



Wheaton Park District

PUBLIC NOTICE

**Wheaton Park District Board of Commissioners
SPECIAL MEETING
Wednesday June 7, 2023, 5:00 p.m.
DuPage County Historical Museum
102 E. Wesley Street, Wheaton, IL 60187**

Public Notice Date June 2, 2023

Public notice is hereby given that the Board of Park Commissioners of the Wheaton Park District, DuPage County, Illinois (the "Park Board") will hold a Special Meeting at 5:00 pm on Wednesday June 7, 2023, at the DuPage County Historical Museum 102 E. Wesley Street, Wheaton, IL 60187

**Please contact Michael J. Benard, Board Secretary, for further information.
mbenard@wheatonparks.org**

Michael J. Benard
Secretary

The Agenda for the June 7, 2023, Special Meeting is as Follows:

NEW BUSINESS

- 1. Resolution 2023-04 – Forming a Committee on Local Government Efficiency**

CLOSED SESSION

- a. Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees, 5ILCS 120/2 (c)(1)
- b. Purchase or Lease of Real Property, 5ILCS 120/2 (c)(5)
- c. Setting of Price for Sale or Lease of Property Owned by the Public Body, 5ILCS 120/2 (c) (6)
- d. Pending, Probable or Imminent Litigation, 5ILCS 120/2 (c)(11)
- e. Discussion of Minutes of Meetings Lawfully Closed Under this Act, Whether for Purposes of Approval by the Body of the Minutes or Semi-Annual Review of the Minutes, 5 ILCS 120/2(c)(21)

ADJOURN

Persons with disabilities requiring reasonable accommodation to participate in this meeting should contact the park district's ADA Compliance Officer, Michael Benard, at the park district's Administrative Office, 102 E. Wesley Street, Wheaton, IL Monday through Friday from 8:30 am until 4:30 pm at least 48 hours prior to the meeting. Requests for a qualified ASL interpreter require five (5) working days advance notice. Telephone number 630.945-7726; fax number 630.665.5880; email dsiciliano@wheatonparks.org

RESOLUTION NO. 2023-04

A RESOLUTION FORMING A COMMITTEE ON LOCAL GOVERNMENT EFFICIENCY

WHEATON PARK DISTRICT, DUPAGE COUNTY, ILLINOIS

WHEREAS, the Wheaton Park District (“Park District”) is required to form a Committee on Local Government Efficiency (“Efficiency Committee”) pursuant to 50 ILCS 70/1 *et seq.* (the Act); and

WHEREAS, pursuant to the Act, the Efficiency Committee shall: (1) study the Park District’s governing statutes, ordinances, rules, procedures, powers, jurisdiction, shared services, intergovernmental agreements, and interrelationships with other governmental units and the State of Illinois, (2) collect data, research, and analysis as necessary to prepare a written report that includes recommendations with respect to increased accountability and efficiency, and (3) provide a written report to the administrative office of each county board of the county in which the governmental unit is located; and

WHEREAS, the Efficiency Committee shall consist of the elected or appointed members of the Board of Commissioners of the Park District, at least two residents from the district appointed by the President of the Board of Commissioners and approved by the Board of Commissioners, and the chief executive officer or other officer of the Park District, if any; and

WHEREAS, The President desires to appoint MATTHEW Szafranski and Marty Keller as the two resident members of the Efficiency Committee, with the advice and consent of the Board of Commissioners; and

WHEREAS, the Efficiency Committee shall meet at least three times and shall operate as a public body pursuant to the Open Meetings Act and Freedom of Information Act; and

WHEREAS, the Efficiency Committee shall provide a written report to the administrative office of the DuPage County Board no later than eighteen months after the day of the Efficiency Committee’s formation; and

WHEREAS, the Efficiency Committee will be dissolved after it has made a written report to the DuPage County Board and all other statutory requirements have been satisfied;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE WHEATON PARK DISTRICT, DUPAGE COUNTY, ILLINOIS as follows:

SECTION 1: That the Board of Commissioners hereby forms its Committee on Local Government Efficiency consisting of the following individuals:

- John Kelly, President
- John Vires, Vice President
- Bob Frey, Commissioner
- Terry Mee, Commissioner
- Ray Morrill, Commissioner
- Linda Pecharich, Commissioner
- William Barrett, Commissioner
- Matthew Szafranski, Resident Member
- Marty Keller, Resident Member
- Michael Benard, Executive Director

SECTION 2: That John Kelly shall serve as the chairperson of the Efficiency Committee; and

SECTION 3: That the Park District's Board Secretary, Open Meetings Act Officer, and Freedom of Information Act Officer shall serve the Efficiency Committee in those respective roles; and

SECTION 4: That the Efficiency Committee shall perform its duties in accordance with 50 ILCS 70/1 *et seq.*; and

SECTION 5: That the Board of Commissioners shall provide a written report to the DuPage County Board no later than December 6, 2024, which is eighteen months after the day of the Efficiency Committee's formation.

DATED this 7th Day of June 2023.

[SEAL]

WHEATON PARK DISTRICT

By: _____
Board President

ATTEST:

Board Secretary

Overview

The Decennial Committees on Local Government Efficiency Act, 50 ILCS 70/1, *et seq.*, requires units of local government that levy any tax, including park districts, forest preserve districts, and conservation districts, to form a committee to study local government efficiencies and issue a report to the county board in which the unit of local government is situated. The Act does not apply to municipalities and counties.

IAPD worked with state legislators and other stakeholders to relieve the most costly and burdensome provisions of this legislation before it became law. Although still an unfunded mandate, the law gives park districts, forest preserve districts, and conservation districts the ability to appoint the committee membership and provides an opportunity for these agencies to demonstrate the countless ways in which they efficiently and effectively deliver park, recreation, and conservation programs, facilities, and services to their residents.

As one resource to our members, IAPD has prepared this fact sheet to assist in meeting the requirements of this new law.

Committee Formation

Units of local government are required to form a committee no later than June 10, 2023, which is one year after the effective date of the Act, and at least once every ten years thereafter.

Committee Composition

Each committee must include:

- The elected or appointed members of the governing board of the governmental unit;
- At least two residents of the governmental unit appointed by the board president and approved by the board; and,
- The chief executive officer or other officer of the governmental unit, if any.

The board president or their designee shall chair the committee. The chair may appoint additional members to the committee as they believe appropriate. Committee members serve without compensation but may be reimbursed for incurred expenses with the approval of the governmental unit.

The committee may, but is not required to, employ or use the services of specialists in public administration and governmental management, and any other trained consultants, analysts, investigators, and assistants it considers appropriate.

The committee is considered a public body to which the Freedom of Information Act and the Open Meetings Act applies.

Duties of the Committee

The duties of each committee include, but are not limited to, the following activities:

- Study the governmental unit's governing statutes, ordinances, rules, procedures, powers, jurisdiction, shared services, intergovernmental agreements, and interrelationships with other governmental units and the State of Illinois.
- Collect data, research, and analysis as necessary to prepare a written report that includes recommendations with respect to increased accountability and efficiency.
- Provide a written report to the administrative office of the county board in each county in which the governmental unit is located no later than eighteen months after the formation of the committee.

Committee Meetings

The committee is required to meet at least three times. The committee may, but is not required, to meet during the regularly scheduled meeting of the governmental units if:

1. Separate notice is given in conformance with the Open Meetings Act;
2. The committee meeting is listed as part of the board of the governmental unit's agenda; and,
3. At least a majority of the members of the committee are present at the committee's meeting.

However, because the committee's membership is not identical to the park board membership, the park board would want to adjourn or recess its regular meeting before convening a meeting of the committee if it chooses to meet on the same day as a regularly scheduled meeting.

Each meeting of the committee must be public and held in accordance with the Open Meetings Act. The committee must provide an opportunity for any person to be heard at each meeting for at least three minutes. At the conclusion of each meeting, the committee must conduct a survey of residents who attended the meeting and ask for input on matters discussed at the meeting. Although not the required method, a survey conducted by email to all residents who attended the meeting and provided a valid email address is one way to satisfy this survey requirement. Pursuant to the Open Meetings Act, all public bodies must keep written minutes for each meeting of the committee.

Committee Report

Each committee must provide its report to the administrative office of the county board in each county in which the governmental unit is located no later than eighteen months after the formation of the committee. If a governmental unit is located in multiple counties, it should provide the report to the administrative office of each county board in all counties in which the governmental unit is located. If the committee is formed on the last possible date (June 10, 2023), then the report would need to be provided no later than December 10, 2024. After the report is issued, the committee is dissolved until it is reestablished with newly appointed members in 10 years.

IAPD requests that member agencies provide a copy of the final report to IAPD so that we can utilize this information in future advocacy efforts.

Questions of Concerns

As always, for more information, please feel welcome to contact IAPD by phone at (217) 523-4554, or by email at janselment@ilparks.org or mremmert@ilparks.org.



Frequently Asked Questions (FAQs)

Decennial Committees on Local Government Efficiency Act

Background

The Decennial Committees on Local Government Efficiency Act, 50 ILCS 70/1, *et seq.*, requires units of local government that levy any tax to form a committee to study local government efficiencies and provide a report to the county board in which the unit of local government is located.

The Illinois Association of Park Districts (IAPD) worked with state legislators and other stakeholders to relieve the most costly and burdensome provisions of this legislation before it became law. Although still an unfunded mandate, the law gives park districts, forest preserve districts, and conservation districts the ability to appoint the committee membership and provides an opportunity for these agencies to demonstrate the countless ways in which they efficiently and effectively deliver park, recreation, and conservation programs, facilities, and services to their residents.

As one resource to our members, IAPD has developed these FAQs to assist in meeting the requirements of this new law.

Q: Who must form an efficiency committee?

A: The Decennial Committees on Local Government Efficiency Act requires units of local government that levy any tax, including park districts, forest preserve districts, and conservation districts, to form a committee to study local efficiencies. Municipalities and counties are exempt from the Act.

Q: When do I have to form a committee?

A: Units of local government must form a committee within one year after the effective date. Because the Act took effect on June 10, 2022, each governmental unit must form its committee no later than June 10, 2023.

Q: Who serves on the committee?

A: Each committee must include: (1) the elected or appointed members of the governing board of the governmental unit, (2) at least two residents of the governmental unit appointed by the board president and approved by the board, and (3) the chief executive officer or other officer of the governmental unit. The chairperson may also appoint additional members to the committee as he or she believes appropriate. Committee members serve without compensation but may be reimbursed for incurred expenses with the approval of the governmental unit.

Q: Who chairs the committee?

A: The committee will be chaired by the board president or their designee.

Q: What are the duties of the committee?

A: Each committee must: (1) study the governmental unit's governing statutes, ordinances, rules, procedures, powers, jurisdiction, shared services, intergovernmental agreements, and interrelationships with other governmental units and the State of Illinois, (2) collect data, research, and analysis as necessary to prepare a written report that includes recommendations with respect to increased accountability and efficiency, and (3) provide a written report to the administrative office of the county board of each county in which the governmental unit is located.

Q: What is the deadline for completing the report?

A: Each committee must provide a report to the administrative office of the county board of each county in which the governmental unit is located no later than eighteen months after the formation of the committee. If a committee is formed on the last possible date (June 10, 2023), then the report would need to be provided to the county board no later than December 10, 2024.

Q: What other State laws apply to the committee?

A: Each committee is considered a public body to which provisions of the Freedom of Information Act and the Open Meetings Act apply.

Q: How often must the committee meet?

A: The committee is required to meet at least three times. The committee may, but is not required, to meet during the regularly scheduled meeting of the governmental unit if the following conditions are met: (1) separate notice is given in conformance with the Open Meetings Act, (2) the committee meeting is listed as part of the board of the governmental unit's regular meeting agenda, and (3) at least a majority of the members of the committee are present at the committee's meeting.

However, because the committee's membership is not identical to the park board membership, the park board would want to adjourn or recess its regular meeting before convening a meeting of the committee if it chooses to meet on the same day as a regularly scheduled meeting.

Q: What are the requirements for each meeting of the committee?

A: Each meeting of the committee must be public and held in accordance with the Open Meetings Act. The committee must provide an opportunity for any person to be heard at each meeting for at least three minutes. At the conclusion of each meeting, the committee must conduct a survey of residents who attended the meeting and ask for input on matters discussed at the meeting. Although not a required method, a survey conducted by email to all residents who attended the meeting and provided a valid email address is one way to satisfy this survey requirement. Pursuant to the Open Meetings Act, all public bodies must keep written minutes of the meeting.

Q: What resources can IAPD provide to assist with the Act?

A: IAPD has prepared these FAQs to assist in meeting the requirements of this new Act, a fact sheet to provide an overview of the Act, a model resolution to create the committee, and a sample reporting form for agencies to use in complying with the Act. As always, for more information, please feel welcome to contact IAPD by phone at (217) 523-4554, or by email at janselment@ilparks.org or mremmert@ilparks.org.

The committee may, but is not required to, employ or use the services of specialists in public administration and governmental management, and any other trained consultants, analysts, investigators, and assistants it considers appropriate.

Q: What happens once the report is submitted?

A: After the report is provided to the administrative office of the county board of each county in which the governmental unit is located, the committee will be dissolved until it is reestablished with newly appointed members in 10 years.

IAPD requests that member agencies provide a copy of their final report to IAPD so that we can utilize this information in future advocacy efforts.



Jason Anselment
General Counsel

Upcoming Efficiency Report Presents a Unique Opportunity

During the past decade, IAPD has spent countless hours on the issue of local government consolidation. In addition to serving on the 2012-13 Local Government Consolidation Commission, attending every meeting of the 2015 Task Force on Local Government Consolidation and Unfunded Mandates, and closely monitoring and attending hearings on local government consolidation that were a focus of the General Assembly's 2019 Property Tax Task Force, we have also been actively engaged in a variety of legislative proposals on this important issue.

In recent years, a primary legislative threat has been the continued reintroduction of the so-called Citizens' Empowerment Act, which would allow just 5% of voters to initiate a referendum to dissolve any unit of local government and transfer all its property and other assets to another unit of government. IAPD was one of the only organizations to consistently oppose these bills and to testify against them on multiple occasions in committee hearings because we recognize the dangerous, long-term implications they could have for Illinois communities. Contrary to the title, the legislation provides no protections for citizens when it comes to their long-term investments in facilities, programs, and services and would instead place public assets and services at risk without providing citizens with any safeguards to protect those assets. Moreover, the claimed savings are purely hypothetical, as nothing in the legislation requires or guarantees savings to taxpayers; in fact, such initiatives could end up costing taxpayers more in the long run.

During the current 102nd General Assembly, we worked behind the scenes on another legislative proposal that was initially introduced as a local government consolidation bill. Originally proposed in 2021 as the Decennial Committees on Local Government Consolidation Act, HB 162 (Keicher, J. / Morrison, J.) was primarily focused on local government consolidation as its original title suggests. The bill required local governments to create committees to make recommendations on consolidation, allowed counties to appoint committee members, and imposed many burdens and other costs on local governments, including a mandatory public survey of at least 10% of residents to inquire about consolidation. Last year, IAPD worked with state legislators and another stakeholder organization to make several important changes to alleviate the most concerning portions

of the bill, shift the focus from consolidation to efficiency, and eliminate costly provisions such as the mandatory community survey. That bill passed the House but not the Senate in 2021, but it was then refiled this year by the Senate sponsor with our negotiated language.

Now known as the Decennial Committees on Local Government Efficiency Act, SB 3789 / Public Act 102-1088 (Morrison, J. / Carroll, J.) was passed by both chambers during the Spring Session with near unanimous approval and was signed into law this past June. As its new name suggests, the bill is now more appropriately focused on local government efficiency rather than consolidation. Although still an unfunded mandate, this law gives park districts, forest preserve districts, and conservation districts the ability to appoint the committee membership and provides an opportunity for these agencies to demonstrate the countless ways in which they efficiently and effectively deliver park, recreation, and conservation programs, facilities, and services to their residents.

To assist member agencies, IAPD has been working with members of the Joint Legislative Committee during the past several months to develop resources that member park districts, forest preserve districts, and conservation districts can use to formulate their reports.

The first of those resources is a list of frequently asked questions and answers about the new law.

Q: Who must form an Efficiency Committee?

A: Public Act 102-1088, also known as the Decennial Committees on Local Government Efficiency Act, requires units of local government that levy any tax, including park districts, forest preserve districts, and conservation districts, to form a committee to study local efficiencies. Municipalities and counties are exempt from the Act.

Q: When do we have to form a committee?

A: Units of local government must form a committee within one year after the Act's effective date. Because the Act took effect on June 10, 2022, each governmental unit must form its committee no later than June 10, 2023, and at least once every ten years thereafter.

Q: Who serves on the committee?

A: Each committee must include: (1) the elected or appointed members of the governing board of the governmental unit, (2) at least two residents of the governmental unit appointed by the board president and approved by the board, and (3) the chief executive officer or other officer of the governmental unit. The chairperson may also appoint additional members to the committee as he or she believes appropriate.

Committee members serve without compensation but may be reimbursed for incurred expenses with the approval of the governmental unit.

Q: Who chairs the committee?

A: The committee will be chaired by the board president or their designee.

Q: What are the duties of the committee?

A: Each committee must: (1) study the governmental unit's governing statutes, ordinances, rules, procedures, powers, jurisdiction, shared services, intergovernmental agreements, and interrelationships with other governmental units and the State of Illinois, (2) collect data, research, and analysis as necessary to prepare a written report that includes recommendations with respect to increased accountability and efficiency, and (3) provide a written report to the county board in which the governmental unit is located.

Q: What is the deadline for completing the report?

A: Each committee must provide a report to the county board in which the governmental unit is located no later than eighteen months after the formation of the committee. If a committee is formed on the last possible date (June 10, 2023), then the report would need to be provided to the county board no later than December 10, 2024.

Q: What other State laws apply to the committee?

A: Each committee is considered a public body to which provisions of the Freedom of Information Act and the Open Meetings Act (OMA) apply.

Q: How often must the committee meet?

A: The committee is required to meet at least three times. The committee may, but is not required to, meet during the regularly scheduled meeting of the governmental unit if the following conditions are met: (1) separate notice is given in conformance with the OMA, (2) the committee meeting is listed as part of the board of the governmental unit's regular meeting agenda, and (3) at least a majority of the members of the committee are present at the committee's meeting. However, because the committee's membership is not identical to the park board membership, the park board would want to adjourn or recess its regular meeting before convening a meeting of the committee.

Q: What are the requirements for each meeting of the committee?

A: Each meeting of the committee must be public and held in accordance with the OMA. The committee must provide an opportunity for any person to be heard at each meeting

for at least three minutes. At the conclusion of each meeting, the committee must conduct a survey of residents who attended the meeting and ask for input on matters discussed at the meeting. Pursuant to the OMA, all public bodies must keep written minutes of the meeting.

Q: What resources will IAPD provide to assist with the Act?

A: In addition to these FAQs and a corresponding fact sheet, IAPD is also preparing tools such as a model resolution to form the committee and a comprehensive template that agencies may use as they prepare their report.

Although each agency will need to adapt the IAPD template to incorporate its own specific details, we will provide model language to complete some sections such as a General Overview of Governing Statutes, Ordinances, Rules, Procedures, Powers, and Jurisdiction. Even where specific examples may vary depending on a district, the template will provide lists of examples an agency may wish to include.

For example, to demonstrate its best practices we will provide a list of examples of policies, manuals, plans, and reports that an agency may want to cite. To demonstrate efficiency of operations, the template will offer descriptive language and also identify items such as intergovernmental agreements and other partnerships that illustrate how your agency avoids duplication of services and saves taxpayer dollars. A separate section on transparency will provide similar examples. The template even offers recommendations for increased accountability and efficiency that you may consider as your agency prepares its report.

As always, IAPD will also be available to answer questions from the membership.

Finally, the new law permits, but does not require, a committee to employ or use the services of specialists in public administration and governmental management and any other trained consultants, analysts, investigators, and assistants it considers appropriate.

Q: What happens once the report is provided to the county?

A: After the report is provided, the committee is dissolved until it is reestablished with newly appointed members in 10 years.

This new requirement offers park districts, forest preserve districts, and conservation districts a unique opportunity to demonstrate that their agency operates more efficiently and effectively than any other unit of government within the community. IAPD will provide resources that will not only help your agency satisfy its statutory obligations, but also help document the numerous reasons why your agency is the absolute best form of local government to deliver your services to the community. Ultimately, your report may provide a solid response to any future shortsighted proposal that suggests another form of local government could provide the same services at a lower cost.