



CITY OF AURORA, ILLINOIS

RESOLUTION NO. R18-065
DATE OF PASSAGE MARCH 13, 2018

A Resolution establishing rules for public comment during meetings of the City Council and its committees.

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, Section 2(g) of the Open Meetings Act expressly provides that "[a]ny person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body" commonly referred to as "public comment;" and

WHEREAS, the City Council, the Committee of the Whole, and the Standing Committees are public bodies as Section 1.02 of the Open Meetings Act defines the term; and

WHEREAS, the City Council finds that the rules attached to this resolution as Exhibit A and Exhibit B will better accommodate the public's right to address the City Council and its committees than those presently in effect,)

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aurora, Illinois, as follows: that the rules set forth in Exhibit A of this Resolution shall be and hereby are established as the rules pertaining to public comment for the City Council and the Committee of the Whole; and further

BE IT RESOLVED, that the rules set forth in Exhibit B of this Resolution shall be and hereby are adopted as the rules pertaining to public comment for the Standing Committees of the City Council as the City Code defines the term and any subsequently created Committee as the Council may from time to time create; and further

RESOLUTION NO. R18-065
DATE OF PASSAGE March 13, 2018

BE IT RESOLVED, that the Standing Committees are authorized from time-to-time to establish and amend rules for public comment that are no less restrictive on the public's right to comment than the rules set forth in Exhibit B; and further

BE IT RESOLVED, that the rules set forth in Exhibit A and Exhibit B shall be recorded with and maintained by the City Clerk; and further

BE IT RESOLVED, that any Standing Committee which establishes rules for public comment that are no less restrictive than those set forth in Exhibit B shall record those rules with the Chief of Staff in the Office of the Aldermen; and further

BE IT RESOLVED, to the extent that the provisions of Exhibit A and Exhibit B conflict with any provision of the Code of the City of Aurora, including, but not limited to Section 2-102(c) the provisions of Exhibit A and Exhibit B shall control.

RESOLUTION NO. R18-065
DATE OF PASSAGE March 13, 2018

PASSED AND APPROVED ON March 13, 2018

AYES 11 NAYS 0 NOT VOTING 0 ABSENT 1

Hristina Bohman
Alderman Bohman, Ward 1

[Signature]
Alderman Mesiacos, Ward 3

Carl Franco
Alderman Franco, Ward 5

[Signature]
Alderman Hart-Burns, Ward 7

[Signature]
Alderman Bugg, Ward 9

[Signature]
Alderman Jenkins, At Large

[Signature]
Alderman Garza, Ward 2

[Signature]
Alderman Donnell, Ward 4

[Signature]
Alderman Saville, Ward 6

[Signature]
Alderman Mervine, Ward 8

[Signature]
Alderman Lofchie, Ward 10

[Signature]
Alderman O'Connor, At Large

ATTEST:

[Signature]
City Clerk

[Signature]
Mayor

Exhibit A

Public Comment Rules Aurora City Council and Committee of the Whole City of Aurora, Illinois

The City Council of the City of Aurora, Illinois, a public body as defined by the Illinois Open Meetings Act, 5 ILCS 120/1 *et. seq.*, adopts these rules providing for the opportunity for persons to address the Council and its Committee of the Whole in the manner and times as set forth below:

1. **In General.** Subject to the provisions of these rules, members of the public shall be permitted to address the Council on any subject at each of its meetings as of right. The Council need not and shall not take any vote to authorize members of the public to exercise their rights under these rules. As used in these rules, the term "Council" shall also refer to the Committee of the Whole.
2. **Individual Time Limitations.** No member of the public may be recognized for the purpose of offering public comment more than once at any single meeting or for a duration longer than three (3) minutes. A member of the public may not "yield" or "share" any portion of his allotted three (3) minutes with any other member of the public to extend the other person's allotted time beyond three (3) minutes. The Corporation Counsel or the Corporation Counsel's designee shall monitor the time.
3. **Aggregate Time Limitations.** Total public comment at any Council meeting shall not exceed thirty (30) minutes. The Corporation Counsel or the Corporation Counsel's designee shall monitor the time.
4. **Interruptions.** The presiding officer shall take reasonable steps to ensure that no member of the Council, City employee, or other member of the public while addressing the Council interrupts a member of the public while addressing the Council. Time spent resolving interruptions shall not be counted against the speaker's allotted time.
5. **Sign-In Sheet.** The Clerk shall offer members of the public a sign-in sheet requesting their name and the item of business, if applicable, they wish to address the Council on. If a member of the public does not wish to provide his or her name, he or she should provide some other descriptor that the presiding officer can use to recognize him or her for the purpose of addressing the Council. The Clerk may make such sign-in sheet available on the City's website.
6. **Order of Business.** The agenda for all meetings of the Council shall provide as an agenda item a time for the public to address the Council prior to its deliberation on substantive agenda items. Recognizing some business items will draw more public interest than others and that the extent of the public interest in addressing the Council may not be known until the Council convenes, the presiding officer shall have the discretion to adjust the Council's order of business as set forth herein to more efficiently accommodate public comment.
 - a. *Consideration of Items for Which No Public Comment Will Be Offered First.* The presiding officer, in his or her discretion, may alter the sequence of business items on the agenda to consider items for which no public comment will be offered first before considering business items for which public comment will be offered.

- b. Public Comment Prior to All Business Items. The presiding officer, in his or her discretion, may entertain all public comment related to agenda business items prior to the consideration of any business item.
 - c. Public Comment Prior to Individual Business Items. The presiding officer, in his or her discretion, may entertain public comment related to a business item at the time the Council is considering that item.
7. **Comment by City Officers and Employees and Members of the Public with Pending Business.** The Council, in its discretion, may call upon City officers and employees, as well as members of the public with business before the Council to speak to or on items of business pending before the Council. Whenever the Council calls upon such a person to speak to a specific item of business his or her remarks shall not constitute public comment and the time limitations established by these rules shall not apply to these remarks nor shall the duration of these remarks be counted against the time limit set forth in Paragraph 3. In all other instances, City officers and employees wishing to offer their comments to the Council shall be subject to the same rules with respect to their public comments as member of the public at large.

Exhibit B

Public Comment Rules

City of Aurora, Illinois

[Committee Name] Committee

The City of Aurora, Illinois, City Council [Committee Name] Committee, a public body as defined by the Illinois Open Meetings Act, 5 ILCS 120/1 *et. seq.*, adopts these rules providing for the opportunity for persons to address the Committee in the manner and times as set forth below:

1. **In General.** Subject to the provisions of these rules, members of the public shall be permitted to address the Committee on any subject at each of its meetings as of right. The Committee need not and shall not take any vote to authorize members of the public to exercise their rights under these rules.
2. **Individual Time Limitations.** No member of the public may be recognized for the purpose of offering public comment more than once at any single meeting or for a duration longer than three (3) minutes. A member of the public may not “yield” or “share” any portion of his allotted three (3) minutes with any other member of the public so as to extend the other person’s allotted time beyond three (3) minutes. The Committee’s clerk shall monitor the time.
3. **Aggregate Time Limitations.** Total public comment at any committee meeting shall not exceed thirty (30) minutes. The Committee’s clerk shall monitor the time.
4. **Interruptions.** The presiding officer shall take reasonable steps to ensure that no member of the Committee, City officer or employee, or other member of the public, interrupts a member of the public while addressing the Committee pursuant to these rules. Time spent resolving interruptions shall not be counted against the speaker’s allotted time.
5. **Sign-In Sheet.** Committee staff shall offer members of the public a sign-in sheet requesting their name and the item of business (if applicable) they wish to address the Committee on. If a member of the public does not wish to provide his or her name, he or she should provide some other descriptor that the presiding officer can use to recognize him or her for the purpose of addressing the Committee.
6. **Order of Business.** The agenda for all meetings of the Committee shall provide as an agenda item a time for the public to address the Committee on other matters to be considered by the Committee during that meeting as well as a time for members of the public to address the Committee on all other topics. Subject to the time limitations contained in these rules, a Committee shall entertain public comment related to an agenda item at some point prior to its consideration by the Committee. Recognizing some business items will draw more public interest than others and that the extent of the public interest in addressing the Committee may not be known until the Committee convenes, the presiding officer shall have the discretion to adjust the Committee’s order of business as set forth herein to more efficiently accommodate public comment.
 - a. Consideration of Items for Which No Public Comment Will Be Offered First. The presiding officer, in his or her discretion, may alter the sequence of business items on the agenda

to consider items for which no public comment will be offered first before considering business items for which public comment will be offered.

- b. Public Comment Prior to All Business Items. The presiding officer, in his or her discretion, may entertain all public comment related to agenda business items prior to the consideration of any business item.
 - c. Public Comment Prior to Individual Business Items. The presiding officer, in his or her discretion, may entertain public comment related to a business item at the time the committee is considering that item.
7. **Comment by City Officials and Staff Who Are Not Members of the Committee or by Members of the Public with Business before the Committee.** The Committee, in its discretion, may call upon City officers and employees and members of the public with business before the Committee to speak to items of business pending before the Committee. Whenever the Committee calls upon such a person to speak to a specific item of business, his or her remarks shall not constitute public comment and the time limitations of these rules shall not apply to their remarks nor shall the duration of their remarks be counted against the time limit set forth in Paragraph 3. In all other instances, City officers and employees wishing to offer their comments to the Committee shall be subject to the same rules with respect to their public comments as member of the public at large.