



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 021-029
DATE OF PASSAGE June 22, 2021

An Ordinance amending Chapter 2, Article 2-VI-1 of the Code of Ordinances and establishing rules and procedures generally applicable to advisory boards and commissions and changing the terms of their membership.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City's advisory boards and commissions are an integral part of the local community;

WHEREAS, the City's advisory boards and commissions selflessly serve the community through the dedication of their time, talent and service;

WHEREAS, the City seeks to provide clear and consistent rules and standards to all its board and commission members;

WHEREAS, it is necessary to update, revise and reorganize the provisions of the Code of Ordinances pertaining to advisory boards and commissions established by the City;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows: that Chapter 2, Article 2-VI-1 of the Code of Ordinances, shall be and hereby is amended by adding sections 2-411 through 2-415 as set forth in Exhibit A (dated June 3, 2020); and further

BE IT ORDANED; that except as provided herein, the terms of each member of the City's advisory boards and commissions, whether established by resolution or ordinance as set forth in Sec. 2-415 shall expire effective June 30, 2021. This provision shall not apply to the members of the Civilian Review Board or the Ethics Commission; and further

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BE IT ORDAINED, that any prior resolutions and ordinances that are inconsistent or conflict with this resolution shall be and hereby be repealed; and

BE IT ORDAINED, that the City Council finds that an urgency exists such that this Ordinance shall become effective immediately upon the approval of two-thirds (2/3) of its members.

ORDINANCE NO. 021-029

PASSED AND APPROVED ON June 22, 2021

AYES 12 NAYS 0 NOT VOTING 0 ABSENT 0

ALDERMAN	Vote
Alderman Llamas, Ward 1	yes
Alderwoman Garza, Ward 2	yes
Alderman Mesiacos, Ward 3	yes
Alderman Donnell, Ward 4	yes
Alderman Franco, Ward 5	yes
Alderman Saville, Ward 6	yes
Alderwoman Hart-Burns, Ward 7	yes
Alderwoman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderwoman Baid, Ward 10	yes
Alderman Woerman, At Large	yes
Alderman Jenkins, At Large	yes

ATTEST:


City Clerk


Mayor

21-0401

RECOMMENDATION

TO: THE COMMITTEE OF THE WHOLE

FROM: THE RULES, ADMINISTRATION AND PROCEDURES COMMITTEE

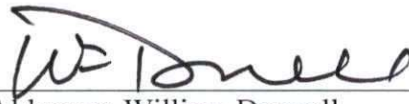
The Rules, Administration and Procedures Committee at the regular scheduled meeting on **Tuesday, June 1, 2021** recommended **APPROVAL** of an Ordinance amending Chapter 2, Article 2-VI-1 of the Code of Ordinances and establishing rules and procedures generally applicable to advisory boards and commissions and changing the terms of their membership.

VOTE: 5-0

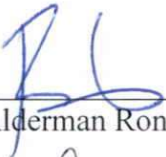
Submitted By:



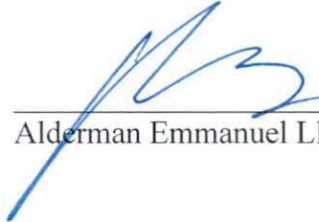
Alderman Edward Bugg, Chairperson



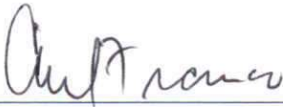
Alderman William Donnell



Alderman Ron Woerman, Vice Chairperson



Alderman Emmanuel Llamas



Alderman Carl Franco

Dated this 1st day of June, 2021

1 **Division 2-VI-1 Generally**

2 **Sec. 2-411 - Establishment of Advisory Boards and Commissions**

3 (a) In the exercise of the home rule authority conferred by the
4 Illinois Constitution, the city council may from time-to-time by
5 resolution or by ordinance create such advisory boards and
6 commissions as it deems necessary or convenient to advise and
7 assist the mayor and the city council in the performance of their
8 duties.

9 (b) Advisory boards and commissions established by the authority
10 of the city council shall possess only those powers and functions
11 expressly set forth in the resolution or ordinance establishing
12 them, those powers and functions expressly set forth elsewhere in
13 this code, and those powers and functions which must be necessarily
14 inferred therefrom.

15 (c) The provisions of this Division 2-VI-1 shall apply to all
16 advisory boards and commissions established by resolution or
17 ordinance of the city council except as specifically set forth
18 herein. To the extent that the provisions of a resolution or
19 ordinance establishing or providing for the operations of an
20 advisory board or commission conflict with the provisions of this
21 Division, those provisions are expressly repealed.

22 (d) Advisory boards and commissions constitute public bodies as
23 the term is defined in the Open Meetings Act.

24 (e) The provisions of this division do not apply public bodies
25 established by law, by an intergovernmental agreement, or which
26 have a corporate existence distinct from the city. The provisions
27 of this division do not apply to not-for-profit corporations to
28 which the mayor or city council, as the case may be, appoints
29 members.

30 **Sec. 2-412 - Composition of Advisory Boards and Commissions**

31 (a) Appointments of Members. The mayor shall, with the advice and
32 consent of the city council appoint the members of each advisory
33 commission. When a vacancy occurs with fewer than ninety (90)
34 days prior to the conclusion of a member's term the mayor may
35 appoint any qualified person to complete the term without the
36 approval of the city council. All members of advisory boards of
37 commissions, including those for whom the city council has
38 authorized a per diem, shall be regarded as volunteers at-will.
39 Appointment to an advisory board or commission shall not confer

1 any property rights, employment contract, or other contractual
2 rights with respect to membership thereto.

3 (b) Number of Members. Unless otherwise provided by ordinance,
4 each advisory board or commission shall consist of nine (9)
5 members.

6 (c) Terms of Membership. Unless otherwise provided by ordinance,
7 each member of an advisory board or commission shall serve a fixed
8 term of three (3) years and until the appointment of his successor.
9 Unless otherwise provided, a member of an advisory board or
10 commission may serve as many terms as he may be appointed to. The
11 terms of the membership of an advisory board or commission shall
12 be staggered so that, as nearly as possible, the terms of one-
13 third (1/3) of its members expire each year.

14 (d) Qualifications of Members. All members of an advisory board or
15 commission must be residents of the city, owners or employees of
16 business within the city, board members or employees of a not-for-
17 profit corporation located within the city, or otherwise
18 demonstrate an affinity with the city. The city council may for
19 specific advisory boards or commissions require additional
20 qualifications for membership including, but not limited to,
21 status as an elector or resident of the city or a specific portion
22 thereof and professional or educational expertise, certification,
23 or licensure.

24 (e) Vacancies. A vacancy shall occur on an advisory board or
25 commission whenever a member submits a written letter of
26 resignation to the mayor, dies or becomes permanently unable to
27 perform his duties, fails to meet a qualification for membership,
28 or is removed.

29 (f) City Staff Liaisons. The mayor shall from time-to-time
30 designate a member of the administrative service to serve as a
31 liaison to each advisory board or commission to assist it in the
32 performance of its duties. Unless otherwise provided, the staff
33 liaison shall not be a member of an advisory board or commission.

34 (g) Advisory Board or Commission Leadership. Unless otherwise
35 provided, the mayor shall annually designate one member of each
36 advisory board or commission to serve as its chairperson who shall
37 preside at each of its meetings and assist with the preparation of
38 meetings agendas. Unless otherwise provided, each advisory board
39 or commission shall select from its membership a vice-chairperson
40 to perform the duties of the chairperson in his absence and a

1 secretary to record the minutes of its meetings. Advisory boards
2 or commissions which administer or disburse any public funds shall
3 select from its membership a treasurer with the approval of the
4 city staff liaison. Upon appointment or selection, the
5 chairperson, vice-chairperson, secretary, and treasurer of each
6 advisory board or commission shall participate in a training
7 session and orientation with the mayor's office.

8 **Sec. 2-413 - Meetings**

9 (a) General. All meetings of all advisory boards and commissions
10 shall be public meetings noticed and conducted in accordance with
11 the Open Meeting Act.

12 (b) Quorum. For the purpose of conducting business, a quorum shall
13 be a majority of the members appointed to an advisory board or
14 commission, excluding vacancies.

15 (c) Agenda Required. The secretary of each advisory board or
16 commission, with reasonable assistance of the city staff liaison,
17 is responsible for the preparation and posting of the final agenda
18 that conforms to the requirements of the Open Meetings Act. An
19 advisory board or commission shall not take final action on any
20 matter not set forth on a meeting agenda.

21 Each agenda shall include the following items:

- 22 1. Call to order and roll call;
- 23 2. Approval of the minutes of the previous meeting;
- 24 3. Public comment;
- 25 4. Items on which the board or commission will take action
26 upon; and
- 27 5. Adjournment.

28 (d) Meeting Schedule and Frequency. Each advisory board or
29 commission shall determine and provide public notice of the
30 schedule of its regular meetings at the beginning of each calendar
31 year and shall state the regular dates, times, and places of such
32 meetings. An advisory board or commission shall meet at least
33 quarterly, but no more frequently than is reasonably required for
34 the board or commission to conduct its business.

35 (e) Public Comment. Each advisory board or commission shall permit
36 public comment at each of its meetings in accordance with the rules
37 adopted and recorded by the city council for public comments at
38 its meetings, provided that the subject matter of public comment

1 before an advisory board or commission shall be further limited to
2 matters within the scope of its duties.

3 (f) Attendance by Means Other than Physical Presence.

4 1. If a quorum of Commission members is physically present at
5 the location of a duly-noticed meeting as required by the
6 Open Meetings Act, the quorum may allow members physically
7 absent to participate in the meeting via audio or video
8 conference, provided the member is prevented from physically
9 attending the meeting due to either: (A) a personal health
10 issue or disability; or (B) the health or disability of an
11 immediate family or household member; or (C) a family or other
12 emergency.

13 2. If a member wishes to attend the board or commission meeting
14 by means other than a physical presence, the member should
15 notify the City staff liaison member at least 24 hours in
16 advance of the meeting, unless such notice is impractical.

17 3. If a member attends a meeting by audio or video conference,
18 it shall be reflected in the meeting minutes.

19 (f) Meetings without the Physical Presence of a Quorum. An advisory
20 board or commission shall not meet without the physical presence
21 of a quorum unless the meeting satisfies all of the requirements
22 of the Open Meetings Act and the mayor determines that the meeting
23 of the advisory board or commission is in the best interest of the
24 city and necessary to accomplish an essential governmental
25 function.

26 **Sec. 2-414 - Policies and Procedures**

27 (a) Attendance at meetings. All members shall make a diligent,
28 good faith effort to attend all meetings of their board or
29 commission. If a member is absent from three (3) successive regular
30 meetings without notification, such member shall be deemed to have
31 forfeited his membership. If a member is absent for fifty percent
32 (50%) or more of meetings in a six (6) month period, the secretary
33 of the advisory board or commission shall notify the mayor's
34 office.

35 (b) Bylaws and Rules. An advisory board or commission may adopt
36 its own bylaws and rules as it deems necessary or convenient to
37 conduct its business, as long as they do not conflict with any
38 provision of law or this code.

39 (c) Code of Conduct. Each member of an advisory board or commission
40 shall be subject to and abide by the requirements of chapter 15 of

1 this code, titled the "City of Aurora Ethics Ordinance." Prior to
2 submitting a nomination to an advisory board or commission to the
3 city council for its advice and consent, the mayor shall require
4 the nominee to complete a statement that the nominee will adhere
5 to the tenants of a code of conduct that substantially conforms to
6 the following:

7 By accepting an appointment to an advisory board or
8 commission, the appointee agrees to abide by the following
9 code of conduct:

- 10 a. Act in the best interest of the residents of the city;
11 b. Comply with all applicable statutes, ordinances, bylaws
12 and rules applicable to the advisory board or
13 commission;
14 c. Disclose conflicts or any potential conflicts; abstain
15 if necessary;
16 d. Respect the chairperson and the chairperson's role in
17 maintaining order;
18 e. Treat other members of the board or commission and the
19 public with courtesy and respect; and
20 f. Have a teamwork attitude and problem-solving mentality.

21 (d) Duty to Cooperate. All members of advisory boards and
22 commissions and the boards and commissions collectively, shall
23 cooperate with all members of their own and other boards,
24 commissions and committees; city departments, agencies, and
25 employees; local groups, residents and members of the public; and
26 governmental agencies.

27 (e) Financial Policies. All advisory boards and commissions, and
28 the members thereof, which are entrusted with the management of
29 public funds or funds raised from outside sources shall exercise
30 that responsibility appropriately and in compliance with the
31 city's financial policies as the city treasurer may from time-to-
32 time establish. All funds raised and or utilized must be used for
33 a public purpose related to the advisory board or commission's
34 primary function or mission. In the case of advisory boards or
35 commissions established to support or enhance the efforts of
36 community organizations and to which the city council appropriates
37 funds for such purposes, said board or commissions shall contribute
38 a portion of those funds to promote and support events that are
39 related to its mission or purpose, but that are not hosted or
40 planned by the advisory board or commission.

1 (f) Removal of Members. A member of any advisory board or
2 commission may be removed in the same manner as provided by law
3 for the removal of appointed officers of the city, as otherwise
4 provided by law, or by resolution of the city council.

5 (g) Social Media. An advisory board or commission which maintains
6 any presence on social media shall abide by the social media
7 policies applicable to city departments and employees. The content
8 of social media accounts created by or for the use of an advisory
9 boards and commissions shall remain confined to the business of
10 the advisory board or commission and shall not be used for the
11 expression of personal opinions or opinions outside of the scope
12 of the responsibilities of the advisory board or commission.
13 Members shall refrain from posting anything personal in nature on
14 official social media pages. The city staff liaison shall at all
15 times have access to all social media accounts created by or for
16 the use of an advisory board or commission.

17 (h) Student Membership and Volunteers. In order to encourage civic
18 responsibility and to provide for hands-on learning experiences,
19 the city council may authorize the appointment of students to serve
20 as members or representatives on advisory boards and commissions.
21 Unless otherwise provided by ordinance, a student member or
22 representative of an advisory board or commission must be a junior
23 or senior in high school and a resident of the city, provided that
24 the mayor and city council may waive this requirement in the
25 absence of otherwise qualified applicants. A student appointed as
26 a member of an advisory board or commission shall have full voting
27 rights, a student appointed as a representative to an advisory
28 board or commission shall not vote nor be counted for the purposes
29 of determining quorum.

30 **Section 2-415 - Established Advisory Boards and Commissions**

31 (a) Administrative Boards and Commissions. Terms commence July 1
32 unless otherwise provided.

33 Block Grant Working Committee

34 Civilian Review Board

35 Civil Service Commission

36 Ethics Commission

37 Fox Walk Overlay District Design Review Committee

38 Human Relations Commission

- 1 Planning and Zoning Commission
- 2 Public Arts Commission
- 3 Preservation Commission
- 4 (b) Advisory Boards. Terms commence January 1, unless otherwise
5 provided.
- 6 Advisory Commission for Disabilities
- 7 Airport Advisory Board
- 8 Assault Weapons Advisory Commission
- 9 Bicycle, Pedestrian, and Transit Advisory Board
- 10 Economic Development Commission
- 11 Education Commission
- 12 Neighborhood Council
- 13 Sustainable Aurora
- 14 Tree Board
- 15 Veterans' Advisory Council
- 16 Youth Council
- 17 (c) Cultural and Historical Heritage Boards. Terms commence
18 October 1, unless otherwise provided
- 19 African American Advisory Board
- 20 Grand Army of the Republic Memorial Commission
- 21 Hispanic Heritage Board
- 22 Indian American Community Outreach Advisory Board
- 23 (d) Technical Boards and Commissions (established by model
24 ordinance or code adopted by the city). Terms commence April 1,
25 unless otherwise provided.
- 26 Building Code Board of Appeals
- 27 Electrical Commission
- 28 Fire Code Board of Appeals
- 29 Permanent Building and Fire Code Committee
- 30 Permanent Housing Code Committee