

State of Illinois
County of Lake
Village of Mundelein

EXECUTIVE ORDER 2020-01

COVID-19

FOLLOWING A DECLARATION OF LOCAL STATE OF EMERGENCY IN THE VILLAGE OF MUNDELEIN, ILLINOIS

An Executive Order Authorizing Remote Attendance Rules for the Duration of the Local State of Emergency Declaration

WHEREAS, pursuant to state law, the Village Mayor has declared a State of Emergency and Illinois Governor Pritzker has issued a Gubernatorial Disaster Proclamation in light of the dangers to public health presented by the spread of the Coronavirus disease 2019 (COVID-19); and

WHEREAS, pursuant to Mundelein Village Code Chapter 9.36.040(6) following such a declaration of a Civil Emergency, the Village Mayor has authority, in the interests of the public safety and welfare may order such actions as are reasonably necessary to respond to the emergency; and

WHEREAS, on March 16, 2020 Governor Pritzker issued Executive Order No. 2020-07 (COVID-19 Executive Order No. 5), that, among other things, provided in Section 6 that:

“During the duration of the Gubernatorial Disaster Proclamation, the provisions of the Open Meetings Act, 5 ILCS 120, requiring or relating to in-person attendance by members of a public body are suspended. Specifically, (1) the requirement in 5 ILCS 120/2.01 that “members of a public body must be physically present” is suspended; and (2) the conditions in 5 ILCS 120/7 limiting when remote participation is permitted are suspended.”;
and

WHEREAS, that same Section 6 encouraged public bodies to postpone consideration of public business where possible and, where a meeting remained necessary, encouraged public bodies “to provide video, audio, and/or telephone access to meetings to ensure members of the public may monitor the meeting, and to update their websites and social media feeds to keep the public fully apprised of any modifications to their meeting schedules or the format of their meetings due to COVID-19, as well as their activities relating to COVID-19.”; and

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WHEREAS, on March 18, 2020 the Illinois Attorney General's Office of the Public Access Counselor issued guidelines for the Freedom of Information Act and the Open Meetings Act implementation in light of the Governor's COVID-19 Executive Order No. 5 which guidelines clarified the authority of public bodies to hold public meetings via remote attendance provided certain public notice and access standards could be met; and

WHEREAS, Executive Order No. 2020-07 (COVID-19 Executive Order No. 5), has prohibited public gatherings of fifty people or more for the duration of the Gubernatorial Disaster Proclamation and the White House has discouraged social gatherings of greater than ten people to limit the spread of the virus; and

WHEREAS, the Mayor wishes to ensure that the business of the Village can be conducted, as necessary, in a manner that does not compromise the public health but that still seeks to protect the values of public openness articulated in the Illinois Open Meetings Act; and

WHEREAS, the Village's own policies providing for in-person and remote attendance were prepared in a manner consistent with the Illinois Open Meetings Act but must be revised in light of the current conditions and the Governor's waiver of the in-person attendance rules of the Open Meetings Act.

NOW, THEREFORE, BE IT ORDERED by the Village Mayor, as follows:

SECTION 1: The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

SECTION 2: That the Village of Mundelein's current policies for remote meeting attendance are hereby waived for the duration of the Village Mayor's Civil Emergency Declaration. The following rules for remote attendance shall apply instead:

RULES FOR REMOTE MEETING ATTENDANCE DURING A CIVIL EMERGENCY DECLARATION

During the period in which a State of Emergency is and remains declared by the City Mayor, and in light of Governor Pritzker's Executive Order No. 2020-07 (COVID-19 Executive Order No. 5), the following remote attendance rules for Public Meetings shall apply:

1. Members shall be allowed to participate in meetings by audio or video conference (or comparable telephonic or electronic means that allows for reasonable contemporaneous, interactive communication between members) ("Remote Attendance").

2. Meetings may be held, and a quorum of the public body may be created and shall be permitted, by means of Remote Attendance; physical presence at a location for an open or closed meeting shall not be required and meetings may be entirely remote.

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3. Any member who wishes to be considered present at a meeting by Remote Attendance should attempt to notify the Clerk prior to the meeting, unless advance notice is impractical.

4. The minutes of every meeting shall reflect the members physically present, absent, and present by Remote Attendance.

5. The Clerk or other party taking minutes shall be permitted to participate remotely and is authorized to record meetings as reasonably possible.

6. When reasonably safe and possible, the Village shall provide video, audio, and/or telephone access to meetings to ensure members of the public have the means to observe and comment during the meeting including providing written comments if other public comment options are not reasonably available.

7. When reasonably safe and possible, the Village shall update its website and social media feed to keep the public fully apprised of proposed meetings and options for public monitoring and/or comment.

This Executive Order is approved and effective this 19th day of March 2020.



Mayor Steve Lentz

ATTEST:



Village Clerk Sol C. Cabachuela

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