey, Chair**
- II. CITIZEN COMMENT**
- III. APPROVAL OF MINUTES OF THE REGULAR MEETING OF APRIL 7, 2014***
- IV. REPORT ON CITY MANAGER EVALUATION**
- V. DISCUSSION ON EMPLOYEE'S OF ELECTED OFFICIALS***
- VI. RESOLUTION 16-R-14 SUPPORTING ADEQUATE AND FAIR FUNDING RESOLUTION FOR ILLINOIS 9-1-1 SYSTEMS***
- VII. RESOLUTION 34-R-14 SUPPORTING CONTINUATION OF ILLINOIS INCOME TAX INCREASE TO SUPPORT CRITICAL GOVERNMENT SERVICES***
- VIII. NEW BUSINESS**
- IX. ADJOURNMENT**

*Denotes materials included in packet

Items for future discussion:

- Discussion of Powers of the Mayor

MINUTES OF THE RULES COMMITTEE

Monday, April 7, 2014

6:30 p.m.

Lorraine H. Morton Civic Center
Council Chambers

Present: Mayor Elizabeth Tisdahl, Ald. Peter Braithwaite, Judy Fiske, Delores Holmes, Ann Rainey, Mark Tendam, and Donald Wilson

Absent: Ald. Coleen Burrus, Jane Grover and Melissa Wynne

Presiding: Ald. Ann Rainey

Staff Present: Wally Bobkiewicz, City Manager

Guest: Sue Calder, League of Women Voters, Betty Sue Ester, Bill Smith, Evanston Now, and Bob Seidenberg, Pioneer Press

CALL TO ORDER/DECLARATION OF QUORUM:

Ald. Rainey declared a quorum and called the meeting to order at 6:41 p.m.

CITIZEN COMMENT:

None

APPROVAL OF MINUTES OF THE REGULAR MEETING OF MARCH 3, 2014:

Ald. Fiske moved for approval of the March 3, 2014 minutes. Ald. Braithwaite seconded. Minutes approved.

PLAN FOR CITY MANAGER EVALUATION

Ald. Rainey stated she emailed to the committee the City Manager's evaluation form from last year and the ICMA Manager Evaluations Handbook. She also spoke to Ald. Holmes who indicated that she, Ald. Grover and Wynne, the fabulous committee from last year, would be willing to reconvene and come to the next Rules Committee meeting with a proposal.

Ald. Holmes said the ICMA Manager Evaluations handbook had been emailed to the Council about six weeks ago. After receiving the handbook she did a lot of reviewing on it and based on her conversations with Ald. Grover and Wynne they decided there were some changes that needed to be made on the current form. Once Ald. Grover and Wynne return they will meet and incorporate some of the changes and report back at the next Rules Committee meeting. The plan would be that they send a draft copy so that by the next Rules Committee meeting they might be able to finalize the form.

Ald. Braithwaite noted he distinctly remembered from the last evaluation, conversation on adding the Director's piece, and wondered if that's something they are still considering. Ald. Holmes stated they did take notes from last year and can look at that. She asked that he send an email as a reminder and if anyone else has something they would like the committee to look at they should send them an email and they will take it into consideration.

Ald. Rainey asked if anyone would like to volunteer to be part of the committee this year. Ald. Braithwaite volunteered. Ald. Holmes said if someone else wants to volunteer she would be willing to step down because she has been doing it for a long time. Ald. Rainey asked that she not do that. She thanked Ald. Holmes, Grover and Wynne for continuing to serve.

REPORT ON PLAN TO INCORPORATE FUNCTIONS OF EVANSTON TOWNSHIP INTO CITY OF EVANSTON:

City Manager Bobkiewicz reported that on the Council agenda for tomorrow evening is an ordinance that would have the City formally receive all of the functions of Evanston Township. The hope is the ordinance will be introduced tomorrow and then a second reading on April 28th. Also planned is to have a final Town Board meeting on April 28th and have the Town Board take similar actions with the anticipation that the Township would dissolve on April 30th. Beginning May 1st the General Assistance portion will become part of the Health Department functions. As discussed previously, the existing General Assistance staff would continue and necessary arrangements are being made to bring them on as City staff members as of May 1st. On the Township Assessor side, recruitment will begin for a full-time staff position to be responsible for the property assessment advising services and likely some additional duties as well. So in addition to the City Council meeting tomorrow there is also the Annual Town meeting where some of this will be discussed as well.

Ald. Wilson said there is training and certification that the Assessor would ordinarily participate in. Will the new staff person engage in some similar types of training so that they are up to speed with whatever the prior Assessor was able to do for people?

City Manager Bobkiewicz pointed out that they will make sure the individual is familiar with the Cook County systems, which is different than other systems throughout the State of Illinois, but are most important. The training that has been required for all Township Assessor's goes far beyond anything that the Evanston Township Assessor was really required to do. And as there are opportunities and changes are made they will make sure that individual is integrated in. The intention is to provide the same type of services that have been provided previously for residents.

Ald. Rainey added only the elected Township Assessor was required to have those courses. No clerical, or assistant or Deputy was required to have it. Frankly, she absolutely objects and does not support the addition of a city employee who is going to do tax appeal work of any kind. There is a variety of opportunities throughout the community for those services. One place that does an excellent job is Commissioner Larry Suffredin's office and as she stated earlier in a memo, she would have no problem supporting, by way of some kind of subsidy, Commissioner Suffredin's office at those times when the support is needed. For example, during the appeal process or the reassessment period. But to put someone else on the payroll in the City of Evanston is unnecessary and she objects to that.

Ald. Holmes asked in terms of the closing out of the Township, will there be discussion tomorrow night at the Town meeting on what that process will be in terms of closing out audit, budget and those kinds of things that will have to be covered as they close down the Township? City Manager Bobkiewicz said it is a pretty straightforward process. They will do an audit for the fiscal year that will end, in this case, April 30th. Staff is in the process of transferring the accounts payable and payroll to the city's system. The General Assistance payments will continue for now, under the existing system they have, so all that will remain.

Ald. Holmes commented that she remembers last year they did a 9 month budget to get them through Dec. 31, 2013. They have a full budget for this year so will they be closing out in 4 months rather than a year and will they have an audit then for the close out of Dec. 31, 2013 as well as April 30, 2014? City Manager Bobkiewicz said not entirely. They will have an audit through April 30, 2014. The last transactions will be a transfer of funds from the Township to the City. So the activity of the Township will cease on April 30th. What staff is asking the City Council to do is create a General Assistance fund within the City. So they would transfer the balances of the General Assistance fund of the

Township into a General Assistance fund for the City. As for the Town fund dollars, staff is proposing that it be transferred to the City's general fund, the Assessor position will be absorbed within the General Fund. That will be the last transactions of the Township. Then an audit will be done and those books will close on April 30, 2014. A part of the ordinance for tomorrow evening is asking to amend the city budget, accept this funding and to then have that activity continue in the city. So that will be reflected in budget reports that are given to City Council for the balance of the fiscal year and then be part of the audit at the end of the year.

Ald. Holmes said the tax levy that the Township had, of course will no longer be, so how will that be incorporated into the city? Will they not have that levy, will it be dropped completed or will that be added to the city? Will that be explained tomorrow evening or is there going to be another time for this kind of detailed information to be provided to the residents? City Manager Bobkiewicz said they will continue a General Assistance levy, they will not continue the Town levy. The Town functions are largely going away. The General Assistance levy pays for the General Assistance Emergency Assistance Services. The Town levy didn't, in part, pay for the property assessment services and that will not become part of the General Fund. So the only additional levy that will continue under the city's new authority under the legislative act that allowed them to absorb the Township will continue to levy a line for General Assistance so that will be part of the budget process for 2015 and going forward, is that line for General Assistance.

Ald. Braithwaite stated he has concerns with previous comments in terms of looking at potentially eliminating the Assessor position. The function of that person is twofold and a lot of this is based on feedback from residents. There is the piece that helps residents understand how they can lower their taxes without having to spend money and the Township has been doing that for years. The other value in the position is the help provided to the aging and senior population to really help provide that on the spot assistance for the senior freezes and so on. There was a situation with one of his residents where a spouse died and the taxes had to be transferred into someone else's name. It is a really valuable service that is provided. One thing he has said during this whole transition is that he and the Council will continue to fight to make sure they don't eliminate any services. They are looking for ways to make it more efficient. Bonnie Wilson did a really good job of documenting exactly how many people came in for the month and he spoke to the City Manager about that. He understands that it may not be a full-time position but hopes it will still be a position that is paid attention to because there are services that are needed. He has heard no complaints from residents about the new person.

Ald. Rainey added that it is interesting that when there was a push to reduce the Council from 18 to 9 members, it was argued that it was a tax saving effort. Within a year or two of changing the Council from 18 to 9 the Council budget far exceeded the budget of the 18 member Council. So she does not see this movement as a tax saving effort at all. If they are going to continue to pile on expenditures for the City budget, she really doesn't see any point in having abolished the Township. She voted to abolish the Township and did so because she believed the City could be more efficient in providing for General Assistance, both housing and personal expenses. She is very concerned that if they keep adding people they will find themselves in the same situation that the people in the City of Evanston found themselves in after reducing the size of the City Council. She is totally supportive of the effort of Commissioner Suffredin's office and thinks they do a spectacular job and the City could aid them in doing even a better job.

Ald. Braithwaite commented that there are a number of organizations that deal with youth, homeless and the hungry and if they have to help residents with their taxes he is ok with that. Actually you bring up a really good point and something he has had a few discussions with staff on and that is as they become more efficient with getting the word out and providing services there is an opportunity their

caseload numbers will go up. Not sure if that is a good problem to have but it is something they will have to deal with in the near future. Ald. Rainey said there are a lot of taxing bodies that show up on your tax bill and perhaps some of the others can reach out and help with it, but she doesn't see that happening. But Commissioner Suffredin's office will go anywhere to provide the service.

Ald. Rainey announced that once a year the City Council meets on a Tuesday in April as a Council so they can be coterminous, so to speak, with the Annual Town meeting which will be the last Annual Town meeting. There will be a full report at the Town meeting on Tuesday night.

NEW BUSINESS:

Mayor Tisdahl congratulated the Evanston students responsible for all the artwork surrounding the Council Chambers. They did a terrific job and she is delighted they can all admire their work while it is on display.

ADJOURMENT:

Meeting adjourned 7:00 p.m.

Respectfully submitted,

Darlene Francellno

A video of this meeting is available at www.cityofevanston.org/government/agendas-minutes/agendas-minutes--rules-committee.



Memorandum

To: Honorable Elizabeth B. Tisdahl and Members of the Rules Committee
City Manager Wally Bobkiewicz
City Clerk Rodney Greene

From: W. Grant Farrar, Corporation Counsel

Subject: Employee status in City Clerk and Mayor's Offices

Date: May 2, 2014

I write regarding a Council reference requesting an overview of employee classification and hiring procedures regarding the City Clerk and Mayor's offices.

Relevant City Code sections are set forth below, followed by an evaluation of issues presented.

City Code

1-8-3. CITY MANAGER'S DUTIES.

The duties of the City Manager shall be:

- (B) *Appointments and Removals.* To appoint and remove all directors of departments. All appointments shall be made upon the basis of merit and fitness. The City Manager shall have the power to hire all employees, subject to applicable provisions of civil service laws, at such compensation as is authorized by the City Council. All employees shall perform their duties under the direction of the City Manager, or under the direction of the superior to whom such employee is assigned. Subject to the provisions of civil service laws, the City Manager shall have the power to discharge any employee.

1-9-3. COMPENSATION GENERALLY.

The salaries or compensation of all officers and employees of the City, except the Mayor, Aldermen, the City Clerk and any other officer elected for a

definite term, shall be determined and fixed by the City Council in the annual budget. The City Council shall fix the salaries of all officers who are elected for a definite term in an ordinance other than the tax levy ordinance.

1-7-4. DEPUTIES.

The City Manager may appoint one or more deputy clerks, who shall be empowered to perform all the duties of the City Clerk during the temporary absence of said City Clerk.

Evaluation

There is no City Code section speaking to the employment status of the Executive Assistant to the Mayor. However, years of past practice indicate that employee classification and compensation is within the purview of the Mayor.

With respect to the Clerk's office employees, section 1-7-4 of the City Code does not fall in line with years of past practice or implementation of personnel rules which affected Clerk's office employees. As a side note, the Township Code specifically conferred hiring authority to the town clerk relative to hiring a deputy town clerk. While that is irrelevant at this point in time, that statutory basis may have served to inform past practice. City Code sections concerning City Manager and Clerk's office hiring authority have remained unchanged for a substantial amount of time. The recent Civil Service Code rewrites concerned only sworn personnel (fire and police). The only Law Department opinions concerning Clerk's office operations deal with issues individually pertaining to the Clerk, not Clerk's office employees.

In short, revisiting the City Code concerning employee classification for the Mayor's office and Clerk's office may be properly considered by the Council and the City Manager if determined to be necessary.

For City Council meeting of May 12, 2014
the City by Motion: Resolution 16-R-14 Adequate and Fair Funding Resolution for
Illinois 911 Systems
For Action

Item Business of



Memorandum

To: Honorable Mayor and Members of the City Council
Rule Committee

From: Ylda Capriccioso, City Manager's Office – Intergovernmental Affairs
Perry Polinski, Communications Coordinator, Evanston Police Department

Subject: Resolution 16-R-14 Supporting Adequate and Fair Funding Resolution for
Illinois 9-1-1 Systems

Date: April 17, 2014

Recommended Action:

Staff recommends approval of Resolution 16-R-14 Supporting Adequate and Fair Funding Resolution for Illinois 9-1-1 Systems.

Funding Source:

NA

Summary:

Funding for 9-1-1 systems was created more than 25 years ago. The revenue comes from monthly fees for land line telephones and wireless phone surcharges. The fees vary from city to city, here in Evanston the monthly land line fee is set at \$1.50. The wireless surcharge fee is set by state statute at \$.73 per line, of that Evanston receives \$.57. Since the inception of the fee, revenues from land line phones have been decreasing over time as other devices gain greater market share. In 2013, the Evanston 911 call volume reached 42,551, and 66% of those calls came in on wireless devices.

The combination of loss in revenue and increased costs has placed an increasing and unsustainable burden on local governments. For the past two years Evanston's 911 operation costs have exceeded the revenues from the 911 landline and wireless fees, see attached table. Resolution 16-R-14 expresses the need for action at the Illinois General Assembly to bring parity to the fee structure that supports 911 services.

Attachments

Resolution 16-R-14
9-1-1 Fund 2013 Summary

3/12/2014

16-R-14

A RESOLUTION

Supporting Adequate and Fair Funding for Illinois 9-1-1 Systems

WHEREAS, 9-1-1 systems in Illinois were adopted by referendum in many Illinois cities and counties beginning in 1988, over a quarter of a century ago; and

WHEREAS, funding of 9-1-1 systems was based on monthly fees for land line telephones; and

WHEREAS, technology has changed significantly over the past quarter of a century, so that the revenues from land-line phones have been decreasing over time as other devices gain greater and greater market share; and

WHEREAS, the loss of revenue combined with increased costs over the past twenty-six (26) years have placed an increasing and unsustainable burden on local governments; and

WHEREAS, we believe the fairest way to provide adequate funding would be to assess the same fee approved by voter referendum to all devices that access the 9-1-1 network; and

WHEREAS, we believe that adequate and fair funding for 9-1-1 systems is essential for public safety in Illinois,

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

SECTION 1: The City of Evanston supports state legislation to permit local governments to assess the same fee already approved by voter referendum for land line telephones to be applied to all devices that access the 9-1-1 system; and

SECTION 2: The City of Evanston requests that each of our state legislators sponsor and support such legislation.

SECTION 3: Copies of this resolution shall be transmitted to the Governor of the State of Illinois, the Speaker and Minority Leader of the Illinois House of Representatives, and to the President and Minority Leader of the Illinois Senate.

Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene, City Clerk

Adopted: _____, 2014

City of Evanston
E911 Fund
As of December 31, 2013

	FY 2012 Budget	FY 2012 Audited	FY 2013 Budget	FY 2013 YTD
	<u>Amended</u>	<u>Actual</u>	<u>Adopted</u>	<u>Actual</u>
Landline Surcharge Revenue	\$ 617,400	\$ 564,483	\$ 617,400	\$ 502,880
Wireless Surcharge Revenue	416,160	440,606	416,160	385,911
Interest Income	1,000	679	1,000	215
Grants				32,211
Miscellaneous Revenue	-	-	-	-
Total Revenue	<u>1,034,560</u>	<u>1,005,768</u>	<u>1,034,560</u>	<u>921,216</u>
Operating Expense	847,415	820,289	891,122	781,940
Transfer to General Fund	125,950	125,950	125,950	125,950
Transfer to Insurance Fund	95,095	95,095	98,993	98,993
Transfer to Debt Service Fund	10,385	10,385	11,215	11,215
Capital Replacement	188,000	-	70,000	26,680
Total Expenditures	<u>1,266,845</u>	<u>1,051,719</u>	<u>1,197,280</u>	<u>1,044,778</u>
Net Surplus (Deficit)	<u>\$ (232,285)</u>	<u>\$ (45,951)</u>	<u>\$ (162,720)</u>	<u>\$ (123,561)</u>
Beginning Fund Balance		1,310,758		1,264,807
Ending Fund Balance		<u>\$ 1,264,807</u>		<u>\$ 1,141,246</u>
Audited FY 2012 Ending Fund Balance Composition				
Restricted for Fund Activities		1,264,807		
Committed		-		
Assigned / Unassigned		-		
Total Ending Fund Balance		<u>1,264,807</u>		

5/1/14

34-R-14

A RESOLUTION

**The City of Evanston's Support For a
State Income Tax Extension**

WHEREAS, In 2011, the Illinois General Assembly and Governor Patrick Quinn took the bold measure to approve a temporary increase to the personal and corporate income tax as part of an effort to close the State's budget gap and stabilize the State's economy; and

WHEREAS, The new tax money was used to balance the State's annual budget and pay the backlog of unpaid bills to organizations that provide services to the State who had not been reimbursed for several months; and

WHEREAS, In 2015, the temporary tax income tax increase is set to expire. The expiration of the tax increase will reduce State revenues from the income tax by \$4.7 billion by 2016; and

WHEREAS, Cuts this year would total just over \$450 million affecting schools, social services, and municipalities; and

WHEREAS, Without the continuation of current tax revenues, there will be devastating funding cuts to a wide range of public services. Public services affected include cuts to low-income and youth programs, health departments, general aid to schools, other critical social services and funding to municipalities through the Local Government Distributive Fund; and

WHEREAS, Illinois has one of the highest property tax burdens on homeowners in the nation —more than 20 percent above the national average. Letting

the temporary tax increase expire could cause communities to raise property taxes and increase this burden even further; and

WHEREAS, In Governor Patrick Quinn's March budget address he outlined his five-year fiscal blueprint which calls on the on the State to maintain the income tax increase to secure Illinois' long-term financial future.

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

SECTION 1: The Evanston City Council supports maintaining the temporary income tax increase and urges the Illinois General Assembly to pass measures to prevent the expiration of the income tax increase in 2015.

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

SECTION 2: This Resolution 34-R-14 shall be in full force and effect from and after its passage and approval in the manner provided by law.

Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene, City Clerk

Adopted: _____, 2014