

**AN ORDINANCE ADOPTING REMOTE ATTENDANCE POLICIES AND  
TEMPORARY PUBLIC COMMENT RULES FOR THE BATAVIA PARK DISTRICT**

**WHEREAS**, the Batavia Park District (“*District*”) is An Illinois Park District, body politic, and unit of local government formed and operating under the Illinois Park Code; and

**WHEREAS**, if a quorum of members of a public body are physically present, a majority of the public body may allow a member to attend the meeting by video or audio conference under certain conditions in the Open Meetings Act, 5 ILCS 120/7, and in accordance with rules previously adopted by the District; and

**WHEREAS**, the Open Meetings Act permits any person an opportunity to address public officials under the rules established and recorded by the public body, 5 ILCS 120/2.06; and

**WHEREAS**, Governor JB Pritzker declared all counties in the State of Illinois as a disaster area on March 9, 2020 (“Gubernatorial Disaster Proclamation”) due to the ongoing outbreak of Coronavirus Disease 2019 (COVID-19); and

**WHEREAS**, Governor JB Pritzker issued Executive Order No. 2020-07 on March 16, 2020, suspending the provisions of the Open Meetings Act requiring or relating to in-person attendance by members of a public body during the Gubernatorial Disaster Proclamation to increase social distancing needed to reduce the spread of COVID-19; and

**WHEREAS**, the Board of Commissioners of the Batavia Park District desire to supplement their rules and adopt temporary remote attendance and public comment rules to facilitate access to public meetings while practicing social distancing in accordance with Executive Order No. 2020-07 and such further laws, regulations, and orders that may be implemented during the Gubernatorial Disaster Proclamation.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Batavia Park District as follows:

**SECTION 1:** The forgoing recitals are hereby incorporated into this Ordinance herein as findings of the Batavia Park District Board of Commissioners.

**SECTION 2:** The Board of Commissioners hereby approve the Temporary Remote Attendance and Public Comment Policy, substantially in the form of *Exhibit A*, attached and hereby incorporate in to this Ordinance by this reference. This Section will be automatically repealed when the Gubernatorial Disaster Proclamation is terminated by the Governor of the State of Illinois. .

**SECTION 3:** This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed on April 21, 2020, on a roll call vote as follows:

AYES: 5

NAYES: 0

ABSTAIN: 0

ABSENT: 0

  
\_\_\_\_\_  
President

ATTEST:  
  
\_\_\_\_\_  
Secretary

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Secretary

## EXHIBIT A

### TEMPORARY REMOTE ATTENDANCE AND PUBLIC COMMENT POLICY

#### **Section 1. Remote Attendance.**

- a. During the duration of the Gubernatorial Disaster Proclamation, as defined in Executive Order 2020-07, the provisions of the Batavia Park District Remote Attendance Policy requiring or relating to in-person attendance by the Board of Commissioners, or any of their subsidiary bodies, boards, commissions, or committees subject to the Open Meetings Act and their subsidiary bodies (“public body”) are suspended. Specifically,
  - i. any requirement that a member must be physically present is suspended; and
  - ii. a member may be authorized to attend remotely for reasons other than personal illness or disability; employment purposes or the business of the public body; or a family or other emergency.
- b. The public body will seek to postpone consideration of public business where possible.
- c. When a meeting is necessary, the public body will seek to:
  - i. provide video, audio, and/or telephonic access to meetings to ensure members of the public may monitor the meeting; and
  - ii. update its website and social media feeds to keep the public fully apprised of any modifications to its meeting schedules or the format of its meetings due to COVID-19, as well their activities relating to COVID-19.

#### **Section 2. Public Comment.**

- a. During the duration of the Gubernatorial Disaster Proclamation, public body meetings will remain open and convenient to members of the public, while observing the limits on public gatherings and social distancing required by law. The Batavia Park District strongly encourages members of the public to attend meetings of its public bodies by video or audio conference. For the safety of the public, elected officials, and staff during meetings, access to Facilities may be limited, or meetings may be held at a location with a larger room, or broadcast in multiple rooms at location. The Park District will seek to share information about the format of each public body’s meetings on the Park District’s website and social media feeds.
- b. Members of the public may submit public comments by email, voicemail or by participating in a web conference (e.g. GoToMeeting) the public body use to conduct that meeting. The agenda for each meeting will include the email address and phone number where public comments can be addressed, and information about any web conference.

- c. Each person may submit one email or voicemail for public comment at each public body meeting, and the Park District Secretary will arrange to have the emails read or voicemails played for up to five minutes each.
- d. The chair of the meeting may recognize members of the public to submit public comment through any web conference platform used for that meeting. Members of the public will have their microphones muted during the meeting except for the time assigned to them to present public comment. To help maintain an orderly meeting, public comment will not be accepted through the web conference chat function.
- e. All previously-adopted rules public comment rules consistent with these rules shall continue to be enforced.