| (I) | CALL TO ORDER/DECLARATION OF A QUORUM: ALDERMAN FLEMING |
| (II) | PUBLIC COMMENT |
| (III) | APPROVAL OF MINUTES OF THE JANUARY 21, 2020 RULES COMMITTEE |

**RM1.** Staff recommends approval of the Minutes of the January 21, 2020 4 - 10 Rules Committee Meeting.  
*For Action*  
Minutes of the January 21, 2020 Rules Committee Meeting

| (IV) | ITEMS FOR CONSIDERATION |
| R1. | **Ordinance 18-O-20, Amending Title 1, Chapter 8, "City Manager"**  11 - 13 |
At the direction of City Council, staff submits for consideration adoption of Ordinance 18-O-20, Amending Title 1, Chapter 8 “City Manager.”  
*For Action*  
Ordinance 18-O-20, Amending Title 1, Chapter 8, City Manager
R2. **Discussion Regarding the Formation of the Review Committee for Harley Clarke Lease Request for Proposal**

Mayor Hagerty and staff request the Rules Committee determine the process of appointing members to serve on the review committee for RFP 19-29, Long-Term Lease of Harley Clarke Mansion and Coach House.

For Discussion:
Discussion Regarding the Formation of the Review Committee for Harley Clarke Lease Request for Proposal

R3. **Discussion Regarding Placing Citizen Resolutions on the City Council Agenda**

Per the referral from Alderman Fiske, staff seeks direction to address the issue of whether or not to place citizen resolutions on the City Council agenda that the City Council does not have jurisdiction over.

For Discussion:
Discussion Regarding Placing Citizen Resolutions on the City Council Agenda

R4. **Discussion of the City Council Meeting Schedule**

Alderman Fiske and staff request discussion of the standard City Council meeting schedule to determine the preferred schedule, whether it be the existing schedule or a variation thereof.

For Discussion:
Discussion of the City Council Meeting Schedule

R5. **Discussion of Administration and Public Works and Planning & Development Committee Meeting Times**

Staff requests Rules Committee discuss and provide direction on meeting start times for the Administration and Public Works (APW) Committee and Planning and Development (P&D) Committee.

For Discussion:
Request to Amend the 2020 Administration and Public Works and Planning & Development Committee Meeting Times

R6. **Discussion Regarding Elected Officials Access to City Newsletter Mailing Lists**

Staff seeks Rules Committee direction regarding whether elected officials should have access to the City's newsletter mailing lists.

For Discussion:
Discussion Regarding Elected Officials Access to City Newsletter Mailing Lists
R7. **Discussion Regarding the Mayoral Election Process**

Staff seeks Rules Committee direction regarding the Mayoral election process.

**For Discussion**

[Discussion Regarding the Mayoral Election Process]

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MINUTES OF THE RULES COMMITTEE
Tuesday, January 21, 2020
6:00 p.m.
Lorraine H. Morton Civic Center
Jay C. Lytle City Council Chambers


Presiding: Ald. Cicely Fleming

Staff Present: Erika Storlie, Interim City Manager and Kimberly Richardson, Deputy City Manager

CALL TO ORDER/DECLARATION OF QUORUM:
Chair Fleming declared a quorum and called the meeting to order at 6:05pm.

CITIZEN COMMENT:
Mary Rosinski stated she hopes public voice would not be limited.

APPROVAL OF MINUTES OF THE REGULAR MEETING OF OCTOBER 7, 2019:

ITEMS FOR CONSIDERATION:

Approval of the 2020 Rules Committee Meeting Schedule

Appointment of the City Council Liaison to the Animal Welfare Board

Resolution 12-R-20 Amending City Council Rules to Address Tabling an Item to a Date Certain
Ald. Fleming moved approval. Mayor Hagerty seconded. Motion carried.

Ordinance 18-O-20 Amending Title1, Chapter 8, “City Manager”
Ald. Fleming moved approval. This ordinance updates the City Code to match the City Council rules pertaining to the removal of a City Manager. This update specifies 7 or more votes to remove a City Manager. Mayor Hagerty seconded.

Interim City Manager Erika Storlie added because this is an ordinance, it requires 5 affirmative votes for it to move to Council. That is something to be mindful of having only 6 members of the body present tonight. Also, because they don’t have legal Counsel present tonight she suggested either holding a Special Rules Committee at some point between now and the next meeting, tabling the item, or holding it for the next Rules Committee meeting.
Mayor Hagerty recommended holding this item until they have more members of the Council present. Ald. Wynne moved to hold the item until they can call a Special meeting of the Rules Committee. Ald. Rainey seconded. Motion carried.

ITEMS FOR DISCUSSION

Update to Rules Committee Regarding City Council Packet Release Date
Ald. Wynne moved approval. Ald. Rainey seconded. Ald. Rainey said she is very supportive of moving the release date back to Thursdays. Ald. Fleming also agreed and encouraged staff to try their best to keep it to Thursdays and not inch into Fridays. Interim City Manager Storlie stated she did not foresee an occasion where Fridays would be necessary. If it is for whatever reason it would be communicated to the public and City Council. Staff will continue to shoot for Wednesdays and use Thursdays when necessary. Motion carried.

Discussion Regarding Citizen Comment on Non-Agenda Items
Ald. Fleming moved. Mayor Hagerty seconded. Mayor Hagerty pointed out that on many evenings people come to talk about an issue that is not on the agenda. The question is whether to keep it as is or allot that 45 minutes set aside for citizen comment, just for items on the agenda. People that want to speak to items off the agenda would speak at the end of the Council meeting.

Ald. Wynne shared that there have been times where someone has come to speak on an issue not before them that raises a really salient issue that Council may not have thought about or considered yet. Citizen comment serves as the opportunity for any citizen to come and talk to the entire Council at once. If they speak on a non-agenda item they don’t really need to sit through the entire meeting. The 45 minutes is an appropriate amount of time for all of citizen comment. She moved to leave it as it. Mayor Hagerty seconded.

Ald. Rainey pointed out that they will never be able to have a reasonable Council meeting until they set an ironclad time for starting their meetings. They never have citizen comment for 45 minutes. The rule should be people can speak as long as they want but the Council meeting must start 45 minutes after the completion of the Planning & Development Committee meeting. Whoever is speaking when that 45 minutes is up will have to stop speaking so the Council meeting can begin. No matter what rule is set, unless a start time is set they will never change citizen comment. Motion carried to leave it as is.

Discussion Regarding Use of Ward/Mayoral Newsletters:
Ald. Fleming moved. Ald. Rainey seconded. Ald. Fleming stated she did not recall inquiring about outgoing elected officials having access to the list of recipients. She assumes once she leaves office she would no longer have access to the city’s database, but would still have whatever emails she had on her own personal computer beforehand. In terms of the newsletters, in one of her newsletters she had reported on something that was in their bills list that was frowned upon. Another one she gave an opinion about something that they had over a hundred citizens speak about and that was also frowned upon. In comparison to one of the Mayor’s newsletters that talked about potentially one of his peers on the Council breaking the law and opened up an investigation with Tom Dart. She would like some rules set in terms of what does go out in the public newsletter and what does not. She feels as an elected official people want to hear her opinion on things. They should be able to put what their thoughts are, as she does, about the budget and everything else in the ward newsletter. If not, then they should have it be strictly city business, no personal opinions, no assumptions and no anything else.
Ald. Suffredin added that newsletters are sent out with links to purchase Northwestern football tickets or tickets to the Mayor’s State of the City address which is a Chamber event. It is very dangerous to say elected officials can’t put their opinions into ward newsletters. People want to know why they voted the way they did or why they intend to vote a way on an issue of concern to residents. There is a real disconnect, between the administration of the city and the residents, when they have a legal staff who would say there is no place for opinions in city newsletters from elected officials to their constituents. If they are going to talk about opinions he would like to also have a policy on any sort of click through purchases. They should get at minimum an affiliate fee for that. It is not their job to sell Northwestern football tickets or tables to Chamber of Commerce events. If the newsletter is just supposed to be regurgitation of information available from other city newsletters then that is what they should be. If they’re going to have newsletters they should be able to be candid and as long as they are not containing falsehoods and they are about City business then their purpose is to inform constituents of their opinions.

Ald. Wynne feels newsletters are certainly very, very valuable. The question is, when does what an Alderman put in their newsletter, potentially put the city in a position of liability. Explaining a vote is an appropriate use of the newsletter. She would like to hear more from Corporation Counsel about whether that would be a problem. It would be the same as if you were at a Ward meeting and someone asked why you voted for this item or why didn’t you vote for that item. You have the opportunity to say, you voted for this because of this reason or you didn’t like the information that was used or not. But in the same instance, speaking publicly at a Ward meeting about a personnel matter or something in which a matter of litigation, she understands the concern of Corporation Counsel.

Ald. Rainey said she is in agreement with everything Ald. Suffredin said regarding explaining in any detail regarding any issue having to do with the budget, any vote having to do with the budget or really any vote on any matter that is before them. She is completely in agreement with not writing publicly in a newsletter about a position on a personnel matter before the Council which is in violation of the confidentiality issues.

Interim City Manager Storlie commented that she would prefer they continue discussing this issue when legal Counsel is present. One of the issues is the database list; it’s been sort of created over time. The newsletters have been in place for Aldermen for at least 7 years. When the current Council was put in place they inherited the list of the person who preceded them, if they weren’t re-elected. She would like to be in front of this issue before the next election. If somebody runs and doesn’t win, would they get to keep that list or would they have rights to that list. Would they give it to that person or keep that internally for the next person. She foresees that potentially becoming an issue at some point. She would like some clarity on if the list always stays with the city or if they would like the list when they leave. She would welcome some direction on that.

Ald. Suffredin pointed out the sentence in the memo prepared by staff that says “Staff recommends that all City newsletters, with the City logo, compiled using City staff time and sent via the City’s email domain should not include personal opinions of elected officials.” That is the sentence he has the strongest objection to. If it is a matter of removing the city logo and having legal write some sort of disclaimer making it clear that this is not a dispatch from the City of Evanston and this is not the same as economic development newsletters, or summer camp updates. These are the opinions of an elected official that would be appropriate. People that sign up for the newsletter wants to know what their elected officials opinions are.

Ald. Wynne stated that in the past those lists have been deemed City property because it was compiled on the City’s computer system. It was not available, for instances, to an Alderman who was running for
re-election because it was considered to be City property.

Ald. Fleming suggested maybe holding this item until they can get much more legal clarity. Interim City Manager Storlie said she has general direction and does not think this needs to be held. Staff can talk with the legal department about the discussion and then come back with a set of recommendations that Council can either adopt or amend.

**Discussion Regarding Playing Music at the Beginning of a Public Meeting**

Ald. Fleming moved. Mayor Hagerty seconded. Ald. Suffredin stated there are copyright issues and when the music was played, it created audio-visual complications. They should have a firm policy on not playing any music. There is concern about staff time, so they don’t need the law department going through copyright compliance for the purposes of playing songs. He moved that staff come up with a policy that prohibits the use of copyrighted materials during Council meetings. Mayor Hagerty seconded. Motion carried.

**Discussion of Amendments to City Council Rules 6.4 to Address requests for Presentations at the Planning & Development Committee**

Ald. Fleming moved. Ald. Wynne seconded. Ald. Wynne said this is a very good idea and having it in the rules is an excellent idea. The more information they can give the public or developers or anyone coming before a board or commission about what the proper procedures are the better off they are. One point she would make is that the objectors should have equal time as the presenters. One of the concerns from the community is, for instance, with developments. The developers, who are very well funded, obviously have a very polished presentation. The community might have legitimate concerns that match theirs that take up ten minutes. She moved that staff come up with a policy that prohibits the use of copyrighted materials during Council meetings. Mayor Hagerty seconded. Motion carried.

Ald. Revelle seconded and added a second amendment. She thinks saying a zoning matter could be a bit limiting because there could be something that comes to them that’s not technically a zoning issue. She would like to make sure the objectors would have time for a 10-minute presentation. She would broaden that language to say zoning and land use matters. Ald. Wynne agreed. Interim City Manager Storlie suggested maybe making it generic so that they don’t have to pick and choose what constitutes one of those categories. She could foresee issues where somebody would say it wouldn’t fit nicely in one of the buckets. Ald. Wynne said they could delete zoning and say for matters. The amended text would read “For matters before the Planning & Development Committee, that petitioner may provide a brief presentation, no more than 10 minutes, to the Committee of its project and application, with advance notice to the City Manager’s Office by 12:00pm the day of the meeting. If there are objectors to the matter, they may collectively address the Committee with no more than 10 minute presentation, also with advance notice to the City Manager’s Office by 12:00 pm. the day of the meeting. Any presentation cannot constitute a hearing or an opportunity for testimony or cross examination of witnesses and other evidence.” Ald. Revelle seconded. Motion carried.

Ald. Fleming asked Interim City Manager Storlie to please make sure that gets updated somewhere for the public to be aware of. Interim City Manager Storlie replied that will move on to City Council so they will make the adjustment for the next meeting.

**Discussion Regarding Suspension of the Rules for Introduction and Action:**

Ald. Fleming moved. Mayor Hagerty seconded. Ald. Revelle said she supports the amendment but thinks it belongs more appropriately under Rule 20.1, which is where they explain what the exceptions
are. She recommended rather than amending Rule 3.2, that they amend Rule 20.1 at the very end to say, however, an ordinance may be adopted by the Council, at the same meeting at which it is introduced, after the rules are suspended by unanimous vote of the Aldermen, providing that prior notice has been given on the agenda. Ald. Wynne agreed and seconded.

Interim City Manager Storlie stated they can add it to that section. But there are times when it is not noticed on the agenda and they still suspend the rules. That is a practice that she can surmise most people want to continue with. She would need to check with legal on if that’s codified or not and how that would continue to proceed. The point of putting this on the agenda was that they want to have a precedent set or a practice that everybody follows. It seems that whether it’s committee or Council not everybody’s on the same page with how the process works. Once they identify what the process is that Council wants to do, they will then make a little cheat sheet, for lack of a better word, and have everybody be able to follow it no matter if they’re in Committee or Council. Staff will go back to legal and get everything ready to move it forward to Council if there’s general consensus. Motion carried as amended.

Discussion Regarding Placing Citizen Resolutions on the City Council Agenda
Ald. Fleming moved. Mayor Hagerty seconded. Interim City Manager Storlie said Ald. Fiske requested that this item be held since she is not here to address it this evening. Ald. Wynne moved to hold the item. Mayor Hagerty seconded. Motion carried.

Discussion Regarding City of Evanston Events and Program Bearing the Names of Elected Officials:
Ald. Fleming moved. Ald. Suffredin seconded. Ald. Suffredin pointed out that he has an issue with this, particularly around the holiday program. The next holiday season those who choose to run for office again will be candidates in addition to holding elected positions, and with public money being used to promote one particular person. That should be eliminated across the board. They should also make sure they have a dark period once petitions are being circulated in November.

Ald. Fleming shared that she hadn’t thought about the period when they’re actually candidates and holding office. As she looks back, she was at the Mayor’s toy drive this year and there was a plethora of T-shirts that said “Mayor Hagerty’s Toy, Food and Book drive and she believes it had a date on them. She knows the Mayor did not order them and does not know who did. It is not a huge expense in terms of funds but they will not be used next year. She does not feel super strongly about it except for the campaign time which Ald. Suffredin mentioned. And in terms of the T-shirts and other garb is being ordered, particularly if it has a year on it.

Ald. Suffredin added another one that he brought up at the time was within the Good Neighbor Fund. There was Mayor Hagerty’s discretionary projects fund. That’s another one where he thinks it’s inappropriate to tie it to a particular elected official when it’s public money. It should be across the board rule of the City.

Mayor Hagerty clarified that wasn’t Mayor Hagerty’s discretionary fund. That was $150,000 they haven’t yet allocated and they’re going to allocate and he explained it that evening. The Mayor’s Summer Youth Employment Program, the Mayor’s Holiday, Food, Toy and he added book, drive have been around for a long time. When he became Mayor he did not know they take on sort of the Mayor’s name. He has learned since being Mayor is that the Mayor literally solicits donations and everything else for the Mayor’s Holiday Food, Toy & Book Drive. They send out a bunch of letters to different organizations in town. Same thing when it comes to the employers for the summer youth job program going out there and asking employers to participate in that. He thinks attaching the Mayor’s name,
whoever the Mayor is, is helpful for those programs.

Ald. Wynne said her understanding is that it was Mayor Morton’s idea to have the Summer Youth Employment Program. She was very much a proponent of that and fought to make sure it was properly funded when it came under attack several times during budget processes. It continued under Mayor Tisdahl. It is a tradition that conveys the sense of a person that is there promoting this and will have to do some work on it as well as the Holiday Food, Toy and Book drive. She thinks it is helpful to put someone’s name behind some of these things so that people actually have a person to call and say they don’t agree with this or do agree this and also because traditionally they’ve seen Mayor Morton, Mayor Tisdahl and Mayor Hagerty actually put time and effort into this in terms of applying some pressure to some of our employers to provide jobs. Also, exhorting people to give to the holiday food and toy drive. She does not see a significant problem and has actually see the benefit and the history of it.

Ald. Revelle agreed that having the Mayor’s actual name on it does personalize it and gives it the likelihood that it will be more successful. She also thinks Ald. Sufferdin raised an interesting point about the timing of the holiday drive when they are all potentially running for office. She would entertain the idea of eliminating the Mayor’s actual name at that one time of the year. She is surprised to hear about these t-shirts with the Mayor’s name on them too and would draw the line at t-shirts and those kinds of things.

Ald. Fleming suggested they just name everything the Mayor’s something without the actual name of the Mayor on it.

NEW BUSINESS

Discussion Regarding the Creation of the Northwestern University Athletics Neighborhood Committee
Mayor Hagerty suggested that because this is a pilot program around the Northwestern Athletic facilities that this be just a working group and not go through the formal appointment process. Let Ald. Revelle, Northwestern and the Mayor decide who is participating in this working group. It’s very much a working group that isn’t making decisions that are coming up to this Council. Ald. Revelle said she was fine with that.

Discussion Regarding Maximum Number of Referrals from Aldermen Per Year
Ald. Fleming said she would disagree. It’s the only time they get a chance to give direction, have staff do some research and either get it on an agenda or have the research for another conversation. Mayor Hagerty stated he would be interested in how many requests have come in, in the last 60 days that are referrals that have to be deal with. He would love to see this continue as a conversation for a future meeting with perhaps some more data. Ald. Fleming added she would be much more in favor of, and thinks Interim City Manager Storlie has started this, there is a referral list on the City Manager’s report and if Interim City Manager Storlie wants to say Ald. Fleming you put this referral on and staff really doesn’t have time to get to it. How important is it, can they just provide a memo, or would you just sit with staff. Maybe it’s not an entire thing that comes back to the Council on an agenda. To her that would be fair. But to say they can’t access and get information from the staff that they have except for a limited amount of time, causes real problems for her and her constituents.

Ald. Rainey asked what is meant by referrals. Are they items to be placed on the agenda or items to be flushed out in their packets? Interim City Manager Storlie said the last 60 days she received 29 referrals. That’s a lot of referrals for two months. To distribute that to the staff to be worked on, in
addition to the regular priorities of the Council, and day to day things being worked on, on behalf of the Council. It just presents a little bit of a challenge in terms of prioritizing. There is no intent to eliminate or have it be difficult for the Council members to get information from staff. They are working every day and want to provide you with every bit of information they can provide. But if there was some guidelines of maybe one or two per month, 12 per year, 24 per year, something like that so they could focus on. It would help in the prioritization as well. These would be formal referrals to be placed on a future agenda.

Ald. Rainey agreed they should hold this item until they can have more time to have a conversation about this. She would like to hear about the items that people are trying to get on the agenda and if some were hers. Interim City Manager Storlie noted the item will be held for the next agenda.

ITEMS FOR COMMUNICATION
None

ADJOURMENT:
Meeting adjourned 7:05p.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: Members of the Rules Committee
From: Alexandra Ruggie, Assistant City Attorney
Subject: Ordinance 18-O-20, Amending Title 1, Chapter 8, "City Manager"
Date: March 2, 2020

Recommended Action:
At the direction of City Council, staff submits for consideration adoption of Ordinance 18-O-20, Amending Title 1, Chapter 8 “City Manager.”

Council Action:
For Action

Summary:
Ordinance 18-O-20 updates the City Code to match the City Council rules pertaining to removal of a City Manager. This update specifies that removal of a City Manager requires a vote of seven or more members of the City Council.

Legislative History:
This item was previously held at the January 21, 2020 Rules Committee meeting.

Attachments:
18-O-20 Amending Title 1, Chapter 8, City Manager
AN ORDINANCE
Amending Title 1, Chapter 8 “City Manager”

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF

EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: City Code Title 1, Chapter 8, “City Manager,” of the
Evanston City Code of 2012, as amended, is hereby further amended to read as
follows:

1-8-1. - APPOINTMENT; TERM; OFFICE.

The City Council shall appoint a City Manager who shall be the administrative
head of the Municipal government and who shall be responsible for the efficient
administration of all departments of the City. The City Manager shall be appointed for
an indefinite term, as provided by 65 ILCS 5/5-3-7 and appointed without regard to
his/her political beliefs and need not be a resident of the City when appointed.

The City Manager shall maintain an office in the Civic Center and shall spend
such time in the performance of his/her duties as may be required by the City Council.

The City Manager may, at any time, be removed from office by a majority vote of
seven or more of the members of the City Council.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are
hereby repealed.

SECTION 3: If any provision of this ordinance or application thereof to
any person or circumstance is held unconstitutional or otherwise invalid, such invalidity
shall not affect other provisions or applications of this ordinance that can be given effect
without the invalid application or provision, and each invalid provision or invalid
application of this ordinance is severable.
SECTION 4: Ordinance 18-O-20 shall be in full force and effect after its passage and approval.

SECTION 5: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: __________________, 2020

Adopted: __________________, 2020

Approved: __________________, 2020

_______________________________
Stephen H. Hagerty, Mayor

Attest:

_______________________________
Kelley Gandurski, Corporation Counsel

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Memorandum

To: Members of the Rules Committee
From: Erika Storlie, Interim City Manager
Subject: Discussion Regarding the Formation of the Review Committee for Harley Clarke Lease Request for Proposal
Date: March 2, 2020

Recommended Action:
Mayor Hagerty and staff request the Rules Committee determine the process of appointing members to serve on the review committee for RFP 19-29, Long-Term Lease of Harley Clarke Mansion and Coach House.

Council Action:
For Discussion

Summary:
Request for Proposal 19-29, Long-Term Lease of Harley Clarke Mansion and Coach House was issued on May 16, 2019. The RFP states: “The City of Evanston is seeking to enter into a long-term lease of the Harley Clarke Mansion and Coach House to a party that will invest in and renovate the property. The property is located at 2603 Sheridan Road, Evanston, IL 60201. The party will be required to incorporate a public component as a meaningful component of its proposal using the entire space or a subset of the space (e.g. café, museum, classes, meeting space).”

A committee to review the responses to the RFP will be formed however the makeup of that committee is yet to be determined. Staff requests Rules Committee direction on the total number of committee members and what percentage/number of the committee will be staff, residents or subject matter experts. At minimum, staff recommends that Jill Ostman (Purchasing Specialist), Johanna Leonard (Community Development Director), and Sean Ciolek (Facilities & Fleet Division Manager) be added to the committee. Additional staff members could be added at the committees direction.

The deadline for submission of responses to the RFP is February 28th, 2020. The RFP listed a tentative schedule after the responses were submitted, as follows: March 23, 2020 for City Council approval and Award of Lease commencing May 1, 2020.
Memorandum

To: Members of the Rules Committee
From: Alexandra Ruggie, Assistant City Attorney
Subject: Discussion Regarding Placing Citizen Resolutions on the City Council Agenda
Date: March 2, 2020

Recommended Action:
Per the referral from Alderman Fiske, staff seeks direction to address the issue of whether or not to place citizen resolutions on the City Council agenda that the City Council does not have jurisdiction over.

Council Action:
For Discussion

Summary:
Several items have been previously placed on the City Council agenda by request of an Evanston resident pertaining to items that the City Council does not maintain jurisdiction over. Two examples of these types of resolutions include the resolution calling for a treaty on the prohibition of nuclear weapons and the legalization of medical aid in dying. City Council does not have jurisdiction to govern either of these items, which are issues at the State or Federal level. While home rule municipalities have a wide range of authority, home rule communities may only exercise any power and perform any function pertaining to its government and affairs. The Rules Committee must decide if it wishes to continue to hear these items on the City Council agenda to which it does not have jurisdiction or to add a rule against resolutions in which the Council does not have jurisdiction. Staff seeks further direction pertaining to which committee should these items be directed to.
To: Members of the Rules Committee  
From: Erika Storlie, Interim City Manager  
Subject: Discussion of the City Council Meeting Schedule  
Date: March 2, 2020

Recommended Action:
Alderman Fiske and staff request discussion of the standard City Council meeting schedule to determine the preferred schedule, whether it be the existing schedule or a variation thereof.

Council Action:
For Discussion

Summary:
Alderman Fiske made a referral to discuss returning to the previous City Council Meeting Schedule which had the regular meetings on the second and fourth Monday of each month.

City Council meetings are currently held three times a month on the second, third, and fourth Mondays (unless otherwise noted). It has been the practice of the Council to discuss “Special Orders of Business” on the third Monday of each month. In 2019, City Council canceled seven of the ten Regular City Council Meetings scheduled on the third Monday of each month. Additional meetings on 5th Mondays were occasionally added to discuss Affordable Housing.

Staff supports the return to the previous schedule with the Regular City Council meetings to take place at the second and fourth Monday. Special meetings to discuss Affordable Housing and other special orders of business could be designated on specific 'third Mondays' or alternatively on "fifth Mondays" at the beginning of the year to aid in long term planning for vacations and the like. The months in 2020 with "fifth Mondays" are as follows: March, June & August.

If this is approved by the Rules Committee, staff will return with proposed dates for quarterly Affordable Housing updates.
Memorandum

To: Members of the Rules Committee
From: Erika Storlie, Interim City Manager
Subject: Discussion of Administration and Public Works and Planning & Development Committee Meeting Times
Date: March 2, 2020

Recommended Action:
Staff requests Rules Committee discuss and provide direction on meeting start times for the Administration and Public Works (APW) Committee and Planning and Development (P&D) Committee.

Council Action:
For Discussion

Summary:
Currently, APW and P&D Committee meetings are held on the second and fourth Monday before Regular City Council Meetings at 6:00 p.m. and 6:45 p.m., respectively.

Staff requests the committee discuss the possibility of changing the APW meeting to start at 5:30 p.m. and P&D starting at 6:15 p.m. By shifting the Committees meetings to an earlier starting time, City Council meetings could start earlier.

APW and P&D Committee meetings have become more efficient with the use of the consent agenda, which has in past months allowed Council to get through longer agendas in a shorter amount of time.
Memorandum

To: Members of the Rules Committee
From: Alexandra Ruggie, Assistant City Attorney
Subject: Discussion Regarding Elected Officials Access to City Newsletter Mailing Lists
Date: March 2, 2020

Recommended Action:
Staff seeks Rules Committee direction regarding whether elected officials should have access to the City's newsletter mailing lists.

Council Action:
For Discussion

Summary:
The City's newsletter mailing lists are maintained by the City of Evanston. Citizens may sign up to receive City news, including ward newsletters through the City's website.

At the January 21, 2020 Rules Committee, the committee discussed and approved the concept that the list of subscribers for ward newsletters would remain with the City when terms/elected officials changeover with elections and that newly elected officials would inherit their respective ward newsletter list upon swearing in. What was not discussed explicitly was whether or not at any time an elected official could receive the list of subscribers for their respective ward newsletter (including names and email addresses).

Each citizen must agree to the City's Privacy Policy prior to signing up for the newsletters. The policy prohibits the City from using data to identify individual users. The City's Privacy Policy specifies, "For site security purposes and to ensure that this service remains available to all users, this computer system employs software programs to monitor network traffic to identify unauthorized attempts to upload or change information, or otherwise cause damage. Except for authorized law enforcement investigations, no other attempts are made to identify individual users or their usage habits. Raw data logs are used for no other purposes."

Therefore, staff recommends that the City's mailing lists be maintained by the City as confidential per the City's Privacy Policy and that the Council Rules be updated to state that the lists will not be provided to elected officials.
Memorandum

To: Members of the Rules Committee
From: Hugh DuBose, Assistant City Attorney
Subject: Discussion Regarding the Mayoral Election Process
Date: March 2, 2020

Recommended Action:
Staff seeks Rules Committee direction regarding the Mayoral election process.

Council Action:
For Discussion

Summary:
On August 24, 1992, City Council passed two resolutions impacting the procedures for electing the Mayor in Evanston. First, 59-R-92 placed a referendum question on the ballot asking citizens to modify the procedure for electing the Mayor. The referendum question passed and since the 1993 election, Evanston has elected its mayor in the following manner:
(1) Candidates for mayor must file their petitions for the consolidated primary election; (2) If more than two candidates file, the City holds a primary, and then the two candidates who received the most votes, move onto the regular election; and (3) in the event a candidate receives more than 50% of the vote at the primary, that candidate is declared the winner of the regular election and no vote is taken at the regular election. See, 59-R-92.

Second, City Council passed Resolution 69-R-92, which required all persons seeking nomination for Mayor should file their petition 90 days prior to the consolidated primary. Additionally, 69-R-92 provides that if the City does not hold a primary, candidates for mayor are not required to file further petitions for the regular election. While 69-R-92 is clear that all candidates must file their petition during the primary filing period, in 2017, the City Clerk was either not aware of the direction provided by 69-R-92, or misinterpreted its guidance. It is our understanding that the regular election filing date was provided, not the primary filing date. Pursuant to 69-R-92, all candidates must use the primary filing date.

At the December 9, 2019, City Council meeting, the Council passed 120-R-19 to place a referendum question on the March 17, 2020 election ballot for citizens to determine if the City should conduct nonpartisan elections. Additionally, Council directed staff to review the mayoral election filing periods and make recommendations to provide greater clarity for candidates on the required filing dates.
Staff submits two options for your consideration:

**Option 1:**
Staff has prepared 25-R-20, which requires mayoral candidates to file their petitions in compliance with the filing requirements of nonpartisan elections under the Illinois Election Code. The proposed resolution has an additional benefit of standardizing the filing period for all candidates for Alderman, City Clerk, and Mayor. Under the Illinois Election Code, “Certificates of nomination and nomination papers for the nomination of candidates for the other offices of political subdivisions to be filled at regular elections other than the general election shall be filed with the local election official of such subdivision…not more than 99 nor less than 92 days before the consolidated primary in the case of municipal offices [in communities with a city manager for of government] to be elected on a nonpartisan basis pursuant to law.” 10 ILCS 5/10-6. Staff recommends referencing the state law rather than providing a specific date for two reasons. First, doing so will result in unifying the alderman, clerk, and mayor filing dates. The Illinois Election Code does not distinguish between the types of elected officials, and standardizing the filing dates should make compliance easier. Additionally, should state law change, referencing state law—versus specific filing date parameters—will ensure the City continues to conduct its election in compliance with state law without requiring additional action from the City Council.

**Option 2:**
At the request of the City Clerk, staff prepared a second alternative in proposed Resolution 26-R-20. This resolution proposes a referendum which would make three changes to the City’s election procedures. First, 26-R-20 requires all elected officials to file their petitions for the consolidated primary. Pursuant to the Illinois Election Code, this is the current requirement for Alderman and the City Clerk. The proposed change reinforces that mayoral candidates must file for their Primary as well. Second, if more than two candidates file petitions, then a primary will occur and the top two candidates move onto the regular election in every elected official race, not just the Mayor. Currently under state law, City Clerk and Alderman elections require more than four candidates for the respective elected office to hold a primary. We would expect this change to increase the number of primaries and associated cost of running campaigns. Finally, the proposed ordinance eliminates the rule that a mayoral candidate who wins over 50% of the votes casts at the primary election wins the mayoral election. There is a compelling policy argument to require the candidates to stand for the regular election as a regular election has a smaller ballot and, historically, better participation. However, we recognize that removing this requirement could result in a candidate with overwhelming support having to expend resources to needlessly participate in a primary and regular election.

For ease of review, below please find a redlined version of the 1992 referendum question:

"Shall the Mayor and elected officials of the city of Evanston be elected in the following manner commencing with the election to be held in 19932021 and thereafter: If more than two candidates for the respective elected office of Mayor shall have filed for election at the Consolidated Primary Election, a primary shall be held and the two candidates receiving the highest number of votes shall stand for election in the Regular Election, except if one of the candidates that receives more than fifty percent (50%) of the
votes cast at the primary Regular Election, that candidate shall have been elected Mayor to the respective elected office for a term commencing the first City Council meeting after the Regular Election?

Staff evaluated several options to clarify the mayoral filing requirements in the context of the City’s potential change to nonpartisan elections and recommends adopting 139-R-19. This proposed solution is designed to provide clarity to the mayoral election filing date with the least burdensome method. Since the previous filing periods were established through resolution, City Council has the authority to repeal the previous resolution and update the requirements through the same means. While Staff understands there are arguments in favor of providing a more substantial change to the procedures of electing the Mayor and other elected officials, those changes would require a second referendum question. The City will already consider the nonpartisan elections referendum in March 2020. A second referendum that intertwined with the referendum in 120-R-19 on an potentially crowded ballot could be confusing to the public.

Alternatives:
Initiate a referendum repealing the 1992 Referendum and conduct all future elections pursuant to state law.

Attachments:
25-R-20 Providing for Nominating Petitions for the Office of Mayor
26-R-20 Repealing and Replacing Mayor Election Process
59-R-92 Majority Vote to be Elected Mayor
69-R-92
A RESOLUTION

Providing for Nominating Petitions for the Office of Mayor

WHEREAS, the City of Evanston is a home rule municipality under Article VII of the 1970 Illinois Constitution; and

WHEREAS, the Illinois Municipal Code provides the statutory parameters for non-partisan elections to determine if a primary is needed for every municipal office; and

WHEREAS, the Illinois Municipal Code, under non-partisan elections, requires a primary for an office if five or more persons have timely filed nominating papers seeking nomination for election to the respective office and no primary is needed when not more than four persons have timely filed (65 ILCS 5/3.1-20-45) (emphasis added); and

WHEREAS, in 1992, the voters of the City of Evanston approved a referendum question which changed the described statutory framework only for the Office of Mayor, this referendum provided for a primary election, if necessary, for the Office of Mayor of the City of Evanston if more than two candidates filed petitions; and

WHEREAS, additionally, the City Council approved Resolution 69-R-92 (attached as Exhibit A) “Providing for Nominating Petitions for the Office of Mayor” which set forth the petition filing deadline for the Office of Mayor. The 1992 resolution was passed in the event the referendum question passed and set the filing deadline at 90 days prior to the primary; (see Section 2, 69-R-92); and
WHEREAS, on December 9, 2019, City Council adopted Resolution 120-R-19 which provides for a referendum question to be placed on the March 17, 2020 ballot which states:

“Shall the City’s offices of mayor, city alderman, and city clerk be elected in nonpartisan elections and, if necessary, non-partisan primaries commencing with the election to be held in 2020 and thereafter?”

WHEREAS, the Election Code of the State of Illinois provides for a period times for the circulation of petitions for persons seeking nomination in a primary election; and

WHEREAS, if the citizens of Evanston pass the aforementioned referendum at the March 17, 2020 election to hold nonpartisan elections, the period of time for filing petitions under state law will change; and

WHEREAS, it is the desire of the City Council that all persons desiring to run for the office of Mayor shall have a full opportunity to circulate petitions within the time frame provided by law,

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

SECTION 1: The foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: If the aforementioned referendum question posed to the voters on March 17, 2020 is adopted, it is binding, and all subsequent elections for the office of Mayor petitions for said primary, shall be circulated and filed in the manner provided by state law for nonpartisan elections. In the event that no primary election is held by reason of no more than two candidates having filed for nomination, then no
further petitions shall be required for the regular election held in the succeeding April election for the office of Mayor.

**SECTION 3:** This resolution repeals and replaces Resolution 69-R-92.

**SECTION 4:** Resolution 25-R-20 shall be in full force and effect from and after its passage and approval in the manner provided by law.

_______________________________  
Stephen H. Hagerty, Mayor

Attest:  
Approved as to form:

______________________________  
Devon Reid, City Clerk  
Kelley Gandurski, Corporation Counsel

Adopted: ______________________, 2020
EXHIBIT A
RESOLUTION 69-R-92
A RESOLUTION

Instructing the City Clerk to Submit, for the March 17, 2020 Ballot, a Referendum to Conduct Elections for All Elected Offices Utilizing the Procedures Set Forth in the Illinois Election Code

WHEREAS, the City of Evanston is a home rule municipality under Article VII of the 1970 Illinois Constitution; and

WHEREAS, In 1992, the City of Evanston approved a referendum requiring a primary for elections with more than two (2) mayoral candidates and declared a primary candidate with more than fifty percent (50%) of the vote as the winner of the election (the “1992 Referendum”); and

WHEREAS, the Alderman and City Clerk are currently elected pursuant to the procedures in the Illinois Election Code; and

WHEREAS, the City desires to conduct the Alderman, City Clerk, and Mayor elections using the same procedures; and

WHEREAS, the City desires to repeal the 1992 Referendum and implement changes to its election procedures that unify the election filing dates and procedures for all elected offices,

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

SECTION 1: The foregoing recitals are found as fact and incorporated herein by reference.
SECTION 2: It is the determination of the Council of the City of Evanston that the following question of public policy shall be submitted to the voters of the City of Evanston as a referendum at the election scheduled for March 17, 2020, to wit:

"Shall all elected officials of the city of Evanston be elected in the following manner commencing with the election to be held in 2021 and thereafter: If more than two candidates for the respective elected office shall have filed for election at the Consolidated Primary Election, a primary shall be held and the two candidates receiving the highest number of votes shall stand for election in the Regular Election, the candidate that receives more than fifty percent (50%) of the votes cast at the Regular Election, shall have been elected to the respective elected office for a term commencing the first City Council meeting after the Regular Election?"


SECTION 4: Said referendum shall be conducted, in all respects, in accordance with the provisions of the Illinois Election Code pertaining to the conduct of the March 17, 2020 election, and with the Ordinance providing for the pertinent publications, ballots, polling places, and election judges relating to such election.

SECTION 5: This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

________________________________________
Stephen H. Hagerty, Mayor

Attest:                 Approved as to form:

Devon Reid, City Clerk  Kelley Gandurski, Corporation Counsel

Adopted: ___________________________, 2020
59-R-92

A RESOLUTION

Majority Vote to be
Elected Mayor

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

SECTION 1: It is the determination of the Council of
the City of Evanston that the following question of public policy
shall be submitted to the voters of the City of Evanston as a
referendum at the election scheduled for November 3, 1992, to
wit:

" Shall the Mayor of the City of Evanston be elected in
the following manner commencing with the election to
be held in 1993 and thereafter: If more than two
candidates for Mayor shall have filed for election, a
primary shall be held and the two candidates receiving
the highest number of votes shall stand for election in
the Regular Election, except if one candidate shall
receive more than fifty percent (50%) of the votes cast
at the primary, that candidate shall have been elected
Mayor for a term commencing the first City Council
meeting after the Regular Election?"

SECTION 2: Said referendum shall be a binding
referendum pursuant to Article VII of the Illinois Constitution

SECTION 3: Said referendum shall be conducted, in
all respects, in accordance with the provisions of the Illinois
Election Code pertaining to the conduct of the November 3, 1992
election, and with the Ordinance providing for the pertinent
publications, ballots, polling places and election judges
relating to such election.
SECTION 4: This resolution shall be in full force and effect following its passage and approval in the manner provided by law.

Joel W. Barr
Mayor

ATTEST:

Kemta Davis
City Clerk

Adopted: August 24, 1992
69-R-92

Providing for Nominating Petitions for the Office of Mayor

WHEREAS, the City Council of the City of Evanston has provided for a referendum to be held on November 3, 1992, which referendum provides for the possible primary election for the office of Mayor of the City of Evanston; and

WHEREAS, the Election Code of the State of Illinois provides for a period of 90 days for the circulation of petitions for persons seeking nomination in a primary election; and

WHEREAS, it is the desire of the City Council that all persons desiring to run for the office of Mayor in a primary, if established by referendum, shall have a full opportunity to circulate petitions within the time frame provided by law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON;

SECTION 1: That all persons seeking to run for the office of Mayor in a primary election to be held in February, 1993, if such primary is established, shall begin to circulate petitions for said nomination for the office of Mayor commencing on September 15, 1992, which said date is 90 days prior to the deadline for filing petitions for nominations. That, in the event the referendum of November 3, 1992 shall not be adopted, then all such petitions shall be null and void. All persons desiring to run for the office of Mayor in the regular election to be held

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in April, 1993 shall then file petitions within the time provided by law for said regular election of April, 1993.

SECTION 2: That in the event the referendum of November 3, 1992 shall be adopted then for all subsequent elections for the office of Mayor, petitions for said primary shall be circulated commencing 90 days prior to the deadline for filing said petitions for primary elections in the manner provided by law. In the event that no primary election is held by reason of no more than two candidates having filed for nomination, then no further petitions shall be required for the regular election for mayor to be held in the succeeding April.

SECTION 3: That this resolution is adopted for the purpose of guaranteeing to all candidates the time for filing of petitions in the manner provided by law and shall be construed as providing such times as may be required by law.

SECTION 4: That this resolution shall be in full force and effect following its passage and approval in the manner provided by law.

ATTEST:

[Signature]
Mayor

[Signature]
City Clerk

Adopted: August 24, 1992