



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Details (With Text)

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File created:	4/15/2020	In control:		In control:	Board of Commissioners
On agenda:	4/23/2020	Final action:		Final action:	4/23/2020
Title:	PROPOSED ORDINANCE AMENDMENT				

REMOTE MEETINGS

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Article III. County Board, Division 2. Rules of Organization and Procedure, Sections 2-102, 2-106 and 2-112 of the Cook County Code is hereby amended as Follows:

Sec. 2-102. - Interpretation, force and effect.

- (a) Applicability. The meetings and actions of the Board, including all of its committees, shall be governed by this division.
- (b) Effect of State law. Except as otherwise specifically provided in this division, this division supersedes all provisions of Illinois statute to the extent of any conflict or inconsistency, except for statutes that, by their terms, specifically limit home rule units pursuant to Article VII, Section 6(g) or 6 (h) of the 1970 Constitution of the State of Illinois.
- (c) Effective date. This division shall be in full force and effect upon adoption, and shall remain in full force and effect except as amended in accordance herewith, or until superseded by new rules adopted as part of the organization of a newly constituted Board at the commencement of a term.
- (d) Interpretation. This division shall be interpreted and applied to foster the goals and purposes set forth in Section 2-101. This division is to be construed in accordance with the customary American usage and meaning of parliamentary terms and expressions and the plain meaning of the ordinary words appearing herein. In case of ambiguous application, this division shall be applied in a manner that fosters openness, accountability and fairness in the operation of the Board.
- (e) Adoption of rules. At the commencement of a term, the Board may adopt new rules of organization and procedure by ordinance setting forth such rules in their entirety and repealing these rules. Such ordinance must be adopted by a majority of those elected. Rules so adopted shall supersede these rules.
- (f) Rules for committee meetings. The rules of procedure for all committee, subcommittee and special committee meetings shall be the same as for Board meetings, except that committees composed of less than the entire Board shall require only a majority of the committee members for a quorum.
- (g) Amendment or suspension of rules. Any provision of this division may be temporarily suspended by majority vote, upon motion of any Commissioner specifying the rule to be suspended.
- (h) Remote meetings. All public meetings of the Board and its committees and subcommittees may be conducted by means of electronic, video, audio, or telephonic connection ("remote meeting") for the duration of the Illinois Gubernatorial Disaster Proclamation, including any extensions thereto, related to COVID-19 or a public health crisis. A member who desires to attend and participate in a remote public meeting shall do so by the designated electronic means. For purposes of conducting a remote meeting, the terms "written", "in writing", "document" and "copy" in these rules includes printed or electronic means, and a rule that requires an instrument to be handed to another member or the meeting Chair may be accomplished by electronic transmission.

Sec. 2-106. - Public Testimony at meetings of the Board, its Committees and Subcommittees.

The Board encourages public participation in the legislative process. The following rules shall apply at any meeting of the Board and its committees at which public comment or testimony is taken:

- (a) Public testimony at all meetings. Subject to the provisions herein, public testimony will be permitted at all meetings of the Board, its committees and subcommittees. Any member of the general public may address the Board or any of its committees at any remote meeting required to be open to

the public under the Open Meetings Act (5 ILCS 120/1, et seq.) in writing, or orally from a remote location by means of electronic, video, audio, or telephonic connection if permitted in the meeting notice.

(b) Authorization to speak. Authorization as a public speaker or to provide written testimony to be read into the record of a meeting of the Board, its committees and subcommittees shall be granted to those individuals who have submitted in writing, their name, municipality of residence, subject matter, and organization (if any) to the Secretary.

(c) Public comment period. Duly authorized public speakers shall be called upon to deliver testimony at a time specified in the meeting agenda, or at the discretion of the chair, but prior to final action by the meeting body as is practicable. For remote meetings, the public comment period may be limited to written testimony which will be read into the record.

(d) Germane subject matter encouraged. Public testimony should be germane to a specific item(s) on the meeting agenda. To preserve order and decorum and in the interest of efficiency, the presiding officer may impose subject matter limits on public comment or testimony.

(e) Time limit for public speakers. During their testimony, each public speaker may have up to Written public testimony or oral testimony will be limited to three minutes. The Secretary will keep track of the time and advise when the time for public testimony has expired. Responses to inquiries of the public speaker by the presiding officer or members shall not count towards any time limit. With leave, the presiding officer or members may extend a public speaker's time as desired.

(f) Prohibited behavior for public speakers. Public speaker or written testimony shall not include the use vulgar, abusive or otherwise inappropriate language when addressing the Board; failure to act appropriately; failure to speak to an item that is germane to the meeting, or failure to adhere to the time requirements may result in expulsion from the meeting and/or disqualify the person from providing future testimony.

(g) Disruptions of meetings prohibited. Disruptions of meetings are prohibited. Disruptions include, but are not limited to:

(1) Speech or testimony by an individual after expiration of the time allotted for the speaker's public comment or testimony;

(2) Speech or testimony by an individual that is not germane to a specific item or items on the meeting agenda;

(3) Speech or testimony by an individual who has not been recognized by the presiding officer for public comment or testimony, who is speaking in a volume louder than a low, conversational level appropriate for communication between persons seated next to each other in the chamber, or whose speech is audible by others; or

(4) Holding or placing a banner or sign during a meeting in a way that may endanger other individuals or that obstructs the free passage or view of others attending or viewing the meeting.

(5) Verbal comments and testimony must be conducted in respectful speech with no personal attacks.

(6) If an individual engages in disruption of the meeting, including, but not limited to, any of the actions described above, the presiding officer may: rule the individual out of order, direct the individual to cease the activity and impose other reasonable conditions for the individual's continued presence at the meeting. If the individual does not immediately comply with the presiding officer's order, the presiding officer may direct the removal of the individual from the meeting. Unless otherwise ordered by the presiding officer, any individual ordered to be removed from a meeting is excluded from returning to that meeting, unless the decision of the presiding officer is overruled by a majority vote of those members in attendance. Any two members may place before the body the question of whether to permit the individual to return to the same meeting.

(7) If an individual is removed either from two or more committee meetings within a 15-day period or from two or more consecutive meetings of the Board, the Board President or Committee Chairperson may exclude the individual from participation in public comment or testimony periods at future Board or committee meetings.

a. The Board President or Committee Chairperson shall notify the individual in writing of the type of exclusion, the specific reasons for the exclusion and the specific terms and length of the exclusion.

b. The notice of exclusion shall advise that the individual may submit written comments to the Clerk for distribution to the Board members at future public comment or testimony periods.

c. The notice of exclusion shall be filed with the Clerk, who shall post it on the door to the Board chambers and on the Board's web page, provide a copy of the notice to Board members and mail the notice to the individual's last known address, if any. The notice is effective when posted. The exclusion order shall remain posted on the door to the chambers for the duration of the exclusion period.

(8) In determining the scope and length of an individual's exclusion, the Board President or Committee Chairperson may consider the seriousness of the disruptions to the orderly conduct of the meeting, the number of disruptions in which the individual participated and other reasons deemed relevant by the President or Committee Chairperson.

a. The Board President or Committee Chairperson may issue an exclusion from future participation in public comment or testimony periods for up to 28 calendar days.

b. At the next regular meeting of the Board, following the filing and posting of the exclusion notice, the exclusion order may be overruled or modified by a majority vote of those Commissioners in attendance. Any two members may place before the body the question of whether to overrule or modify the exclusion decision.

(9) Any individual excluded from participation in future public comment or testimony periods may appeal the exclusion by submitting a written appeal to the Clerk within five calendar days after the exclusion notice is posted. The Clerk shall distribute copies of the appeal to all Board members. The Board shall consider the appeal at the next regularly scheduled Board meeting if any two members place it before the body. The individual's exclusion from public comment or testimony periods shall remain in effect during the Board's consideration of the appeal.

Sec. 2-112. - Commissions.

(a) The County Board shall have the authority by ordinance or resolution to create Commissions to address issues related or relevant to a Standing Committee of the County Board.

(b) The Chair or Vice-Chair of the applicable Standing Committee relevant to the Commission must serve as the Chair of the Commission.

(c) Commissions shall be temporary in nature and shall not exceed 12 months in duration unless otherwise approved by the Board.

(d) Commissions shall be staffed by the Chair of the Commission with existing resources.

(e) Other than Commissioners and County employees, Commission members may not serve on more than one Commission with concurrent terms.

(f) Commissions shall issue their reports or findings to the applicable Standing Committee.

(g) The authorizing ordinance or resolution for a Commission shall explicitly state:

(1) The purpose for which the Commission is being created;

(2) The Standing Committee to which the Commission is applicable;

(3) The number of members of the Commission and method by which they will be selected or appointed;

(4) The Chair or Vice-Chair of the applicable Standing Committee shall be the Chair of the Commission;

(5) The date by which the work of the Commission will be completed, which shall not exceed 12 months in duration, unless otherwise approved by the County Board;

(6) The length of service of the members of the Commission;

(7) The frequency the Commission shall meet which shall not be more than one time per month;

(8) That meetings of the Commission will be open to the public and comply with the requirements of the Open Meetings Act and Freedom of Information Act. All public meetings of a Commission may be conducted by means of electronic, video, audio, or telephonic connection ("remote meeting") for the duration of the Illinois Gubernatorial Disaster Proclamation, including any extensions thereto, related to COVID-19 or a public health crisis. A member who desires to attend and participate in a remote public meeting shall do so by the designated electronic means. Any member of the general public may address the a Commission at any remote meeting required to be open to the public under the Open Meetings Act (5 ILCS 120/1, et seq.) in writing, or orally from a remote location by means of electronic, video, audio, or telephonic connection if permitted in the meeting notice.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Article VI. Boards, Commissions and Committees, Division 1. Generally, Section 2-470 of the Cook County Code is hereby amended as Follows:

Sec. 2-470. - Required notice of meetings.

To comply with the Open Meetings Act, every Board, Commission, Advisory Committee, or Task Force created by this Board shall post notice of its meetings with the Secretary to the Cook County Board of Commissioners. All public meetings of a Board, Commission, Advisory Committee, or Task Force

created by this Board may be conducted by means of electronic, video, audio, or telephonic connection ("remote meeting") for the duration of the Illinois Gubernatorial Disaster Proclamation, including any extensions thereto, related to COVID-19 or a public health crisis. A member who desires to attend and participate in a remote public meeting shall do so by the designated electronic means. Any member of the general public may address the body at any remote meeting required to be open to the public under the Open Meetings Act (5 ILCS 120/1, et seq.) in writing, or orally from a remote location by means of electronic, video, audio, or telephonic connection if permitted in the meeting notice.

Effective date: This ordinance shall be in effect immediately upon adoption

Sponsors: TONI PRECKWINKLE (President)

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/23/2020	1	Board of Commissioners	approve	Pass

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- (c) *Effective date.* This division shall be in full force and effect upon adoption, and shall remain in full force and effect except as amended in accordance herewith, or until superseded by new rules adopted as part of the organization of a newly constituted Board at the commencement of a term.
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- (e) *Adoption of rules.* At the commencement of a term, the Board may adopt new rules of organization and procedure by ordinance setting forth such rules in their entirety and repealing these rules. Such ordinance must be adopted by a majority of those elected. Rules so adopted shall supersede these rules.
- (f) *Rules for committee meetings.* The rules of procedure for all committee, subcommittee and special committee meetings shall be the same as for Board meetings, except that committees composed of less than the entire Board shall require only a majority of the committee members for a quorum.
- (g) *Amendment or suspension of rules.* Any provision of this division may be temporarily suspended by majority vote, upon motion of any Commissioner specifying the rule to be suspended.

(h) *Remote meetings.* All public meetings of the Board and its committees and subcommittees may be conducted by means of electronic, video, audio, or telephonic connection ("remote meeting") for the duration of the Illinois Gubernatorial Disaster Proclamation, including any extensions thereto, related to COVID-19 or a public health crisis. A member who desires to attend and participate in a remote public meeting shall do so by the designated electronic means. For purposes of conducting a remote meeting, the terms "written", "in writing", "document" and "copy" in these rules includes printed or electronic means, and a rule that requires an instrument to be handed to another member or the meeting Chair may be accomplished by electronic transmission.

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- (b) *Authorization to speak.* Authorization as a public speaker or to provide written testimony to be read into the record of a meeting of the Board, its committees and subcommittees shall be granted to those individuals who have submitted in writing, their name, municipality of residence, subject matter, and organization (if any) to the Secretary.
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- (e) *Time limit for public speakers.* ~~During their testimony, each public speaker may have up to~~ Written public testimony or oral testimony will be limited to three minutes. The Secretary will keep track of the time and advise when the time for public testimony has expired. Responses to inquiries of the public speaker by the presiding officer or members shall not count towards any time limit. With leave, the presiding officer or members may extend a public speaker's time as desired.
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 - b. The notice of exclusion shall advise that the individual may submit written comments to the Clerk for distribution to the Board members at future public comment or testimony periods.
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 - a. The Board President or Committee Chairperson may issue an exclusion from future participation in public comment or testimony periods for up to 28 calendar days.
 - b. At the next regular meeting of the Board, following the filing and posting of the exclusion notice, the exclusion order may be overruled or modified by a majority vote of those Commissioners in attendance. Any two members may place before the body the question of whether to overrule or modify the exclusion decision.
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- (a) The County Board shall have the authority by ordinance or resolution to create Commissions to address issues related or relevant to a Standing Committee of the County Board.
- (b) The Chair or Vice-Chair of the applicable Standing Committee relevant to the Commission must serve as the Chair of the Commission.
- (c) Commissions shall be temporary in nature and shall not exceed 12 months in duration unless otherwise approved by the Board.

- (d) Commissions shall be staffed by the Chair of the Commission with existing resources.
- (e) Other than Commissioners and County employees, Commission members may not serve on more than one Commission with concurrent terms.
- (f) Commissions shall issue their reports or findings to the applicable Standing Committee.
- (g) The authorizing ordinance or resolution for a Commission shall explicitly state:
 - (1) The purpose for which the Commission is being created;
 - (2) The Standing Committee to which the Commission is applicable;
 - (3) The number of members of the Commission and method by which they will be selected or appointed;
 - (4) The Chair or Vice-Chair of the applicable Standing Committee shall be the Chair of the Commission;
 - (5) The date by which the work of the Commission will be completed, which shall not exceed 12 months in duration, unless otherwise approved by the County Board;
 - (6) The length of service of the members of the Commission;
 - (7) The frequency the Commission shall meet which shall not be more than one time per month;
- (8) That meetings of the Commission will be open to the public and comply with the requirements of the Open Meetings Act and Freedom of Information Act. All public meetings of a Commission may be conducted by means of electronic, video, audio, or telephonic connection ("remote meeting") for the duration of the Illinois Gubernatorial Disaster Proclamation, including any extensions thereto, related to COVID-19 or a public health crisis. A member who desires to attend and participate in a remote public meeting shall do so by the designated electronic means. Any member of the general public may address the a Commission at any remote meeting required to be open to the public under the Open Meetings Act (5 ILCS 120/1, et seq.) in writing, or orally from a remote location by means of electronic, video, audio, or telephonic connection if permitted in the meeting notice.

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Effective date: This ordinance shall be in effect immediately upon adoption