



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 025-010
DATE OF PASSAGE January 28, 2025

An Ordinance amending Section 2-65 of the Code of Ordinances Pertaining to Aldermanic Initiative Funds.

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 Council previously enacted Sec. 2-65 of the Code of Ordinances in order to codify existing, but informal practices, regarding the use of funds budgeted for use at the discretion of individual alderpersons; and

WHEREAS, the City Council finds it appropriate to amend Sec. 2-65 to revise these practices to allow the alderpersons additional flexibility with respect to the use of aldermanic initiative funds;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows: that Sec. 2-65 of the Code of Ordinances shall be and hereby is amended as specifically provided in Exhibit A to this Ordinance; and further

BE IT ORDAINED, that the respective officers and employees of the City shall be and hereby are authorized to reallocate the Aldermanic Initiative Funds budgeted for 2025 in the manner set forth in Exhibit A and that to the extent such reallocation constitutes an amendment to the 2025 budget, such amendment shall be and hereby is authorized; and further

BE IT ORDAINED, that an alderperson that had unspent Aldermanic Initiative Funds budgeted for, but unspent, in calendar year 2024 that would have qualified for carry-over into calendar year 2025 as allowed in Sec. 2-65, may carry over such funds into 2025 for the specific purpose of completing an approved aldermanic initiative unable to be completed in calendar year 2024, and the respective officers and employees of the City shall be and hereby are authorized to process such request

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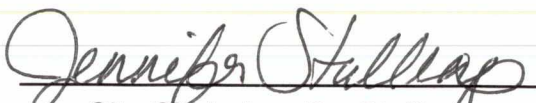
LEGISTAR NO. 25-0068

PASSED AND APPROVED ON January 28, 2025

AYES 12 NAYS 0 NOT VOTING 0 ABSENT 0

ALDERMAN	Vote
Alderman Barreiro, 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
Alderman Tolliver, Ward 7	yes
Alderwoman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderwoman Baid, Ward 10	yes
Alderman Laesch, At Large	yes
Alderman Woerman, At Large	yes

ATTEST:


City Clerk Jennifer Stallings


Mayor Richard C. Irvin

1 Sec. 2-65 Aldermanic Initiative Funds

2 (a) Purpose. The city council finds that the unique history and
3 diversity of the city, as well as its size and geography, makes it
4 appropriate to authorize individual alderpersons to direct the
5 expenditure of public funds for limited and specific public
6 purposes subject to the provisions of this section.

7 (b) Definitions. As used in this section, the following terms are
8 defined as follows:

9 "Capital expenditure" means an expenditure involving the
10 construction, installation, improvement, enhancement, repair,
11 maintenance, or upgrade of public property or right-of-way,
12 signage thereupon, or the acquisition of real property. "Capital
13 expenditure" does not include a lease for real property for use
14 by the city.

15 "Chief of staff" means the chief of staff of the office of
16 the aldermen;

17 "Committee" means the rules, administration, and procedures
18 committee of the city council.

19 "Public purpose" means a purpose approved or authorized by
20 law or ordinance which has as its primary objective the promotion
21 of the public health, safety, morals, security, prosperity,
22 contentment, and general welfare of the city or its residents,
23 whether or not there is an incidental benefit to private interests.

24

1 "Public works" means all fixed works constructed or
2 demolished by the city or paid for wholly or in part with public
3 funds, including those authorized for disbursement pursuant to
4 this section. "Public works" shall also include any project defined
5 as a public work under Section 2 of the Prevailing Wage Act.

6 "Ward alderperson" means an alderperson elected to represent
7 a ward of the city and not at-large.

8 (c) Creation of Funds.

9 1. Aldermanic capital fund. There is created a fund within
10 the city treasury which shall be known as the aldermanic
11 initiative capital fund ("capital fund"). The city council shall
12 annually appropriate such funds as it deems appropriate for the
13 purpose of capital expenditures or public works not otherwise
14 included in the city's capital improvement plan from the Capital
15 Improvement Fund. The city council further shall annually
16 appropriate such sums as it deems appropriate to the capital
17 fund. The city treasurer shall allocate all funds appropriated
18 annually by the city council equally into separate accounts
19 designated for each of the wards established within the city.

20 2. Aldermanic community enhancement fund. There is created
21 a fund within the city treasury which shall be known as the
22 aldermanic community enhancement fund ("non-capital fund"). The
23 city council shall annually appropriate such funds as it deems
24 appropriate from the Gaming Tax Fund to the aldermanic community

1 enhancement fund. The city treasurer shall allocate all funds
2 appropriated by the city council under this section equally into
3 separate accounts equal to the number of alderpersons elected
4 in the city. Each ward established within the city shall be
5 assigned a non-capital account which a ward alderperson may
6 authorize disbursements from under this section. The remaining
7 non-capital accounts shall be assigned to each alderperson
8 elected at large (to be designated at-large alderperson A, at-
9 large alderperson B, etc.) who may authorize disbursements
10 therefrom. All funds disbursed from any non-capital account
11 shall be disbursed only for the purposes and manner authorized
12 by this section. The city council may provide additional funds
13 for deposit into the accounts of alderpersons elected at-large
14 for the sole purpose of paying costs associated with citywide
15 constituent communications.

16 (d) Use of funds.

17 1. Capital funds.

18 a. A ward alderperson may authorize the expenditure of
19 ~~aldermanic initiative~~ capital funds allocated for use in such
20 alderperson's ward for capital expenditures having a public
21 purpose within the ward to pay the costs of contracts let by
22 the city pursuant to law and ordinance or to reimburse a city
23 department expending time, labor, services or equipment

1 related to a capital expenditure made at the ward
2 alderperson's request.

3 b. A ward alderperson may authorize the expenditure of
4 capital funds for the purposes of funding public works within
5 the ward represented by the alderperson through a competitive
6 program intended to facilitate façade improvement, common
7 area improvements, weatherization, energy efficiency or
8 similar fixed work having an ascertainable public purpose not
9 constructed by the city. No alderperson may establish a grant
10 program involving the expenditure of capital funds without
11 the prior approval of the committee, and said approval, shall
12 at a minimum set forth the criteria for grant award and the
13 use of the funds. A wage of no less than the general
14 prevailing hourly rate as paid for work of a similar character
15 in the city, shall be paid to all laborers, workers and
16 mechanics employed to perform work pursuant to a grant under
17 this paragraph unless the project is not a public work as
18 defined by the Prevailing Wage Act. 3.

19 c. A ward alderperson may authorize the expenditure of
20 capital funds for the purpose of paying the cost of a licensed
21 and bonded waste disposal, document shredding, and recycling
22 entity to participate in a one-day clean-up event within the
23 ward represented by the alderperson in each calendar year.

1 d. A ward alderperson may authorize the expenditure of
2 capital funds for the purpose of paying the costs associated
3 with the production, printing, postage, and mailing of one
4 newsletter or similar communication in each calendar year
5 that contains information regarding the availability of a
6 grant program authorized under paragraph (b) above or a
7 program paid for under paragraph (c) above.

8 2. Non-capital. An alderperson may authorize the
9 expenditure of aldermanic community enhancement funds allocated
10 under paragraph (c)(2) for non-capital expenditures having a
11 public purpose, which shall include the following:

12 a. Contributions or grants to governmental or not-for-
13 profit organizations specifically performing services for the
14 public benefit of the city or its residents;

15 b. Grants for neighborhood or community beautification,
16 or for scholarships pursuant to a program specifically
17 authorized by the committee which sets forth the criteria for
18 such award;

19 c. Programing activities, including community
20 meetings, shredding, recycling, or neighborhood clean-up days,
21 cultural or educational events, excluding honoraria, speaking
22 fees, lodging, travel, or entertainment expenses in an
23 aggregate amount exceeding three thousand (\$3,000) dollars
24 for any individual program;

- 1 d. Constituent communications;
- 2 e. Printing, mailing, or promotional expenses related
- 3 to the preceding items; ~~or~~
- 4 f. Any ~~other~~ purpose authorized by the committee
- 5 pursuant to subparagraph three (3) and not otherwise
- 6 prohibited by ordinance; or
- 7 g. Any purpose for which capital funds may be expended.

8 3. Expenditures requiring approval by the committee. An

9 alderperson shall obtain the approval of the committee prior to

10 authorizing an expenditure of non-capital funds for purposes

11 other than those specially enumerated in paragraph 2 of this

12 section and are which are not otherwise prohibited by law or

13 ordinance. An alderperson wishing to make an expenditure

14 pursuant to this paragraph may direct a written request to the

15 chairperson of the committee (or the vice chairperson of the

16 committee if the chairperson is the requesting alderperson)

17 describing the proposed expenditure not less than sixty (60)

18 days prior to the date funds are needed for such purpose. The

19 committee shall review the matter at its next meeting. The

20 committee chairperson or vice chairperson, as the case may be,

21 in his or her discretion, may permit the consideration of a

22 request within sixty (60) days of the date funds are required

23 if the request can be accommodated without unduly burdening the

24 staff of any city department or the office of the aldermen.

1 4. Prohibited Expenditures. An alderperson may not
2 authorize, and no city department or staff member shall take
3 action to process, the expenditure of funds set forth in this
4 section:

5 a. In any amount in excess of the funds currently
6 available for use by the alderperson;

7 b. For political contributions, as defined by Article
8 9 of the Election Code, or expenditures made in violation of
9 the Election Code or the Ethics Ordinance;

10 c. Reserved.;

11 d. For professional or consultative services, except
12 when required as part of an authorized public improvement
13 project;

14 e. For billboards, posters, or other permanent or
15 semi-permanent signs or advertisement featuring the name,
16 title, or likeness of the alderperson, except that when making
17 an expenditure under paragraph (c) in support of a specific
18 project or event, an alderperson may allow his or her name,
19 title, or likeness accompanied by a depiction of the city
20 seal, logo, or wordmark to be used in advertising or
21 promotional materials associated with the specific project or
22 event without violating this section or any other section of
23 this code;

1 f. For payments to a family member of the alderperson,
2 as defined by sec. 15-130 of this code or to any entity owned
3 by or in which the alderperson or a family member of the
4 alderperson has a direct or indirect financial interests in
5 such alderperson's name or the name of any other person or
6 entity;

7 g. For membership or club dues charged by
8 organizations, clubs, or facilities that are primarily
9 engaged in providing health, exercise, or recreational
10 services;

11 h. For non-capital expenditures in excess of one-third
12 (1/3) of an alderperson's annual budget of non-capital funds
13 authorized in that portion of a calendar year prior to the
14 end of an alderperson's present term of office or in support
15 of a program, activity, or event which occurs after the
16 conclusion of an alderperson's present term of office unless
17 the alderperson is an unopposed candidate for re-election; or

18 i. For any other expenditure not having a primarily
19 public purpose or that is prohibited by law or ordinance.

20 (b) Procedures.

21 1. Authorization. The chief of staff shall prepare forms
22 for use by the alderpersons in authorizing disbursements for
23 capital and non-capital purposes under this section.

1 a. Capital disbursements. When authorizing a
2 disbursement for capital purposes under this section for work
3 to be performed by the city, a ward alderperson shall consult
4 with the director of public works in identifying capital
5 projects within the alderperson's ward to which the
6 alderperson seeks to fund all or in part with capital funds.
7 Upon the ward alderperson's written authorization identifying
8 a specific project and the amount of funds to be used for
9 such project, such funds shall be deemed encumbered and made
10 available for use by the public works department for the
11 purpose so specified. In the case of grants made for public
12 works not performed by the city, capital funds equal to the
13 full amount of the grant program authorized by the alderperson
14 shall be deemed incumbered and unavailable for any other
15 purpose. The chief of staff shall promptly provide the finance
16 department with a copy of the alderperson's authorization.

17 b. Non-capital disbursements. When authorizing a
18 disbursement for non-capital purposes under this section, an
19 alderperson shall submit a written authorization for the
20 disbursement to the chief of staff that (1) describes the
21 purpose and nature of the proposed disbursement, (2) provides
22 the dates and times for the proposed event or disbursement,
23 (3) identifies any entity to whom funds are to be disbursed,
24 and (4) includes copies of any proposed contracts or other

1 agreements related to the expenditure in a format specified
2 by the corporation counsel. In the case of a proposed
3 disbursement requiring committee approval, the alderperson
4 shall also submit a copy of the written authorization to the
5 chairperson of the committee (or the vice chairperson of the
6 committee if the chairperson is the requesting alderperson)
7 with a request that the committee place the matter on its
8 agenda for consideration.

9 2. Authorization not binding on the city. An alderperson's
10 authorization of the disbursement of capital or non-capital
11 funds shall not be construed as an agreement by the city to
12 expend funds for any purpose nor shall any alderperson represent
13 to any entity that it may rely on such authorization for any
14 purpose.

15 3. Processing of non-capital disbursements. Upon the
16 receipt of a completed authorization for non-capital
17 disbursement, the chief of staff shall promptly take such
18 actions necessary to affect the non-capital disbursement as
19 directed by the alderperson. Such actions shall include but are
20 not limited to submitting check requests to the finance
21 department, requesting the corporation counsel review any
22 proposed contract agreements, and requesting such certificates
23 of insurance as may be required. Following review by the
24 corporation counsel, the chief of staff shall submit a

1 requisition as well as any contracts or purchase agreements
2 related to the disbursement to the director of purchasing for
3 execution on behalf of the city. An agreement executed under
4 this section may include language allocating or sharing
5 liability for an injury resulting from the city's use of any
6 function, service, property or act of another public entity for
7 a purpose authorized by this section without further action by
8 or authorization of the city council in the manner contemplated
9 by the Local Governmental and Governmental Employees Tort
10 Immunity Act.

11 4. Expedited requests. Neither the chief of staff nor any
12 employee of the city shall act on a request for disbursement of
13 non-capital funds submitted by an alderperson fewer than
14 fourteen (14) days prior to the date the funds are needed unless
15 the expedited disbursement is approved in writing by the
16 chairperson of the committee (or the vice chairperson if the
17 requesting alderperson) and the request can be reasonably
18 accommodated in accordance with established city policies and
19 procedures. Upon approval by the chairperson of the committee
20 (or the vice chairperson of the committee if the chairperson is
21 the requesting alderperson), a copy of such written
22 authorization shall be sent by the chief of staff to the
23 chairperson of the finance committee (or to the vice chairperson

1 of the finance committee if the chairperson of the finance
2 committee is the requesting alderperson).

3 5. Applicability of purchasing system. All purchases of
4 goods, services, supplies, or equipment pursuant to
5 disbursements authorized under this section shall be subject to
6 the provisions of division 2-V-2 of this code, and where
7 applicable, the Prevailing Wage Act. Except as limited in this
8 section, the chief of staff shall have the authority of a
9 department head with respect to implementing purchases
10 authorized by an alderperson for non-capital purposes.

11 6. Carry-over of excess funds. Whenever it appears to an
12 alderperson that excess funds will remain unspent in any account
13 from which the alderperson may authorize disbursements, the
14 alderperson, may, in the manner determined by the finance
15 committee, request the carry-over of such funds for a specific
16 purpose authorized by this section for use in the next fiscal
17 year.

18 7. Encumbrance of capital funds for multi-year projects.
19 Whenever a ward alderperson deems it to be in the best interest
20 of the alderperson's ward that funding for a specific capital
21 expenditure or other public work be allocated beyond the present
22 fiscal year, the alderperson shall notify the city treasurer
23 and the director of public works that funds for such purpose
24 should be encumbered and made available for use by the public

1 works department for the purpose so specified in subsequent
2 fiscal years. If the alderperson or the alderperson's successor
3 determines in a subsequent fiscal year that the proposed capital
4 expenditure is no longer viable, the alderperson may authorize
5 the disbursement of the encumbered funds for any other capital
6 purpose.

7 8. Budget transfers. ~~A ward alderperson may request the~~
8 ~~transfer of non-capital funds to the alderperson's capital~~
9 ~~account by submitting a budget transfer request to the city~~
10 ~~treasurer.~~—A ward alderperson may request the transfer of
11 capital funds to the alderperson's non-capital account by
12 submitting a budget transfer request to the finance committee
13 for its approval.

14 9. Funds budgeted in fiscal year 2025 ~~2024~~. All funds
15 budgeted for the use of ward alderpersons for capital or non-
16 capital purposes shall be subject to the provisions of this
17 ordinance. The city treasurer shall transfer one-half of the
18 previously budgeted funds available to each ward alderperson to
19 the wards ~~their~~ respective capital account and one-half to the
20 ward's non-capital accounts ~~, in accordance with an office of~~
21 ~~the aldermen office policy dated June 12, 2015 (allocating 2/3~~
22 ~~of such funds to capital and 1/3 of such funds for non-capital~~
23 ~~purposes).~~ All funds appropriated in fiscal year ~~2024~~ for the
24 ~~use of alderpersons elected at-large collectively shall be~~

1 ~~evenly divided among the alderpersons elected at-large and may~~
2 ~~be used by such alderpersons for the non-capital purposes~~
3 ~~authorized by this section.~~

4 10. Funds reappropriated or budgeted from years prior to
5 2025 ~~2024~~. Any funds appropriated or budgeted for the use of
6 ward alderpersons for capital improvement purposes prior to 2025
7 ~~2024~~ which remain unspent as of December 31, 2024, shall remain
8 available for the use of the respective ward alderpersons in
9 the manner provided for the use of capital funds in this section
10 and deposited into the appropriate ward account.

11 (c) Authority of the committee. The committee is authorized to

12 1. resolve questions as to whether this section authorizes
13 a proposed expenditure is authorized or whether a proposed
14 expenditure requires authorization by the committee. Decisions
15 of the committee with respect to a proposed expenditure may be
16 appealed to the committee of the whole.

17 2. To adopt supplemental rules and procedures as it
18 determines are reasonably necessary to carry the provisions of
19 this section into execution.