THE CITY OF CRYSTAL LAKE

TEMPORARY RULES CONCERNING PUBLIC COMMENT, PARTICIPATION, AND SOCIAL DISTANCING AT CITY PUBLIC MEETINGS

On March 9, 2020, the Illinois Governor issued a statewide disaster declaration in response to the outbreak of Coronavirus Disease 2019 (COVID-19). Efforts are ongoing statewide and in the City of Crystal Lake to slow and stop the spread of COVID-19 and protect public health and safety. Such efforts include, among other things, requires six-foot social distancing between individuals. In furtherance of these efforts, the City has established these temporary rules concerning public comment and participation at City public meetings ("***Temporary Rules***"). The Temporary Rules are intended to ensure the continuation of essential City business and functions, including the right of members of the public to attend public meetings and address City public bodies and officials, while complying with directives of the Governor and State and local health officials to mitigate the COVID-19 outbreak.

These Temporary Rules shall apply to all public bodies of the City ("***Public Bodies***") during the term of the statewide disaster declaration relating to the COVID-19 outbreak (including any renewal or extension of the March 9, 2020 disaster declaration) or any similar regional or local emergency or disaster declaration relating to COVID-19 that affects the City of Crystal Lake. However, if a Public Body adopts a more specific temporary protocol or procedure relating to the COVID-19 outbreak, then the more specific protocol or procedure shall govern and control.

A. <u>Temporary Rules for Attendance at Meetings of Public Bodies</u>:

1. <u>Attendance by Members of the Public Body</u>. Members of the Public Body conducting the meeting are expected to attend via a digital audio platform or conference call number through which they will be able to hear and be heard among the other members of the Public Body and members of the public who are authorized to address the Public Body in accordance with these Temporary Rules. Notwithstanding the foregoing sentence, members of the Public Body (but not necessarily a majority of the Public Body) may be gathered at the City Hall as may be more fully described on the agenda for any such meeting.

2. <u>Attendance by Members of the Public</u>. Members of the public desiring to attend, participate in, or otherwise observe a public meeting of a Public Body may occur as follows:

   a. <u>Attendance at City Hall</u>. Members of the public may attend the meeting of a Public Body in person at the City Hall in accordance with Section A.3 of these Temporary Rules.

   b. <u>Attendance Via Electronic Audio Platform</u>. Members of the public may also attend any virtual meeting remotely by electronic means. The agenda for each virtual meeting will specify the electronic media or conference call number that will be used to conduct the meeting and inform the public of the web address and/or conference call number to be used for remote attendance. Such electronic attendance will be limited to audio participation unless otherwise provided in the agenda for the meeting.

   c. <u>Live Broadcast</u>. Meetings of the City Council typically may be observed via live streaming. The channels on which such live streaming may be seen will be identified on the City Council agenda.

Meetings of other Public Bodies may also be available via live broadcast as set forth in the agenda for the meeting.

Members of the public wishing to participate in the meeting of a Public Body will be subject to the terms set forth in Part B (relating to public comment) and Part C (relating to public hearings) of these Temporary Rules.

3. Social Distancing Requirements for In-Person Attendance:

a. All members of the public who physically attend or participate in any public meeting while these Temporary Rules are in effect shall be required to comply with the rules for social distancing set forth in this Section A.3.

b. Consistent with the Governor's Executive Order 2020-10, the number of people permitted to gather in a single room during a meeting of any Public Body will be limited to promote effective social distancing measures. Members of the Public Body and/or City staff may attend the meeting by teleconference or other remote means to limit the number of physical attendees and further promote social distancing. Members of the public will be permitted to physically attend the meeting, but if the maximum capacity (inclusive of the Members of the Public Body and City staff) is reached in the primary meeting room as determined by the dictates of effective social distancing practices, then additional attendees will be directed into one or more overflow rooms where they will be able to observe the meeting by live audio feed. The number of persons who may occupy an overflow room will similarly be limited in accordance with effective social distancing measures.

c. Individuals attending the meeting, either in the primary meeting room or in any overflow room, shall be required to maintain at least six feet of physical separation from other attendees.

d. **THERE WILL ONLY BE LIMITED SPACE AVAILABLE AT CITY HALL, SO PERSONS WHO ARE ABLE TO ATTEND VIA THE ELECTRONIC PLATFORM MADE AVAILABLE FOR A PUBLIC MEETING ARE ENCOURAGED TO DO SO.** In the event that available facilities cannot accommodate all individuals desiring to attend a meeting personally in conformity with the standards set forth in Section A.3 of these Temporary Rules, the Public Body may limit physical attendance at such meeting. The Public Body will make reasonable efforts to permit electronic attendance at a meeting via a web address or conference call number.

e. A Public Body may determine that, in order to promote social distancing, it is necessary or desirable to limit access to a public meeting only to electronic attendance. In such cases, the meeting agenda will inform the public of the web address or conference call number to be used for such electronic attendance.

B. Temporary Rules for Participation at Meetings of Public Bodies:

1. Rules for Oral Public Comment:

a. In General. Unless otherwise allowed by the Mayor of the City Council or the chairperson of any other Public Body of the City (the "***Presiding Officer***"), the time available for public comments at a meeting shall be limited to five (5) minutes in duration. The Presiding Officer, in his or her discretion and in accordance with the City's general rules for public comment, may: (i) designate additional time for general public comments; and/or (ii) allow additional time for public comments regarding the subject matter of a specific agenda item during the consideration of that agenda item. Public comments shall be issue oriented. Interrogation of the members of the Public Body or City staff will not be allowed at this time, and response or comment from the members of the Public Body will ordinarily not be provided. Personal invectives against any person (including members of the Public Body or City staff) are not permitted.

b. Persons Physically Attending a Public Meeting. For persons who physically attend a public meeting, members of the public will be able to address and interact with members of the Public Body in accordance with these Temporary Rules, including any members of the Public Body who are attending remotely by electronic or telephonic means.

    1. One or more podiums with microphone stands will be provided for that purpose. Commenters must approach the podium individually and only when they are recognized by the Presiding Officer. Members of the public shall not be permitted to congregate or line up at or near the podium. Commenters must refrain from physically touching the podium, microphone, or microphone stand.

    2. To the extent that one or more overflow rooms are utilized for a public meeting, the City will endeavor to make facilities available for public comment in the overflow room(s). To the extent that such facilities cannot be provided, the Presiding Officer may make such accommodations as may be appropriate and convenient to allow public comment from persons in such overflow room(s) consistent with the time limitations In Section B.1.a and the social distancing standards in Section A.3 of these Temporary Rules. Notwithstanding the foregoing, to the extent that the Presiding Officer determines that time allotted for public comment will be exhausted by those in the primary meeting room, the City may dispense with the need for facilities to accommodate public comment in any overflow meeting room.

c. Electronic Attendees. The Public Body may permit oral public comments from individuals who are attending a meeting electronically. No person may address the Public Body electronically unless expressly recognized by the Presiding Officer. The Public Body may mute members of the public attending a meeting electronically. Additionally, in order to minimize distractions or interruptions in a meeting, the Presiding Officer may, in his or her discretion, disable "chat" or similar functions that may be available on an electronic participation platform.

d. Continuation of General Rules. Except as modified by these Temporary Rules, the City's general rules concerning public

participation and comment shall continue to apply during all meetings of Public Bodies.

e. Exception. Notwithstanding the foregoing provisions of this Section B.1, where logistical or other technical limitations make oral public comments unreasonably difficult to provide, the Public Body may elect to limit public comment to written public comments. In such case, the agenda for the meeting shall expressly notify the public of the limited means for public comment and provide the specific opportunities and requirements for written public comment.

2. Rules for Oral Comment at Public Hearing

a. Notwithstanding the limitations in Section B.1, when a Public Body conducts a formal public hearing, the Presiding Officer shall allow oral public comment from any member of the public who wishes to be heard during the public hearing, provided that the comments are pertinent to the subject of the hearing.

b. During a public hearing, members of the public may speak only when expressly recognized by the Presiding Officer. The Presiding Officer shall direct the manner in which participants may indicated their desire to speak. For persons attending electronically, use of a virtual sign-up sheet, “raise hand” feature on an electronic meeting platform, or other reasonable means in light of the technology may be used to facilitate remote public participation

c. Where applicable, any person who wishes to appear at a public hearing as an “interested party” with the right to cross-examine others must timely file an appearance form in the manner set forth on the agenda for the public hearing.

C. Modification of Temporary Rules; Enforcement

1. Modifications. A Public Body may modify or supplement these Temporary Rules by setting forth additional procedural rules on the meeting agenda. In the event of a conflict between these Temporary Rules and procedural rules set forth on a meeting agenda, the Presiding Officer shall have the discretion to determine the procedures to follow that will effect the most orderly approach for conducting the meeting while affording the public an opportunity to observe and (to the extent authorized) comment about matters relating to such meeting.

2. Enforcement. Any person violating these Temporary Rules may be evicted from the premises of the meeting (or barred from electronic attendance) at the order of the Presiding Officer.