



# Boards and Commissions Chairperson Training

February 26, 2024

# Agenda

- Welcome
- Board and Commission Updates & Guide
- Board and Commission Member Responsibility
  - Ethics, Code of Conduct, OMA, FOIA, Gift Ban
- Your role as Chairperson
  - Rules and Procedures
  - Public Participation
- Questions and Discussion

# Overview and Welcome

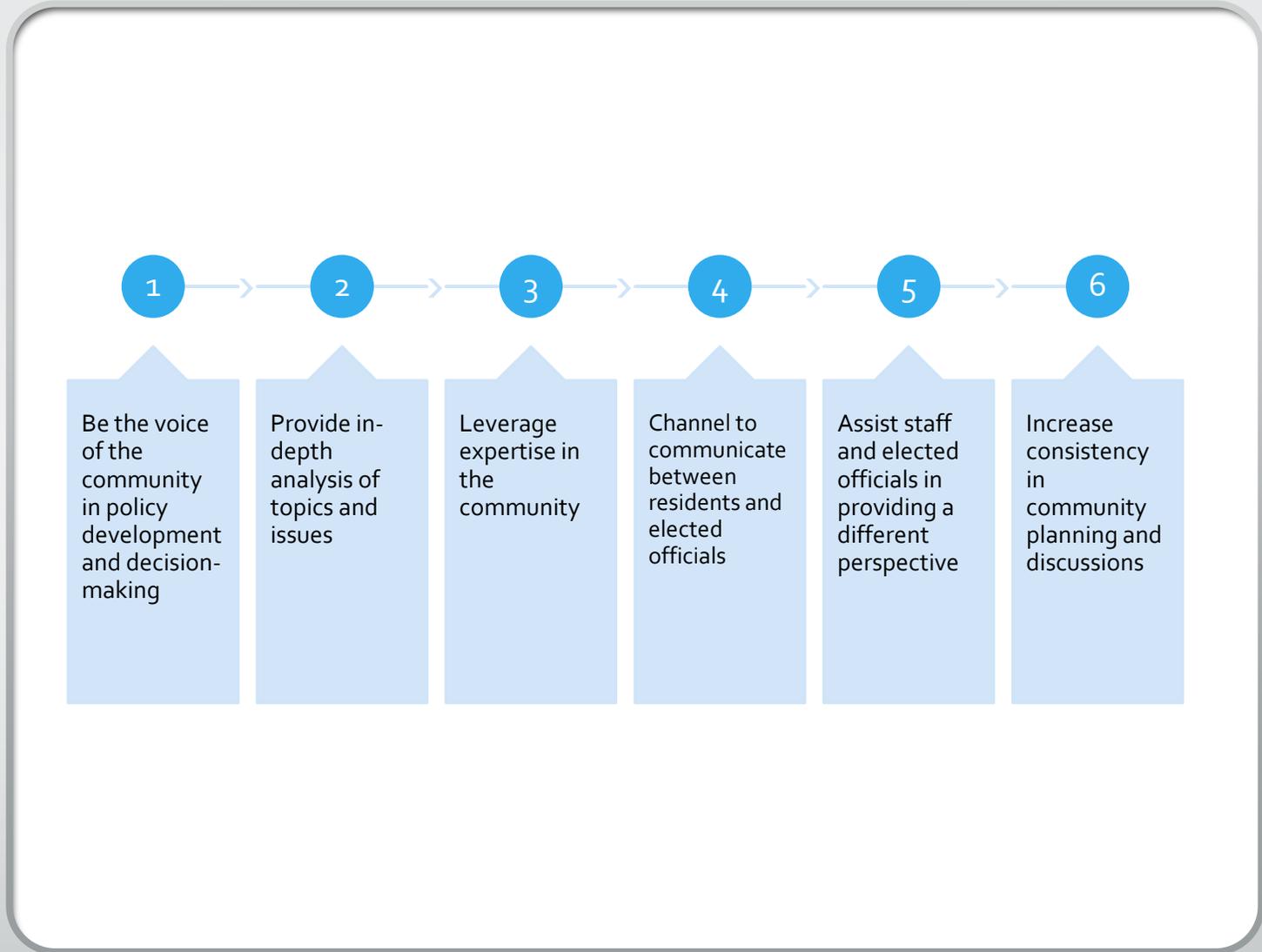
Naperville is an active community that strongly relies on community spirit to fill over 150 volunteer positions on almost 20 boards and commissions.

Boards and Commissions are an integral part of citizen participation in local government and an important asset to the City of Naperville for proper growth and development and the long-term stability of the City.

The volunteers who serve on these boards and commissions exemplify outstanding community involvement. Appointments are reserved for incorporated City of Naperville residents and made by the Mayor, with approval from the City Council, based on experience and interest.

Members are chosen to serve, in part, based on their unique background and perspective and they must commit to active, full participation in the role of the group on which they serve.

# Importance of Boards and Commissions



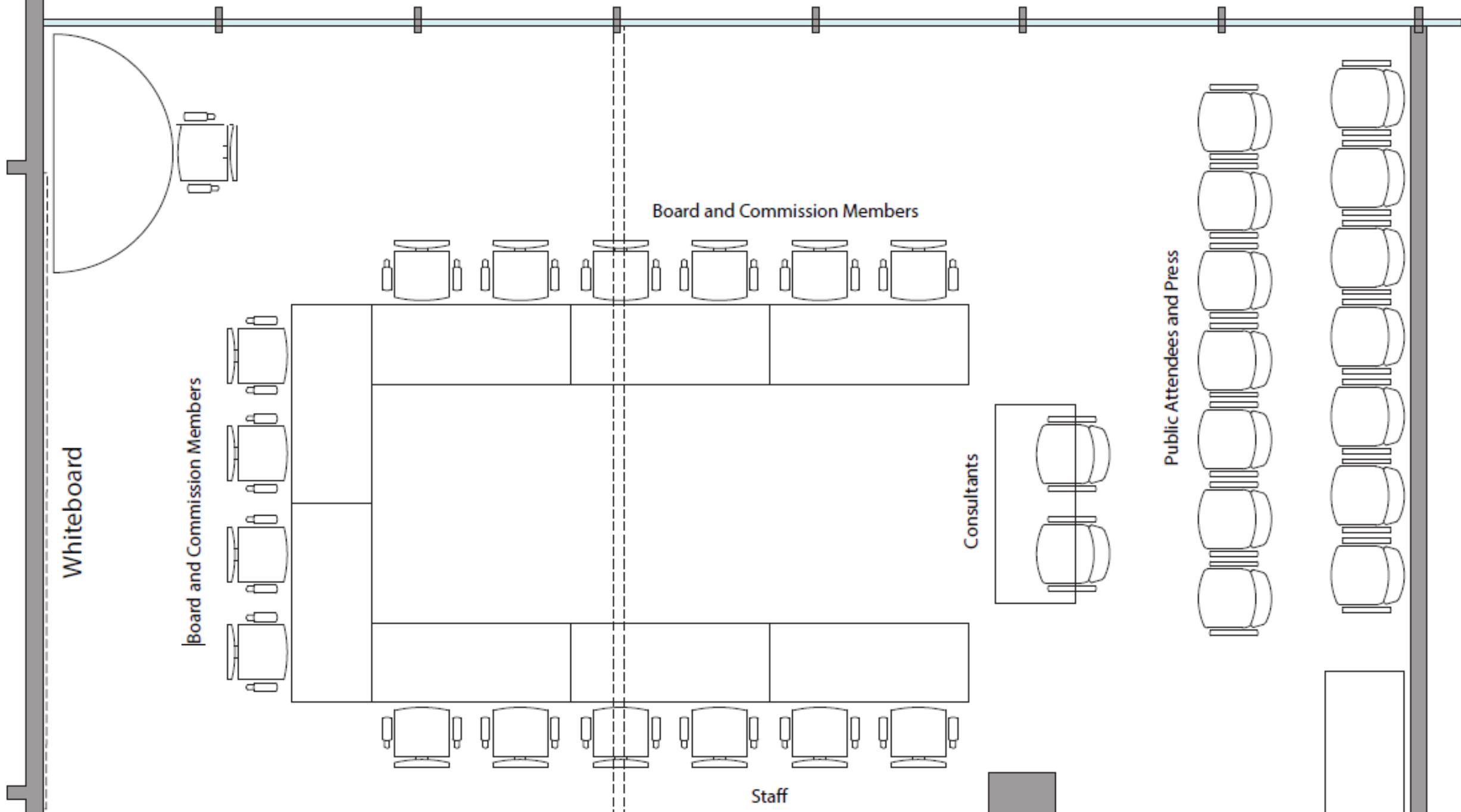
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# Board and Commission updates

- Board and Commission Guide
  - Clear expectations
  - Revised and publicized the appointment process
- Meeting locations
- Designated seating areas and nameplates
- Further standardizing agendas and content requirements
- Board and Commission guide and rewrite of Boards and Commissions (Title 2) of the Municipal Code
- Annual reports
- Chairperson training
- To do: Standardize onboarding and training

# NLO Layout Plan



# Clear Expectations

**Board of Fire and Police Commissioners:** The Board of Fire and Police Commissioners (BOFP) is responsible for selecting and appointing qualified candidates for the positions of Police Officer and Firefighter/Paramedic. The board is also responsible for the promotional process for the Fire Lieutenants and Captains and Police Sergeants, including the testing and selection processes. The BOFP has authority to conduct disciplinary hearings or appeals of disciplinary action of non-probationary officers in the Police Departments. The BOFP is established through Illinois State Statutes, the Illinois Municipal Code and the Naperville Municipal Code.

**Time Commitment Level:**

**Size:** 5 members | **Term:** 3 years | **Student Representatives:** No

**Meeting Day and Time:** Second and fourth Tuesday of the month at 4 p.m.

**Meeting Frequency:** Twice a month

**Typical Meeting Length:** Varies but typically 1 to 2 hours

**Extra Meetings/Events Outside Meeting Calendar?** Occasionally, additional meetings are needed to facilitate candidate hiring. Commissioners are also expected to be a part of Police interviews which are held during the workday three to four times a year. BOFPC members are also invited to all the swearing-in and promotional ceremonies held by Police and Fire and the annual CAPS event for both departments.

**Expectations:** *This board position demands a significantly greater time commitment than preparation varies depending on the number of candidates being evaluated but can take There will be some BOFP duties (such as all-day interviews) during weekday business hours attend*

**Building Review Board:** The Building Review Board (BRB) assembles on an as needed basis to investigate and make recommendations on variance requests from the City's building codes. The BRB will also review amendments and updates to the building codes. All members of the board are required to have experience or training in the business of the board, with five seats designated for residents with experience or training in plumbing construction, electrical construction, construction contracting, masonry, and a licensed architect or engineer.

**Time Commitment Level:**

**Size:** 9 members | **Term:** 3 years | **Student Representatives:** Yes

**Meeting Day and Time:** Wednesday at 2 p.m.

**Meeting Frequency:** Meetings are held on an as-needed basis but typically less than three times yearly.

**Typical Meeting Length:** Up to an hour

**Extra Meetings/Events Outside Meeting Calendar?** There are typically no additional meetings; however, when the new building code is being reviewed and considered (likely in 2023), members may be asked to join working groups that would meet 3-4 times to discuss local amendments.

**Expectations:** Board members can expect to spend one hour reviewing materials and research before the meeting. Members should have a general understanding of the technical aspects of building construction. Good listening skills and an understanding of life safety concerns and design decision impacts are also beneficial.

1. What are the requirements to serve?
2. What is the time commitment?
3. Which board(s) or commission(s) are of most interest to me?
4. What are the expectations for members?

## Terms and Attendance

- Board/commission members must attend at least 75% of all meetings. Less than 75% attendance may result in removal from a board/commission.
- An excused absence is defined as a personal or family illness, death in the family, maternity/paternity leave or family emergency.
- Terms for all boards/commissions are three years, unless otherwise noted. All members are limited to two consecutive terms and are not eligible for appointment beyond two consecutive terms. Terms expire on May 30<sup>th</sup>.
- If a vacancy occurs, the member appointed to fill the vacancy will serve for the unexpired term.
- Liquor Commission appointments are not subject to term limits and serve four-year terms that align with the Mayors term.

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## Board and Commission Member Responsibility

- As public official, you are subject to various laws, rules and policies including those in the Naperville Municipal Code and in the State Officials and Employees Ethics Act which applies to both elected officials and City employees.
- These laws and rules are intended to ensure that the functions of local government are conducted with fairness, honesty and integrity.
- To act ethically, you must use City resources in the most productive and efficient way possible and only for the work of local government.
- You must avoid placing your personal or financial interests in conflict with those of the City

# Ethics

## Oath & Municipal Code

### Official misconduct (Class 4 & forfeit)

- Intentionally or recklessly fail to perform any mandatory duty as required by law;
- Knowingly perform an act which they know they are forbidden by law to perform;
- Perform an act in excess of their lawful authority with intent to obtain personal advantage for themselves or another; or
- Solicit or knowingly accept for the performance of any act a fee or reward which they know is not authorized by law.

### Political activities prohibited (Class A)

- Government property
- Government employees

# Code of Conduct

- 1. No board or commission member shall use his/her office or any City employee to promote his/her private enterprises whether compensation is received or not.
- 2. All members of boards and commissions are subject to ethical requirements contained in Title 1, Chapter 13 of this Code, including Section 1-13-9 (Compliance with the State Officials and Employees Ethics Act).
- 3. At all times during performance of their official duties, board and commission members shall comply with the City's workplace safety policies, harassment prevention, and respectful workplace policies as set forth in the employee policy manual.
- 4. Board and commission members shall always demonstrate respect for the opinions of each other, members of staff and members of the audience
- 5. All members of boards and commissions shall perform their duties for the benefit of the citizens with integrity and impartiality, without allowing prejudice, favoritism or the opportunity for personal gain to influence their decisions or actions or to interfere with serving the public interest or to interfere with the professional operation of the City.
- 6. Board and commission members should conduct themselves in a manner that will preserve public confidence in, and respect for, the government they represent and refrain from actions or words that compromise the integrity and reputation of the City.
- 7. Board and commission members may choose to post and/or comment on various social media sites using their personal accounts. In these instances, it is recommended that the content and tenor of online comments and information posts should model the same decorum displayed during board and commission meetings.
- 8. Board and commission members shall maintain confidentiality of privileged information and not knowingly disclose confidential information.
- 9. Board and commission members making statements about City business should clarify that they are speaking for themselves and not on behalf of the board or commission. Board and commission members should also make this clarification when speaking on non-City business and using their board or commission title.



# Transparency

The City strives to promote transparency in all operations, by providing as much data through our website. All Board and Commission Chairs are to:

- Adhere to the Open Meeting Act;
- Adhere to State of Illinois' Freedom of Information Act (FOIA)
- Ensure a concise record of what occurred and not verbatim minutes;
- Disclose potential conflicts or matters under consideration.

Good governance requires a high degree of transparency and accountability in all public operations and processes.

# Open Meetings Act

- **All members required to take OMA training**
- **Public meeting required**
  - any gathering of majority of a quorum discussing public business
  - Topic within the scope of board or commission authority
  - Purely social gatherings
- **Electronic communications**
  - Email, text, social media
  - Contemporaneous, interactive
- **Violations**
  - Criminal: Class C = 30d & \$1,500
  - Civil: Lawsuit
- **Public view**
  - Before: 48 hour Notice & Agenda
  - At: Public access and forum
  - Post: Approval and posting of minutes
- **Closed session**
  - Generally, not applicable

Number of Members	Majority of Quorum
3	2
5	3
7	4
9	5
11	6

# FOIA

- Ensure public access to government records
- Paper & electronic records
- Irrelevant: personal v. city
- Exceptions: privacy, security, drafts, proprietary trade info, legal advice, etc.
- City Clerk's Office responds
  - Notification of FOIA request



# Conflict of Interest

Commissioners are prohibited from being financially interested in any contract the Commissioner may be called upon to vote (PICA)

Commissioners are in a fiduciary position requiring faithful performance of duties & prohibits using authority to advance individual interests

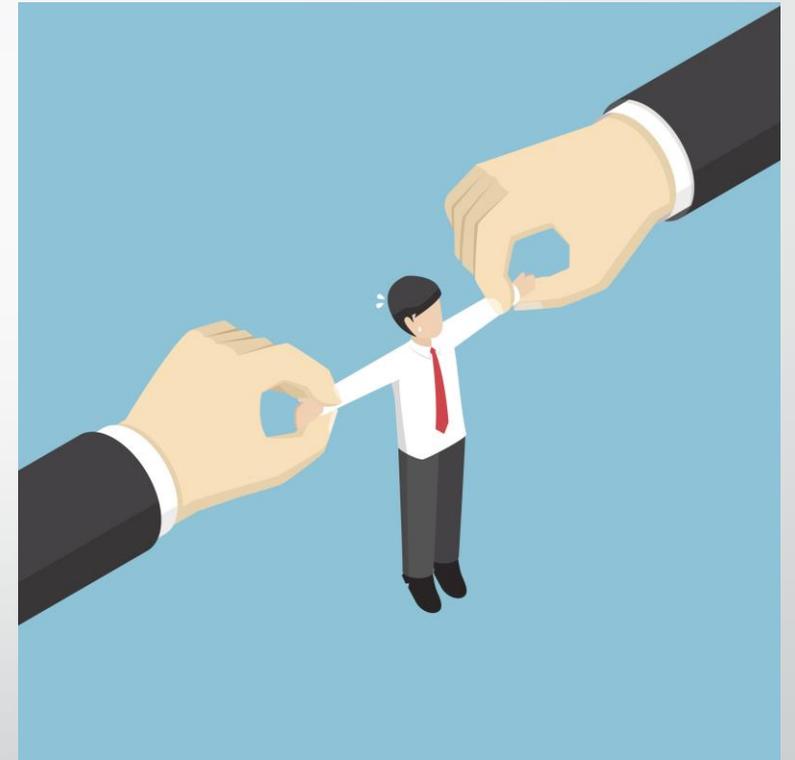
May recuse to avoid the appearance of impropriety

Naperville Municipal Code, state statute & common law

Written disclosure filed with City Liaison before meeting

Leave meeting & don't vote

If you ever have a question, please contact the City Attorney



# Gift Bans

- Regulates “gifts” from “prohibited source”
- Gift = worth \$; tangible & intangible
- Source = does business w/ the City
- Includes spouses & household
- \$75 food & refreshment daily
- \$100 gift per source per year
- Promptly return or give gift or equal amount to charity

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# Chairperson Role



**One year term  
and appointed  
by the Mayor**



**Lead and  
manage the  
meeting**



**Set the tone**



**Ensure proper  
procedure**



**Act as staff  
contact**



**Welcome and  
include student  
representatives**



**Ensure  
compliance**

OMA  
Public input

# Governing Rules



CITY CODE AND STATE LAW



ROBERTS RULES OF ORDER



SPECIAL RULES OR  
PROCEDURES ADOPTED BY A  
BOARD OR COMMISSION, AS  
AUTHORIZED BY THE CITY



COUNCIL BY ORDINANCES OR  
RESOLUTION.

# Quorum

The majority of a public body is required to do business

If a quorum is not available, the meeting will be cancelled

- If a quorum is not present, discussion can occur but no final action can take place

# Motions and Voting

- The chairperson recognizes board members prior to speaking.
- City Staff member with knowledge of the subject matter may be asked for an opinion or to provide further information.
- Member makes a motion
- Motion is seconded
  - Debate only occurs after a motion is seconded
- Floor open for debate by members
- Chairperson typically calls for a vote.

# Public Participation



- Naperville encourages active citizen participation in Council and Boards & Commission meetings. The input provided by the citizens of Naperville creates a well-rounded discussion that benefits everyone in Naperville.
- Agendas for all boards and commissions are posted and maintained on the City website.
- Each meeting provides residents an opportunity to address the Boards and Commissions on issues of concern.

# Public Participation Rules

- Sign up sheet at meeting
- Public should sign up for a specific agenda item or public forum
- Speakers time is limited to three minutes unless additional time is granted by the Chair or a majority vote of the board or commission
- Board members may ask speakers questions at the conclusion of their comments
- Speakers shall refrain from harassing comments and members of the audience shall maintain decorum
- Scenario #2



Questions?