

Special
Ad Hoc Rules Committee
March 13, 2019
6:30 p.m.

Agenda

1. Roll Call
2. Approval of Agenda
3. Approval of Minutes
4. Public Comments
5. Approval of an Ordinance Designating the Executive Committee as the Body to Determine the Initiation, Settlement, Compromise and Appeal of Litigation on Behalf of the County of DeKalb, Illinois
6. Approval of an Ordinances Amending Chapter 2 of the DeKalb County Code
7. Adjournment

Location: Administration Building's Conference Room East
110. E. Sycamore Street, Sycamore, IL 60178

**DEKALB COUNTY, ILLINOIS
ORDINANCE NO. O2019-27**

**ORDINANCE DESIGNATING THE EXECUTIVE COMMITTEE OF THE
DEKALB COUNTY BOARD
AS THE BODY TO DETERMINE THE INITIATION, SETTLEMENT,
COMPROMISE AND APPEAL OF LITIGATION ON BEHALF OF THE
COUNTY OF DEKALB, ILLINOIS**

WHEREAS, the County of DeKalb is a local government body as designated by Article VII of the Illinois Constitution, and;

WHEREAS, 55 ILCS 5/1-6003 states that it shall be the duty of the county boards of each of the counties of this State to take and order suitable and proper measures for the prosecuting and defending of all lawsuits to be brought by or against their respective counties, and;

WHEREAS, the Illinois Legislature has provided under 745 ILCS 10/9-102 that the counties of Illinois may settle or compromise claims and lawsuits prior to, or during, litigation, through a committee vested by county ordinance with the authority to do so, if such committee considers it advisable to enter into such a settlement or compromise, and;

WHEREAS, in accordance with 55 ILCS 5/1-6003 and 745 ILCS 10/9-102, the County of DeKalb seeks to formally provide for a governing committee under the DeKalb County Board to be vested with the authority to enter into such settlement or compromise agreements and to otherwise control the initiation and/or appeal of such litigation on behalf of the County of DeKalb, Illinois.

NOW, THEREFORE, BE IT ORDAINED by the County Board of the County of DeKalb, State of Illinois that hereafter:

- I. The DeKalb County Board's Executive Committee, as organized yearly, shall be entrusted with the authority to receive litigation updates as necessary on County litigation that is pending against it, or on behalf of it, and its elected officials.
- II. The DeKalb County Board's Executive Committee is empowered by the DeKalb County Board to make final determinations by vote as to the initiation, settlement, compromise, and/or appeal of litigation for and against the County of DeKalb.
- III. The DeKalb County Board's Executive Committee shall, in its discretion, be permitted by vote to refer any litigation's initiation, settlement, compromise, and/or appeal to the full County Board for a vote, as it determines is necessary or desirable.

Limitations on Authority:

Nothing within this Ordinance is to be interpreted to be a restriction or limitation on the DeKalb County State’s Attorney or the DeKalb County Sheriff to initiate, defend, settle, compromise, appeal or otherwise control litigation as is authorized and/or mandated by Illinois law.

Effective Date:

This Ordinance and the regulations contained therein shall be in full force and effect on and after the date signed as approved below.

Codification:

The provisions of this Ordinance will be incorporated into the County Code as a new section, to be referenced as Article III, Section 2-80, County Litigation.

ADOPTED and APPROVED this 20th day of March, 2019.

Mark Pietrowski, Jr.,
DeKalb County Board Chairman

Attest: _____
Douglas Johnson,
DeKalb County Clerk

ORDINANCE
O2019-28

WHEREAS, the DeKalb County Board has determined that it is necessary to amend Chapter 2 of the DeKalb County Code as it pertains to the Rules of the County Board and to County Operations, and

WHEREAS, the County Board did appoint a bi-partisan Ad Hoc Rules Committee to review current rules and to make recommendations for amendments and improvements of the various County Code Sections, and

WHEREAS, the Ad Hoc Rules Committee has recommended that the Sections of Chapter 2 of the DeKalb County Code be amended as they pertain to redistricting, special meeting fees, public comments, litigation, TIF District representation, and other house-keeping and section re-numbering items;

NOW, THEREFORE BY IT ORDAINED that the DeKalb County Board has reviewed the recommendation of the Ad Hoc Rules Committee as attached to this Ordinance as Exhibit A, and those changes are hereby approved, if passed by a 2/3 majority vote as required by Sec. 2-46.

PASSED AT SYCAMORE, ILLINOIS THIS 20TH DAY OF MARCH, 2019.

ATTEST:

SIGNED:

Douglas J. Johnson
DeKalb County Clerk

Mark Pietrowski, Jr.
County Board Chairman

Sec. 2-27.1. - Redistricting.

(10) The County Administrator, the Community Development Director, and the County Engineer ~~Information Management Office Director~~, utilizing the County's Geographic Information System (GIS) and Information Management Office (IMO) staff, shall each independently develop a potential plan for redistricting. If a vacancy exists in one of these offices, then the Forest Preserve Superintendent ~~County Engineer~~ will fill the open spot. These individuals shall not discuss or share any details of his or her plan with the others, or with any member of the Board, until such plans are presented to the County Board for consideration. The IMO Director will independently submit a report to the County Board analyzing each of the three plans for the degree of compliance with the various criteria as set forth in this Section 2-27.1 of the County Code, as well as with any Federal or State requirements.

Sec. 2-32. - Meetings gGenerally.

(f) When Special Meetings are held at the request of outside parties because the timing of the regular monthly County Board meeting will not meet their needs, the County will charge a fee of \$3,000. The fee may be waived by the County Board at their next regular monthly meeting if it is determined that the Special Meeting was also in the best interest of the general public.

Sec. 2-33. - Order of bBusiness.

The order of business at meetings of the County Board shall be as follows:

- (1) Roll Call
- (2) Pledge to the Flag
- (3) Approval of Agenda
- (34) Approval of Minutes
- (45) Communications & Proclamations
- (56) Public Comments
- (67) Approval of Appointments
- (8) Reports of Standing Committees with Ordinances & Resolutions
- (79) Reports of Special Committees with Ordinances & Resolutions
- (810) ~~Old Business~~
- (911) ~~New Business & Referral of Matters to Committee~~
- (102) ~~Adjournment~~

Sec. 2-37. - Comments from the pPublic.

A time shall be provided on the agenda of each regular meeting of the County Board for members of the public to be heard. Such time shall not exceed 30 minutes. Each person desiring to be heard shall be allotted three minutes in which to address the Board and each speaker shall identify themselves himself by name and township.

~~If a speaker desires more time, up to one person in attendance may yield their three minutes to the speaker, making the maximum presentation time six minutes. No member of the public may address the board on any issue that has been the subject of a properly noticed and legally held public hearing, conducted by a hearing officer. Time limits may be waived by a vote of the majority of the members present.~~

Members of the public wishing to speak on an item that is on that evening's agenda may do so either at the beginning of the meeting or at the time the County Board considers that particular item. Comments on items not on the agenda shall be made under "Persons to be heard from the floor."

Sec. 2-41. – Executive Committee and Standing Committees Enumerated.

(a.1)

(a.2) The Executive Committee is entrusted with the authority to receive litigation updates on County litigation that is pending against it, or on behalf of it, and its elected officials, as deemed necessary. The Executive Committee shall also be responsible for making final determinations as to the initiation, settlement, compromise, and/or appeal of litigation for and against the County of DeKalb. Though, upon its own motion, the Executive Committee may refer such duties to the full County Board on a case by case basis should it determine such is necessary or desirable. (Further reference Section 2-80.)

ARTICLE III. ~~– OFFICERS, AND EMPLOYEES, & COUNTY OPERATIONS~~ GENERALLY

Sec. 2-66. - County Administrator.

(d) *Authority, duties and responsibilities.*

(14) The County Administrator, or their designee, will represent the County on any applicable Tax Incremental Financing (TIF) District's Joint Review Boards or related TIF Advisory Boards.

ARTICLE IV. ~~– FINANCE~~

[All current sections placed within Article III]

ARTICLE V. ~~– ETHICS~~

[All current sections placed within Article III]

Sec. 2-70 – 2-~~79~~ 80 & 2-89 & 2-~~91~~0 - Reserved. [Numbers changed to reflect updates]

Sec. 2-~~99~~ 4 -- Definitions. [Section renumbered, no other changes]