MINUTES OF THE RULES COMMITTEE
Monday, June 15, 2020
5:00 p.m.
Lorraine H. Morton Civic Center
Jay C. Lytle City Council Chambers (via virtually)


Absent: Ald. Robin Rue Simmons

Presiding: Mayor Stephen Hagerty

Staff Present: Kimberly Richardson, Acting Assistant City Manager, Alexandra Ruggie, Assistant City Attorney, Kelley Gandurski, Corporation Counsel and Jennifer Lin, HR Manager

Guest: Devon Reid, City Clerk, Heidi Voorhees, President, GovHR USA and Dele Lowman Smith, a Vice President, GovHR USA

CALL TO ORDER/DECLARATION OF QUORUM:
Chair Hagerty declared a quorum and called the meeting to order at 5:09pm.

Ald. Wilson, in conformance with the existing executive order issued by Governor Pritzker, moved to suspend the rules to allow them to proceed with their meeting using the Zoom software so they can conduct their meeting remotely. Ald. Rainey seconded. Motion passed 8 to 1.

Chair Hagerty announced that given the pandemic, Governor Pritzker has signed SB 2135, which are local government’s new open meeting act requirements. The key component is quorum does not need to be physically at the meeting location so meetings are allowed to take place virtually. Meeting notices must be placed on the public bodies’ website. Remote members must be verified and must be able to hear one another and hear all the discussion and testimony. Remote members of the public must be able to contemporaneously hear all discussions and testimonies and roll call votes. At least one member of the body must be physically at the meeting location, unless unfeasible to do given the nature of the emergency. Acting Assistant City Manager Kimberly Richardson is at the Civic Center in her office. All votes must be roll call votes. All remote meetings must be audible video recorded and made available to the public. They have been doing that and will continue. Staff will be preparing all the costs associated with the compliance in this section.

Chair Hagerty also stated the City Manager search is on the agenda and he wanted everybody to know that because Erika Storlie may be a candidate, she is not going to be involved in the process. Therefore, Acting Assistant City Manager Kimberly Richardson will be assisting with the process.

PUBLIC COMMENT:
Mike Vasilko spoke on the search process for a City Manager and feels it should include conversation about the process of whether it’s a City Manager position or a full-time mayor position. The citizens should be included in every discussion. Also spoke on the coronavirus situations in senior care facilities getting worse.
Gail Schechter, Community Alliance for Better Government, stated they all as a community should look at the search for a City Manager with great positivity and see this as a time for growth and change. They are particularly using a racial equity lens and that kind of appetite for change and innovation can feed into the whole process. They should advertise this as they're looking for a City Manager who will help the community co-create a more desirable Evanston for all. Also, Evanston’s last comprehensive plan was done in 2000 and probably is due for a new plan. As GovHR puts together questions for public input use it as an opportunity to get people's thoughts on what kind of Evanston do we want to live in. Be proactive in the process in seeking certain groups. Go to groups lead by the black community or youth groups or environmental and religious groups. Look at all different kinds of demographics. Qualities should also be considered as important as solid skills in city management. Probing questions like how inclusive has the individual candidates been in terms of their leadership style. What are their conflict resolution attitudes, are they punitive, are they restorative. Kind of eliciting qualities, eliciting vision, eliciting collegiality and sensitivity and looking at the fact that Evanston is poised to think about its next 20 years should be paramount.

Alyce Barry, Board Secretary, OPAL spoke on the support of a national search for a City Manager in a fully public process with robust opportunities for community input and transparent plans for actively recruiting candidates who have a proven commitment to racial equity. A year ago this month City Council approved resolution 58-R-19 commitment to end structural racism to ensure racial equity in city operations. OPAL calls on the Rules Committee to act fully consistently with that resolution as it pursues the hiring of a City Manager. By pursuing a plan to hire a city manager for whom racial equity is fundamental and not an afterthought. OPAL would like hear details on 1) the stakeholders to be consulted and how they are chosen so as to represent all voices 2) the survey to be used to gather input from the community and how it will be disseminated in order to hear from as many community members as possible and 3) specific plans for recruiting equity focused candidates. This process takes place in an historic moment when citizens here and across the country are insistent on achieving racial justice that has been too long deferred. As Evanston chooses its most powerful public official, OPAL calls on the Mayor and Council to take this opportunity to show leadership. To show how a city pursues racial equity with efficacy integrity and transparency.

Doreen Price spoke to reiterate what some of the speakers stated regarding the emphasis and needs since they first started the City Manager search process. Come together as a community which makes the identification even harder in terms of how things have been done things in the past. They know they’ve been limited in terms of reaching and having outreach that extends to people who aren’t always in these focus groups. They have failed to include the people who need to be included or they felt excluded in the past. The outreach has to be more proactive. The process right now is a good sign because it says that you’re willing to look at this and the Rules Committee will make it clear that they need to update the priorities in terms of where they need to go as a community. If they want to move to a better place they can get past differences and get to a better place if they kind of start where they are right now instead of where they were.

Mary Rosinski said she agrees with what the speakers ahead of her stated. The comprehensive plan really needs to be updated and everyone involved in it. Regarding the rubric for whatever they are going to be evaluating, their evaluation criteria, that's critical because they have this huge budget deficit they all would like to hear about. In all of America there are a lot of people out there who probably have suggestions who are from similar communities. Ms. Storlie may turn out to be the best but she is glad they are going to proceed with reaching out and getting suggestions and getting new viewpoints on how to approach their huge deficit and how to become a more inclusive community. She also wanted to point out that this meeting was not on the front page of city's
website. She believes it was corrected but they have to make it really easy for people to go to the website, see what time the meeting starts and make sure the links work. Let’s make sure that is working and that they have really good qualification criteria that they’re looking at and that everyone is able to participate through their Alderperson, Ward meetings or whatever to gather that information.

Darlene Cannon stated she agrees and supports everything the previous speakers have said. She reiterated that she would like to see a national search for a City Manager as was promised and have community input. She would like to see a diverse candidate selection given Evanston’s history and the current and previous history of systemic racism. She would like to see a City Manager who is fiscally responsible given the current budget crisis. They should not be in a position where they are issuing bonds in order to run the city. The candidate needs to have a finance background. They need a City Manager that understands and respects the need of the community and will make decisions with an equity lens.

**APPROVAL OF MINUTES OF THE REGULAR MEETING OF MARCH 2, 2020:**

**ITEMS FOR DISCUSSION:**

**City Manager Recruitment Update**
Ald. Rainey moved for discussion the update of the proposed process and schedule recommendation for the City Manager recruitment by GovHR USA. Heidi Voorhees, President, GovHR USA and one of her associates are here tonight. Ald. Fiske seconded.

Ms. Voorhees identified Dele Lowman Smith a Vice President with GovHR. Ms. Lowman Smith joined GovHR last fall, she is in Atlanta and will be partnering with them on the recruitment process. Ms. Lowman Smith said her 20 plus year career has been spent in county and city government, state government and nonprofits. In addition to working with GovHR she currently serves as a professional facilitator, consultant and trainer to local governments and nonprofits throughout Georgia. Her areas of focus are leadership, strategic planning, community engagement and outreach communications and process improvement among a variety of other things. She is looking forward to working with Evanston.

Ms. Voorhees reported that looking at the revised schedule they tried to put together a process that got started and within the next week or so they were under the guidelines with respect to Governor Pritzker’s orders. They are open to any modifications. It’s all video and zoom interviews at this point and they would propose doing individual meeting with each member of the City Council. They would also like to have a wide variety of stakeholder groups input and tried to capture as many categories as possible. They would be happy to work with city staff and the members of Council to make sure the outreach is thorough, broad and deep into the residents, businesses and organizations of Evanston. It’s also important to have some general open evening zoom meetings for anyone who wants to participate. They would work with the city on pushing that out and making sure as many people are aware of it and can participate as possible. They anticipate a couple of weeks of doing that. GovHR will draft a survey for Council to review and make sure they’ve captured, in the questions on the survey, the types of questions they would like. Then work with the city on pushing that survey out. Sometimes folks don’t want to participate in a public meeting so there will be a dedicated email where they can be reached that way or are welcome to call. Any way they can solicit input on what Evanston is looking for in their next City Manager they are happy to do. That
would probably take place in the next two to three weeks. The information that they gather will be used to draft the recruitment announcement and the fuller recruitment brochure which would be approved by City Council, the Mayor’s office and anyone else they deem should weigh in on that. GovHR does an inclusive outreach of candidates. They list it on a number of websites they would reach out to. They also have a database of public officials across the country that they belong to and is updated quarterly. They make heavy use of social media and it helps them tap into potential candidates who maybe aren’t in the City Manager world but have the kind of skills and abilities that might be appropriate for the position. Their firm has long been a supporter of organizations such as the National Forum for Black Public Administrators, the Local Government Hispanic Network, Emerging Local Government Leaders, League of Women in Government and they’ve been founding members of some of those and also participate in their meetings and conferences. They have a lot of contacts in all segments of the city management community and use all those methods of outreach in order to ensure that the candidate pool is diverse and representative of what the City of Evanston is seeking. Everything is being done electronically but she and Ms. Lowman Smith are available to talk at any time.

Ald. Wynne asked how things have worked recently with the use of Zoom rather than a community meeting for a forum to hear about a community comment. Ms. Voorhees said they’ve done some in Wisconsin and North Carolina. Just last week candidates presented to a Zoom group. Each candidate had a time to make a presentation as a part of the final process. It also depends on the state because the Open Meetings requirements vary by state. But they have done it and it’s gone as well as that sort of thing can go. It is limiting but it’s what they have to work with.

Ald. Fleming suggested for the stakeholder meetings she would like to see Council members recommend one or two people from their ward and the Mayor could also recommend someone. This would be in addition to the representatives from the business community, faith community, non-profit community and other suggested stakeholder groups. She would also like to suggest they get input from staff. Staff might not be comfortable doing that on the Zoom public meeting or using their name in an email address. She would like some kind of survey monkey or something that staff can participate freely to give their input on what they would like to see as qualities for a City Manager as well. Ms. Voorhees said they have done staff surveys and have had staff participate in the general survey. They are in the process of concluding the City Manager recruitment in Virginia Beach, Virginia and it included a survey that the staff also participated in. That is important and an excellent idea. Ald. Fleming asked could they do one focus group with whatever businesses and include either one or two people they nominate. Ms. Voorhees said that was the intent. Sometimes when you have a blanket invitation for people to show up it doesn’t go as well. They can do that but it’s also nice to say to some service organizations, University or whoever, that they are going to have a dedicated time to meet with them and that can be any grouping they all decide on. They can also do multiple groups. She would suggest eight to ten plus the one to two people per ward.

Ald. Braithwaite noted that prior to starting this process he had asked for time to provide feedback from what members of the 2nd Ward shared were the most important priorities for a City Manager. He also would like GovHR to know as they begin creating the criteria and screening. Ms. Voorhees said they would be happy to have that information.

Ms. Voohrees noted that Ms. Lowman Smith has a great suggestion regarding Twitter chat. Ms. Lowman Smith said the Twitter chat is a format that’s been around for a little while and has gained some popularity in recent years. If the City has a dedicated social media coordinator they can work with that individual to strategize around this. Identifying the best time, identifying the audiences that you would be seeking to engage and coming up with your outreach timeline. A hopefully short and
snappy hashtag that would be used to sort of guide the conversation and coming up with the questions as well as the goals. It sounds like, unlike some communities, this community is extremely well versed on what the role of a City Manager is. In others, she might suggest that there be some educational aspects as a part of that, in terms of refreshing people on what the role of a City Manager is, in addition to soliciting their input in terms of what they would like to see in their next City Manager. But that may or may not be something that's useful for Evanston and they can assess that during their one-on-ones with Council members and staff and can go into more details. There’s a whole plan and approach they can follow that they would be happy to help work through.

Ald. Suffredin asked if the survey that was created in March is ready to go. Ms. Voorhees said there are modifications that need to be made. They will resend it. Ald. Suffredin asked if there were a meeting with Northwestern would that be a public meeting or a conversation just between GovHR and Northwestern. Ms. Voorhees stated typically in the targeted focus groups if they did it in City Hall folks would just come in. They have not generated a lot of other interests but she has no problem if it is a public meeting. Ald. Suffredin noted he understands the logistical challenges of too many participants active in a meeting, but thinks it would be important for those meetings to at least be something that can be viewed by the public. Chair Hagerty said personally he was not sure he agreed with that. They have consultants come in and do all sorts of things around here but they don’t open them up to the public. They have all sorts of groups, whether they’re the suggestion of the two residents per each Ward, the Faith Community, or Non-Profit and all of a sudden saying these are public meetings. They are not asking Northwestern who they think should be the next City Manager. They’re asking what they think is important in a City Manager. Ald. Suffredin said he thinks it should be a public meeting.

Ms. Lin reported that before COVID, four focus groups were scheduled to meet. There were probably 15 or 20 groups that Council had identified as stakeholders and all had expressed a commitment to join the focus groups. She will share that information with Ms. Voorhees. In addition, she had signed a contract with a translator company to translate the public meetings into Spanish. They will still utilize that service to do the public meetings so there is a Spanish translation. Ald. Fleming asked if the surveys will also be in Spanish? Ms. Lin said they didn’t anticipate that but could certainly have a Spanish version of the survey that’s sent out. Ald. Rainey asked if they will have closed-caption for the Zoom meetings. The response was yes.

Ald. Fiske pointed out that she is not comfortable asking for two representatives per ward. They had talked about doing outreach into their Wards. She read the comments in Evanston Now where that gave a report of what various people had said they were looking for in terms of qualities for a City Manager. She suggests they have individual ward meetings and solicit comments. She would welcome Ms. Voorhees to sit in on all of those meetings if she would want to. The other thing she thinks they will do at a subsequent meeting is when they talk about qualities of a City Manager actually define the role of the City Manager. For those who were part of the search when Wally came, she remembers him asking if they wanted him to do more public outreach or basically run the city without going out and being publicly visible. She thought that was very good that that was the direction they were giving him. She wants to remind people that Wally is gone. He is not necessarily the model of the next city manager. They need to decide what qualities they want in the next City Manager. She wants to have as many people involved in this as possible and wants to make sure she is hearing and inviting all of their voices.

Ald. Revelle stated she too will have a ward meeting to hear from as many of her residents who are interested in sharing their comments about the next city manager. Is the idea that the survey will go out pretty quickly? Ms. Voorhees said yes and will allow a couple of weeks for the survey to be
completed. She is also willing to attend Ward meetings. Ald. Revelle said Ald. Braithwaite’s write up from his Ward meeting was pretty detailed so if she can’t attend her Ward meeting they should be able to give a pretty good write up of the residents’ comments.

Ald. Braithwaite stated his Ward meeting was very productive. The top three responsibilities were voting on a budget, voting on legislation, hiring a city manager and responding to his residents. From there he shared his top priorities as it relates to the issues he feels are top for the 2nd ward. After that he also shared the various committees he sits on with the point being that whoever this person is, these are his passions as it relates to the needs of the 2nd ward. Then priorities that came out of the meeting, equity lens was very important with the ability to conflict resolution, budget fiscal responsibility was the second, someone who is familiar with leading college town as well as proximity to a big city and then the survey and finally someone who’s going to be objective.

After more discussion Clerk Reid added that maybe the Clerk should be involved in the process and have an interview with the group as the Clerk’s office works closely with the City Manager’s in a number of aspects. Chair Hagerty agreed.

**Discussion Regarding the Mayoral Election Process**


Ms. Ruggie stated during the last election they noticed there was a difference in filing dates for the Mayoral election and the Aldermen because of the fact that they were not certified as a nonpartisan. The city had been operating as if they were a non-partisan election body for a very long time. Once the research was done it was certified that that wasn’t the case. So previously they passed a resolution and placed the referendum on the March ballot to certify that Evanston is a non-partisan election process and that passed. Now they can move forward knowing that they’re going to hold a nonpartisan election. To do that, they just wanted to clarify the dates of when the Mayor, the Aldermen and the City Clerk will certify their petition or election. The law department has prepared two different options for discussion tonight. Option one the law department is recommending it’s resolution 25-R-20. It follows the state statute on election filing. It specifies that the petitions will be given to the Clerk’s office not more than 99 no less than 92 days before the consolidated primary. The reason for recommending this resolution is because it’s in compliance with state law. That way if state law changes or the mandates of state law and the timing change they will still be following the state law. That way there would have to be no changes for City Council to go ahead and do that. The second option is resolution 26-R-20 and there are three different changes this gives. It requires all elected officials to file their petitions for the consolidated primary. That includes the Aldermen, the Mayor and the City Clerk. The second change would be that if two or more candidates file petitions then a primary will occur and the top two candidates move on to the regular election. And finally, this ordinance would eliminate the rule that the Mayoral candidate who wins over 50 percent in that primary does not automatically win. So even if a candidate were to receive the 50 percent at that primary there would still be the general election. She believes this would have to be done by referendum. The City Council can’t do this by resolution and it makes the timing of all the filings a little bit different. That’s why the law department recommends that the City Council just follows the state law. It’s simple, it’s clean and it clarifies the process to be in conjunction with the state statute.

Chair Hagerty asked if the Rules Committee wants to move with option one does it go to Council or comes back to the Rules Committee. Ms. Ruggie said it can move to Council.

Ald. Wilson stated he thinks they should go with option one. One of the goals should be to make
the process easier and less confusing and not necessarily more convoluted and most likely more expensive. If they are going to really try to make these roles more accessible to people that’s definitely the way to go.

Ald. Rainey asked if option one is requiring if there are two candidates running for Alderman there will be a primary. Ms. Ruggie said correct. Ald. Rainey added that when talking about equity that really rules out a lot of people who don’t have all the money to run into elections. She can understand if 3 people are running. That might be different, or as it was before, more than four. Ald. Wilson said no it is if it is more than two. Ms. Ruggie said that is correct, she misspoke, if it’s more than two there will be a primary.

Chair Hagerty asked if it’s three or more there’s a primary and if one of those candidates gets more than 50 percent is it over at that point or does it go to a general election? Ms. Ruggie stated she believes it wouldn’t be anything beyond the primary if there’s 50 percent. She will double check to be clear.

Ald. Braithwaite added that they should keep this as simple as possible. He thinks they should keep the same filing dates just so it’s clear. Regarding the primaries they should completely abandoned that notion whether there’s one, two, three, four, or five running. He thinks similar to what they’ve seen with District 65 and 202, the top person who gets the vote is the Alderman for that Ward and the same for the Mayoral election. It makes it quick, less messy and fair across the board. Ms. Ruggie noted that she would have to look into that and see if that’s a viable option and will bring that back to Council. She will also check on whether they have to do the primary.

Ald. Fleming stated they also need to be very clear on what we are telling people they’re committing to even as they’re going out to petition. Clarify they are doing this in enough time with the upcoming election that they are all ready to go. So when the election season starts people who are thinking of running know what the requirements are. Ms. Ruggie she will come back with clarifications but stated that option one is just a resolution that can be passed by City Council. They have a lot of time before the election come spring. If it was option two, they would be able to put that on as a referendum at the November ballot. They would just have to look at the days to put that on as a referendum. Ald. Fleming asked if they have to do a primary. Ms. Ruggie said she would clarify that.

City Clerk Reid added that the resolution would essentially do nothing and that’s the best option because it’s not just the spring election they’re looking for. Petitioning begins August 25th so any changes to whether the primary is going to exist or not exist would then change the filing period, which would then, after folks in August have started circulating, change the rules. Then between November 6th, which is the federal election day, and the filing period there is only a couple of weeks. So this point if they are going to make a change, the language should be specifically set and starts in 2025 election. They are a bit late in the game to make changes now. In addition, state law says that when you have a nonpartisan form of government, if there are four or more candidates you must have a primary. As a Home Rule municipality they could put a referendum on the ballot that changes that whether it’s lowering the requirement to two candidates, three candidates of folks or potentially doing away with the primary. But all those things are better left for the 2025 election and not the 2021 election because they’re already passed the mark where they can make any effective change. Ald. Rainey said then they are confirmed that it is four or more candidates that they activate a primary as Aldermen? City Clerk Reid replied yes at the aldermanic level. Ald. Rainey asked if there are three candidates running they just go and run in April? Clerk Reid said
yes. But to be clear everyone filing, should be filing as if they are running in the primary.

Chair Hagerty noted that what he thinks they are trying to do with option one is align the mayor with all the others. Clerk Reid said that can’t be done by a resolution it would have to be done by referendum.
Chair Hagerty said let’s have the legal department take a look at all this and if they think a resolution is needed just make it extra, extra clear then they can bring a resolution. If they don’t just work with Clerk Reid and just leave it as it is without any resolution.

Ald. Fleming asked Clerk Reid to please provide the state code so they can have that in front of them. Clerk Reid said he would send it.

**FOIA Update**
Ald. Fleming moved R3 which is the Clerk’s FOIA presentation to accept and place on file. Ald. Wynne seconded. Motion passed 8 to 1.

**NEW BUSINESS**
Ald. Fleming announced her Ward meeting is Saturday. She offered condolences to the family of Jasmine Waters an Evanston resident who passed away.

Ald. Fleming stated she had two referrals. One for City Council, the Chicago City Council is looking at extending a moratorium for evictions due to the coronavirus by 60 days. Since the state moratorium is coming to an end she would like to have them do the same thing for 30 days. She also would like Chief Cook to come and talk about operations and funding of the Police Department with an organizational chart for community knowledge.

Ald. Rainey commented that she thinks the City of Chicago can do extensions on no evictions because they’re over 500,000 and doesn’t know if they have that power. She wondered if they have to go along with what the county imposes on them for that. Ms. Gandurski stated she would double check and get back to them.

**ITEMS FOR COMMUNICATION**
Ald. Braithwaite announced he recently found out this is Caribbean Restaurant Week and would like to give a shout out to them. He apologized if he missed any. Claire’s Corner, Kingston Grill, The Jerk Pit, Good to Go and Taste of Jamaica. Ald. Fleming added OVO Frito.

**ADJOURMENT:**
Ald. Rainey moved to adjourn Ald. Wynne seconded. Motion passed. 8 to 1.
Meeting adjourned 6:35 p.m.

Respectfully submitted,
Darlene Francellno

A video of this meeting is available at [www.cityofevanston.org/government/agendas-minutes/agendas-minutes--rules-committee](http://www.cityofevanston.org/government/agendas-minutes/agendas-minutes--rules-committee).