



AGENDA ITEM # 6.A.2

**AGENDA ITEM EXECUTIVE SUMMARY
Village Board Meeting
April 12, 2021**

Item Title: **Ratification of Executive Order**

Staff Contact: Andrew Maglio, Mayor

VILLAGE BOARD ACTION

<p>Pass an ordinance ratifying and adopting actions by Mayoral executive order during the declaration of local state of emergency.</p>

Executive Summary:

On the October 26th Village Board meeting the Village Board ratified Executive Order 2020-12 authorizing and directing the Police Chief and Village Administrator to exercise the necessary discretion to modify commuter parking lot operations. The ongoing pandemic continues to result in a decrease in Metra ridership resulting in a decrease in the number of commuters parking at the train station. Staff has made the operations of the parking lots more flexible during this unprecedented time of underutilization by eliminating commuter parking permit options, increasing unrestricted daily fee parking, and consolidating parking into the south and Maple lots by closing the north lots. The Executive Order I signed on March 31, 2021 extends the Executive Order 2020-12 through June 30, 2021. The extension continues to allow staff to monitor and make necessary adjustments during the pandemic and also provides the Village Board the ability to discuss modifications made by staff during a Village Board meeting.

During the declared local state of emergency, the Mayor is authorized to exercise authority through executive orders. Attached is an ordinance ratifying a Mayoral executive order. By ratifying the executive order, the Village Board is approving the order contemporaneously with when it was issued by the Mayor. A copy of the executive order is attached.

Implications:

Is this item budgeted? N/A

Any other implications to be considered? N/A

Attachments:

Ordinance and Exhibits

ORDINANCE NO. 2021-

**AN ORDINANCE RATIFYING A MAYORAL EXECUTIVE ORDER DURING THE
DECLARATION OF LOCAL STATE OF EMERGENCY**

WHEREAS, on March 20, 2020 the Mayor of the Village of Roselle declared a local state of emergency; and

WHEREAS, the declaration was entered by the Mayor in conformance with Illinois Municipal Code Section 5/11-1-6, the Illinois Emergency Management Agency Act Section 330/5/11, and Chapter 2, Article XIX of the Village Code; and

WHEREAS, upon declaring a local state of emergency the Mayor is provided extraordinary power and authority to exercise by executive order all such powers of the corporate authorities and other officers of the village as may be reasonably necessary or appropriate to respond to the emergency; and

WHEREAS, the Mayor has issued an executive order of which the Board of Trustees desires to ratify and adopt as an act on behalf of the Corporate Authorities; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Roselle that they hereby ratify the following executive order as necessary and appropriate so as to be fully authorized as if they had been adopted by the Village Board contemporaneous with their issuance by the Mayor of the Village of Roselle:

1. Executive Order 2021-19: "Authorizing the Police Chief and Village Administrator to have the discretion to modify commuter parking"; incorporated herein as fully set forth as Exhibit A;

2. That upon rescission or expiration of the foregoing executive order the underlying ordinances or policies affected by the executive order shall return to and remain in full force and effect as originally constituted

3. That if any portion of this Ordinance is deemed invalid by a court of competent jurisdiction it shall not affect the remaining portions of the Ordinance

4. This Ordinance shall become effective upon its passage, execution and publication as required by law.

ADOPTED this 12th day of April, 2021

AYES:

NAYS:

ABSTAIN:

ABSENT:

Andrew "Andy" J. Maglio, Mayor,
Village of Roselle

ATTEST:

Patricia Burns, Village Clerk

2021-19

**EXECUTIVE ORDER OF THE MAYOR OF THE VILLAGE OF ROSELLE, ILLINOIS,
AUTHORIZING THE POLICE CHIEF AND VILLAGE ADMINISTRATOR TO HAVE THE
DISCRETION TO MODIFY COMMUTER PARKING**

WHEREAS, Article XIX "Emergency and Disasters" of Chapter 2 "Administration" of the Roselle Village Code grants authorization to the Mayor of the Village of Roselle to enter executive orders "upon the declaration of a local state of emergency"; and

WHEREAS, the authority to declare a state of emergency and to issue local executive orders under Chapter 2 Article XIX is exclusive to the Mayor; and

WHEREAS, on March 20, 2020, I the Mayor of the Village of Roselle, Andrew Maglio, entered a declaration of local state of emergency based on the COVID-19 pandemic; and

WHEREAS, on October 26, 2020, the Board of Trustees of the Village of Roselle ratified Executive Order 2020-12: "Authorizing the Police Chief and Village Administrator to Have the Discretion to Modify Commuter Parking"; and

WHEREAS, Executive Order 2020-12 authorizes and directs the Police Chief, or his designee, with the authority to impose any conditions, management and controls upon the parking lots which, based on the current circumstances, that he deems necessary and appropriate for the public health, safety, and welfare; and

WHEREAS, the COVID-19 pandemic continues to negatively affect public transit including Metra resulting in a significant decrease in the number of commuters utilizing the commuter parking lots adjacent to the Roselle Metra Station; and

WHEREAS, pursuant to Article XIX, Section 10-19-113 and Article VI, Section 18-90 of the Roselle Municipal Code, municipal parking lots are under the supervision of the Police Chief; and

WHEREAS, I have concluded that under these unusual and extraordinary circumstances an extension of Executive Order 2020-12 is necessary authorizing the Police Chief and Village Administrator to have the discretion necessary to temporarily modify the operations, manner, and use of the parking lots and train station including the closure of lots, use of parking spaces, availability of parking cards/permits, parking enforcement and fees, coffee vendor space, maintenance of the parking lots such as snow and ice control, and promote the public health, safety, and welfare and the efficient operations of the parking lots.

NOW, THEREFORE, BASED ON THE FOREGOING RECITALS, I, Andrew Maglio, as Mayor of the Village of Roselle hereby order instanter pursuant to my executive powers granted by law and the declaration of emergency as follows:

SECTION 1. The foregoing recitals are incorporated herein as if fully set forth as substantive provisions.

SECTION 2. The Executive Order 2020-12 ratified by ordinance 2020-4119 shall remain effective until June 30, 2021 unless the corporate authorities of the Village adopt an ordinance repealing these authorizations before that date.

SECTION 3. The Village Administrator and his designees are hereby authorized and directed to undertake reasonable acts to implement this executive order.

SO ORDERED this 31st day of March, 2021.


Andrew J Maglio (Mar 31, 2021 12:31 CDT)

Andrew "Andy" Maglio, Mayor,
Village of Roselle

ATTEST:


Patricia Burns, Village Clerk

Date: 3/31/2021