



1685 West Higgins Road, Hoffman Estates, Illinois 60169

heparks.org t (847) 885-7500 f (847) 885-7523



The mission of the Hoffman Estates Park District is to offer healthy and enjoyable experiences to our residents and guests by providing first class parks, facilities, programs and services in an environmentally and fiscally responsible manner.

**AGENDA
EMERGENCY BOARD MEETING
WEDNESDAY, MARCH 18, 2020
7:00 PM**

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA
4. COMMENTS FROM THE AUDIENCE
5. DISCUSSION OF REMOTE ATTENDANCE FOR BOARD MEETINGS IN RESPONSE TO COVID-19 DISASTER
6. DISCUSSION OF PAYMENT FOR PART TIME STAFF IN RESPONSE TO COVID-19 DISASTER
7. DISCUSSION OF ADVANCEMENT OF ANNUAL I&I TIME FOR FULL TIME STAFF USAGE IN RESPONSE TO COVID-19 DISASTER
8. COMMISSIONER COMMENTS
9. ADJOURNMENT

All meetings are held in the boardroom of the Scott R. Triphahn Community Center & Ice Arena at 1685 W. Higgins Road in Hoffman Estates, unless otherwise specified. If an accommodation or modification is required to attend this public meeting please call 847-885-7500 with at least 48 hours' notice.

MEMORANDUM M20-045

TO: Hoffman Estates Park District Board of Commissioners
FROM: Craig Talsma, Executive Director
Eric Leninger, Superintendent of HR / Risk Management
RE: Remote Attendance at Meetings
DATE: March 18, 2020

Background:

Currently, physical presence is required at park board meetings, as noted in Policy section 4.1.11.

On 03/16/2020, Illinois Governor Pritzker passed Executive Order 2020-07 in response to the ongoing COVID-19 pandemic. (Executive Order 2020-07 is attached in its entirety). In order to promote the social distancing required in response to COVID-19, Section 6 of the order relieves local governments and public bodies of Open Meeting Act requirements relating to in-person attendance at public meetings. Specifically, the Order allows public bodies to conduct meetings electronically without having to comply with the physical quorum requirement or the conditions for participating electronically in a meeting.

Implications:

In order to hold public meetings that allow electronic participation, the District must amend its current policy by striking the following language in Section 4.1.11 – Quorum:

“A majority of the duly elected or appointed and qualified commissioners shall constitute a quorum of the transaction of business provided, however, that if no quorum is present, the commissioners attending may adjourn the meeting from time to time until a quorum is obtained. Four (4) members shall constitute a quorum. ~~Physical presence is required.~~”

In addition, the attached policy drafted by Ancel Glink must be adopted as section 4.1.25 – Electronic Attendance at meetings.

After approval of this policy, and in conjunction with the new Executive Order, Board members can now participate electronically by just providing advance notice to Craig Talsma, Board Secretary.

Staff Recommendation:

That the Board approve attached policy 4.1.25 – Electronic Attendance at meetings.



FILED
INDEX DEPARTMENT
MAR 16 2020
IN THE OFFICE OF
SECRETARY OF STATE

March 16, 2020

Executive Order 2020 – 07

EXECUTIVE ORDER IN RESPONSE TO COVID-19
(COVID-19 EXECUTIVE ORDER NO. 5)

WHEREAS, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged; and,

WHEREAS, COVID-19 is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and,

WHEREAS, certain populations are at higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic medical conditions such as heart disease, diabetes, or lung disease; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the Centers for Disease Control (CDC) indicate that it is expected to spread; and,

WHEREAS, in communities with confirmed COVID-19 cases, the CDC currently recommends mitigation measures, including practicing social distancing, staying at home when sick, staying home when a household member is sick with respiratory disease symptoms or when instructed to do so by public health officials or a health care provider, and keeping away from others who are sick; and,

WHEREAS, the CDC currently recommends the cancellation or postponement of in-person events that consist of 50 people or more; and,

WHEREAS, social distancing, which consists of maintain at least a six-foot distance between people, is the paramount strategy for minimizing the spread of COVID-19 in our communities; and,

WHEREAS, the Illinois Department of Public Health recommends Illinois residents avoid group dining in public settings, such as in bars and restaurants, which usually involves prolonged close social contact contrary to recommended practice for social distancing; and,

WHEREAS, frequently used surfaces in public settings, including bars and restaurants, if not cleaned and disinfected frequently and properly, also pose a risk of exposure; and,

WHEREAS, current testing availability has identified further spread of confirmed cases throughout the State of Illinois, and it is expected that increased testing capacity would demonstrate that COVID-19 is circulating in communities across Illinois that currently have not identified a confirmed case; and,

WHEREAS, the number of suspected COVID-19 cases in Illinois is increasing exponentially and across more locations in Illinois, indicating that drastic social distancing measures are needed, even in communities where confirmed cases have not yet been identified, to reduce the number of people who become sick at any given time and the possibility of exhausting our health care resources; and,

WHEREAS, the ongoing spread of COVID-19 and the danger the virus poses to the public's health and wellness require the reduction of on-premises consumption of food and beverages; and

WHEREAS, State agencies have been directed to temporarily reduce activities and workforce to core mission functions and essential operations, encouraging working remotely where possible; and,

WHEREAS, the Liquor Control Act of 1934, 235 ILCS 5, "shall be liberally construed, to the end that the health, safety, and welfare of the People of the State of Illinois shall be protected"; and,

WHEREAS, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 ("Gubernatorial Disaster Proclamation"); and,

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic; and,

WHEREAS, it is necessary and appropriate for the State of Illinois to immediately take measures to protect the public's health in response to this COVID-19 outbreak;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, and pursuant to Sections 7(1), 7(2), 7(3), and 7(8) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, I hereby order the following:

Section 1. Beginning March 16, 2020 at 9 p.m. through March 30, 2020, all businesses in the State of Illinois that offer food or beverages for on-premises consumption—including restaurants, bars, grocery stores, and food halls—must suspend service for and may not permit on-premises consumption. Such businesses are permitted and encouraged to serve food and beverages so that they may be consumed off-premises, as currently permitted by law, through means such as in-house delivery, third-party delivery, drive-through, and curbside pick-up. In addition, customers may enter the premises to purchase food or beverages for carry-out. However, establishments offering food or beverages for carry-out, including food trucks, must ensure that they have an environment where patrons maintain adequate social distancing. Businesses located in airports, hospitals, and dining halls in colleges and universities are exempt from the requirements of this Executive Order. Hotel restaurants may continue to provide room service and carry-out. Catering services may continue.

Section 2. Beginning March 18, 2020, all public and private gatherings in the State of Illinois of 50 people or more are prohibited for the duration of the Gubernatorial Disaster Proclamation. A public or private gathering includes community, civic, public leisure, faith-based events, sporting events with spectators, concerts, conventions, and any similar event or activity that brings together 50 or more people in a single room or a single space at the same time. This includes venues such as fitness centers/health clubs, bowling alleys, private clubs, and theatres. This does not include venues that provide essential goods or services such as grocery stores, hospitals, pharmacies, gas stations, banks/credit unions, and shelters. This order amends Section 1 of EO 2020-04, which prohibited gatherings of 1,000 people or more.

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Section 3. Pursuant to Sections 7(2) and 7(3) of the Illinois Emergency Management Act, the Illinois State Police, the Illinois Department of Public Health, the State Fire Marshal, and the Illinois Liquor Control Commission are directed to cooperate with one another and to use available resources to enforce the provisions of this Executive Order with respect to entities under their jurisdiction under Illinois law.

Section 4. Nothing in this Executive Order shall amend or supersede the authority of the Illinois Department of Public Health pursuant to Section 2310-15 of the Department of Public Health Powers and Duties Law, 20 ILCS 2310/2310-15.

Section 5. During the duration of the Gubernatorial Disaster Proclamation, the provision of the Unemployment Insurance Act, 820 ILCS 405/500(D), requiring a one-week waiting period for unemployment insurance claims is suspended for claimants who are unemployed and who are otherwise eligible for unemployment insurance benefits.

Section 6. 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. Public bodies are encouraged to postpone consideration of public business where possible. When a meeting is necessary, public bodies are encouraged to provide video, audio, and/or telephonic 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 their activities relating to COVID-19.



JB Pritzker, Governor

Issued by the Governor March 16, 2020
Filed by the Secretary of State March 16, 2020

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HOFFMAN ESTATES PARK DISTRICT

ELECTRONIC ATTENDANCE AT MEETINGS POLICY

I. **Background and Purpose.**

The Illinois Open Meetings Act, 5 ILCS 120/1 et seq. (the "Act"), requires that the actions of public bodies be taken openly and that their deliberations be conducted openly, except for certain limited circumstances that permit closed meetings. Section 7 of the Act provides that if a quorum of members of a public body are physically present, the public body may allow a member of the body to attend the meeting by a means other than physical presence subject to certain requirements and restrictions and to the extent allowed by rules adopted by the public body. See 5 ILCS 120/7. This Policy is intended to adopt certain rules and procedures for attendance at meetings by video or audio conference by members of the Board of Park Commissioners and members of the Park District's Subsidiary Bodies consistent with Section 7 of the Act.

II. **Definitions.**

"Electronic Attendance" shall mean the attendance at a meeting of a Public Body by a member of that Public Body who is not physically present at the meeting but attends by either video or audio conference.

"Public Body" shall mean the Board of Park Commissioners of the Hoffman Estates Park District and all other Subsidiary Bodies of the Park District.

"Subsidiary Body" shall mean all Park District boards, committees and task forces other than the Board of Park Commissioners.

III. **Member Qualifications for Electronic Attendance.**

A duly appointed member of the Public Body is qualified to attend a meeting of the Public Body electronically only if the member is physically prevented from attending the meeting by:

- (1) personal illness or disability;
- (2) employment purposes including the business of the Public Body; or
- (3) a family or other emergency.

IV. **Procedures for Authorizing Electronic Attendance.**

The following procedures are required before a member of the Public Body is authorized to attend electronically a meeting of that Public Body:

- A. **Notice to the Clerk.** The member must notify the District Secretary at least two hours prior to the meeting in which the member desires to attend electronically, unless advance notice is impractical. The notice shall provide the reason the member cannot be physically present at the meeting in accordance with Section III of this Policy. If the member is unable to give the required written notice prior to the meeting, the member shall notify the District Secretary by other means prior to the meeting.

- B. Determination of Authorization of Electronic Attendance. Upon receipt of notice in accordance with Subsection IV.A, the Clerk or recording Secretary shall promptly forward the notice to the presiding officer of the Public Body. After determining if a quorum of the Public Body is physically present at the meeting at which a member has requested to attend electronically, the presiding officer shall state that (i) a notice was received by a member of the Public Body in accordance with this Policy, and (ii) the member will be deemed authorized to attend the meeting electronically unless a motion objecting to the member's electronic attendance is made, seconded, and approved by a majority of the members of the Public Body physically present at the meeting. If no such motion is made and seconded or if any such motion fails to achieve the required vote by the members of the Public Body physically present at the meeting, then the request by the member to attend the meeting electronically shall be deemed approved by the Public Body and the presiding officer shall declare the requesting member present. After such declaration by the presiding officer, the question of a member's electronic attendance may not be reconsidered.

V. Special Rules for Meetings Involving Electronic Attendance.

A meeting of a Public Body at which any member has been authorized to attend electronically in accordance to Section IV of this Policy must be conducted in accordance with the following special rules, in addition to any other applicable rules and procedures of the Public Body:

- A. Roll Call and Quorum. A quorum of the Public Body must be physically present at the meeting. Following the call of the roll, and at the conclusion of the procedures set forth in Section IV.B of this Policy, the presiding officer shall identify each member who is attending the meeting electronically.
- B. Identification and Recognition of Electronic Attendees. Any member attending electronically must identify himself or herself each time the member wishes to speak and must be recognized by the presiding officer prior to addressing matters before the Public Body.
- C. Public Access to Meeting. The speech of a member attending electronically shall be amplified in such a manner that it shall be generally audible to members of the Public Body who are physically present at the meeting. Also, any video image of a member attending electronically shall be projected in such a manner that the member's video image shall be generally visible and audible to members of the Public Body who are physically present at the meeting. In addition, the votes of any member of the Public Body attending electronically shall be generally audible at the location where such meeting is being held and expressly acknowledged by the presiding officer. When a member attends a closed meeting electronically, the member's speech shall be generally audible to all members of the Public Body who are physically present at the meeting, and the audio recording of the meeting required by the Act shall incorporate the speech of the member electronically attending the closed meeting.
- D. Minutes. The minutes of each meeting of a Public Body shall identify which of the members of the Public Body were physically present and, if applicable, which members of the Public Body attended electronically. The minutes shall also reflect the reason for a member's attendance electronically (as described

in Section III of this Policy), the fact that there was no valid objection to such attendance pursuant to this Policy, and the electronic means by which the member attended the meeting.

VI. Effect of Electronic Attendance.

A member attending a meeting of a Public Body electronically shall be considered present at the meeting and entitled to vote on any matter before the Public Body as if the member were physically present at the meeting, provided that the member's attendance at the meeting electronically complies with the terms of this Policy.

Appendix A
Form of Notice

I, _____, am a member of the _____, a Public Body.

In accordance with Subsection IV.A of the District's "Electronic Attendance at Meetings Policy," I am submitting this notice evidencing my desire to electronically attend the _____, 20____, meeting of the Public Body. I am physically prevented from attending that meeting due to one or more of the following circumstances:

- ☐ Personal illness or disability.
- ☐ Employment purposes or the business of the public body.
- ☐ A family or other emergency.

Date: _____

Signature: _____

MEMORANDUM M20-044

TO: Board of Commissioners
FROM: Craig Talsma, Executive Director
Alisa Kapusinski, Director of Recreation
Nicole Hopkins, Director of Finance & Administration
Dustin Hugen, Director of Parks, Planning, & Maintenance
Brian Bechtold, Director of Golf & Facilities
RE: Payment for Part-time Staff in Response to COVID-19 Disaster
DATE: March 18, 2020

Background:

Based on guidance put out by the Centers for Disease Control and Prevention and the declaration of a national emergency, the District has closed all facilities effective Saturday, March 14 through Sunday, March 29 in response to the COVID-19 crisis. During this time, HEParks full-time staff is scheduled to work normal full-time schedules. Part-time staff schedules have been cancelled.

Implications:

Staff has done a tremendous amount of research in light of the crisis and working schedules and payments to employees. As you may know, numerous businesses are stepping up to do as much as possible for their employees at this time. There are many large companies such as Disney, Wynn Resorts, MGM Resorts International, Chicago Bulls, Chicago Blackhawks, etc., that have stepped forward stating they will pay part-time employees for a limited amount of time or for a specific duration; some have said through the end of the crisis. The District, though very financially stable, does not have the means to pay staff for an unlimited amount of time if not performing job duties.

We feel confident that we will have enough essential job functions for full-time staff to work through the next four weeks and beyond. The District is taking this opportunity to do certain long term projects, including verifying accuracy of memberships/households and databases, clean out physical storage units, and much more. Albeit very unfortunate, our closures allow our staff to have access to these physical areas or databases to properly verify all data or clean up without interruption.

Part-time staff, unless deemed an essential function (i.e. working an operation that is continuing, including maintenance or custodial, or planned to work an operation set to continue such as Golf) will not be working. The District has been in contact with dozens of other park districts within the suburban area and Executive Directors have been in communication on how to handle the payment of part-time staff during this time.

Most all park districts have closed facilities and operations for at least two weeks. As you are aware, such facilities, including our fitness center, have been closed due to the Executive Order which can last well beyond the two weeks. In speaking with the other park districts, many others

are employing all full-time staff indefinitely, and part-time staff, although not employed (except those deemed essential) are not receiving scheduled hours to work.

The majority of Park Districts, including Schaumburg, Palatine, Elk Grove, Buffalo Grove, Mount Prospect, Vernon Hills, Glenview, Waukegan, Winnetka, Downers Grove, Hannover Park and most likely Arlington Heights, are all paying part-time staff for a minimum of two weeks without working. The only district that we are aware of that is not planning to pay part-time staff is Rolling Meadows.

Staff has analyzed all part-time positions. Staff feels that next week, certain individuals will be able to come in for certain jobs allowing them to recoup the hours they would've otherwise lost

The part-time payroll for the preceding two week period of March is approximately \$125,000. Staff analyzed all part-time schedules required over the two week period of time and found we are able to reduce the current payroll schedule to \$80,000 (mainly due to Spring Break). After then limiting the total time an individual could work the amount was lowered to approximately \$65,000. After further analysis, certain part-time staff will be scheduled to work next week with appropriate social distancing to do specified required work (i.e. one preschool teacher in a room to disinfect toys). This will allow approximately \$6,000 of work to be done.

The remaining unearned payroll that would've normally been earned for the two week period of time is just under \$60,000 (including IMRF and payroll taxes). Staff feels it is in the best interest of our District to aid these employees during this time in order to maintain moral amongst our employees during this terrible time and to secure the return of our workforce once this crisis has subsided.

Staff Recommendation:

Staff recommends to the full Board to approve paying out the total amount of scheduled but unpaid PT payroll up to a maximum of twenty (20) hours per individual for the period March 15-March 29, in an amount not to exceed \$60,000.

MEMORANDUM M20-046

TO: Hoffman Estates Park District Board of Commissioners
FROM: Craig Talsma, Executive Director
Alisa Kapusinski, Director of Recreation
Nicole Hopkins, Director of Finance & Administration
Dustin Hugen, Director of Parks, Planning, & Maintenance
Brian Bechtold, Director of Golf & Facilities
RE: Allocation of Additional I&I Time
DATE: March 18, 2020

Background:

Currently full time employees of the park district receive 10 Illness & Injury (I&I) paid leave days for the calendar year. Unused I&I time is not paid out after the year though it can be rolled over to be used in future years. Under the current state of disaster in Illinois, whenever someone feels they have flu like symptoms, including runny nose, sore throat and fever, the individual is supposed to self-quarantine themselves for 14 days. One instance of this for an employee would wipe the annual allotment out entirely.

Implications:

The District wants to ensure that whenever an individual feels ill in any manner, that they do not report to work. Especially now more than ever it is important to have staff stay home if they feel ill. The concern for how long one may be considered sick with COVID-19 is unsettling to many staff, and the fear of having to stay home without pay due to an extended illness could prompt some individuals to try and work even when ill.

The District wants to minimize any chance of a sick employee coming to work, and to have the employee feel confident in their ability to utilize sick time. The District is allowing individuals to utilize I&I time for any reasonable accommodation associated with the COVID-19 crisis.

In order to maintain a positive work environment, and to enable staff to better manage the COVID-19 virus, staff is requesting that all full-time staff be given five additional I&I days to be utilized immediately.

Staff Recommendation:

Staff recommends that the Board authorize the issuance of five additional I&I days to be immediately available for each full-time staff member.