

# Warrenville Public Library District

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**WARRENVILLE PUBLIC LIBRARY DISTRICT**  
**Meeting of the Decennial Committee on Local Government Efficiency**  
**Pursuant to Public Act 102-1088**  
**Wednesday, May 17, 2023, 6:30 p.m.**  
**Location: Library Meeting Room**

This meeting will be broadcast live online at: <https://us02web.zoom.us/j/87362469620>. The public may also listen to the meeting by calling 312-626-6799 and entering the Meeting ID number 873 6246 9620. (There is no participant ID or password.)

Public comments may be shared in person at the meeting or emailed to [trustees@warrenville.com](mailto:trustees@warrenville.com). Please use the subject line to indicate the email is a public comment for the Board Meeting. Emailed comments will be read during the meeting if they include the commenter's first and last name, are received at the above email address prior to the meeting's start time, are no more than 500 words in length and are free of any abusive or obscene language. While the Board appreciates all questions and comments, they will not respond at the meeting, but may choose to do so at a later time.

## AGENDA

1. Call to order
2. Roll Call
3. Approval of the agenda **(ACTION)**
4. Introductions
5. Public comments
6. New Business
  - a. Designate committee members to compile information and identify efficiencies to review at next meetings
7. Set date for next meeting of the Warrenville Public Library District's Decennial Committee on Local Government Efficiency **(ACTION)**
8. Survey members of the public in attendance for matters discussed at this meeting of the Warrenville Public Library District's Decennial Committee on Local Government Efficiency
9. Adjournment **(ACTION)**

## **4. INTRODUCTIONS**

Welcome to the Decennial Committee on Local Government Efficiency. This is a committee required by the state to review local governmental efficiencies once every ten years.

Members of the Committee include:

- Library Board Trustees
  - Barbara DuRocher
  - Sandy Lezon
  - Jerri Picha
  - Jill Richardson
  - Connie Schmidt
  - Heather Stull
  - Rick Warren
- Library Director
  - Jason Stuhlmann
- Members of the Public
  - Cindy Ruzicka
  - Amy Arlowe

Included in your packet is the text of (50 ILCS 70/) Decennial Committees on Local Government Efficiency Act from the Illinois Compiled Statutes.

The statute is not overly explicit, so also included is a helpful and informative memo from Ancel Glink, a law firm that assists libraries. Unless new information presents itself, we will be using this memo as guidance for this process, including what information we need to review and what and how to report to the state.

We need to have a minimum of three meetings:

- This first meeting is for designating committee members to compile information and identify efficiencies.
- The second (or more) meetings can be for reviewing this information and identifying increased opportunities for efficiency or accountability. This meeting can also be used to take this information and analysis and compile it into a draft report.
- The third (or final) meeting can be to finalize and approve the report, which can then be submitted to the state.

The final report must be submitted within 18 months of our first meeting, May 17, 2023. This would give us a deadline of November 2024. I believe we can definitely finish and file the report well before this deadline.

Once finished, the committee will be dissolved, and won't need to reform and meet again until June 2033.

**Information maintained by the Legislative Reference Bureau**

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as Public Acts soon after they become law. For information concerning the relationship between statutes and Public Acts, refer to the Guide.

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

**LOCAL GOVERNMENT****(50 ILCS 70/) Decennial Committees on Local Government Efficiency Act.**

(50 ILCS 70/1)

Sec. 1. Short title. This Act may be cited as the Decennial Committees on Local Government Efficiency Act.  
(Source: P.A. 102-1088, eff. 6-10-22.)

(50 ILCS 70/5)

Sec. 5. Definitions. As used in this Act:

"Governing board" means the governing body of a governmental unit. If the governmental unit is a road district, then "governing board" means the governing body of the road district, as provided in Division 1 of Article 6 of the Illinois Highway Code, including, but not limited to, the highway board of auditors, the highway commissioner of a township road district, the township board of trustees, the city council, the municipal president and board of trustees, or the county board, as applicable.

"Governmental unit" means all entities that levy taxes and are also units of local government, as defined in Section 1 of Article VII of the Illinois Constitution, except municipalities and counties.

(Source: P.A. 102-1088, eff. 6-10-22; 102-1136, eff. 2-10-23.)

(50 ILCS 70/10)

Sec. 10. Formation of committee; members; vacancy; administrative support.

(a) By June 10, 2023 (one year after the effective date of this Act) and at least once every 10 years after June 10, 2023, each governmental unit must form a committee to study local efficiencies and report recommendations regarding efficiencies and increased accountability to the county board in which the governmental unit is located.

(b) Each committee's membership shall include the elected or appointed members of the governing board of the governmental unit; at least 2 residents within the territory served by the governmental unit, who are appointed by the chair of the governing board, with the advice and consent of the governing board; and any chief executive officer or other officer of the governmental unit. The committee shall be chaired by the president or chief elected or appointed official of the governing board or his or her designee. The chairperson may appoint additional members to the committee as the chairperson deems appropriate.

Committee members shall serve without compensation but may be reimbursed by the governmental unit for their expenses incurred in performing their duties.

(b-5) In lieu of the committee described in subsection (a), a highway commissioner of a township road district in a county with a population under 400,000 and the township board of the same township may form a joint committee for the purposes described in subsection (a). That joint committee shall include:

the township trustees; the highway commissioner; at least 2 residents of the territory served by the governmental unit appointed by the township supervisor with the advice and consent of the township board; at least one resident of the governmental unit appointed by the highway commissioner; and the township supervisor. The joint committee shall be chaired by the township supervisor and shall issue a joint report with 2 sections, one section for the township and one section for the road district. Except with respect to its composition and report, the joint committee shall otherwise comply with subsection (b). References in this Act to a "committee" shall also include a joint committee formed under this subsection.

(c) A committee may 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, and it may seek assistance from community colleges and universities as necessary to prepare the report required under Section 25.

(d) If a vacancy occurs in the committee membership, the vacancy shall be filled in the same manner as the appointments under subsection (b).

(e) Each governmental unit shall provide administrative and other support to its committee.

(Source: P.A. 102-1088, eff. 6-10-22; 102-1136, eff. 2-10-23.)

(50 ILCS 70/15)

Sec. 15. Duties of a committee. The duties of a committee include, but are not limited to, the study of the governmental unit's governing statutes, ordinances, rules, procedures, powers, jurisdiction, shared services, intergovernmental agreements, and interrelationships with other governmental units and the State. The committee shall also collect data, research, and analysis as necessary to prepare the report described in Section 25.

(Source: P.A. 102-1088, eff. 6-10-22.)

(50 ILCS 70/20)

Sec. 20. Meetings. Each committee shall meet at least 3 times. The committee may meet during a regularly scheduled meeting of the governmental unit as long as: (1) separate notice is given in conformance with the Open Meetings Act; (2) the committee meeting is listed as part of the governing board's agenda; and (3) at least a majority of the members of the committee are present at the committee's meeting. Each meeting of the committee shall be public, and the committee shall provide an opportunity for any person to be heard at the public hearings for at least 3 minutes. The committee may require speakers to register. The committee shall meet in accordance with the Open Meetings Act, and the committee shall be a public body to which the Freedom of Information Act applies.

At the conclusion of each meeting, the committee shall conduct a survey of residents who attended asking for input on the matters discussed at the meeting. A survey conducted via email to all residents who attended the meeting and provided a valid email address will be sufficient to satisfy the requirements of this paragraph.

(Source: P.A. 102-1088, eff. 6-10-22; 102-1136, eff. 2-10-23.)

(50 ILCS 70/25)

Sec. 25. Report. Each committee shall summarize its work and findings within a written report, which shall include recommendations in respect to increased accountability and efficiency, and shall provide the report to the administrative office of each county board in which the governmental unit is

located no later than 18 months after the formation of the committee. The report shall be made available to the public.

For purposes of this Section, if a governmental unit is located in multiple counties, the committee may, if required, provide the same report to the county board of each of those counties.

(Source: P.A. 102-1088, eff. 6-10-22; 102-1136, eff. 2-10-23.)

(50 ILCS 70/30)

Sec. 30. Dissolution of the committee. After a committee has made the report required under Section 25 available to the public, the committee is dissolved until it is reestablished with newly appointed members under Section 10.

(Source: P.A. 102-1088, eff. 6-10-22.)

(50 ILCS 70/85)

Sec. 85. (Amendatory provisions; text omitted).

(Source: P.A. 102-1088, eff. 6-10-22; text omitted.)

(50 ILCS 70/90)

Sec. 90. (Amendatory provisions; text omitted).

(Source: P.A. 102-1088, eff. 6-10-22; text omitted.)

(50 ILCS 70/99)

Sec. 99. Effective date. This Act takes effect upon becoming law.

(Source: P.A. 102-1088, eff. 6-10-22.)





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## MEMORANDUM

**To:** Reaching Across Illinois Libraries (RAILS)  
**From:** Julie Tappendorf, Ancel Glink  
**Subject:** Compliance with the Decennial Committee on Local Government Efficiency Act, 50 ILCS 70/1 *et seq.*  
**Date:** March 10, 2023

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On June 10, 2022, Governor Pritzker signed the Decennial Committee on Local Government Efficiency Act, 50 ILCS 70/1 *et seq.*, into law. This law requires all Illinois local governments that impose a tax (as defined in the Act and exempting municipalities and counties) to convene a committee to study and report on local government efficiency. There are certain actions that impacted local governments must take to take the first step in compliance with this law by no later than June 10, 2023.

Under this law, impacted local governments must:

1. Form a committee to study local efficiencies and meet for the first time no later than June 10, 2023.
2. Have the committee meet at least three times.
3. Prepare a written report with recommendations (if any) on efficiencies and increased accountability.
4. File the report with the county (or each county in which your local government is located).

### WHO HAS TO COMPLY?

The Act applies to "all entities that levy taxes and are also units of local government, as defined in Section 1 of Article VII of the Illinois Constitution, except municipalities and counties." This definition clearly includes library districts, as they are units of local government that levy taxes.

A question has been raised whether municipal libraries organized under the Local Library Act (including village and city libraries) must also comply with the Act. Unfortunately, this is not quite as clear under the Act.

Some municipal libraries have been advised by the municipal attorney that they do not need to comply because they are exempt under the "municipalities" exemption. This interpretation seems difficult to justify, however, as "municipalities" are separate governmental entities organized under the Illinois Municipal Code, where municipal libraries are organized under the Local Library Act, with both government entities having separate governing bodies. Moreover, the Attorney

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General has issued an opinion that municipal libraries are considered “units of local government” under Section 1 of Article VII of the Illinois Constitution, as special districts, separate and apart from municipalities. *See Ill. Atty. Gen. Op. 81-002*

An alternative argument for exempting municipal libraries from the Act that seems more legally defensible is that although municipal libraries fall within the definition of “units of local government, as defined in Section of Article VII of the Illinois Constitution,” they do not levy taxes solely on their own behalf – instead, the municipality levies the library tax on the library’s behalf. There are several Attorney General opinions finding that while municipal libraries are “units of local government” under the Illinois constitution, they do not have the authority to levy taxes. *See Ill. Atty. Gen. Op. 98-002*. Since the Act only requires units of local government that “levy taxes” to comply with the Act, there is a legally defensible argument that municipal libraries are not subject to the Act.

As I understand it, the Illinois Library Association (ILA) has taken the position that municipal libraries do not have to comply with the Act, providing some support to municipal libraries if they choose that position.

Although there is a defensible argument that city and village libraries established under the Local Library Act do not have to comply with the Decennial Act, that would not prevent a library from choosing to take a more conservative approach and follow the procedures set out in the Act.

Ultimately, each municipal library will need to make the determination itself whether to comply with the Act and form a committee and should consult with their legal counsel on this matter.

### **WHO HAS TO BE ON THE COMMITTEE?**

Section 10(b) of the Act specifies that the committee’s membership must include the elected or appointed members of the governing board. In addition, it must include any chief executive officer (such as the library director) and “other officer” of the local government. The committee must also include at least two residents within the territory served by the local government who are appointed by the committee chair. The committee chair can also appoint others to serve on the committee. Committee members are not compensated but can be reimbursed for any committee-related expenses.

### **WHAT DOES THE COMMITTEE HAVE TO DO?**

The committee is required to meet at least three times, with the first meeting occurring no later than June 10, 2023. The committee meeting can be the same day as the governing body’s board meeting. It can even be a part of the regular board meeting, provided the committee meeting is listed as a part of the meeting agenda and there is a majority of the committee members present. All other requirements of the Open Meetings Act (notice, minutes, etc.) also apply to these committee meetings.

## **WHAT NEEDS TO HAPPEN AT THESE COMMITTEE MEETINGS?**

The committee must “summarize its work and findings within a written report, which must include recommendations in respect to increased accountability and efficiency and must provide the report to the county board in which the governmental unit is located no later than 18 months after the formation of the committee.” The goal is for the committee to study and report on local government efficiencies. Ultimately, this can be as simple or complex as you make it.

To assist libraries in working through the process of discussing, considering, and preparing the required report, we put together a draft sample report (attached as **Exhibit A**). Note that the specifics of the report are not detailed in the Act itself, so Libraries could customize the attached sample template or create its own report that meets its needs.

**First meeting:** This meeting would essentially be an “organizational” meeting to identify committee members, set deadlines for next steps, designate different committee members to compile information and identify efficiencies the local government currently has in place, and whether there are increased opportunities for efficiency and whether there are additional opportunities for accountability. This would include identifying any intergovernmental agreements currently have in place, or whether there are additional opportunities for intergovernmental cooperation (sharing equipment, personnel, resources, etc.). The committee can also discuss at this meeting whether the committee members want to gather and analyze information, or whether it wants to employ specialists in public administration and governmental management or other consultants. Keep in mind that this law is an unfunded mandate, so payment for anyone hired by the committee will have to come from library funds.

**Second meeting:** This meeting could be used to take the information gathered by the committee and compile it into a draft report. The committee can also identify any additional information that might be needed to prepare a final report.

**Third meeting:** At this meeting, the committee can finalize and approve the report.

Remember, the Act requires a *minimum* of three meetings; however, a committee could have as many meetings as it needs or wants. These meetings could be held throughout the year leading up to the report deadline, which is 18 months after the first committee meeting.

**Additional Requirements:** At the end of each meeting, the committee must “conduct a survey of residents who attended asking for input on the matters discussed at the meeting.” A committee could poll the people present at the meeting while at the meeting or send out an email survey following the meeting to those attendees who provided an email address to the committee.

## **WHAT DO WE DO WITH THE REPORT ONCE IT HAS BEEN PREPARED?**

Section 25 of the Act requires the committee to provide its report to the county board. In addition, the Act provides that the reports must be available to the public, so libraries might consider posting the reports on their websites or making sure the reports are readily available upon request.



**Exhibit A<sup>1</sup>**

**SAMPLE LIBRARY REPORT FOR COMPLIANCE WITH DECENNIAL  
COMMITTEES ON LOCAL GOVERNMENT EFFICIENCY ACT**

**I. Unit of government submitting this report:**

Name of Library: \_\_\_\_\_

Address of Main Library Office: \_\_\_\_\_

**II. Information about our Library**

- A. We are located in \_\_\_\_\_ County. There are \_\_\_\_\_ libraries in our County.
- B. The population of the territory in which our Library is located is \_\_\_\_\_  
(as of 2020 census).
- C. We have \_\_\_\_\_ employees of the Library (not including board members).
- D. Our annual budget for FY \_\_\_\_\_ is: \$ \_\_\_\_\_.
- E. Our Library's equalized assessed valuation (EAV) for 2023 is \$ \_\_\_\_\_.

**III. Information about Our Committee**

**A. Committee Members:**

Board President \_\_\_\_\_

Trustee \_\_\_\_\_

Trustee \_\_\_\_\_

Trustee \_\_\_\_\_

Trustee \_\_\_\_\_

Trustee \_\_\_\_\_

Trustee \_\_\_\_\_

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<sup>1</sup> **DISCLAIMER:** Please note that the sample report is provided for informational and illustration purposes only. Libraries should consult with their own library attorneys in complying with the Act and in preparing, adopting, and filing their own library reports.

Executive Director \_\_\_\_\_

Library Resident \_\_\_\_\_

Library Resident \_\_\_\_\_

**Note:** Per 50 ILCS 70/10(b), the committee membership must include all the elected or appointed members of the library board of trustees (President and Trustees), the Executive Director or other official of the Library, and two residents appointed by the Board President. The President may appoint more than two residents if deemed appropriate.

**B. Dates that our Committee Met (50 ILCS 70/20)**

First Meeting (must occur prior to June 10, 2023): \_\_\_\_\_

Second Meeting: \_\_\_\_\_

Third Meeting: \_\_\_\_\_

Additional Meetings (List All, if any): \_\_\_\_\_

**IV. Core Programs or Services Offered by our Library**

**A. Our Library offers the following core services and programs:**

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**B. Other core services/programs we could possibly provide:**

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**V. Awards and Recognitions**

Our Library has received the following awards, distinctions and recognitions:

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**VI. Intergovernmental Agreements**

We partner with or have Intergovernmental Agreements with the following other governments  
(list as many as you have):

Entity:

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Services Offered:

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Our Library's efficiency has increased through intergovernmental cooperation in the following  
ways (list cost savings, avoiding duplicated services, etc.):

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**VII. Community Partnerships**

We partner with the following organizations (list as many as you have):

Organization:

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Services Offered:

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**VIII. Review of Laws, Policies, Rules and Procedures, Training Materials, and other Documents**

We have reviewed the following, non-exhaustive list of laws, policies, training materials, and other documents applicable to the Library in order to evaluate our compliance and to determine if any of the foregoing should be amended.

\_\_\_\_\_ State laws applicable to Libraries

- \_\_\_\_\_ Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*)
- \_\_\_\_\_ Policy on public comment
- \_\_\_\_\_ Designation of OMA officer (5 ILCS 120/1.05(a))
- \_\_\_\_\_ All Board Members have completed OMA Training (5 ILCS 120/1.05(b))
- \_\_\_\_\_ Schedule of Regular Meetings of the Library Board (5 ILCS 120/2.03)
- \_\_\_\_\_ Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*)
- \_\_\_\_\_ Designation of FOIA Officer (5 ILCS 140/3.5(a))
- \_\_\_\_\_ FOIA Officer Training (5 ILCS 140/3.5(b))
- \_\_\_\_\_ Computation and Retention of FOIA Requests (5 ILCS 140/3.5(a))
- \_\_\_\_\_ Posting Other Required FOIA Information (5 ILCS 140/4(a); 5 ILCS 140/4(b))
- \_\_\_\_\_ List of Types or Categories of FOIA Records under Library Control (5 ILCS 140/5)
- \_\_\_\_\_ Periodic Meetings to Review Closed Meeting Minutes (5 ILCS 120/2.06(d))
- \_\_\_\_\_ IMRF Total Compensation Postings (5 ILCS 120/7.3)
- \_\_\_\_\_ Designation of Whistleblower Auditing Official (50 ILCS 105/4.1 *et seq.*)
- \_\_\_\_\_ All applicable officials have filed statement of economic interests (5 ILCS 420/4A-101; 5 ILCS 420/4A-101.5 *et seq.*)
- \_\_\_\_\_ Sexual harassment prevention training (775 ILCS 5/2-109(C))
- \_\_\_\_\_ Our Intergovernmental Agreements
- \_\_\_\_\_ Our budget and financial documents
- \_\_\_\_\_ State Ethics Laws, including, but not limited to the State Officials and Employees Ethics Act (5 ILCS 430/1-1 *et seq.*)
- \_\_\_\_\_ Our budget and financial documents

\_\_\_\_\_ Reports on government efficiency, including “Local Government Efficiency and Size in Illinois: Counting Tax Revenues, Not Governments” by Wendell Cox (2016);

\_\_\_\_\_ Others (*List Below or Attach*):

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- IX. What Have We Done Well?** (List any budget/levy freezes or reductions in the past decade; list new programs or services offered to residents over the past decade; list any ethics ordinances adopted; timely FOIA compliance; responsiveness to public; list any new intergovernmental agreements; list any increase in number of library patrons served, etc.)

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- X. What Inefficiencies Did We Identify/What Are our Next Steps?**

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- XI. What Can We Do Better or More Efficiently?**

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- XII. Studies on Governmental Efficiencies**

In preparing this report, we reviewed several studies on local government efficiency. These studies show that the average local government in Illinois serves 1800 residents compare to the national median of 2850 individuals.

**XIII. Our Committee's Recommendations Regarding Increased Accountability and Efficiency:**

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Note: This Report must be filed with the county (or counties) no later than 18 months after the first committee meeting.

Submitted by: \_\_\_\_\_  
Chairman, Decennial Efficiency Committee

Date of Committee Approval of Report: \_\_\_\_\_



## **6a. NEW BUSINESS**

Designate committee members to compile information and identify efficiencies to review at next meetings.

Being the committee member with the access and knowledge to compile the relevant information, most likely Director Stuhlmann will be assigned this task.

Pulled from the Ancel Glink memo, below are the suggested areas for compiling and evaluating:

- Programs and services offered by the library
- Awards and recognitions
- Intergovernmental agreements
- Community, regional, and state partnerships
- Laws, policies, rules and procedures, training material, and other documents applicable to the library

The committee can either try to review all of this material at the second meeting, or space it out over a couple of smaller meetings.

## **7. SET DATE FOR NEXT MEETING**

In order to give enough time for the compilation of information, I would recommend the second (or more) meetings be in the fall/winter of 2023, or possibly winter/spring of 2024 at the latest. If we aim for just one meeting, then we can push it back a bit, but if we want to chunk it out into several smaller meetings then we should start sooner.

## **8. SURVEY MEMBERS OF THE PUBLIC IN ATTENDANCE FOR MATTERS DISCUSSED AT THIS MEETING**

Surveying the public at the end of each meeting is one of the requirements set by the statute.

Survey:

1. Did you have any questions regarding what we discussed at today's meeting?
2. Do you have any other input or comments regarding what we discussed at today's meeting?