

DUPAGE HOUSING AUTHORITY
RESOLUTION NO. 2021 -09

**A RESOLUTION AMENDING DUPAGE HOUSING AUTHORITY BY-LAWS TO
INCLUDE PROCEDURES FOR MEETINGS HELD ELECTRONICALLY**

WHEREAS, as of March 16, 2020, the Illinois Executive Order 2020-07 permits suspension of the Open Meetings Act, 5 ILCS 120 requiring or relating to in-person attendance by members of a public body; and

WHEREAS, to permit attendance via video or audio conference, a public body must adopt rules that conform to the requirements and restrictions of the Open Meetings Act; and

WHEREAS, the DuPage Housing Authority Board of Commissioners desires to permit attendance by Commissioners via video or audio conference.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the DuPage Housing Authority, DuPage County, Illinois as follows:

SECTION 1.

The foregoing recitals are incorporated as if fully set forth herein.

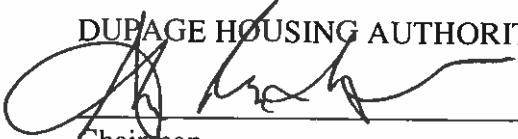
SECTION 2.

The DuPage Housing Authority Board of Commissioners hereby adopt Article V. Section 16. Meetings Held Electronically, attached hereto as Exhibit "A", to permit DHA to hold Board Meetings via electronic means when so deemed as necessary subject to the IL Open Meetings Act, or the corresponding provision of any future act.

SECTION 3.

This Resolution shall be in full force and effect from and after its passage.

APPROVED this 20th day of May, 2021.

DUPAGE HOUSING AUTHORITY

Chairman

I, Kenneth Coles, as Secretary of the DuPage Housing Authority, do hereby certify the above is a true and accurate copy of the Resolution adopted by the DuPage Housing Authority Board of Commissioners on the 20th day of May, 2021.

ATTEST:

Kenneth Coles
Secretary

EXHIBIT A

DuPage Housing Authority Bylaws

Article V. Meetings

Section 16. Meetings Held Electronically.

Subject to the requirements of the *IL Open Meetings Act*, or the corresponding provision of any future act, (the "Act"), but notwithstanding any other provision of law, an open or closed meeting of the **BOC** subject to this Act may be conducted electronically, without the physical presence of a quorum of the Commissioners, so long as the following conditions are met:

1. The Governor or the Director of the Illinois Department of Public Health has issued a disaster declaration related to public health concerns because of a disaster as defined in Section 4 of the *Illinois Emergency Management Agency Act*, and all or part of the jurisdiction of the **Authority** is covered by the disaster area;
2. The Chairperson of the **BOC**, as defined in subsection (e) of Section 2 of the *Freedom of Information Act*, determines that an in-person meeting or a meeting conducted under this Act is not practical or prudent because of a disaster;
3. All Commissioners of the **BOC** participating in the meeting, wherever their physical location, shall be verified and can hear one another and can hear all discussion and testimony;
4. For open meetings, members of the public present at the regular meeting location of the **BOC** can hear all discussion and testimony and all votes of the Commissioners of the **BOC**, unless attendance at the regular meeting location is not feasible due to the disaster, including the issued disaster declaration, in which case the **BOC** must make alternative arrangements and provide notice pursuant to this Section of such alternative arrangements in a manner to allow any interested member of the public access to contemporaneously hear all discussion, testimony, and roll call votes, such as by offering a telephone number or a web-based link;
5. At least one Commissioner, chief legal counsel, or chief administrative officer is physically present at the regular meeting location, unless unfeasible due to the disaster, including the issued disaster declaration; and
6. All votes are conducted by roll call, so each Commissioner's vote on each issue can be identified and recorded.
7. Except in the event of a bona fide emergency, 48 hours' notice shall be given of a meeting to be held pursuant to this Section. Notice shall be given to all Commissioners, shall be posted on the website of the **Authority**, and shall also be provided to any news media who has requested notice of meetings pursuant

to subsection (a) of Section 2.02 of the Act. If the public body declares a bona fide emergency:

- a. Notice shall be given pursuant to subsection (a) of Section 2.02 of the Act, and the Chairperson shall state the nature of the emergency at the beginning of the meeting.
 - b. The **BOC** must comply with the verbatim recording requirements set forth in Section 2.06 of the Act.
8. Each Commissioner of the **BOC** participating in a meeting by audio or video conference for a meeting held pursuant to this Section is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.
 9. In addition to the requirements for open meetings under Section 2.06 of the Act, a verbatim record of all meetings in the form of an audio or video recording will be kept. Verbatim records made under this paragraph (9) shall be made available to the public under, and are otherwise subject to, the provisions of Section 2.06 of the Act.
 10. The **Authority** shall bear all costs associated with compliance with this Section.