

**CHAPTER 5 FOREST PRESERVE
DISTRICT PRESIDENT AND BOARD OF
COMMISSIONERS RULES OF
ORGANIZATION AND PROCEDURE¹**

Preamble

The provisions of this Chapter shall constitute the Rules of the Board of Commissioners of the Forest Preserve District of Cook County. It is the purpose of these Rules:

- A. To provide appropriate procedures and organization for the Board of Commissioners to conduct its business in an orderly and efficient manner;
- B. To protect the right of all Commissioners to participate fully in the legislative process;
- C. To foster accountability in the governance of the Forest Preserve District; and
- D. To promote openness and maximize participation in the business and affairs of the Board of Commissioners.

(Ord. No. 18-0531, 12-4-18)

1-5-1: DEFINITIONS.

As used in these rules, the following terms have the meanings ascribed to them in this Article I, unless the context clearly requires a different meaning:

- 1-1. *Board*. "Board" means the Board of Commissioners of the Forest Preserve District of Cook County.
- 1-2. *Commissioner*. "Commissioner" means any of the seventeen (17) duly elected or duly appointed Cook County Commissioners.
- 1-3. *Committee*. "Committee" means a committee of the Board and includes a standing committee, a special committee and a standing or special subcommittee of a committee.
- 1-4. *Committee of the Whole*. "Committee of the Whole" means a committee comprised of all Commissioners as required by this Ordinance.
- 1-5. *County*. "County" means the County of Cook, Illinois.
- 1-6. *Defer*. "Defer" means to postpone to a time certain or indefinitely.
- 1-7. *District*. "District" means the Forest Preserve District of Cook County, Illinois.

¹Editor's note(s)—Ord. No. 14-0131, adopted Dec. 16, 2014, repealed and enacted Title 1, Chapter 5 of this Code. Former Ch. 5, pertained to the same subject matter, and derived from Ord. No. 06-O-12-07-10, adopted Dec. 7, 2007; Ord. No. 10-O-05, adopted Dec. 15, 2010; Ord. No. 11-O-01, adopted Jan. 5, 2011; Ord. No. 12-O-12, adopted Sept. 11, 2012; Ord. No. 13-O-08, adopted May 7, 2013; Ord. No. 14-0375, adopted Sept. 9, 2014; and Ord. No. 14-0391, adopted Nov. 18, 2014.

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- 1-8. *Majority/Majority Vote.* "Majority" means a simple majority of those Commissioners present and entitled to vote on a question, while a "Majority Vote" means the vote of a simple majority of those Commissioners present and entitled to vote on a question.
 - 1-9. *Majority of those Elected.* "Majority of those elected" means a majority of the total number of Commissioners entitled by law to be elected to the Board, irrespective of the number of elected or appointed Commissioners actually serving in office. So long as seventeen (17) Commissioners are entitled to be elected to the Board, a vote of a "majority of those elected" shall mean nine (9) affirmative votes.
 - 1-10. *Member.* "Member" means a Commissioner.
 - 1-11. *President.* "President" means the President of the Cook County Board of Commissioners.
 - 1-12. *Secretary.* "Secretary" means the Secretary of the Board who has been appointed by the President.
 - 1-13. *Term.* "Term" means the four-year term of office established by Illinois law for all of the Commissioners and the President.

(Ord. No. 14-0131, 12-16-14; Ord. No. 18-0531, 12-4-18)

1-5-2: ORGANIZATION.

2-1. President.

- (a) The President of the Board of Commissioners of Cook County shall be the President of the Board of Commissioners of the Forest Preserve District of Cook County, and the chief executive officer of the Forest Preserve District.
 - (b) It shall be the duty of the President to preside at all meetings of the Board and to see that the rules and regulations of the Board are complied with and enforced. The President shall preserve order and decorum; shall decide all questions of order, subject, however, to an appeal of the decision as provided by Section 4-17 of these rules; shall entertain all motions, ordinances or resolutions only in accordance with the provisions of these rules; and shall generally perform the duties of a presiding officer.
 - (c) *President Pro Tempore.* At the commencement of a term, the President shall nominate and the Board shall by resolution elect one (1) Commissioner as President Pro Tempore for such term. The President Pro Tempore shall, in the absence of the President, preside over meetings of the Board. In addition, in the event the President is temporarily unable to act in performing the remainder of their official duties, the President Pro Tempore shall perform such duties and possess all the rights and powers of the President until such time as the President is able to perform such duties or, in the event of a vacancy in the office of the President, until such vacancy is filled. If the President Pro Tempore shall cease to be a Commissioner or shall resign the office of President Pro Tempore, the Board shall elect another Commissioner to serve as President Pro Tempore for the remainder of the term.
- 2-2. Adoption of Rules.* At the commencement of a term, the Board may adopt new rules of organization and procedure by ordinance setting forth such rules in their entirety and repealing these rules. Such ordinance must be adopted by a majority of those elected. Rules so adopted shall supersede these rules.

2-3. Committees.

- (a) The committees of the Board shall be:
 - (i) The standing committees and their standing subcommittees listed in Rule 2-6;
 - (ii) Special committees created by Board resolution under Rule 2-5; and
 - (iii) Special subcommittees created by standing committees or by special committees under Rule 2-5.

Subcommittees may not create subcommittees.

- (b) The President shall be an ex officio nonvoting member of all committees in addition to the Commissioners who are appointed committee members.
- (c) A vacancy on a committee, or in the Chair or Vice-Chair position on a committee, shall be created when a Commissioner resigns from such position or ceases to be a Commissioner. Resignations shall be made in writing to the Secretary, who shall promptly notify the President and all Commissioners.
- (d) Vacancies on committees or in the positions of Chair or Vice-Chair shall be filled by appointment by the same appointing authority as the initial appointments to such committee. In the case of committee appointments made by the Board, the Board shall fill vacancies by resolution. In the case of vacancies on special subcommittees that were created by committees, the parent committee shall fill the vacancy by motion.
- (e) Any Commissioner, regardless of whether a Chair, Vice-Chair or member of the committee, and the President shall be afforded the courtesy of participating in debate on any item before a committee.
- (f) The Chair of a committee or subcommittee shall have the authority to call and preside at meetings of such committee or subcommittee. In the absence of the Chair, the Vice-Chair shall perform the functions of the Chair.
- (g) The Secretary shall, at the end of each fiscal year, submit to the President and the Board a summary of all items pending in each committee.
- (h) All meetings or committees of the Forest Preserve District of Cook County Board of Commissioners shall adjourn on a day with a scheduled meeting of the Forest Preserve District of Cook County Board of Commissioners, before a committee of the Cook County Board of Commissioners may be held.

2-4. *Membership and Officers of Standing Committees.*

- (a) At the commencement of each term, the members of each standing committee and standing subcommittee shall be appointed for the term by resolution adopted by a majority of those elected.
- (b) At the commencement of each term, the Chair and Vice-Chair of each standing committee and standing subcommittee shall be appointed for the term by resolution of the Board adopted by a majority of those elected.

2-5. *Special Committees and Subcommittees.*

- (a) The Board may create special committees by resolution adopted by a majority of those elected. The appointed members of a special committee shall be designated by resolution.
- (b) A committee may create a special subcommittee by motion adopted by a majority of the Commissioners who are voting members of the committee.
- (c) The resolution or motion creating a special committee or special subcommittee shall specify the subject matter of the special committee or subcommittee and the number of members to be appointed thereto, and may specify a reporting date during the term in which event the special committee or subcommittee shall be abolished as of such date. Unless an earlier date is specified by resolution or motion, special committees and subcommittees shall expire at the end of the term.

2-6. *Standing Committees.* The standing committees of the Board, their standing subcommittees and the number of members to be appointed to each (including Chair and Vice-Chair) are as follows:

AUDIT (7) (Chief Financial Officer shall be an ex officio, nonvoting member of the Audit Committee)

BOTANIC GARDEN (9)

CAPITAL DEVELOPMENT AND ECOLOGICAL RESTORATION (9)

CONTRACT COMPLIANCE (9)

ENVIRONMENTAL AND SUSTAINABILITY (7)

FINANCE (Committee of the Whole) with the following subcommittees with the number of members indicated:

Labor (9)

Litigation (7)

Workers' Compensation (5)

LAW ENFORCEMENT (7)

LEGISLATION AND INTERGOVERNMENTAL RELATIONS (Committee of the Whole)

PENSION COMMITTEE (7)

REAL ESTATE (Committee of the Whole)

RECREATION AND ENGAGEMENT (7)

RULES AND ADMINISTRATION (9)

ZOOLOGICAL (9)

2-7. *Referrals to Committees.* The Board may by motion refer any item before the Board to a committee or to a subcommittee. The Chair of a committee may refer an item pending in that committee to a subcommittee of that committee. An item referred by the Board to any committee or subcommittee, or by a committee chair to a subcommittee, shall not be jointly referred to any other committee or subcommittee. Only upon the return of the item to the Board, either by report of the committee or by the Board's discharge of the item from the committee or subcommittee, may the Board refer the item to another committee or subcommittee. Any item that creates a new Ordinance or amends an existing section or sections of the Code shall be referred to a committee or subcommittee upon its initial introduction to the Board, unless otherwise waived by the Board.

All items referred to committee or subcommittee by the Board shall be designated with a Communication Number as assigned by the Secretary.

No committee or subcommittee shall meet for any purpose other than to consider one (1) or more items designated by Communication Numbers.

The Secretary shall refer the draft Journal of Proceedings directly to the Committee on Rules and Administration or the Board and provide a Communication Number within twenty-one (21) days of a Board meeting.

2-8. *Public Hearings of Committees.* Any committee meeting may, at the discretion of the Chair, be designated as a public hearing; provided that the following requirements are satisfied:

- (1) A paid notice containing the time, place, subject matter of the hearing, and solicitation of pertinent public testimony shall be published in a newspaper of general circulation in Cook County;
- (2) A like notice shall be posted on the website maintained by the Secretary;
- (3) A court reporter is present and reporting all written and oral testimony by members of the public;

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- (4) All oral testimony by members of the public shall be the first order of business after the committee is called to order; and
 - (5) Any other meeting notification requirements found elsewhere in these rules.

2-9. *Reporting by Committees.* Notwithstanding any action to be undertaken by committees or subcommittees pursuant to this section, only the Board may take final action on any item referred to a committee or subcommittee. Committees shall report to the Board, and subcommittees shall report to their parent committees, subsequent to the adjournment of a meeting of the committee or subcommittee.

The report of any committee or subcommittee shall be comprised of two (2) sections.

The first section of the report, "the text," shall constitute the minutes of the meeting for which the report was prepared and shall contain: a list of the attendees; an account of the items considered; a summary of the deliberations, including motions and amendments proposed and/or adopted; all votes taken; the result of said votes; and any attachments to the record as ordered by the Chair.

The second section of the report shall include a summary of certain actions taken at the meeting for which the report was prepared. For purposes of this section, action is defined as motions, duly seconded and carried, to adopt one (1) of the six (6) following statements of intent with respect to a Communication Numbered item:

- (1) Approve;
- (2) Approve as Amended;
- (3) Not Approved;
- (4) Not Approved as Amended;
- (5) Receive and File; and
- (6) Returned With No Recommendation.

The committee's adoption of any one (1) of the above six (6) statements of intent, as reported to the Board, shall constitute conclusive action by the committee on a Communication Numbered item, and shall automatically discharge the committee from further jurisdiction of the item. Absent the attachment of one (1) of these six (6) statements of intent to the Communication Numbered item, such item will remain in committee unless discharged by the Board.

The Board's approval of a committee report that contains a statement(s) of intent as set forth in numbers (1) through (5) above in this section will constitute final Board action on the item(s) attached to the statement(s) of intent. The Board's approval of a committee report that contains a statement of intent as set forth in number (6), "Returned With No Recommendation," places the item before the Board for immediate consideration.

Commissioners present and voting on a motion to approve a committee report retain the right to divide their vote with regard to each item contained in the second section of the report, or to request a separate vote, either by voice or roll call, on such items, regardless of the action taken in Committee and prior to the approval of the committee report.

2-10. *Discharge of Committee by the Board.* The Board may discharge any item from committee by a majority vote.

2-11. *Confirmation of Presidential Appointments.* All appointments and reappointments of the President requiring the advice and consent of the Board shall be referred to the Legislation and Intergovernmental Relations Committee upon the President's submission unless waived by the Board. The Committee shall promptly hold such hearings as it deems appropriate and shall, no later than thirty (30) days after referral, report all such appointments to the Board with a recommendation for action. If the Committee has not made a timely report on any appointment, the appointment shall, at the next regular meeting of the Board following the expiration of such thirty (30) days, be referred to the Board with "no recommendation" by the Committee.

2-12. *Advisory Committee.* This Committee shall be deemed defunct, dissolved and replaced by the Conservation and Policy Council established by Title 1, Chapter 18 of the District Code of Ordinances.

2-13. *Secretary; printed proceedings of Board.*

- (1) The Secretary shall take the roll of the members of the Board at every meeting of the Board when requested.
- (2) The Secretary shall, record the proceedings of the Board.
- (3) The Secretary to the Board shall be responsible for assisting the President and members of the Board in the assembly of the agendas, notices and reports for the meetings of the Board, its committees and subcommittees.
- (4) The Secretary is hereby, instructed to print or cause to be printed all the proceedings of the Board had, done or enacted at each and every meeting, general and special, thereof, in such manner that the printed proceedings shall be a full and perfect record of all the acts and doings of the Board at each and every of its regular and special meetings and each and every of the sessions thereof.
- (5) The printed proceedings of each meeting or session, as above provided, shall be submitted to the Board for its approval at the first session immediately succeeding the meeting or session at which such proceedings were had. The printed proceedings, when approved by the Board, shall stand for and be the official record of the proceedings of the Board and shall be duly certified as such by the Secretary of the Board.
- (6) For purposes of this section, the Secretary may electronically submit the Board proceedings to the Board for its approval.

2-14. *Approval of Journal of Proceedings.* In accordance with Public Act 96-1473, the Journal of Proceedings shall be approved within the time allowed by the law. To achieve this requirement of the law, the following procedures shall be followed:

- (1) Commissioners shall file a statement of their "nay" and "present" votes with the Secretary within twenty-four (24) hours of the end of a Meeting.
- (2) Draft copies of the Journal of Proceedings shall be circulated to the President and the Board within twenty-one (21) days of the meeting for review and correction.
- (3) All corrections shall be made to the Secretary in writing within forty-eight (48) hours of receiving the Draft Copy of the Journal of Proceedings.
- (4) A standing meeting of the Committee on Rules and Administration, shall be convened prior to a regularly scheduled Board Meetings to approve the Journal with all corrections.
- (5) The Board shall approve the Report of the Committee on Rules and Administration at the subsequent Board Meeting.

2-15. *Secretary to the Board of Commissioners; Videotaped Proceedings.*

- (1) The Secretary to the Board shall maintain an electronic legislative database of all proceedings of the Board, its committees and subcommittees. The Secretary shall assign a file identification number to items heard by the Board, its committees and subcommittees and utilize the number in the database. The Secretary to the Board shall be responsible for coordinating the creation and maintenance of an audio and/or video record of all Board proceedings. Creation and maintenance of an audio and video record of the meetings includes any production, publication, reproduction, broadcast, live stream, digital archive or any other method of making such records available to the public in part or in whole. The Secretary shall retain all recordings and make them available upon request, with the exception of

closed session recordings protected in accordance with the Illinois Open Meetings Act. Members of the public shall be allowed to listen to recordings of open meetings during regular office hours except when the recordings are in immediate use by persons exercising official County duties. The Secretary may require a notice in writing to be submitted forty-eight (48) hours prior to the time when the recordings are desired for viewing. In accordance with the Freedom of Information Act, any member of the public wishing to purchase a copy of a recording of an open meeting may do so upon payment to the County of the cost of its reproduction.

- (2) District departments, which may aid in the creation and maintenance of an audio and video record of the Board proceedings, shall provide their cooperation to the Secretary to the Board in the furtherance of the Secretary's responsibilities as enumerated in subsection (1).
- (3) No portion of any videotape of the proceedings of the Board, or of any committee or subcommittee thereof, prepared or taken by or for the District shall be produced, manufactured, sold, distributed or broadcast for commercial use or sponsorship, where such commercial use or sponsorship could reasonably be expected to lead to false or misleading communication or any unlawful activity in relation to the content of the videotape. Use of the videotape as part of a bona fide news program or public affairs documentary program is not prohibited. Videotaped Certified copies of videotaped recordings of meetings of the Board or of any sub-committee thereof, shall be available for distribution pursuant to rules and procedures as may be adopted by the Board. Videotaped recordings, as may be made of meetings, shall be retained by the Secretary of the Board and be made available by the Secretary for public inspection and copying pursuant to the Freedom of Information Act (5 ILCS 140/1 et seq.). Nothing herein shall require the Secretary to provide electronic viewing equipment.
- (4) Any person who violates the videotaping provisions of this section shall be subject to a fine of up to one thousand dollars (\$1,000.00) for each violation.

(Ord. No. 14-0131, 12-16-14; Ord. No. 18-0531, 12-4-18; Ord. No. 20-0208, 5-19-20)

1-5-3: BUDGET MATTERS.

3-1. Finance Committee.

- (a) The President's executive budget recommendations and all motions, resolutions or ordinances that propose, amend, transfer or supplement any appropriations of funds or budget measure shall be referred to the Finance Committee. The executive budget recommendations shall provide the basis upon which the annual appropriation ordinance is prepared and enacted.
- (b) After considering the executive budget recommendations submitted by the President and all other budget measures submitted by members, the Finance Committee shall prepare an annual appropriation ordinance in tentative form, which in such tentative form shall be made conveniently available to public inspection for at least ten (10) days prior to final action thereon, by publication in the journal of the proceedings of the Board or in such other form as the Board may prescribe; and not less than one (1) week after publication of such tentative appropriation bill and prior to final action thereon, the Finance Committee shall hold at least one (1) public hearing thereon, notice of which shall be given by publication in a newspaper having general circulation in the County at least one (1) week prior to the time of such hearing. It shall be the duty of the Finance Committee to prepare such tentative appropriation bill and make it so available to public inspection and also to arrange for and hold such public hearing or hearings.

3-2. Debate. The proponent of any budgetary measure shall be afforded the right of debate provided for in Section 4-13.

(Ord. No. 14-0131, 12-16-14; Ord. No. 18-0531, 12-4-18)

1-5-4: PARLIAMENTARY RULES.

4-1. Meeting.

- (a) The Board shall hold regular meetings pursuant to an annual calendar adopted by resolution of the Board.
- (b) It shall be the duty of the President to call special meetings of the Board whenever the President deems such meetings are necessary. The President must give no less than forty-eight (48) hours' advance written notice of such special meetings to the Commissioners and to the public.
- (c) In the event that the President states that an emergency exists, the President may call a special meeting, providing twenty-four (24) hours' advance written notice to the Commissioners and to the public, unless not reasonable under the circumstances. In such case notice shall be given as soon as practicable. All emergency meetings shall be held at the County Seat, in the County Office Building, unless another place within the County shall be designated by the President or Board.
- (d) Special meetings shall also be held whenever requested by at least one-third ($\frac{1}{3}$) of the Commissioners (six (6) Commissioners). At least forty-eight (48) hours' advance written notice of such special meetings shall be given to the remaining Commissioners and the public.
- (e) All notices of special meetings must include an agenda for such meeting, and such meeting shall be limited to the subjects and items specified in the call of the meeting. The notice of the call of the meeting shall be read at the beginning of the meeting.
- (f) Special meetings shall be held at the hour of 10:00 a.m., unless another hour is specified in the call.
- (g) All regular and special meetings shall be held at the County Seat, in the County Office Building, unless another place within the County shall be designated by the Board.
- (h) Remote meetings. All public meetings of the Board and its committees and subcommittees may be conducted by means of electronic, video, audio, or telephonic connection ("remote meeting") to the extent permitted by the Illinois Open Meetings Act. A member who desires to attend and participate in a remote public meeting shall do so by the designated electronic means. For purposes of conducting a remote meeting, the terms "written", "in writing", "document", and "copy" in these rules includes printed or electronic means, and a rule that requires an instrument to be provided to the Board Secretary or a member or the meeting Chair may be satisfied by electronic transmission.
- (i) Remote Participation in Meetings. At any meeting where a quorum of the body is physically present, a majority of the body may vote to allow a Commissioner to participate and vote remotely (by audio or visual means) if the Commissioner is unable to be physically present due to:
 - 1. A personal illness or disability;
 - 2. Employment purposes or the business of the public body; or
 - 3. A family or other emergency.

A Commissioner desiring to participate remotely shall give written notice to the Secretary of the Board no later than twenty-four (24) hours prior to the meeting in case of personal illness or disability or employment purposes or business of the public body or as soon as practicable in the case of a family or other emergency. If the Commissioner is a member of any committee(s), the Commissioner desiring to participate remotely shall also inform in writing the Chair(s) of any such committee(s) of their intended remote participation no later than twenty-four (24) hours prior to the meeting or as soon as practicable.

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- (j) *Excused Absence.* In the event a Commissioner will be absent from a Board meeting, the Commissioner shall notify the President and Board Secretary prior to the meeting of their inability to attend (i.e. illness, family emergency), or in the case of emergency, the Commissioner shall notify the President and Board Secretary as soon as practicable. The President has sole authority to grant an excused absence for a Board meeting. In the event a Commissioner shall be absent from a Committee meeting, the Commissioner shall notify the Committee Chair and Board Secretary prior to the meeting of their inability to attend (i.e. illness, family emergency), or in the case of emergency, the Commissioner shall notify the Committee Chair and Board Secretary as soon as practicable. The Committee Chair has authority to grant an excused absence for a committee meeting.
- 4-2. *Cancellation of Meetings.* A regular or special meeting may be cancelled by the President by providing no less than twenty-four (24) hours' advance written notice that said meeting has been cancelled to the Commissioners and to the public.
- 4-3. *Presiding Officer.* The President shall preside at all meetings of the Board and shall generally perform the duties customarily performed by a presiding officer. In the absence of the President, or during the temporary inability of the President to act, the President Pro Tempore shall preside at meetings of the Board in accordance with Section 1-5-2. In the absence of the President and the President Pro Tempore, the Chair of the Finance Committee shall preside at meetings of the Board. In the absence of the Chair of the Finance Committee, the Finance Committee Chair shall designate a member of the Board to preside at such meeting. Each Committee Chair shall serve as the presiding officer for the applicable Committee; in the absence of the Chair, the Vice-Chair of the Committee shall serve as the presiding officer of said Committee.
- 4-4. *Quorum.* A majority of Commissioners (nine (9) Commissioners) shall constitute a quorum for a meeting of the Board or a meeting of a committee of the whole. A majority of Commissioners appointed to any committee, other than a committee of the whole, (excluding the President in their ex officio capacity) shall constitute a quorum for a meeting of such committee or subcommittee.
- 4-5. *Majority Votes.* Except as otherwise provided in these rules, and except for questions for which a higher majority is required by law, all questions shall be determined by a majority vote of those Commissioners entitled to vote. A vote of "present" shall not be counted in determining the number of members voting on a question.
- 4-6. *Absence of Quorum.*
- (a) Should a quorum not be present at any regular meeting of the Board, the meeting shall stand adjourned from day to day, to the same hour of each day, until a quorum shall attend.
 - (b) Should a quorum not be present at any special meeting of the Board, the meeting shall stand adjourned from day to day, to the same hour of each day, until a quorum shall attend.
 - (c) Should a quorum not be present at a committee meeting of the Board, the Commissioners present shall be competent to adjourn, receive public testimony but take no formal action and/or recess the meeting to a date certain.
- 4-7. *Order of Business.*
- (a) At each regular meeting of the Board, the order of business (unless otherwise directed by the Board) is as follows:
 - 1. Consent Calendar.
 - 2. Public Testimony.
 - 3. Committee Items Requiring Action.
 - 4. New Business.

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- (b) All questions relating to the priority of business shall be decided by the Chair, without debate, subject to appeal.
 - (c) Meetings of the Board may commence with a prayer or invocation and the Pledge of Allegiance.
 - (d) The Board shall break for lunch from Noon to 12:45 p.m. or as soon as is practical thereafter on days of the Meeting of the Board of Commissioners, Committees, and Subcommittees.

4-8. *Prior Notice to Public—Agendas.*

- (a) No less than three (3) full business days before any meeting of the Board or of a committee or subcommittee, notice and an agenda for such meeting shall be provided to the President, all Commissioners, and all news media that have requested notice of meetings, shall be made available to the public in the office of the Secretary, and shall be posted by the Secretary at the location where the meeting is to be held. New items posted to an agenda must be posted at least forty-eight (48) hours in advance of the meeting by the Board Secretary and at the location where the meeting is to be held in order for the Board to approve the item; new items posted with less than forty-eight (48) hours' notice must be withdrawn, deferred or referred to committee. In addition, notices and agendas of all meetings shall be posted on the District's website.
- (b) The agenda shall briefly describe all items that will be considered at the meeting, except for items to be included in the consent calendar as set forth in Subsection ~~(g)~~ of this Section. Material pertinent to an item on a Board agenda shall be supplied, along with the agenda, to the President and to each of the Commissioners. With the exception of materials that are confidential as provided by law, such material shall also be available to the public.
- (c) Items may be placed on an agenda not later than noon of the day previous to the day on which an agenda is required to be distributed. This subsection shall not apply to items reported to the Board by any of its committees of the whole.
- (d) Items may be placed on the agenda of a Board meeting by the President or any Commissioner. Committee reports shall be placed on the agenda of a Board meeting by the Chair of the committee. Items may be placed on the agenda of a committee meeting by any member of the committee, including the President in their ex officio capacity, provided that such item has been referred to the committee by the Board, pursuant to Section 2-7.
- (e) Amendments or Substitutes to any item placed on an agenda of any meeting of the Board shall be submitted to the Secretary no later than twenty-four (24) hours in advance of the meeting at which the item will be considered. Upon receipt of the amendment or substitute, the Secretary shall immediately provide the amendment or substitute to the President, all Commissioners and all news media that have requested notice of meetings and it shall be posted in the Office of the Secretary and at the location where the meeting is to be held; it shall be made available to the public by the office of the Secretary. This rule may be waived for technical amendments or emergencies.
- (f) New Agenda Items. The Secretary shall prepare a new items agenda to be issued subsequent to the issuance of the Board agenda for a regular meeting. Items may be placed on the agenda by the President or by Commissioners. Where the President or a Commissioner(s) introduces an ordinance or resolution, they shall be listed as sponsor(s) of such ordinance or resolution. Each communication, motion, resolution, or ordinance, after being read by the Secretary, may be acted upon immediately by the Board, or referred to committee, as ordered by the Board subject to the "Prior notice to public" provisions of this section. Notwithstanding any action to be undertaken by committees or subcommittees pursuant to this section, only the board may take final action on any item referred to a committee or subcommittee. Any item contained on a committee or subcommittee agenda, as properly noticed pursuant to subsection (d) of this section, shall be referenced on the next regularly

scheduled Board Meeting Agenda under the Committee Items Requiring Board Action for purposes of consideration and possible action by the Board.

- (g) Consent calendar. The Consent Calendar is a compilation of proposed resolutions concerning deaths, anniversaries, and congratulations for notable achievements. Only proposed resolutions conforming to this description may be submitted to the Secretary for inclusion on the Consent Calendar, and it shall be the duty of the Secretary to prepare the Consent Calendar for any regular meeting of the Board. Proposed resolutions on the Consent Calendar are non-debatable, and shall not be read into the record or otherwise considered individually, but shall be part of a motion to approve the Consent Calendar in its entirety. Any item on the Consent Calendar may be removed by a motion, seconded and approved, and shall then be subject to the provisions of this division as provided herein.
- (h) It shall be the duty of the Secretary to prepare, post, and distribute all agendas for meetings of the Board, and to prepare, post, and distribute agendas for committee meetings.
- (i) No issuance of any debt instrument which pledges the full faith and credit of the Forest Preserve District of Cook County shall be the subject of final action by the Board of Commissioners unless it has been preceded by at least one (1) public hearing on the prospective matter by the Finance Committee. Notification of such hearing shall be the responsibility of the Finance Committee, which shall be as set forth in Section 2-8 of these rules.

4-9. *Floor Privileges.* During all meetings of the Board, access to the floor shall be limited to the following persons, except pursuant to leave granted by the Board:

- (a) The President, Secretary, Parliamentarian and Sergeant-at-Arms;
- (b) Commissioners;
- (c) Other elected Cook County officers;
- (d) Former Commissioners;
- (e) Staff of the Board; and
- (f) Staff of the President.

At the direction of the President or at the request of any Commissioner, the floor shall be cleared of staff. At the request of any Commissioner, unauthorized persons shall be ordered removed from the floor.

4-10. *Decorum.*

- (a) The presiding officer shall preserve order and decorum, may speak to points of order in preference to other Commissioners, and shall decide all questions of order, subject to appeal.
- (b) In case of any disturbances or disorderly conduct the presiding officer shall have the power to require the chamber to be cleared.

4-11. *Sergeant-at-Arms.* The President may, with the advice and consent of the Board, appoint a Sergeant-at-Arms of the Board, who shall preserve order and obey the directions of the Board and of the presiding officer. The Sergeant-at-Arms shall be removable at the will of the President or pursuant to written petition, filed with the Secretary, by a majority of those elected.

4-12. *Recognition for Debate.* A Commissioner desiring to obtain the floor shall address the presiding officer. If two (2) or more Commissioners shall properly request recognition, the presiding officer shall recognize the one who first spoke. A Commissioner shall not proceed with their remarks until recognized and named by the presiding officer. In debate a Commissioner shall confine themselves to the question before the Board, avoid personalities, and in general observe all parliamentary rules pertaining to orderly procedure and decorum in debate. The President and all Commissioners shall be given a full opportunity to participate in the debate on all debatable questions, except when the Board has called the previous question.

4-13. *Debate.* No Commissioner shall speak more than twice or longer than a total of ten (10) minutes on the same question, without leave of the Board. Responses by witnesses and District staff to questions of a member shall not be counted against the speaking time allotted to such member. The proponent of the item under consideration, or the Chair of a committee whose report is under consideration, as the case may be, shall have the right to open and close debate.

4-14. *Voting and Roll Call.*

- (a) When a question is put to the Board, every Commissioner present shall vote thereon, unless excused by the Board or unless the Commissioner is personally interested therein and declares a personal conflict of interest.
- (b) If any Commissioner requests it, a roll call upon any question shall be taken and entered in the Journal of Proceedings, but a roll call shall not be taken unless called for prior to, during or immediately after any vote on the question.
- (c) A roll call once ordered shall not be interrupted. When a roll call has commenced, all debate on the question before the Board shall be deemed concluded. During the taking of the vote, each Commissioner shall respond to the calling of their name by answering "yea", "nay", or "present" and shall be allowed one (1) minute to explain their vote at that time.
- (d) When a roll call vote of the Board results in an equal number of "yea" votes and an equal number of "nay" votes, the President of the Board of Commissioners shall cast a vote on the question before the Board. The President's vote may be in the affirmative, negative or present. The President, when casting the deciding vote on an issue before the Board, may explain one's vote in the same manner as a regular voting member of the Board.

4-15. *Submission of Ordinances, Resolutions and Motions.*

- (a) All ordinances, resolutions, or motions, except motions of procedure, shall be submitted in writing by the President, or a Commissioner and then may be read by the Secretary at the direction of the presiding officer or by leave of the Board. After an ordinance, resolution or motion has been stated by the presiding officer or read by the Secretary, as the case may be, it shall be deemed the property of the Board and with leave may be withdrawn at any time before final action by the Board.
- (b) Any substantive amendment to ordinances or resolutions shall be submitted in writing by the President or a Commissioner to the Secretary prior to the noticed time of the meeting at which the ordinance or resolution is to be considered. The Secretary shall promptly distribute such amendment(s) to the President and the Commissioners.
- (c) Official Records: The printed records of the Board are hereby made and declared to be the "Official Records of the Proceedings of the Board of Commissioners of the Forest Preserve District of Cook County, in the State of Illinois".

4-16. *Division of Questions.* If any question presented contains several separable propositions, a demand by any Commissioner or the President to "divide the question" shall be in order.

4-17. *Appeal from a Ruling of the Chair.* Any Commissioner may appeal to the Board, committee or subcommittee from a ruling of the Chair. The member making the appeal may briefly state the reason for the appeal, and the Chair may briefly explain the ruling; but there shall be no debate on the appeal and no other member shall participate in the discussion. The Chair shall then put the question, "Shall the decision of the Chair be sustained?" If a majority of the members present and entitled to vote, vote "nay," the decision of the Chair shall be overruled; otherwise, it shall be sustained. If sustained, the ruling of the Chair shall be final.

4-18. *Personal Privilege.* The right of the President or a Commissioner to address the Board on a question of personal privilege shall be limited to cases in which the President's or Commissioner's integrity, character, or motives are assailed, questioned, or impugned.

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- 4-19. *Special Order of Business.* Any item before the Board, committee, or subcommittee and referenced in an agenda provided to the President, the Commissioners, and the public in accordance with these rules may be set down as a special order of business at a time certain unless a majority of the Commissioners present object.
- 4-20. *Entry of Ordinances, Resolutions or Motions in Journal.* In all cases where an ordinance, resolution or motion is entered in the Journal, the name of the Commissioner(s) moving and seconding the same shall be entered also.
- 4-21. *Order of Precedence During Debate.* When a question is under debate, the following motions shall be in order and shall have precedence over each other in order, as listed:
1. To adjourn to a day certain (amendable, debatable);
 2. To adjourn;
 3. To take a recess (debatable);
 4. To lay on the table;
 5. To call the previous question;
 6. To refer (debatable);
 7. To amend (amendable, debatable);
 8. To defer to a time certain (debatable);
 9. To defer indefinitely (amendable, debatable).
- 4-22. *Motion to Adjourn.* A motion to adjourn is always in order except:
1. When a Commissioner has the floor.
 2. When the roll is being called or the Commissioners are voting.
 3. When the previous motion was a motion to adjourn.
 4. When the "previous question" has been ordered.
- 4-23. *Putting and Ordering the Previous Question.* The "previous question" shall be put as follows: "Shall the main question be now put?" If carried by a two-thirds ($\frac{2}{3}$) vote of the Commissioners (twelve (12) Commissioners) present and entitled to vote, the "previous question" shall be ordered. An order for the "previous question" shall end all debate and bring the Board to a direct vote upon the options before the Board in the order of their precedence.
- 4-24. *Motion to Reconsider.*
- (a) A vote or question may be reconsidered at any time during the same meeting, or at the first regular meeting held thereafter, but not after the matter has become law.
 - (b) A motion for reconsideration, having been once made and decided in the negative, shall not be renewed, nor shall a motion to reconsider be reconsidered.
 - (c) A motion to reconsider must be made by a member who voted on the prevailing side of the question to be reconsidered.
 - (d) This rule does not apply to motions to override vetoes.
- 4-25. *New Business.* All new business must originate with the Board. Items may be introduced only by the President, or by Commissioners. Each communication, motion, resolution, or ordinance, after being read by the Secretary, may be acted upon immediately by the Board, or referred to committee as ordered by the

Board. Where the President or Commissioner(s) introduces an ordinance or resolution, they shall be listed as sponsor(s) of such ordinance or resolution.

- 4-26. *Amendment or Suspension of Rules.* A rule may be temporarily suspended by majority vote, upon motion of any Commissioner specifying the rule to be suspended.
- 4-27. *Rules for Committee Meetings.* The rules of procedure for all committee, subcommittee and special committee meetings shall be the same as for Board meetings, except that committees composed of less than the entire Board shall require only a majority of the committee for a quorum, not including the President when acting in the capacity of an ex officio committee member.
- 4-28. *Robert's Rules of Order.* The rules of parliamentary practice set forth in the latest edition of Robert's Rules of Order by Henry M. Robert III, et al., shall govern the Board in all cases in which they are applicable and not inconsistent with these rules.
- 4-29. *Public Testimony.* The Board encourages public participation in the legislative process. The following rules shall apply at any meeting of the Board and its committees at which public comment or testimony is taken:
- (a) *Public testimony at all meetings.* Subject to the provisions herein, public testimony will be permitted at all meetings of the Board, its committees and subcommittees. Any member of the general public may address the Board or any of its committees or subcommittees at any -meeting required to be open to the public under the Open Meetings Act (5 ILCS 120/1 et seq., as then in effect) in writing, in person, or orally from a remote location by means of electronic, video, audio, or telephonic connection to the extent permitted in the meeting notice.
 - (b) *Authorization to speak.* Authorization as a public speaker or to provide written testimony to be read into the record of a meeting of the Board, its committees and subcommittees shall be granted to those individuals who have submitted in writing their name to the Secretary.
 - (c) *Public comment period.* Duly authorized public speakers shall be called upon to deliver testimony prior to final action by the meeting body as is practicable.
 - (d) *Germane subject matter encouraged.* Public testimony should be germane to a specific item(s) on the meeting agenda.
 - (e) *Time limit for public speakers.* Written public testimony or oral testimony will be limited to three (3) minutes. The Secretary will keep track of the time and advise when the time for public testimony has expired. Responses to inquiries of the public speaker by the presiding officer or members shall not count towards any time limit. With leave, the presiding officer or members may extend a public speaker's time as desired.
 - (f) *Prohibited behavior for public speakers.* Oral or written testimony shall not include the use of vulgar, abusive, discriminatory or profane language when addressing the Board. Failure to adhere to the time or behavior requirements may result in expulsion from the meeting and/or disqualify the person from providing future testimony.
 - (g) *Disruptions of meetings prohibited.* Disruptions of meetings are prohibited. Disruptions include, but are not limited to:
 - (1) Speech or testimony by an individual after expiration of the time allotted for the speaker's public comment or testimony;
 - (2) Speech or testimony by an individual - who has not been recognized by the presiding officer for public comment or testimony, who is speaking in a volume louder than a low, conversational level appropriate for communication between persons seated next to each other in the chamber, or whose speech is audible by others;

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- (3) Holding or placing a banner or sign during a meeting in a way that may endanger other individuals, or that obstructs the free passage or view of others attending or viewing the meeting; or
- (4) Speech or testimony that is discriminatory or conduct that otherwise interferes with the order and decorum of a meeting or the conduct of meeting business.
- {h) *Removal of Disruptive Participants.* If an individual disrupts a meeting's order or decorum, or interferes with the conduct of business, including, but not limited to, any of the actions described above, the presiding officer may rule the individual out of order and direct the individual to cease the activity and impose other reasonable conditions for the individual's continued presence at the meeting. If the individual does not immediately comply with the presiding officer's order, the presiding officer may direct the removal of the individual from the meeting. Unless otherwise ordered by the presiding officer, any individual ordered to be removed from a meeting is excluded from returning to that meeting, unless the decision of the presiding officer is overruled by a majority vote of those members in attendance. Any two (2) members may place before the body the question of whether to permit the individual to return to the same meeting.
- (1) If an individual is removed either from two or more committee meetings within a fifteen-day period or from two (2) or more consecutive meetings of the Board, the Board President or Committee Chairperson may exclude the individual from participation in public comment or testimony periods at future Board or committee meetings.
- a. The Board President or Committee Chairperson shall notify the individual in writing of the type of exclusion, the specific reasons for the exclusion and the specific terms and length of the exclusion.
- b. The notice of exclusion shall advise that the individual may submit written comments to the Board Secretary for distribution to the Board members at future public comment or testimony periods.
- c. The notice of exclusion shall be filed with the Board Secretary, who shall provide a copy of the notice to Board members and Sergeant-At-Arms and mail the notice to the individual's last known address, if any. The notice is effective three days after it is mailed to the individual's last known address.
- (2) In determining the scope and length of an individual's exclusion, the Board President or Committee Chairperson may consider the seriousness of the disruptions to the orderly conduct of the meeting, the number of disruptions in which the individual participated, and other reasons deemed relevant by the President that are unrelated to the content or viewpoint of the individual's speech.
- a. The Board President or Committee Chairperson may issue an exclusion from future participation in public comment or testimony periods for up to twenty-eight (28) calendar days.
- b. At the next regular meeting of the Board, following the filing and mailing of the exclusion notice, the exclusion order may be overruled or modified by a majority vote of those Commissioners in attendance. Any two (2) members may place before the body the question of whether to overrule or modify the exclusion decision.
- (3) Any individual excluded from participation in future public comment or testimony periods may appeal the exclusion by submitting a written appeal to the Board Secretary within five (5) calendar days after the exclusion notice is received. The Board Secretary shall distribute copies of the appeal to all Board members. The Board shall consider the appeal at the next regularly

scheduled Board meeting. The individual's exclusion from public comment or testimony periods shall remain in effect during the Board's consideration of the appeal.

4-30.4-31. *Veto on Agenda.* The President may veto any ordinance or resolution or other item which provides for the purchase of real estate, or for the construction of improvements within the preserves of the District. Such veto shall be filed with the Board Secretary within five (5) days after the passage of such ordinance or resolution or other item. The Secretary shall place the veto message and the corresponding ordinance or resolution or other item on the agenda of the next regular meeting. The ordinance, resolution or other item therein contained is not effective unless it is again passed by two-thirds vote of all the members of the Board. If the Board item is thereafter successfully passed by the Board, the same shall take effect notwithstanding the President may have refused to approve thereof.

(Ord. No. 14-0131, 12-16-14; Ord. No. 18-0531, 12-4-18; Ord. No. 20-0277, 12-15-20 ; Ord. No. 21-0391 , 9-21-21)

1-5-5 [Reserved for procedures relating to revenue matters]

1-5-6: INTERPRETATION, FORCE AND EFFECT.

- 6-1. *Applicability.* The meetings and actions of the Board, including all of its committees, shall be governed by these rules.
- 6-2. *Effective Date.* These rules shall be in full force and effect upon their adoption, and shall remain in full force and effect except as amended in accordance herewith, or until superseded by new rules adopted as part of the organization of a newly-constituted Board at the commencement of a term.
- 6-3. *Interpretation.* These rules shall be interpreted and applied to foster the goals and purposes set forth in the preamble to this Ordinance. The rules are to be construed in accordance with the customary American usage and meaning of parliamentary terms and expressions and the plain meaning of the ordinary words appearing herein. In case of ambiguous application, these rules shall be applied in a manner that fosters openness, accountability and fairness in the operation of the Board.
- 6-4. *Amendment or Suspension of Rules.* Any provision of this Section may be temporarily suspended by majority vote, upon motion of any Commissioner specifying the rule to be suspended.

(Ord. No. 14-0131, 12-16-14; Ord. No. 18-0531, 12-4-18)

1-5-7: TRANSITION.

- 7-1. *Items Pending in Committee at Conclusion of Term.* All items relating to pending litigation or workers' compensation claims at the conclusion of the 2022—2026 term and each term thereafter shall automatically be referred to the successor committee during the succeeding term. Upon conclusion of the 2022—2026 term, all legislation and other items referred to any committee or subcommittee prior to the last regular meeting of the term of the Board shall automatically be discharged from Committee and shall automatically be received and filed by the Board. The Secretary shall issue a report not less than sixty (60) days prior to the expiration of the 2022—2026 term and each term thereafter to the President and chair of each committee and subcommittee listing all items pending in each committee and subcommittee.

(Ord. No. 14-0131, 12-16-14; Ord. No. 18-0531, 12-4-18)