

**ORDINANCE NO. 25-02
YORK CENTER PARK DISTRICT
DUPAGE COUNTY, ILLINOIS**

**Ordinance Establishing Procedures For The Recording Of Closed Sessions,
Review Of Closed Session Minutes, Destruction Of Closed Meeting Recordings**

WHEREAS, the York Center Park District ("Park District") is an Illinois unit of local government, operating in accordance with the Illinois Park District Code, 70 ILCS 1205/1-1 et seq. (the "Park District Code"); and

WHEREAS, the Park District is subject to the requirements of the Illinois Open Meetings Act, 5 ILCS 120/1-1 et seq. (the "Act"); and

WHEREAS, Section 2.06(a) of the Act requires all public entities to make and keep a verbatim record of all their closed meetings in the form of an audio or video recording; and

WHEREAS, Section 2.06(d) of the Act requires public entities to review their closed meeting minutes every six (6) months, or as soon thereafter as is practicable, taking into account the nature and meeting schedule of the public body; and

WHEREAS, Section 2.06(c) authorizes the Board of Commissioners of York Center Park District (the "Park Board") to destroy certain verbatim recordings without notification to or the approval of a records commission or the State Archivist under the Local Records Act, after certain conditions have been met; and

WHEREAS, the Illinois General Assembly enacted Section 2.06 of the Act to provide a mechanism for monitoring public bodies' compliance with the Act in the conduct of closed sessions; and

WHEREAS, ("Park Board") desires to adopt procedures for the recording of closed meetings, the review of closed meeting minutes, and the destruction of verbatim recordings of closed meetings, to ensure compliance with the applicable provisions of the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE YORK CENTER PARK DISTRICT, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

Section One: Incorporation of Recitals: The Recitals set forth above are hereby incorporated into this Resolution in their entirety as if restated in this Section One.

Section Two— Recording of Closed Sessions: The Park District shall keep a verbatim record of all closed session meetings of the Park Board and any subsidiary public body as defined by Section 1 of the Act, 5 ILCS 120/1. The verbatim record shall be in the form of an audio or video recording as determined by the Park Board.

Section Three— Responsibility for Recording Closed Sessions and Maintaining Recordings: The Board Secretary or their designee shall be responsible for arranging the audio or A/V recording of all closed meetings. In the absence of the Board Secretary or their designee, the Executive Director shall arrange for such recording of the closed session. Each subsidiary public body of the Park District shall designate an individual who will be responsible for the recording of any and all closed sessions of the subsidiary body and for providing the Board Secretary with a copy of such recording. Except as otherwise directed by the Park Board, the Board Secretary, or their designee, shall securely maintain the verbatim recordings of all closed sessions of the Park Board and all subsidiary public bodies of the Park District, until destruction of the recording is authorized in accordance with Section 2.06(c) of the Act and Section Eight of this Ordinance. The

Park Board may, in its sole discretion, direct that a member of the Park Board or the Park Board's attorney retain verbatim recordings in lieu of the Board Secretary.

Section Four—Closed Session Minutes: In addition to the recordings of the closed session as addressed in this Ordinance, the Park District shall keep written minutes of all closed meetings in accordance with the requirements of the Act. In accordance with section 2.06 of the Act, the Board, and all Board committees and subsidiary bodies, will meet in closed session pursuant to Section 2(c)(21) of the Act, to review the minutes of its closed meetings, no less frequently than every six (6) months, or as soon thereafter as is practicable, taking into account the nature and meeting schedule of the committee or subsidiary body. At such meetings, a determination shall be made, and reported in open session that (a) the need for confidentiality still exists as to all or part of those minutes, or (b) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection. The Park Board's determination shall be recorded in the minutes of the open meeting. The Executive Director shall, with advice from Legal Counsel, review the minutes of the closed minutes of the Board and every committee and subsidiary body that have not been released to the public to determine whether any sufficient basis exists for continuing to withhold the minutes from release. The Executive Director shall make a recommendation to the Park Board concerning whether to release or withhold those minutes.

Section Five—Procedure for Recording. At the beginning of each closed session, those present shall identify themselves by voice for the audio recording. If the meeting is video recorded, those present shall individually appear on camera and identify themselves by voice at the beginning of the closed session. The meeting Chair shall also announce the times the closed session commences and ends at the appropriate points on the recording.

Section Six—Back-Up Equipment/Procedure for Equipment Malfunction. The Park District will maintain sufficient tapes, batteries and equipment for the Park District to comply with this Ordinance. The Board Secretary or his/her designee will periodically check the equipment to confirm that it is functioning. In the event that anyone present at a closed session determines that the equipment is not functioning properly, the closed session will be temporarily suspended to attempt to correct any malfunction. In the event that an equipment malfunction cannot be corrected promptly, the closed session will terminate until such time as time as the closed session may proceed with a functioning recording device.

Section Seven—Maintenance and Public Release of Recordings and Access to Tapes.

The audio or video recordings of closed sessions shall be maintained for not less than eighteen (18) months after adjournment of the closed session and shall not be destroyed except in compliance with Section 2.06(c) of the Act and Section Eight of this Ordinance. Audio or video recordings of closed sessions shall not be released to the public unless such release is required by a court order or specifically authorized for release by a roll call vote of the Park Board. Park Board members may listen to the closed session recordings under the following conditions: a) the review is conducted in the presence of the Board Secretary, the Executive Director, or another Commissioner; b) the review must occur at the Park District's main office or official storage location; and c) the minutes or recordings may not be removed from their storage location unless approved by Board vote or court order. Copies of such recordings will not be made or provided to anyone unless authorized by the Board.

Section Eight—Procedure for Destruction of Recordings. The Board Secretary or his/her designee is hereby authorized to destroy the particular audio and video recordings of those closed sessions for which:

- A. The Board of Commissioners has approved the minutes of the closed sessions, regardless of whether the minutes have been released for public review;
- B. More than 18 months have elapsed since adjournment of the closed session;

- C. There is no court order requiring the preservation of such recording; and
- D. The Board of Commissioners has approved the destruction of the recording.

Section Nine—Severability: If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

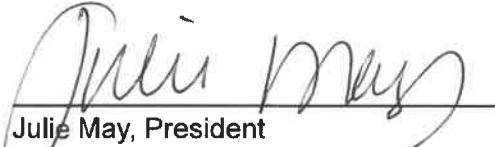
Section Ten—Repealer: All Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section Eleven—Effective Date: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

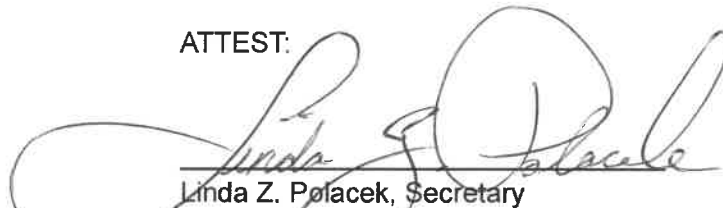
ADOPTED this 15 day of April, 2025.

AYES: 5
NAYS: 0
ABSENT: 0

APPROVED


Julie May, President
Board of Park Commissioners
York Center Park District
DuPage County, Illinois

ATTEST:


Linda Z. Polacek, Secretary
Board of Park Commissioners
York Center Park District
DuPage County, Illinois

