



MEMORANDUM

To: Rules, Administration, and Procedure Committee

From: Nydia Molina, Assistant Corporation Counsel

Re: *Cancellation of Committee Meetings*

Date: April 14, 2023

During the April 4, 2023 Rules, Administration and Procedures Committee meeting, Alderman Llamas requested information on the authority and procedure to cancel regularly-scheduled committee meetings. Alderman Llamas's question while general, specifically referenced meetings where the only pending matter on the agenda is approval of the minutes of a prior meeting.

Pursuant to Section 2-125 (b) of our Code of Ordinances, titled "Standing And Special Committee Operating Procedures," a ***committee chairperson*** shall have the discretion to cancel regular meetings of the committee to the extent authorized by the Open Meetings Act (OMA). OMA requires that schedules of regular meetings be prepared and posted at the beginning of each calendar or fiscal year. 5 ILCS 120/2.02(a). Additionally, the OMA requires that if a change is made in the schedule, at least 10 days' notice of the change must be given by publication in a newspaper, posted at the principal office of the body, and supplied to news media. 5 ILCS 120/2.03. The Law Department's interpretation of this provision is that the 10-day notice requirement only applies to permanent changes to the annual posted schedule, such as a location, date or time change to regular meetings. Currently, the Clerk will post notice of cancellation and provide notice to the media as soon as practical in City Hall and on the City's websites.

In reviewing our Code and the OMA, there does not appear to be any requirement of how many meetings must be conducted by a standing committee. Further, there is no limitation on how many meetings may be cancelled by the chairperson if the committee is in compliance with section 2-125(f) of our Code and the OMA.

Under Section 2-125(f) a standing or special committee must report to the committee of the whole on matters referred to the committee within 30 days of the matter first appearing on the committee's agenda. Since approval of a prior committee meetings' minutes are not referred to the committee of the whole, they are not subject to the 30-day time.

Also, with reference to the approval of meeting minutes, Sec. 2.06 (b) of the OMA provides that "[a] public body shall approve the minutes of its open meeting within 30 days after that meeting or at the public body's second subsequent regular meeting, whichever is later." Thus, there would not ordinarily be an obligation for a standing committee to meet simply to approve minutes of its preceding meeting. However, we would note that all standing committee meetings provide an opportunity for the public to address the committee

as well as a chance for staff to present items on an informational or informal basis. So long as it is understood that a standing committee may not take final action on any item not properly noticed on its agenda, the “[r]equirement of a regular meeting agenda shall not preclude the consideration of items not specifically set forth in the agenda [of a regular, as opposed to a special, meeting]” See. Sec. 2.02(a). Nevertheless, a committee chairperson should not feel obligated to convene a committee meeting simply to approve recent minutes.