



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

December 16, 2020

Via electronic mail

The Honorable Phyllis D. Clark
City Clerk
City of Urbana Electoral Board
400 South Vine Street
Urbana, Illinois 61801
pdclark@urbanailinois.us

RE: OMA Request for Review – 2020 PAC 65997
Requester: Ms. Rita Conerly
Date of Meeting: December 8, 2020, at 5:30 p.m.

Dear Ms. Clark:

The Public Access Bureau has received a Request for Review under section 3.5(a) of the Open Meetings Act (OMA) (5 ILCS 120/3.5(a) (West 2018)) from Ms. Rita Conerly alleging that the City of Urbana Electoral Board (Board) violated OMA at its December 8, 2020, meeting, which was conducted via Zoom at 5:30 p.m. Specifically, Ms. Conerly alleges that she raised her "hand" to provide public input, but was not permitted to speak. She further alleges that the Urbana City Code allows members of the public to speak for five minutes per person, but that individuals were permitted to speak for only three minutes for a total public participation time of thirty minutes. This office construes those claims as alleging that the Board improperly restricted public comment in violation of section 2.06(g) of OMA (5 ILCS 120/2.06(g) (West 2018)). Ms. Conerly's Request for Review is attached for your review.

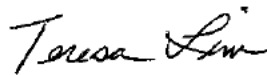
We have determined that further action is warranted. In order to evaluate further this matter, we ask the Board or its legal representative to respond in writing to the allegations in Ms. Conerly's Request for Review. Please also provide a copy of any rules that the Board has established and recorded concerning public comment. Additionally, please provide copies of the agenda, minutes (draft form, if necessary), and verbatim recording of the open session portion of the December 8, 2020, meeting that took place at 5:30 p.m.

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As required by section 3.5(b) of OMA (5 ILCS 120/3.5(b) (West 2018), please provide this information to our office within 7 business days after receipt of this letter. As we review this matter, we will notify you if we require additional records or information. Please note that under OMA, this office is required to forward a copy of any response from a public body to the requester and provide the requester an opportunity to reply. 5 ILCS 120/3.5 (West 2018). **If you claim that any portion of your written response is confidential, please send two versions of your response letter: a complete copy for this office's confidential review and a redacted version suitable for this office to forward to the requester.**

Please contact me at tlim@atg.state.il.us if you have questions or would like to discuss this matter. Thank you.

Very truly yours,



TERESA LIM
Assistant Attorney General
Public Access Bureau

Enclosure

cc: *Via electronic mail*
Ms. Rita Conerly



Samuelson, Dolores

From: Public Access
Sent: Wednesday, December 16, 2020 1:12 PM
To: Samuelson, Dolores
Subject: FW: OMA violation - City of Urbana

From: Public Access
Sent: Wednesday, December 9, 2020 9:00 AM
To: Public Access <PAccess@atg.state.il.us>
Subject: FW: OMA violation - City of Urbana

65997 Initial Docs

From: Rita Conerly [REDACTED]
Sent: Tuesday, December 8, 2020 7:33 PM
To: Public Access <PAccess@atg.state.il.us>
Subject: OMA violation - City of Urbana

I attended the Urbana Electoral Board Hearing scheduled for 5:30pm today for my support of Meghan McDonald and Verdell Jones III. I had my hand raised in the Zoom conferencing app to give public input, but was not allowed to speak. I would like to note the OMA suggests 5 minutes for public participation in-person meetings.

The City of Urbana violated public participation and limited speaking time to only 3 minutes per speaker and a total participation time of 30. The board should have been following Urbana City Code Section 2-4 which clearly indicates up to 5 minutes per person and two hours in total.

I would like this to be accepted to file a formal complaint against the city of Urbana.

Rita Conerly