



The Legislative Process & Creating Legislation

New Alder Onboarding 2023

Overview of Legislative Process

- The Legislative Cycle
- The Committee Referral Process
- Sponsoring Items
- Drafting Resolutions and Ordinances
- Substitutes/Alternates/Floor Amendments

OVERVIEW: Understanding the Legislative Cycle

Most legislation is:

- introduced at one Council meeting
- acted upon on at a subsequent meeting

This gives the public and the other alders a chance to learn about the item.

Legislation usually goes to at least one additional committee, giving another opportunity for input and comment.

Other key details:

- Alders can introduce legislation from the floor for referral to another meeting
- No public comment on items that are being introduced for referral only without debate.

OVERVIEW: Understanding the Referral Process

Typical Referral Process

- Lead sponsor designates initial referrals
- Committees take up the item in meeting(s) and then make recommendation to the Council
- The item returns to Council on the established date

If a committee is not able to take up the item at the allotted time, then the item returns and can be re-referred. Council can also decide to vote without action from the committee.

OVERVIEW: Adding Referrals

Alders Can Add Referrals

WHEN: At the Council meeting where the item is introduced. Additional referrals are voted on by the Council.

ALDERS MUST PROVIDE:

- reason for the referral
- dates to appear on the referred committee agenda
- return date to Council

NOTE: If an alder knows in advance that they would like to add a referral, notify the Council Office with enough time to place it on the Consent Agenda Document.

OVERVIEW: Alder Sponsorship

Most Resolutions and Ordinances

- Originating alder is typically listed as lead sponsor
- Collaborating alders are listed next
- Alders can request to be listed as co-sponsor

Honoring Resolutions

- Author is lead sponsor, any collaborating alders are listed next, followed by the mayor and all other alders

How to be Added as Sponsor

- Contact the Council Office or other relevant City staff
- Email clerk staffing Council meeting to request being added

CREATING LEGISLATION: Ordinance or Resolution?

	Resolution	Ordinance
Content	Discrete individual matters such as approval of contracts, setting internal City policy, honoring resolutions	Rules that will affect the general public
Who can enter into Legistar	Council Office or other relevant City staff	Only the City Attorney's Office can draft ordinances or modify ordinance files in Legistar

BOTH ORDINANCES AND RESOLUTIONS:

- Require sponsorship
- Require a fiscal note, which is provided by the Finance Department.

CREATING LEGISLATION: Background Work

RESEARCH REQUIRED?

- Request research from Council Office staff or relevant City agency staff (peer municipalities, best practices, policy research, etc.)

CITY STAFF ISSUES

- Discuss idea with relevant City subject matter expert staff
- How does the idea impact agency workload, City budget, logistics and other considerations? Schedule meetings with City staff as needed

PUBLIC ENGAGEMENT APPROACH

- How to engage with public?
Consult with Council Community Engagement Strategist on approaches to public outreach, stakeholder engagement, etc.

CREATING LEGISLATION: Legislative File Logistics

The following issues must be addressed for each legislative file.

TIMING:

- ☐ when do you want to **introduce** the legislation
- ☐ when do you want it to **return** to Council

COMMITTEES:

- ☐ Which **committees** do you want to refer the legislation to
- ☐ Which committee is **lead**
(reviews the item after the secondary committee(s) & makes final recommendation to Council)
- ☐ Provide **meeting dates** for each committee; the file will be added to the agenda for that date

ENTER INTO LEGISTAR:

- ☐ Work with relevant staff to get the legislation entered into Legistar
- ☐ Deadline is **WEDNESDAY NOON*** before Council meeting to be included on the agenda
(*this includes completed fiscal note)

CREATING LEGISLATION: Substitutes/Alternates/Amendments

Substitute

- A substitute is created for any change in the proposed ordinance or resolution that is both supported by the original lead sponsor and occurs before the time the ordinance or resolution is taken up on the Council floor. Multiple substitutes indicate that multiple changes have been made.

Alternate

- An alternate is any change prior to action on the Council floor where the change is not acceptable to the lead sponsor, and must itself have a sponsor.

Amendment

- An amendment is any change made on the Council floor