

# LAKEVIEW SPECIAL SERVICE AREA #27 BYLAWS

*Amended 2/9/2017*

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## ARTICLE I SPECIAL SERVICE AREA ESTABLISHMENT

**Section 1.0 SPECIAL SERVICE AREA:** An ordinance passed by City Council on November 16, 2011 (the “Ordinance”) established an area within the City of Chicago known and designated as Special Service Area #27 (“SSA #27” and the “Area”).

**Section 2.0 LOCATION:** The Ordinance defined the boundaries of the area established as SSA #27.

**Section 3.0 SERVICES:** The Ordinance authorized certain special services for SSA #27 (the “Special Services”).

**Section 4.0 LEVY:** The Ordinance authorized an annual levy of a certain services tax (the “Services Tax”) upon the taxable property in SSA #27 beginning in 2011 through and including 2025. The Ordinance imposed an annual rate cap on the Services Tax of 0.25% of the equalized assessed value of taxable property within the Area.

**Section 5.0 BYLAWS:** The Ordinance established the Lakeview Special Service Area Commission (the “Commission”) and authorized the Commission to establish bylaws for its procedural operation.

## ARTICLE II COMMISSION

**Section 1.0 COMMISSION:** The Ordinance established the Commission and set forth its powers. The terms and powers of the Commission members cease upon the termination of the time period for which the levy of the Services Tax is authorized. The purpose/powers of the Commission are to 1) recommend the rate or amount of the Service Tax and an annual budget to the City Council and 2) recommend a Sole Service Provider contract, including a scope of services and a contractor therefore, to the City Council for the provision of the Special Services.

**Section 2.0 APPOINTMENT & RENEWAL:** The Ordinance authorizes the Mayor, with the approval of the City Council, to appoint Commission members. Other than the initial Commissioners, each Commission member shall be appointed by the Mayor, with the approval of the City Council, to serve for a term of three years and until a successor is appointed.

**Section 3.0 MEMBERS:** The Ordinance authorizes no more than eleven members (“Commissioners”) on the Commission or such greater or lesser number as shall be determined by ordinance of the City Council of the City of Chicago. Of the initial Commission members, five members shall be appointed to serve for two-year terms; six members shall be appointed to serve three-year terms. After the initial term, all members shall serve three-year terms. Commissioners may serve up to two consecutive terms.

**Section 4.0 ELIGIBILITY:** The Ordinance requires that all Commission members shall meet the qualifications set for in the Commissioner Qualifications & Nominating Procedural Guidelines for the Lakeview Special Service Area #27

**Section 5.0 EXPIRATION, VACANCY, & RESIGNATION:** The Ordinance states that upon the expiration of the term of any Commission member, the Mayor, with the approval of City Council, shall appoint a successor Commission member. In the event of a vacancy on the Commission due to resignation, death, inability to serve, removal by the Mayor, or other reason, the Mayor, with the approval of City Council, shall appoint a successor from a list of nominees submitted by the Commission. Each successor so appointed shall serve for the remaining

term for which he/she was appointed. Unreasonable absences from Commission meetings may cause the term of a Commission member to expire pursuant to Article IV, Section 4.0 of these bylaws, and a successor Commission member shall be appointed pursuant to the Ordinance. Any Commissioner may resign by filing a resignation with the Commission Second Vice-Chairperson/Secretary, with copy to DHED.

**Section 6.0 COMPENSATION:** The Ordinance states that members of the Commission shall serve without compensation. However, Commissioners may be reimbursed for reasonable out-of-pocket expenses on behalf of the Commission. Reimbursement shall be approved by two-thirds vote of the Commission.

**Section 7.0 ETHICS STATEMENT COMPLIANCE:** Commission members shall comply with the City of Chicago Ethics Statement.

### **ARTICLE III OFFICERS**

**Section 1.0 CHAIRPERSON:** The Ordinance states the Commission shall designate one member as the Chairperson of the Commission, and he/she shall serve not more than two successive two-year terms. The Chairperson shall be the chief executive officer of the Commission, shall preside at all regular and special Commission meetings, and shall perform all the usual functions of such office.

**Section 2.0 FIRST VICE-CHAIRPERSON/TREASURER & DUTIES:** The Commission may designate a First Vice-Chairperson/Treasurer to serve no more than two successive two-year terms. The First Vice-Chairperson/Treasurer shall oversee the budget management and financial records as managed by the Sole Service Provider and shall assist the Chairperson and perform the duties of Chairperson in his or her absence or inability to act as outlined in Section 1.0.

**Section 3.0 SECOND VICE-CHAIRPERSON/SECRETARY & DUTIES:** The Commission may designate a Second Vice-Chairperson/Secretary to serve no more than two successive two-year terms. All books and records not held by the First Vice-Chairperson/Treasurer are to be held by the Second Vice-Chairperson/Secretary. The Second Vice-Chairperson/Secretary shall keep a current, accurate list of all Commissioners and shall act as clerk at Commission meetings and prepare minutes of each Commission meeting. The Second Vice-Chairperson/Secretary shall ensure compliance with these bylaws, the Ordinance, the Service Provider Agreement (as defined in the Ordinance), the Illinois Open Meetings Act (as defined below), and other relevant legislative requirements.

**Section 4.0 VACANCIES:** The First Vice-Chairperson/Treasurer shall act in place of the Chairperson in the absence or inability of the Chairperson to perform his or her duties for the duration of his or her term. The Commission may designate a successor for any of the executive officer positions by a simple majority vote of Commissioners duly appointed and serving at any regularly scheduled Commission meeting. Each successor so designated should serve for the remaining term for which they were designated.

### **ARTICLE IV MEETINGS**

**Section 1.0 ILLINOIS OPEN MEETINGS ACT:** The Commission is a public body and all meetings shall be held in accordance with the Illinois Open Meetings Act, 5 ILCS 120/1 et seq. (the "Illinois Open Meetings Act"). All meetings shall be held at specified times and places which are convenient and open to the public.

**Section 2.0 MEETINGS:** Regular meetings of the Commission shall be held on a regular basis at such time and place as the Chairperson shall designate. Under these bylaws a "regular basis" shall mean the frequency reasonably necessary to fulfill the duties and obligations of the Commission. Reconvened meetings shall be determined at a regular meeting by a simple majority of a meeting quorum. Emergency meetings may be convened at the call of the Chairperson. Special meetings shall be convened at the call of the Chairperson or upon written request of at least three Commissioners duly appointed and serving.

**Section 2.0.1 Public Input:** Any person or group wishing to address an item on the agenda shall be limited to a total of 15 minutes at the beginning of each regular meeting where all input from the public shall be heard at such time. All those wishing to speak during the public input portion of the meeting must complete an information form including name, address, phone number, stake in the SSA and topic to be addressed and present the completed form to the secretary prior to the start of the meeting. Public input will proceed according to Robert's Rules of Order, most importantly:

- No attendee may speak twice until everyone else wishing to speak has spoken once.
- Remarks must be courteous in language and deportment avoiding all personal remarks and never alluding to others by name or to motives.
- One person may speak at a time, if not the presiding officer can call them out of order.

All reasonable efforts will be made to accommodate the public. To assure an orderly and timely meeting the Chair may limit time allotment to five minutes or less per person and the person addressing the Commission may only address the Chair.

**Section 2.0.2 Eligibility for Public Grievance:** Any person or group wishing to initiate a grievance regarding the current agenda may do so in writing by tendering such grievance to the Commission. Response to the written grievance shall take no more than 45 days.

### **Section 3.0 NOTICE:**

**Section 3.0.1 Regular Meetings.** The Illinois Open Meetings Act requires the Commission to give public notice of the regular meeting schedule at the beginning of each calendar year listing the regular dates, times, and places of such meetings. If a change is made in regular meeting dates, at least 10 days' notice of such change shall be given by publication in a newspaper of general circulation in the area in which the Commission functions. An agenda for each regular meeting shall be posted at the principal office of the Commission (Service Provider's office) and at the location where the meeting is to be held at least 48 hours in advance of the meeting. The Chairperson may designate the time and place of the regular meeting.

Notices sent specifically to Commissioners and other parties requesting notice of regularly scheduled meetings may be mailed via the U.S. mail, electronic mail, or telephone with 14 days notice.

**Section 3.0.2 Reconvened Meetings.** The Illinois Open Meetings Act states the requirement of public notice of reconvened meetings does not apply to any case where the meeting was open to the public and (1) it is to be reconvened within 24 hours, or (2) an announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda.

**Section 3.0.3 Emergency Meetings.** The Illinois Open Meetings Act states that notice of an emergency meeting shall be given as soon as practicable.

**Section 3.0.4 Special Meetings.** The Illinois Open Meetings Act states that public notice of any special meeting except a meeting held in the event of a bona fide emergency, or of any rescheduled regular meeting, or of any reconvened meeting, shall be given at least 48 hours before such meeting and shall meet at the call of the Chairperson or on the written request of three Commission members, which notice shall also include the agenda for the special, rescheduled, or reconvened meeting, but the validity of any action taken by the public body which is germane to a subject on the agenda shall not be affected by other errors or omissions in the agenda.

**Section 3.0.5 Annual Meeting:** The Commission shall hold an annual meeting, the date to be determined by the Commission no later than December 31 of the previous year.

**Section 4.0 ATTENDANCE:** A Commissioner shall be physically present for a majority of a meeting to be considered in attendance. A Commissioner duly appointed and serving who is absent for three consecutive regular

meetings shall be automatically deemed to have resigned from the Commission. A Commissioner may additionally be asked to resign by the Chairperson if their absenteeism from regular meetings is causing a deleterious effect on conducting Commission business.

**Section 5.0 QUORUM:** A simple majority of the Commissioners duly appointed and serving shall constitute a quorum for the transaction of business at any meeting of the Commission, except as otherwise specifically provided in these bylaws. The Commission may increase the quorum ratio for special meetings as they deem necessary.

**Section 6.0 VOTING:** A simple majority of a meeting quorum shall adopt a motion unless otherwise provided for in Robert’s Rules of Order or in these bylaws. All Commission members duly appointed, serving and in attendance at any meeting may vote on any matter being considered by the Commission.

**Section 7.0 INFORMAL ACTION:** Any action that is required or may occur at a Commissioner’s meeting may be taken without a meeting provided consent in writing, setting forth the action so taken, shall be signed by all the Commissioners then in office. The “consent in writing” may be collected via electronic mail. Such consent serves as a unanimous vote provided a motion is adopted at the next regular or special meeting that ratifies the action taken.

**ARTICLE V  
COMMITTEES**

The Commission may through resolution designate any number of special committees they deem necessary. The Commission shall determine terms and duties of committees and designate committee members to serve on committees. Committees must be chaired by a member of the Commission and may be comprised of non-Commission members. Committees must comply with the Illinois Open Meetings Act.

**ARTICLE VI  
BOOKS & RECORDS**

The Commission shall keep minutes of its meetings and archives of all handouts provided at Commission meetings as required by the Illinois Open Meetings Act. It shall keep at its principal offices any record giving the names and addresses of all voting members of the Commission. Any member, his/her agent or attorney for any proper purpose at any reasonable time, may examine all books and records. Documents distributed at Commission meetings may be subject to request through the Freedom of Information Act, 5 ILCS 140/1 et seq.

**ARTICLE VII  
WAIVER OF NOTICE**

Whenever any notice is required to be given under the provisions of the bylaws of the Commission, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, should be deemed equivalent to the giving of such notice. Attendance by a member at a meeting of the Commission should constitute a waiver of notice of such meeting except where such person attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called.

**ARTICLE VIII  
AMENDMENT**

The sections of these bylaws that are not ordained by law may be amended by a simple majority vote of Commissioners duly appointed and serving at any regularly scheduled Commission meeting provided that Commissioners have been served notice no less than 14 business days prior to the meeting at which the amendment is to be acted upon. Notice may be given via U.S. Mail or e-mail.

It is the intent of these By-Laws to authorize the Commission to perform all duties deemed necessary to achieve the goals of the Commission.

**ARTICLE IX  
MANNER OF ACTING**

Where not otherwise provided, Robert's Rules of Order, most recent edition, shall be the standard of parliamentary authority for all meetings of the Commission.

**ARTICLE X  
AUTHORITY OF THE CITY OF CHICAGO AND STATE OF ILLINOIS**

Any provision of these bylaws that shall conflict with any ordinances of the City of Chicago or with Illinois Special Service Area Tax Law (35 ILCS 200/27-5 through 27-95) shall be null and void.