

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

  X   Resolution or Ordinance (Blue)  
       Recommendations of Boards, Commissions & Committees (Green)  
       Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager

DATE: December 22, 2011 (COW)(B of T) Date December 27, 2011

TITLE: A Resolution Defining Meeting and Adopting Procedures for Electronic Attendance at Meetings

SUBMITTED BY: Timothy Sexton, Director of Finance

BACKGROUND/POLICY IMPLICATIONS:

Trustee Breen requested that this item be placed on the December 27, 2011 Village Board meeting agenda. The Village Attorney provided the attached resolution and rules for Village Board consideration that would allow electronic attendance at a Village Board meeting.

Review (as necessary):

Village Attorney   X   Date \_\_\_\_\_

Finance Director   X   Date \_\_\_\_\_

Village Manager   X   *Timothy Sexton* Date 12/22/11

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION DEFINING MEETING AND ADOPTING PROCEDURES FOR  
ELECTRONIC ATTENDANCE AT MEETINGS**

WHEREAS, on January 1, 2007, Public Act 94-1058, amending the Open Meetings Act, takes effect and amends the definition of a "meeting" to mean " Any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business," and it permits attendance of members of the public body at public meetings by a means other than physical presence;

WHEREAS, to permit attendance by a means other than physical presence, the Village of Lombard must adopt rules that conform to the requirements and restrictions of the Open Meetings Act, 5 ILCS 12017;

WHEREAS, the corporate authorities of the Village of Lombard desire to permit attendance of members of the public body by means other than physical presence in compliance with the Open Meetings Act;

WHEREAS, the corporate authorities of the Village of Lombard find that it is necessary that any existing ordinances, resolutions or policies be amended to conform with the term "meeting" to include electronic gatherings as defined in Section 120/1.02 of the Open Meetings Act.

NOW, THEREFORE, BE IT RESOLVED by the Village of Lombard as follows:

**SECTION ONE: Recitals.** The preliminary paragraphs set forth above are incorporated herein as part of this Resolution

**SECTION TWO: Electronic Attendance at Meetings Rules.** The Village of Lombard hereby adopts the Electronic Attendance at Meetings Rules, attached hereto, that permits a member of the public body to attend any meeting of a public body as defined in the Open Meetings Act via electronic means.

**SECTION THREE: Effective Date.** This Resolution shall be in full force and effect after its passage, approval and publication according to law.

**SECTION FOUR: Severability.** In the event that any section, clause, provision, or part of this Resolution shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2011.

AYES:

NAYS:

ABSENT:

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2011.

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William J. Mueller  
Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk

Published by me this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk

## **VILLAGE OF LOMBARD ELECTRONIC ATTENDANCE AT MEETINGS RULES**

**Rules Statement.** It is the decision of the Village of Lombard that any member of the Village Board of Trustees may attend any open or closed meeting of the Village Board of Trustees via electronic means (such as by telephone, video or internet connection) provided that such attendance is in compliance with these rules and any applicable laws.

**Prerequisites.** A member of the Village Board of Trustees may attend a meeting electronically if the member meets the following conditions: A quorum is physically present throughout the meeting; and, a majority of the Village Board of Trustees votes to approve the electronic attendance at the meeting.

(a) The member should notify the Village Clerk at least [duration of time] before the meeting, unless impractical, so that necessary communications equipment can be arranged. Inability to make the necessary technical arrangements will result in denial of a request for electronic attendance.

(b) The member must assert one of the following three reasons why he or she is unable to physically attend the meeting,

(1) The member cannot attend because of personal illness or disability; or

(2) The member cannot attend because of employment purposes or the business of the Village of Lombard; or

(3) The member cannot attend because of a family or other emergency.

(c) The Village Clerk, after receiving the electronic attendance request, shall inform the Village Board of Trustees of the request for electronic attendance.

**Voting Procedures.** After a roll call establishing that a quorum is physically present, the presiding officer shall call for a motion that a member may be permitted to attend the meeting electronically after specifying the reason entitling the absent member to attend electronically. The motion must be approved by a vote of a majority of the Village of Lombard Board of Trustees present.