



**CITY OF URBANA
OFFICE OF THE CITY CLERK**



M E M O R A N D U M

TO: Mayor Marlin, Council Members

FROM: Charlie Smyth, City Clerk; Jim Simon, City Attorney

DATE: May 11, 2017

RE: Resolution on Resolutions issue

In reviewing the actions of the May 1, 2017 City Council Meeting with City Attorney Jim Simon, we realized that the Resolution on Resolutions applied to Resolution No. 2017-04-028R even though it was coming from a city commission (CD) and a vote to consider the resolution should have been taken prior to discussion. Resolution R9394-R30 states that "..., all resolutions to be acted upon by the City Council of the City of Urbana, Illinois shall be first sent to the appropriate Council Committee for its consideration and recommendation prior to being acted upon by the City Council, unless two-thirds (2/3rds) of the Aldermen and Alderwomen present vote to consider the Resolution without first referring the Resolution to an appropriate Council Committee for its consideration and recommendation." We will have further discussion of this rule and others at an upcoming committee meeting in June.

The two resolutions proposed under new business rectify this oversight and reaffirms the council action and vote of May 1, 2017. Staff recommends passage of both Resolutions No.s 2017-05-036R and 2017-05-037R.

RESOLUTION NO. 2017-05-036R

**RESOLUTION WAIVING A RESOLUTION RESPECTING PASSAGE OF
RESOLUTIONS, RESOLUTION NO. 9394-R30**

**(Waiver of Resolution No. 9394-R30 in Order
to Reaffirm Resolution No. 2017-04-028R)**

WHEREAS, the City of Urbana, Illinois (the “City”) is a municipal corporation and a home-rule unit of local government pursuant to Article VII, Section of the Illinois Constitution of 1970; and

WHEREAS, on May 1, 2017, the City Council approved Resolution No. 2017-04-28R, A Resolution Authorizing the City To Participate in the Illinois Housing Development Authority Abandoned Property Program (hereinafter, “Resolution No. 2017-04-028R”) by unanimous affirmative roll call vote; and

WHEREAS, due to the need to provide the Illinois Housing Development Authority with an approved and executed agreement within a very short period of time, Resolution No. 2017-04-028R was presented directly to the City Council for consideration and without having been first introduced at and considered during a prior Committee of the Whole meeting; and

WHEREAS, Resolution No. 9394-R30, A Resolution Respecting Passage of Resolutions (hereinafter, “Resolution No. 9394-R30”), provides that resolutions shall be first introduced at a Committee of the Whole and then advanced to the City Council if so directed by the Committee of the Whole on an affirmative vote of a majority of a quorum of the Committee of the Whole; and

WHEREAS, Resolution No. 9394-R30 provides that said resolution can be waived by a two-thirds (2/3rds) affirmative vote of the Alderpersons present at a City Council meeting in order to consider a separate resolution without having said separate resolution being introduced at a prior Committee of the Whole meeting and without the Committee of the Whole having advanced such separate resolution on to the City Council for consideration by the City Council; and

WHEREAS, the City Council deems it appropriate to first waive the requirements provided for in Resolution No. 9394-R30 solely for the purpose of considering ratifying the action taken at the May 1, 2017 City Council meeting which approved by unanimous affirmative vote Resolution No. 2017-04-028R.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

The City Council, shall and hereby does waive the requirement provided for in Resolution No. 9394-R30 solely for the purpose of considering and possibly ratifying the action taken by the City Council at its May 1, 2017 meeting, at which approved by unanimous roll call affirmative vote Resolution No. 2017-04-028R.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

AYES:

NAYES:

ABSENT:

ABSTENTIONS:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Diane Wolfe Marlin, Mayor

RESOLUTION NO. 2017-05-037R

**RESOLUTION RATIFYING CITY COUNCIL ACTION RESPECTING
RESOLUTION NO. 2017-04-028R**

WHEREAS, the City of Urbana, Illinois (the “City”) is a municipal corporation and a home-rule unit of local government pursuant to Article VII, Section of the Illinois Constitution of 1970; and

WHEREAS, on May 1, 2017, the City Council approved Resolution No. 2017-04-28R, A Resolution Authorizing the City to Participate in the Illinois Housing Development Authority Abandoned Property Program (hereinafter, “Resolution No. 2017-04-028R”) by unanimous affirmative roll call vote; and

WHEREAS, due to the need to provide the Illinois Housing Development Authority with an approved and executed agreement within a very short period of time, Resolution No. 2017-04-028R was presented directly to the City Council for consideration and without having been first introduced at and considered during a prior Committee of the Whole meeting; and

WHEREAS, Resolution No. 9394-R30, A Resolution Respecting Passage of Resolutions (hereinafter, “Resolution No. 9394-R30”), provides that resolutions shall be first introduced at a Committee of the Whole and then advanced to the City Council if so directed by the Committee of the Whole on an affirmative vote of a majority of a quorum of the Committee of the Whole; and

WHEREAS, Resolution No. 9394-R30 provides that said resolution can be waived by a two-thirds (2/3rds) affirmative vote of the Alderpersons present at a City Council meeting in order to consider a separate resolution without having said separate resolution being introduced at a prior Committee of the Whole meeting and without the Committee of the Whole having advanced such separate resolution on to the City Council for consideration by the City Council; and

WHEREAS, the City Council has adopted a resolution waiving Resolution No. 9394-R30 solely for the purpose of ratifying the action which the City Council took during its May 1, 2017 meeting and which approved by unanimous affirmative vote Resolution No. 2017-04-028R; and

WHEREAS, the City Council deems it appropriate to ratify the action taken at its May 1, 2017 meeting in which the City Council approved by unanimous affirmative vote Resolution No. 2017-04-028R.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1.

The City Council, shall and hereby does ratify the action which it took during its May 1, 2017 in which the City Council approved by unanimous affirmative vote Resolution No. 2017-04-028R A Resolution Authorizing the City to Participate in the Illinois Housing Development Authority Abandoned Property Program.

Section 2.

The City Council shall and hereby does ratify the action taken by the Mayor in which the Mayor duly executed the agreement for and on behalf of the City of Urbana so that the City of Urbana can participate in the Illinois Housing Development Authority Abandoned Property Program.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

AYES:

NAYES:

ABSENT:

ABSTENTIONS:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Diane Wolfe Marlin, Mayor