



February 27, 2024

Dear Mayor Johnson, Rules Committee Chair Michelle Harris and Members of the Rules Committee:

The Better Government Association, Civic Federation and the League of Women Voters of Chicago write to urge the City of Chicago to take key steps to improve the transparency of and public access to City Council proceedings. The Mayor and many council members have expressed a commitment to transparency, and now is the time to act to improve the way the City Council and its Committees do business and the public's ability to participate in a meaningful way. The goal should be to provide the public with opportunity both to know in a timely fashion what is being considered and to offer input on those matters.

Our chief concerns and recommendations are as follows:

Improving Transparency of Council and Committee Agenda Items:

Of primary concern is the fact that agenda items are far too often introduced to committees without prior public posting of their text and sometimes without even alderpersons having an opportunity to see the text. While the Open Meetings Act and City ordinance require agendas to be posted 48 hours in advance of meetings, this requirement frequently is circumvented by using direct introduction or substitutions, with language made available only after passage. In the recent past, there also have been instances in which agenda items abruptly were pulled from the previously published agendas, re-referred to committees and reintroduced as substitute ordinances bearing no resemblance to the originals. Even after the fact, agenda items often are not posted in a timely manner to the Clerk's electronic legislative management system (eLMS).

The current legislative process makes it impossible for members of the public to identify actions set to be taken and provide meaningful input on items prior to committee or council voting. We also find that the minimum 48-hour prior-notice requirement, effectively limiting meeting notices to a window of only two days is an insufficient amount of time for members of the public to view the full text of agenda items, decide whether to weigh in, and comment in a meaningful way through verbal public comment or written testimony.

We recommend that City Council:

- Revise the Rules of Order to extend the mandated 48-hour requirement to post agendas to four business days, as is Cook County's practice. As part of this rule, the full text of agenda items should also be posted on eLMS four business days in advance. This would allow council members and the public sufficient time to review and comment on agendas and proposed legislation;
- Eliminate the direct introduction of items unless they are posted within the aforementioned timeframe;
- Ensure that the full text of all agenda items is posted on the eLMS website;
- Allow exceptions to the timely posting requirements only for substitutions that make non-substantive technical revisions to the existing matter;
- Expand the amount of detail provided in agenda items descriptions to include a summary narrative of the item and applicable details such as the departments involved, timeframe and fiscal impact. As an example, see a Cook County Board of Commissioners [meeting agenda](#), and
- Require posting of presentations and other materials presented at council and committee meetings to the eLMS system. Such a proposal, R2023-0004969, has been referred to the Rules Committee.

Improving Public Access to Meetings and Ability to Participate:

We were disappointed to see the City Council restrict physical access to the second floor City Council chambers in recent months, especially without posting and soliciting public input on the proposed rule changes. Thanks in large part to the advocacy of the Better Government Association, those rule changes were reversed.

The situation demonstrated the need for organizations like ours to protect public participation in the democratic process. It is the right of every citizen to have equal access to their government. One key way to allow constituents to access government is by providing members of the public with enough substantive information and reasonable opportunity to weigh in on issues prior to decisions being made. As such, we hope to see improvements to the procedures for members of the public to comment on City Council legislation.

Therefore, we recommend that City Council:

- Allow more time for members of the public to register to testify and to submit written comments by extending the 48-hour prior-notice requirement to four business days, as recommended above. Currently, those who wish to register for remote public comment must do so by calling the Sergeant-at-Arms by 8:00 a.m. the business day before the scheduled council meeting and 9:00 a.m. the business day before the scheduled committee meeting. Under the currently 48-hour posting rules, this effectively allows very limited time—24 hours or less—for constituents to review agendas, develop an argument for their position and decide whether to sign up for public comment;
- Revise and streamline the public comment sign-up procedures for both in-person testimony and remote testimony. The process should be as simple as possible,

providing for registration both in-person and online, and without the complicated call-back process currently in place for remote testimony;

- Reconsider the procedures for members of the public to submit written testimony for council meetings, which currently only allow for a one-hour window on the morning of meetings between 8 am and 9 am;
- Ensure a process for alderpersons to receive copies of written comments with sufficient time to review the comments and factor them into the deliberative process, and publish written comments as supporting materials to the meeting and/or specific items on the eLMS system;
- Post clear and updated public comment instructions on the City Clerk's website;
- Reconsider the 30-minute limit on public comment at City Council and committee meetings, which effectively limits the number of people able to testify to 10 individuals. The City should allow for more meaningful input from a larger constituent base in committee, where much of the council's substantive business takes place, and
- Continue to ensure oral and written public comments are recorded, transcribed and available to the public as part of the official meeting record.

It is the responsibility of elected officials to represent constituents in a transparent manner that is open to the public. Key to achieving that is the timely provision of information about items under consideration and a reasonable opportunity for constituents to provide duly informed feedback. Under the current process, it is difficult even for groups informed on government practices, such as ours, to remain abreast of legislation moving through City Council – a strong indication that the process is opaque to the general public.

We urge you, acting in your capacities as the elected representatives of the people, to improve the democratic process in the City of Chicago by implementing these recommendations. We would welcome an opportunity to discuss our recommendations in more detail and work collaboratively with you to make the City Council more accessible, responsive and accountable to its citizens.

Sincerely,

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