

Public Access Counselor Pratt,

I am writing to formally request that your office review the actions of Urbana Electoral Board and Chair Maryalice Wu, regarding the Electoral board meetings held on December 7th, 8th, and 9th, 2020. To my knowledge, meetings were held at the following times:

December 7: 1:30pm

December 8: 9:00am

December 8: 5:30pm

December 9: 5:00pm

The Urbana City website provides a number of documents and videos related to the meetings here:

<https://www.urbanailinois.us/node/9003>

<https://www.urbanailinois.us/node/9009>

The meetings were held in-person, in the City Council chambers. However, there existed no physical access whatsoever for the general public to attend the meeting. Therefore, the only means for public participation was via the Zoom conferencing app (also accessible by telephone).

Attached, please find a copy of Urbana City Code Chapter 2, Article I, Section 2-5 (passed by Council on October 12th, 2020). This part of the Urbana City Code that provides the rules and time limits for public input during virtual meetings. I am also including a copy of Urbana's long-held meeting rules, Section 2-4, which have not been changed. The City has not attempted to define "virtual meeting" in their new ordinance, and it is not clear what section of City Code they intended to apply to these Electoral Board meetings. It seems to me that the Electoral Board meetings were clearly not virtual meetings, therefore Section 2-4 should apply, but for the purpose of my complaint, I'm not sure it matters.

Maryalice Wu and the Electoral Board have violated the Illinois Open Meetings Act in multiple ways:

1) Maryalice Wu and the Electoral Board violated the OMA by not properly posting meeting notices.

The initial meeting on December 7th at 1:30pm had no fewer than 3 different agendas. I have attached those agendas to this request:

City of Urbana December 7th 2020 Electoral Board Hearing Agenda.pdf (posted on December 4th)

City of Urbana December 7th 2020 Electoral Board Hearing Agenda - Amended.pdf (replaced the above agenda on December 5th)

Revised_Amended_Agenda_2020-12-07-10am.pdf (was not made available to the public until after the December 7th meeting)

The first meeting agenda gives some indication that the Electoral Board would not be following the established and recorded public input rules in the City Code. The second agenda promptly removed that notation. The third agenda (created at 10:06am on December 7th), which was not made available to the public any time before the December 7th meeting, added that note back in, plus several additional agenda items, including "Amend the Agenda".

The Electoral Board did not properly post meeting notice 48 hours before their meetings. Writing "Amenda the Agenda" within an agenda that is not publicly posted does not ameliorate this failure, but instead makes a joke of the Open Meetings Act.

Furthermore, the meetings held on December 8th at 5:30pm, and December 9th at 5:00pm, were never publicly posted in any way. They were never posted on the City website, and notice was never sent out through the City's media contact list.

2) Maryalice Wu and the Electoral Board violated the public input provision of the open meetings act, which states, "Any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body."

As noted in two variants of the meeting agendas, there seems to have been an attempt to bypass the established and recorded public input rules in the Urbana City Code by simply having a City staff member make an in-line note in the agenda.

First, the intention to vote on and adopt new public input rules was not properly posted as previously mentioned.

Second, adopting a change to public input rules by having a staff member indicate such a change in-line with the agenda item "Public Participation" is not a proper way to adopt new rules. Neither UCC Section 2-4 or 2-5 allow for this.

Wu therefore violated the Open Meetings Act by not following the established and recording public input rules of the City of Urbana. She did so by reducing individual speaking time from 5 minutes to 3 minutes, and total public input time from 2 hours to 30 minutes. As a result, multiple members of the public were cut short while speaking, and multiple other members of the public were not able to speak at all.

I was personally muted by Wu at the December 8th evening meeting when I had not yet finished speaking.

I have attached emails from 3 community members (Rita Conerly, Beau Barber, and Grace Walworth) who wished to speak at the Electoral Board meeting on the evening of December 8th, but were not allowed to.

Allowing members of the public to speak for the established and recorded 5 minutes would not have disrupted the business of the Electoral Board. Allowing every member of the public who wished to speak the ability to do so would not have disrupted the business of the Electoral Board.

The very nature of the business of an Electoral Board, which deals exclusively with the public's participation in their own government, is suggestive of an extremely high level of public interest and participation. There was no technical or practical limitation that provided for the obstruction of public input practiced by Maryalice Wu and the Electoral Board. In fact, it seems City staff and the Board went out of their way to attempt to establish more limiting rules rather than simply following the established rules. No attempt at explaining why public input should be snubbed was made, and I therefor conclude that the effort was made purely out of contempt for the public's right to participate at government meetings and a desire to silence public opinion.

I thank you for your careful review of this matter.

Regards,



Christopher Hansen, January 4th, 2020