

Policy on Meetings via Remote Attendance

WHEREAS, the Procurement Policy and Compliance Monitoring Board (“the Board”) of the Office of the Illinois Attorney General believes it is in the best interest of its members, the Board, and interested stakeholders that the fullest participation and attendance in all meetings be achieved whenever feasible; and

WHEREAS, the use of telephone or electronic conferencing for meeting attendance and voting requirements, at least in some governmental meetings, is permissible so long as the meeting is conducted in accordance with the Open Meetings Act (“the Act”), 5 ILCS 120, *et seq.*; and

WHEREAS, the Act has been amended to allow public bodies that do not have authority to make binding recommendations or determinations, such as the Board, to permit members to attend meetings by other means than physical presence so long as they adopt specific procedural rules therefore; and

WHEREAS, the Board in any regular, special, or emergency meeting intends to comply with the provisions of the Act.

NOW, THEREFORE, BE IT RESOLVED, that the Board, having considered the aforesaid matters hereby adopts this policy, to be used when needed, to utilize the capabilities for conferencing by telephonic, electronic, or any other type of conferencing means (“remote attendance”) for its meetings, and to adopt, establish, and set forth these Rules of the Board:

1. The Board and its members must comply with all pertinent provisions of the Act, including the proper notice of any regular or special meeting, the proper recordkeeping of each meeting, and the appropriate agenda preparation for each meeting. The use of closed sessions, if necessary, must comply with the Act.
2. The Board will employ sufficient security and identification procedures, either at the outset of any meeting or at any time during the meeting, as appropriate, to ensure that any member attending for discussion and voting purposes are in fact authorized members of the Board, with the right to speak and vote at a meeting.
3. The requirement of Section 7(a) of the Act that a quorum of Board members must be physically present at the location of the meeting shall not apply because the Board does not have the statutory authority to make binding recommendations or determinations. See 5 ILCS 120/7(d). The Board members may attend a meeting remotely for the purposes of satisfying the need for a quorum of members and voting.
4. All Board members attending meetings remotely are entitled to vote as if they were personally and physically present at the site, provided a quorum is, in total, in attendance of the meeting. Members who are not physically present will have their votes reflected as having occurred via remote attendance.

5. A member who attends a meeting remotely must provide notice to the designated administrative assistant to the Board, or to a secondary designee if the administrative assistant to the Board is not available, at least 24 hours prior to the meeting, unless such advanced notice is impracticable.
6. A member may attend a meeting remotely if, in the opinion of the member, her or his physical presence at the meeting is unworkable or inconvenient for any reason, including scheduling conflicts, length of necessary travel time, high cost of travel, or need to attend to personal matters.
7. As soon as it becomes apparent to the designated administrative assistant to the Board, or to a secondary designee if the administrative assistant to the Board is not available, that one or more members will attend a meeting remotely, all subsequent notices of that meeting will indicate that one or more members will or may be attending remotely. In the event that the notice of the meeting has been disseminated and posted in accordance with the Act, a subsequent notice indicating the above shall be substituted as soon as possible.
8. The minutes for any meeting at which a member attended remotely will identify whether attending members were physically present or attended remotely. The minutes will also include any other content required by the Act.
9. All meetings will be held at locations that are equipped with a suitable transmission system to ensure that the public audience, the members in attendance, and any other interested party will be able to hear any input, vote, or discussion of the meeting and that any member attending remotely shall have a similar capability to hear and participate in such input, vote, or discussion.
10. Prior to discussing a new matter of business, the designated administrative assistant to the Board, or a secondary designee if the administrative assistant to the Board is not available, will confirm with each member attending remotely that the telephonic or electronic connection is active and not muted.
11. When a motion is made, and seconded, and discussion regarding a motion begins, the designated administrative assistant to the Board, or a secondary designee if the administrative assistant to the Board is not available, will confirm with each member attending remotely that the telephonic or electronic connection is active and not muted. Prior to closing discussion and voting on any motion, the designated administrative assistant to the Board, or a secondary designee if the administrative assistant to the Board is not available, will ask that any member attending by telephone, electronic conference, or other electronic means whether she or he has any additional comments, questions, or information to be added to the discussion. Such contributions will be recorded in the minutes as if the member(s) were physically present at the meeting location.
12. The Rules set forth above apply to all Board meetings.

Adopted:

Approved: April 20, 2022