



River Trails Park District

Board of Commissioners Amended and Restated Board Policy and General Practices Manual

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Article 1 Purpose of Manual, Biennial Review and General Provisions

1.1 Purpose. This Board Policy Manual (the “Manual”), adopted unanimously by the Board of Commissioners of the River Trails Park District (the “RTPD” or “District”), sets forth basic policies and tenets to guide the River Trails Board of Park Commissioners (the “Board”) as it governs the District.

The purpose of this Manual is to establish basic standards for appropriate decision-making, protocol, and conduct of the Board. Should there be instances not covered in this Manual, the Board will decide upon an appropriate action consistent with basic standards established in this Manual and in accordance with applicable law. Through the use of this Manual, the Board hopes to ensure good, honest, and accountable representation of its constituents.

1.2 Review of Manual. From time to time, the Board may repeal, amend or supplement any of the policies set forth in this Manual as required by changes in federal, state, county or local law, in economic or social conditions, and for other reasons the Board deems as appropriate. It is the intention of the Board to perform a comprehensive review this Manual biennially for consistency with applicable law and the practices of the Board. This Manual may be revised or supplemented in writing by majority vote of the Board.

1.3 Resolution of Conflicting Provisions. Although a thorough scrutiny has been made of all records, minutes, reports, correspondence and memorandums available at the time of preparation of this Manual, certain policies may not have been included. To the extent any District policy not included herein conflicts with the policies in this Manual, the policies included in this Manual shall control. Should any conflict arise between any provision of these policies and procedures and any federal or state law, ordinance, code, rule, regulation or other enactment (collectively, “federal or state law”), the provision of the federal or state law shall govern control.

1.4 Language. Where necessary in the context of these policies, words in the masculine gender shall include the feminine and neuter genders and words in the singular number shall include the plural number. The descriptive headings of the various sections or parts of these policies are for convenience only. They shall not affect the meaning or construction or be used to interpret these policies or any of its provisions.

1.5 Severability. If any policy or part thereof contained in this Manual shall be determined invalid in a court of law, such determination shall not affect the validity of the remaining policies or parts thereof.

Article 2 Statement of Mission, Vision, and Values

It is the policy of the Board to establish and approve a Park District Mission Statement (Statement of Purpose) and a Vision Statement in accordance with all applicable laws.

The purpose of the Mission Statement is to communicate to the public the District’s role in the community with regards to parks and recreation. The purpose of a Vision Statement is to declare to the public the optimal destination of the District.

The Mission and Vision Statements will be reviewed and revised or re-approved at least once every five years, with input from the public, District staff and Board Commissioners (“Commissioners” or “Board member”).

The Mission and Vision Statements, once approved, will be prominently posted at the District’s Administrative offices, on the District’s website, will be included in each of the District’s seasonal brochures, and will be distributed to each District employee at least once a year.

The District’s parks and other facilities provide safe, quality open space and recreation opportunities for the public, and the Board will work persistently to maintain the availability of the District’s parks, other facilities, and programs for generations to come. The Board believes that the District’s park system is a major contributor to the enhanced quality of life that exists in the Village of Mount Prospect and City of Prospect Heights.

The Board believes strongly in the value of citizen participation in the Board’s governance of the District. The Board will therefore conduct the business of the District in an open and communicative fashion, seeking feedback and advice whenever possible. The Board will reach out to the public in order to serve all equally to the fullest extent possible with the resources of the District.

The Board believes that one key to maintaining an excellent parks and recreation system is to sustain partnerships with other agencies throughout the community who can contribute to the services provided by the District. These valuable partnerships may be with agencies within the District's boundaries or outside of them. The Board is committed to seeking out these partnerships.

In addition, the Board is committed to preserving the open spaces it owns, even while offering innovative, high quality programs.

In striving for excellence, the District is committed to:

Effective Communication: The Board will be attentive to the public by routinely soliciting public feedback and by welcoming ideas and advice. The Board's processes and procedures will facilitate and reflect open and effective communication.

Inclusion: The Board recognizes the community's diverse population and will strive to provide parks and recreation opportunities to all District residents and the general public, regardless of economic means, disabilities, or other challenges.

Funding: The Board will aggressively pursue economic stability through sound fiscal management and efficient use of resources, which may include but not be limited to: taxes, fees, grants, partnerships, and sponsorships.

Partnerships: The Board is committed to working effectively with others, establishing and strengthening bonds with governmental agencies as well as other community organizations and user groups, for the betterment of the community.

Customer Service and Professional Conduct: The Board will demonstrate the highest standards of ethical conduct, treating everyone with courtesy and respect and recognizing diverse opinions and needs. The Board will listen carefully and will respond to requests in a prompt and respectful manner.

Planning: The Board will design long-term strategies and set measurable goals.

Evaluation: The Board will maintain an on-going process of evaluating its performance and effectiveness and will measure the success of implemented policies and strategies.

Safety: The Board will actively implement sound health and safety practices in our facilities, parks, programs, and in all aspects of the District's work and services, striving to provide a safe environment for users and employees of the District's parks system and programs.

The Board will value each contact with District residents and the general public and will pursue each contact as an opportunity to demonstrate these highly regarded values.

Article 3 Board Role and Responsibilities

3.1 Board Authority Pursuant to State Law. The Board functions under the authority of the Illinois Park District Code, 70 ILCS 1205/1-1 *et seq.* and within the framework of applicable local, state and federal laws.

3.2 Board of Commissioners; Term of Office. The District is governed by a Board of Commissioners comprised of five elected resident members of the District, each of whom are elected to serve a six-year term, until their successors are duly elected and qualified.

3.3 Actions Taken in Representative Capacity. Commissioners, collectively and individually, act as representatives of the public in maintaining and promoting the District's parks, other facilities, and programs. Through careful evaluation of needs, resources, and other factors, the Board makes decisions that it determines best serve the District as a whole.

3.4 Legislation and Policymaking. The Board acts as the legislative and policy-making body of the District in the management, operation, control, planning and improvement of its parks, facilities, personnel and fiscal operations.

(a). Legislation. The Board is the legislative body of the District with authority to adopt ordinances which it deems are necessary or appropriate to exercise the powers of the District provided by law, including but not limited to those necessary or desirable to manage and control all officers, staff and property of the District.

(b). Legislative Advocacy. In addition to the promulgation of its own laws, many of the District's activities are affected by federal, state, local and county laws. Some of the District's activities are funded with money from county, state, and possibly federal agencies. For this reason, it is desirable that the Board stay informed about pending legislation that is of interest to the District. When appropriate, the Board shall encourage its Board members to contact county, state, and federal elected representatives to advocate the best interests of the District.

The District's Executive Director ("Director") shall advise and/or recommend to the Board any action to be taken regarding said legislation, existing or proposed. The Board shall then decide the course of action to be taken and officially approve action at a regularly scheduled or special Board meeting.

(c). Policymaking. The Board concerns itself primarily with questions of policy rather than administrative matters. The Director is charged with the administrative responsibility to implement the Board's policies. The Board shall enact and maintain appropriate policies, procedures, rules, and regulations related to the safe, legal and effective operations of the District and the District's parks and facilities.

3.5 Strategic Goals and Objectives It is the policy of the Board to require the setting of strategic goals and objectives consistent with the Mission of the District. Goals and objectives are to be divided into two categories – long and short term. Generally, long term goals are for projected completion of two years or more, with short term goals having a projected completion of one year or less.

(a). The Board assigns the Director the authority and responsibility to review and approve all District goals and objectives, except for those goals and objectives the Board may establish for the Director.

(b). All new District goals and objectives, both long and short term, are approved once annually in January by the Director, and then forwarded to the Board as one condensed binder or document, as a part of the annual review. Input from Commissioners and District staff will be solicited on the goals and objectives submitted.

(c). The Director may delegate the evaluation or re-evaluation of specific Division goals and objectives to Division Heads.

(d). A complete listing of the District's goals and objectives, including specific Division goals and objectives, once approved, will be made available at the Administration Office and added to the District's website.

3.6 Executive Director. The Board shall select an Executive Director to be the chief administrator and professional advisor for the District. See Article 7 for further discussion.

3.7 Fiscal Responsibilities. The Board shall establish a budget, appropriate funds, levy taxes annually for the various operations of the District in accordance with state law and perform other duties as set forth in Article 8 of this Manual.

3.8 Strategy and Planning Responsibilities. The Board shall provide for the planning, improvement, financing, construction, and maintenance of the parks and other facilities, equipment, and property of the District. Among other things, the Board shall undertake the following:

- (a) Master Plans. The Board shall maintain a master plan that includes provisions for each of the District's parks and other key facilities. The Board shall endeavor to keep the master plan current and shall undertake a thorough review of the master plan at least every 5 years.
- (b) Capital Projects Plan. The Board shall maintain a 5-Year Capital Projects Plan that forecasts the District's capital project's needs. This Capital Projects Plan should include provisions related to proposed capital improvements; park and facility maintenance and repairs; equipment replacement, maintenance, and repairs; vehicle needs; estimated costs; potential funding sources; and similar matters. The Board should review the Capital Projects plan at least biennially.
- (c) Communication. Communicate strategy and achievement of the District's Mission throughout the community and with the general public.

3.9 Land Acquisition. The Board understands that land acquisition is of primary importance to the provision of leisure and recreational services and the proposition that open space, which is judiciously placed, produces benefits for active and passive use as well as contributing to urban form. A comprehensive and continuously updated land acquisition plan must be the cornerstone of the land acquisition program. All land acquisitions will require an Environmental Review prior to final transfer or purchase. The District recognizes that the municipalities in which the District is located have ordinances which allow for dedication of park land/cash donations. The District supports these ordinances and will work cooperatively with each respective municipality to complete any such dedication(s). The Land Acquisition Policy is located in the General Administration Policy Manual; Section 1.3.

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3.10 Intergovernmental and Civic Cooperation. The Board encourages cooperation with other agencies in the community, including governmental, public, private, and voluntary organizations that enhance the services provided to District and act consistently with the best interests and well-being of the District. The Board has created many beneficial relationships with organizations that undertake activities consistent with the best interests of the District. The Board supports the following policies:

- (a) Promotion of Cooperation. The Board encourages Commissioners and the Executive Director to promote intergovernmental and civic cooperation through appropriate relationships between District officials and staff and the officials and staff of other agencies.
- (b) Relationships with Particular Groups; Liaisons. The Board desires to maintain its valuable relationships with the various sports, community and civic groups. Commissioners may be appointed to serve as liaisons between the District and some of these organizations.
- (c) School Districts 21, 26 and 214. The Board encourages cooperation between the District and School Districts 21, 26 and 214 and local parochial schools in the development and use of facilities and equipment, when such cooperation results in efficient and effective programming that is beneficial to the District, the school district, the residents and the general public, or is otherwise in the best interest of the District.
- (d) Northwest Special Recreation Association. The Board is committed to helping provide for the recreation needs of special populations within the District, including senior citizens and individuals with special needs or disabilities. In furtherance of that commitment, the District shall remain an active member of the North West Special Recreation Association.
- (e) Professional and Civic Memberships. The Board recognizes the benefits derived from having memberships in various professional and civic organizations. Therefore, the Board shall subscribe to memberships for the District in the following organizations:

- National Recreation and Park Association (NRPA)
- Illinois Association of Park Districts (IAPD)
- Other organizations as the Board and Director shall deem appropriate.

The Board shall designate a representative(s) of the District, who shall be authorized to cast ballots for any action to be voted upon by the District as it relates to its membership in these organizations.

The Board shall be informed of issues submitted by these organizations prior to the casting of a ballot, when possible, and then the Board will authorize the representative(s) as to the action to be taken.

3.11 Operations. The Board shall:

- (a) Adopt ordinances, laws and policies for the benefit of the District and periodically review policies as needed;
- (b) Approve contracts, leases, annexations, partnerships and sponsorships which will enhance and further the Mission and Vision of the District;
- (c) Approve plans for parks and facilities that achieve the District's Mission, Vision and strategy to meet the recreational needs of the community; and
- (d) Approve the naming of parks, facilities and recreation areas in accordance with the District's Naming of Parks and Facilities Policy. This policy is located in the General Administration Policy Manual; Section 1.5.

3.12 New Board Member Orientation. The Board recognizes its responsibility in helping and assisting a newly elected or appointed Board member to understand the operation of the District as well as Board member roles and responsibilities. The Board and the Director shall assist in educating each new Board member regarding the Board's functions, policies, procedures, roles, duties and responsibilities by:

- (a) Providing an orientation guide that consists of a variety of materials related to the operation and policies of the District, including:
 - (1) This Manual;
 - (2) The Illinois Park District Code;
 - (3) The Park District Personnel Handbook;
 - (4) The text of the Open Meetings Act; and
 - (5) Other relevant laws or provisions thereof.

The Board Secretary shall supply material pertinent to the first official meeting of the Board following the election or appointment of a new Commissioner(s), and shall explain its function and utilization.

- (b) Arranging the opportunity for new Commissioners to attend the IAPD or other new commissioner orientation. Attendance in the IAPD New Board Member educational program, or other similar program, is **STRONGLY ENCOURAGED**.
- (c) Providing a tour of the District's parks and other facilities.
- (d) Arranging meetings with the Board President, the Director, the Superintendents, and other staff as determined by the Director, in order for the new Commissioners to become more familiar with the operations of each department, the District's organizational structure and the Board's planning, financial, and budget procedures.
- (e) The Director, in consultation with the Board President, should also determine if a closed session is warranted to bring new members up to date on land acquisition, pending litigation and personnel issues to the extent permitted by the Open Meetings Act. A newly elected or appointed Commissioner may also review closed session minutes in compliance with the Open Meetings

Act, 5 ILCS 120/2.06(f). Access to the minutes shall be granted at the main office or official storage location, in the presence of an administrative official of the District.

3.13 Vacancies in Office. The Board shall declare vacant the office of any Commissioner who dies, resigns, becomes under legal disability, ceases to be a legal voter within the District, is convicted of an infamous crime, bribery, perjury or other felony, refuses or neglects to take his or her oath of office after being elected or appointed to the Board, neglects to perform duties of his or her office or attend meetings of the Board for the length of time as specified pursuant to Ordinance number 15.06.04A (*See Appendix A*), or for any other reason specified by law. A vacancy shall be filled by appointment by a majority of the remaining members of the Board. Applications for appointment shall be solicited by the Board directly and/or by advertisement in a local newspaper of general circulation. The Board shall establish a process for review of candidates determined by the Board to be best qualified for appointment. Subject to the conditions set forth in 70 ILCS 1205/2-25, the appointed Commissioner shall continue to serve until the next election as required by law, at which the vacancy shall be filled in accordance with applicable law.

3.14 Board Retreat and Goal-Setting. The Board recognizes that it is important to evaluate itself and establish goals for the Board from time to time. The Board shall conduct an annual retreat at which the Board shall undertake a self-evaluation and formulate goals for itself. All Board members are very strongly encouraged to attend the retreat. This retreat will be scheduled within a District facility or a location which will not incur any significant costs to the District.

Article 4 Individual Commissioner Role and Responsibilities

4.1 In General. Each Commissioner shall serve as an active, voting member of the Board in advancing the District's Mission and Vision and carrying out Board responsibilities; share the responsibility for effective Board leadership through participation; adhere to Board policies; regularly attend and be attentive at scheduled Board and committee meetings; attend Board retreats, in-service workshops, Board self-evaluations and other Board development activities; and attend and participate in special events and District functions and, as needed, community functions.

4.2 No Compensation. Commissioners shall serve on the Board without salary, gift (*See Appendix B*), personal use of any tangible or intangible District asset, or other compensation. Commissioners may be reimbursed for certain expenses as provided in this Manual.

4.3 Preparation for and Participation in the Deliberative Process. Each Commissioner shall review and become well-informed about issues and agenda items in advance of meetings; respect and consider the opinions of and input received from the public; respect the various points of view of fellow Commissioners and the principle of collective decision making; participate in Board and organizational decision making; and maintain the confidentiality of matters considered in closed sessions or closed meetings until the Board determines that the need for confidentiality no longer exists and votes to release the minutes of the session or meeting to the public.

4.4 Collective Decision-Making. In the discharge of their duties, Commissioners act collectively as a Board and not as individuals. Commissioners should abide by the majority vote (or other vote as may be required by law) of the Board and support the determination of that majority. Also, an individual Board member should not speak for the Board unless authorized to do so by the Board.

4.5 Outside Influences. All Commissioners shall avoid potential conflicts of interest and the appearance of impropriety. Commissioners are subject to the State Officials and Employees Ethics Act (5ILCS 430/ *et seq.*), as now and hereafter amended, and District Ordinance No. 15-06-18, an "Ordinance Regulating the Political Activities of and the Solicitation and Acceptance of Gifts by the Officers and Employees of the River Trails Park District". (*See Appendix B*)

4.6 Open Meetings Act Electronic Training. Each Commissioner (elected or appointed) must complete Open Meetings Act electronic training provided by the Illinois Attorney General Public Access Counselor's Office as follows:

- (a) Commissioners elected or appointed must complete the electronic training no later than the 90th day after taking the oath of office.
- (b) Commissioners that have taken the electronic training in accordance with the foregoing requirement, need not complete the electronic training on an annual basis thereafter *unless* they are the designees of the District to receive such training in accordance with the Open Meetings Act.

4.7 Board Member Ethics and Conduct. Board members are expected to be of high moral and ethical character and work together as a team to serve the community by delivering top quality park and recreational opportunities. Each Board member is expected to act in the best interests of the District and be free of outside influence and self-interests. In accordance with this policy, Board members will educate themselves about and comply with all other federal, state and local laws, regulations, and ordinances applicable to the conduct of the Park District's elected officials. These include but are not limited to, the Open Meetings Act (5 ILCS 120/1 *et seq.*), the Public Officials Prohibited Activities Act (50 ILCS 105/0.01 *et seq.*), the State Officials and Employees Ethics Act (5 ILCS 430/1-1 *et seq.*), the Government Ethics Act (5 ILCS 420/1-101 *et seq.*), the official misconduct and public contracts provisions of the Illinois Criminal Code (720 ILCS 5/1-1 *et seq.*), the Illinois Human Rights Act (775 ILCS 5/1-101 *et seq.*), the District's own Ethics Ordinance (*See Appendix B*), and any and all other applicable conflicts of interests provisions, whether established by federal, state or local laws or by common law. Accordingly, Board members must:

- (a) On a yearly basis, file a Statement of Economic Interest with the County Clerk of Cook County.
- (b) Always keep the best interests of the District in mind and conduct themselves accordingly.
- (c) Understand and respect the separation of Board responsibilities and functions from those of the Director and District staff.
- (d) Be available and responsive to District residents and the general public.
- (e) Represent all the residents of the District and the general public and avoid partisanship based on special interests.
- (f) Communicate with fellow Board members and the Director.
- (g) Review, understand and follow all provisions of the Illinois Open Meetings Act, the Illinois Freedom of Information Act, and the educational materials, memoranda and opinions provided by the District's legal counsel.
- (h) Be properly prepared for Board deliberation.
- (i) Avoid public promises or statements regarding a vote or position on an issue prior to an official meeting.
- (j) Publicly accept and endorse majority decisions of the Board.
- (k) Respect the confidentiality appropriate to issues of a sensitive nature and maintain the confidentiality of matters discussed in closed session.
- (l) Recognize that an individual Commissioner has no legal authority to determine policy, give directions to District personnel, or to act or speak for the Board unless specifically authorized to do so by official Board action.

- (m) When the Board must decide upon an issue about which a Commissioner may have an unavoidable conflict of interest, that Commissioner must disclose the interest, and recuse him/herself from all discussion, deliberation and vote taking about the issue as required by applicable state and federal law.
- (n) Develop productive relationships with other elected officials at the federal, state and local level.
- (o) Participate in Board development opportunities.

4.8 Media Relations. The designated spokespersons for the District are the Board President and the Director. Requests by the media for comments should be referred to those representatives. Under some circumstances, it may be appropriate for a Commissioner other than the Board President to speak to a media representative about a matter with which that Commissioner has particular experience or expertise.

Article 5 Board Officers

The Officers of the Board are President, Vice-President, Treasurer, and Secretary as prescribed by law, and such assistants (Assistant Treasurer and Assistant Secretary) and other officers as may be chosen by the Board.

The President and Vice-President are elected by the Board and the Secretary and Treasurer are appointed annually by the Board at the Annual Meeting, pursuant to law. Each Officer holds office until the next Annual Meeting or until a successor is duly chosen and has qualified. Elections and appointments of the Board Officers will take place as the last item of New Business at the Board's Annual Meeting. In addition to the duties specified below, each Officer shall perform such duties as may be required of him/her by law or by direction of the Board.

5.1 President. The Board President shall be the chief executive officer of the Board. The President shall be the presiding officer at meetings of the Board. The President shall appoint an Assistant Secretary of the Board to serve in the absence of the Secretary. The President shall sign all ordinances passed by the Board and all such other documents and papers of the District that by law require a signature. The President shall see that policies of the Board are enforced and that orders of the Board are faithfully executed. The President's vote shall be called for on all matters before the Board in the normal voting rotation with the other Commissioners. The President shall be the designated spokesperson, along with the Director regarding the District to the media. The President shall be elected by the Board and serve a term for one (1) year or until a successor is elected.

5.2 Vice-President. The Board's Vice-President shall perform the duties of the President in the President's absence or refusal or inability to act, shall be vested with powers and perform the duties of the President. The Vice President shall be elected by the Board and serve a term for one (1) year or until a successor is elected.

5.3 Secretary. The Secretary of the Board need not be a member of the Board. In the event the Secretary is not a member of the Board, the Board may fix reasonable compensation for the office. The Secretary shall oversee the taking, completion, and recording of all minutes, ordinances, orders, and resolutions of the Board. The Secretary shall be responsible for all official correspondence of the Board. If the President and Vice-President both are absent from a meeting at which a quorum of Commissioners is present, then the Secretary shall call the meeting to order and call for selection of a President *pro tempore* for that meeting by a majority vote of the Commissioners present. The Secretary shall give notice and attend all meetings of the Board. The Secretary keeps the corporate seal and all books and records pertaining to his/her office, attests and affixes the corporate seal to all instruments requiring such action when authorized by ordinance or vote of the Board, and causes all ordinances, resolutions and other actions of the Board requiring publications to be duly published. The Secretary shall give notice of and attend all meetings of the Board and perform such other duties as designated by the Board. The Secretary shall be elected by the Board and serve a term for one (1) year or until a successor is elected. An Assistant Secretary may be appointed by the Board and shall perform the duties of the Secretary as prescribed by the Board at the direction of the Secretary or in the event the Secretary is unable to perform said services.

5.4 Treasurer. The Treasurer of the Board need not be a member of the Board. In the event the Treasurer is not a member of the Board, the Board may fix reasonable compensation for the office. The Treasurer, in conjunction with the Director, serves as the primary liaison between the Board and District staff on financial matters, reports monthly to the Board all receipts and disbursements of the District, and shall submit such financial statements and detailed information as may be required by the Board. The Treasurer works with District staff to develop and monitor the financial policies and controls of the District. The Treasurer countersigns vendor checks issued by the District if and as required, signs all appropriate financial documents as needed, and performs all other duties and prepare such other reports as designated by the Board. The Treasurer shall be appointed by the Board and serve a term for one (1) year or until a successor is appointed. An Assistant Treasurer may be appointed by the Board and shall perform the duties of the Treasurer as prescribed by the Board in the event the Treasurer is unable to perform said services.

5.5 Attorney. The Attorney is appointed on a three (3) year cycle subject to Board review. The Attorney acts as an advisor to the Board on all legal matters, including the prosecution and defense of all litigation or other dispute resolution or administrative hearings in which the District has an interest. The Attorney drafts ordinances, resolutions and other instruments by the Board, participates in contract review and negotiation as directed by the Director or the Board President, and gives opinions to the entire Board or to the President of the Board, when requested.

Article 6 Board Meetings

6.1 Regular Monthly Board Meetings. The regular meetings of the Board are held on the first and third Thursdays of the month at 7:00 p.m. at the Administrative Office, 401 E. Camp McDonald Rd, Prospect Heights, IL 60070, except at otherwise posted by the Board in accordance with the Illinois Open Meetings Act (5 ILCS 120 *et seq.*). An annual notice of the meeting dates will be posted at the beginning of the calendar year at the principal office of the District and on its website. Any notice of annual schedule of meetings shall remain on the website until a new public notice of the annual schedule of regular meetings is approved. Copies of said public notice shall be supplied to any local newspaper or local media requesting such notice.

6.2 Special Meetings. Special, rescheduled or reconvened meetings of the Board may be called by the Board President or by any two members of the Board. Notice of such meetings stating the time and place of the meeting and the agenda for the meeting shall be provided to Board members and shall be delivered and posted as required by the Open Meetings Act. Copies of said public notice shall be supplied to any local newspaper or local media requesting such notice.

6.3 Annual Meeting. The official “Annual Meeting” of the Board will be held on the first Thursday in May or as soon thereafter as practicable and shall include the election of the Board Officers, including the President, Vice-President as well as appointment of the Secretary, Treasurer and Board Representatives. *See* Article 5 of this Manual related to Board officers.

6.4 Meeting Attendance. Although Board members should strive to attend all meetings in person, Commissioners may attend certain meetings remotely through other methods, as set forth in the Resolution regarding Commissioner Attendance at Meetings by Electronic Means (*See Appendix C*). The Board may also conduct meetings remotely in the event the Governor or Illinois Department of Public Health has issued a disaster declaration related to public health concerns pursuant to 5 ILCS 120/7(e).

In accordance with the Park District Code, a Board member’s position may be declared vacant in the event the Board member neglects to attend the meetings of the Board for the length of time that the Board fixes by ordinance. 70 ILCS 1205/2-25. *See Appendix A* for the District’s Ordinance Governing Attendance and Declaration of Vacancy.

6.5 Preparation of Meeting Agendas. The Executive Director, in consultation with the Board President, is responsible for preparing the agendas for all Board meetings and Board committee meetings. The Director shall cause the Board to receive appropriate agenda materials no less than 48 hours before each meeting, including such items as the meeting agenda, explanatory materials related to items on the agenda, a schedule of accounts payable set for approval, an account of the District’s income and expenditures, and monthly staff reports as appropriate. A Board meeting agenda shall be prepared and posted at least 48 hours in advance of the meeting

at the District's principal office, at the location where the meeting is to be held, and on the District's website, as required by the Open Meetings Act.

The agenda for regular meetings of the Board generally shall be structured as set forth in **Appendix D**; provided that the Director, with the concurrence of the Board President, may revise the agenda from time to time as appropriate depending on the current business of the Board.

6.6 Executive Director's Attendance at Meetings. The Director or, if the Director is unable to attend the meeting, then his or her designee, shall be present at all meetings of the Board.

6.7 Quorum. The Board is comprised of five Commissioners. A majority (3) of the Commissioners shall constitute a quorum for the transaction of business. If a quorum is not present, the Commissioners attending the meeting may adjourn and reschedule the meeting to a time when a quorum is present. If there is no pressing business, the meeting can be cancelled and the agenda added to the next scheduled meeting.

6.8 Voting. For purposes of voting on matters that come before the Board, the roll shall be called for all matters involving the expenditure of District funds, for all ordinances and resolutions, for all matters creating a liability for the District, and in all cases at the request of any Commissioner or as otherwise required by law. A voice vote can be used if deemed appropriate by the Board President. In a roll call vote, the ayes, nays, and absence of the Commissioners shall be recorded. The roll shall be called in rotating order such that the voting order is different for successive roll call votes. The initiation and seconding of motions also shall be recorded. The President has the option of voting last on all roll call votes and has a right to vote upon all questions.

6.9 Roberts Rules of Order. To the extent not otherwise provided in this Manual or other rules or procedures of the District, the Board may rely on the parliamentary procedures set forth in Robert's Rules of Order to resolve questions of procedure.

6.10 Open Meetings. All regular, special, rescheduled, and reconvened meetings of the Board and any committee meetings and other Board-appointed task force and commission meetings shall be noticed and conducted in accordance with the Open Meetings Act (5 ILCS 120/1-1 *et seq.*). All meetings shall be open to the public except when an executive session is called in accordance with the Open Meetings Act.

6.11 Policy Regarding Electronic and Other Communications Between Board Members. Commissioners are charged with knowledge of and responsibility for complying with the Open Meetings Act. This includes, without limitation, provisions pertaining to communications among Commissioners via electronic means. Commissioners must understand and follow the Park District's Policy Regulating Communications between Board Members (*See Appendix E*). Additionally, Commissioners should refrain from texting or otherwise using mobile communications devices during meetings to avoid even the appearance of a possible Open Meetings Act violation as well as the appearance of inattention to the proceedings. Any alleged consistent violation should immediately be reported to the Board President and/or the District's Attorney. If necessary, the District may advise appropriate legal officials of any violations.

6.12 Closed Sessions. The Board or any Board committee may hold a closed session meeting at such times as may be required for Board discussion of matters exempted from public discussion under the provisions of the Open Meetings Act. Any such closed meetings shall be scheduled, conducted, and recorded in accordance with the Open Meetings Act. No final action may be taken at a closed meeting.

Verbatim audio or video recordings shall be made of all closed session meetings. The tape recording of each meeting shall be retained for a minimum of 18 months from the date of the meeting. The recordings may be destroyed after 18 months, provided the Board has approved written minutes of the closed session in question and has approved the destruction of the recording. Recordings will be kept in the locked custody of the Board Secretary at the Park District's administrative offices and shall not be held at a different location except by vote of the Board or by court order. When the Board Secretary is not in attendance at the meeting, the tape recording will be kept by the Director or another Commissioner designated by majority Board vote and be given to the Board Secretary at the earliest possible time. Tape recordings of closed sessions shall not be open for public inspection unless the Board, by majority vote of those present, makes a determination that a need for confidentiality of the recordings

no longer continues to exist. This would be accomplished at the biannual executive session meeting. Once the closed meeting minutes are approved to be opened, they become a matter of public record

6.13 Effective Meetings. The Board recognizes that the most effective, accessible meetings are those at which items of business are handled efficiently, with the necessary and appropriate amount of discussion but without unduly lengthy or repetitive debate or prolonged speechmaking by Board members or members of public. Board members should prepare themselves for meetings by reading the materials provided to them and making appropriate inquiries of the Director prior to the meetings.

6.14 Public Participation. The Board recognizes the need to establish a procedure and reasonable rules for individuals and organizations to have the opportunity to present statements and/or information to the Board while at the same time enabling the Board to conduct the business of the meeting. A “Public Comment” agenda item will appear at all Regular Board Meetings. At that point in a Regular Board Meeting, the Board President will ask if any member of the public wishes to address the Board. In accordance with the Open Meetings Act, the Board has established rules governing such activities at its meetings. (See **Appendix F**)

6.15 Rules Governing Public Recording of Meetings. Pursuant to the Open Meetings Act, an individual from the public may record a Board meeting open to the public by tape, film or other means, subject to the rules as set for the by the Board for such recordings. The Park District's policy is to cooperate with representatives of the print and broadcast media and with other members of the public who wish to record public meetings of the Board by tape, film or other means, so long as said recordings are not disruptive to the meeting and do not violate the rights of the members of the Board, Park District staff and the public. See **Appendix G** for the Rules Governing Public Recording of Meetings.

6.16 Official Minutes. The Board Secretary or designee shall be responsible for recording the minutes. The Secretary or designee must keep an accurate and true record of all motions, resolutions and ordinances with a detailed account of the roll call vote. All minutes are considered as drafts only until adopted by the Board at a subsequent meeting.

Minutes of Board and committee meetings, open or closed, shall be prepared in conformity with the Open Meetings Act, and at a minimum shall contain: (a) the name of the District, the date, time, and location of the meeting; (b) names of Commissioners recorded as either present and absent and whether the members were physically present or present by means of video or audio conference; and (c) a summary of discussion on all matters proposed and deliberated, and in the case of an open meeting, matter decided, and a record of any votes taken.

The Board shall approve the minutes of each of its open meetings within 30 days after the meeting or at the Board's second subsequent regular meeting, whichever is later. The Director shall cause minutes of meetings open to the public to be available for public inspection at the District's administrative office and to be posted on the District's website within 10 days after the approval of such minutes by the Board. Minutes of meetings posted on the District's website shall remain posted on the website for at least 60 days after their initial posting. Meeting notices, agendas, minutes, records and voting will conform to the requirements of the Park District Code and the Open Meetings Act.

6.17 Motions, Resolutions and Ordinances. The Board of Commissioners will follow all legal procedures concerning motions, resolutions and ordinances as outlined in Appendix H or as otherwise required by law. (See **Appendix H**)

7.0 Personnel Policies

7.1 Board Responsibility to Establish Personnel Policies. The Board shall have the responsibility of establishing policies governing District employees. The Board may adopt and maintain a personnel handbook that establishes the terms, rules, and policies related to employment with the District.

7.2 Employment of Executive Director. The Board shall employ a properly educated and trained professional to serve as Executive Director, the chief administrative officer of the District. The Board prefers that the Director have the CPRP (Certified Parks and Recreation Professional) or CPRE (Certified Park and Recreation Executive) certification. The duties and terms and conditions of employment of the Director may be set forth by written contract between the Board and the Director for a specific term. The Director shall serve at the will of the Board and shall be subject to the policies and direction of the Board. The Board shall annually evaluate the performance of the Director.

7.3 Executive Director Responsibilities. The Director shall at all times be subject to and act in accordance with the policies and directions of the Board. The Director shall be the chief administrative officer of the District and its programs and his/her duties shall include, but not be limited to the following:

- (a) The hiring, management, discipline, termination, and other matters related to District employees.
- (b) The efficient operation of the District consistent with Board-established policies. The Director shall recommend to the Board such rules, regulations, and operating policies for the District as he/she deems necessary and appropriate for the proper operation and use of the District's park system by the public, and the management and programming thereof, consistent with applicable laws and ordinances. If these rules, regulations, and operating policies are approved and adopted by the Board, then the Director shall promulgate and enforce them.
- (c) The oversight of the preparation of the annual working budget detailing sources and amounts of revenues and expenditures for each fund levied for by the District.
- (d) Functioning as liaison between District staff and the Board. The Director will facilitate the concise and efficient communication of all direct questions, comments, and requests for information between the Board and District staff as well as similar requests between individual Board members and individual staff members.
- (e) Issuance of permits, grants, and other permissions in accordance with applicable ordinances, policies, rules, and regulations of the District.
- (f) Attending all meetings of the Board, report on his actions and the operation and activities of the District since the previous Board meeting, and serve as an advisor to the Board on matters of policy formation. He/she shall be an unofficial member of all District staff committees.

7.4 Executive Director and Board of Commissioners Relationship. Commissioners should respect the Board's commitment to implement its policies through the Director and to rely on the Director to handle the administrative functions of the District. Commissioners should request desired information from the Director rather than from other employees of the District. Commissioners also should refer inquiries, information, complaints, and other communications made to them by residents and other members of the public about District matters to the Director. Commissioners should support the actions of the Director when those actions have been directed, ratified, or otherwise supported by the Board. The Board shall establish an effective working relationship with the Director and provide timely and effective feedback on the Director's performance.

The role of the Director is to:

- (a) Provide guidance and professional leadership based on high ethical standards and sound philosophical and logical applications. The Director must have the experience and education necessary to perform stipulated functions as established by the Board.
- (b) Fully and constantly keep the Commissioners informed of the important aspects of the day-to-day operations of the District in a straightforward manner. (See Section 7.3 of this Manual)
- (c) Prepare all information that is necessary for the Board to become fully informed on matters requiring the Board's attention. The Director should set forth a clear statement of the situation or problem, provide unbiased information on various alternatives, and the financial impact of the same, if necessary. This information should be accompanied by a recommendation. The Director should be prepared to justify the rationale behind the information and recommendation. Once the Board decides upon the policy, the Director should recognize and embrace that the decision is then the District's decision regardless of his/her personal point of view.
- (d) Respect the judgment and thoughts of each Commissioner and realize that the Board is the legal representative of the District.
- (e) Enter into the day-to-day operations of the District with the spirit that the administrative decision-making must exercise within the policies that have been approved by the Board. The Board should recognize that countless situations will arise which are not explicitly covered by adopted policies and require an administrative decision. (See 7.3 of this Manual).

7.5 Employees' Performance of Duties. Board members shall not inhibit, obstruct, or otherwise interfere with any District employee in the performance of his or her assigned duties. All inquiries relating to a District employee should be directed only to the Director. Individual Commissioners shall not make requests or give direction to District staff.

7.6 Anti-Nepotism Policy. The employment of relatives can cause various problems, including charges of favoritism, conflicts of interest, family discord and scheduling conflicts that work to the disadvantage of both the District and its employees. It is the policy of the District not to hire a close relative of any current Board member in any capacity if the employment would: 1) create a direct supervisor/subordinate relationship with a family member; 2) have the potential for creating an adverse impact on work performance; or 3) create either an actual conflict of interest or the appearance of a conflict of interest.

All hires indirectly create a path to the Board. This must be taken into consideration for any family member interested in employment at the District.

For the purpose of this policy, the term "close relative" includes the following relationships, whether established by blood, marriage, common law or other method: mother, father, husband, wife, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, son-in-law, daughter-in-law, step-child, aunt, uncle, niece or nephew.

No Board member may directly or indirectly interfere with or intervene in any personnel issue concerning a relative's employment.

8.0 Fiscal Responsibilities

8.1 General. The Board recognizes that the financial integrity of the District must be maintained through a sound financial plan outlining expected revenues and expenditures for all District funds. The Board shall exercise prudent financial judgment and practices so that the District remains financially sound. The Board shall review and approve an annual budget for the District. The Board shall also regularly review reports regarding the District's financial status, including accounts payable, current status of each of the funds of the District, and similar reports. A separate, comprehensive set of purchasing policies have been created for the District to establish a process for purchasing materials, supplies, equipment and services for the District. These policies should be strictly followed by all District employees and Commissioners and remain updated at all times. The Board has adopted a Fund Balance Policy to establish fund balance classifications for the District and to establish constraints upon the use of the resources that are reported as part of the fund accounting process. The Fund Balance Policy is located in the Financial Policy Manual; Appendix A. In accordance with the Illinois Public Funds Investment Act, the Board has adopted an Investment and Portfolio Policy providing guidelines for the prudent investment and management of the District's funds. The Investment of Funds Policy is located in the Financial Policy Manual; Appendix B.

8.2 Fiscal Year. The fiscal year of the District shall begin on the first day of January and end on the thirty-first day of December of the same year.

8.3 Annual Budget, Appropriation Ordinance. The Board shall review and approve an annual budget in accordance with law. The presentation of the budget shall include a written description of the significant changes to the prior year's budget, as well as review of the budgeted and projected revenues and expenditures for each fund in prior fiscal year, the results of significant organizational, operational, or accounting changes, and the timetable for review, revision, public display, and adoption of the budget and appropriation ordinance, the annual tax levy ordinance, and the Truth-in-Taxation hearing (if one is necessary). The Director shall supervise the preparation of the proposed budget and appropriation ordinance in consultation with the Superintendent of Finance and the District's Attorney. The proposed budget and appropriation ordinance shall be released for public inspection in the manner provided by law. The Board will hold a public hearing on the proposed budget and appropriation ordinance in accordance with applicable law. The Board shall approve a budget at a Board meeting prior to the beginning of the District's fiscal year.

8.4 Annual Tax Levy. The Board shall consider and approve a tax levy ordinance annually in accordance with the schedule established by law. The annual tax levy ordinance shall be approved by the Board no later than the first regular meeting of the Board in December and filed with the Cook County Clerk within the deadline for filing established by law.

8.5 Annual Audit. The Board shall conduct an annual audit using an independent auditing firm. The Board's policy is for full disclosure of pertinent financial reports. The District's accounting procedures shall conform to all applicable laws and standards, including accepted principles and standards of the Governmental Financial Officers Association, the National Committee on Government Accounting, and the Governmental Accounting Standards Board.

8.6 Revenue Policy; Program Fees. The Board shall maintain a Revenue Policy that recognizes the various costs related to the District's facilities and programs including, without limitation, the facilities' operations costs, the facilities' maintenance costs, program costs, and administrative costs. The Revenue Policy shall also recognize the various types of programs provided by the District and the scope of those programs including, without limitation, community-wide programs (for example special events) that benefit the community as a whole, community-based special interest programs that benefit both participants and the community as a whole, and revenue programs (for example summer camps) that principally benefit the participants. The Revenue Policy is located in the Financial Policy Manual; Appendix E.

The District recognizes the need and desirability to establish program fees that are reasonable, but not prohibitive, in order to provide a variety of recreational programs and services in order to meet the leisure and recreational needs of the community and the surrounding areas based on the District's Mission Statement. District staff will determine program and service fees, on a program by program basis, for both resident and nonresident participants based upon the market feasibility, program costs, and demographic variables, with fee revisions based upon

comparable seasonal data and program development. In most cases, District residents, including those covered in the Resident Agreement, will pay program fees that are less than or equal to fees paid by non-residents.

Article 9 Additional Matters

9.1 Staff and Board Education and Training. The Board believes that it is in the best interests of the District to maintain an informed and educated District staff and Board. The Board thus believes that the District should pay appropriate costs and expenses for the Director and other staff members to attend appropriate conferences, training sessions, and professional development meetings, within the limits of the budgeted funds and as determined by the Director. The Board also believes that funds should be provided to pay appropriate costs and expenses for Board members to attend seminars, conferences, and training sessions in furtherance of their ability to best serve the District, as designated by the majority of the Board. (See **Appendix L** for the Board's complete Policy Governing Commissioner Attendance at Educational Sessions and Expense Reimbursement).

9.2 Membership in IAPD and NRPA. The Board recognizes the benefits derived from the programs, services, and information provided by the IAPD and NRPA and, as such, the District shall maintain membership in the IAPD and NRPA unless otherwise determined by the Board. Each Board member shall have an individual membership in these organizations. Board members are encouraged to participate actively in these organizations by attending events and training and by joining committees.

9.3 Expense Reimbursement. Only those expenses necessary for training, development and other reasonable expenses incurred related to the exercise of official duties are reimbursable. Activities such as parks and recreation conferences, training sessions, assigned committees and educational seminars are examples of and considered allowable expenses. These activities and meetings must be considered beneficial to the District. Expenses by family members accompanying a Commissioner are not reimbursable. Commissioners may attend conferences and other training opportunities at their own expense if they are otherwise ineligible for reimbursement. Expenses for District representatives to participate in community and District associated events are also allowable. All expenses charged against the Board's budget allotment must be in compliance with and follow the required procedures as outlined in the District's current financial policies.

If any Commissioner believes that finance policies or procedures have been violated, he or she should notify the Board President who, in turn, will notify the Board member in question. The Board President and the Commissioner in question will determine the best method for resolution. If they are unable to resolve the matter, the President will bring the issue to the full Board for final resolution. Expenses that the Board determines to be in violation of the District's finance policies or procedures will not be reimbursed to the Commissioner in question, or if the District has already issued a reimbursement, the Commissioner in question must immediately pay back the District. In the event that the Commissioner in question is the Board President, the Board Vice President shall be notified and the same procedure will be followed with the Vice President replacing the role of the President. See **Appendix L**, Policy Governing Attendance at Educational Sessions and Expense Reimbursement).

9.4 Annual Calendar of Actions and Activities. The Director, in consultation with the Board President, shall provide the Board, at or before the Board's regular meeting in April, with a calendar of annual, recurring, and anticipated Board actions and activities for the upcoming calendar year.

9.5 Use of Expert Consultants. The Board recognizes the need from time to time to utilize the services of consultants for a special project or projects. In accordance with applicable law, the Board shall appoint engineers, architects, planners and other consultants as the Board determines prudent to provide services for such project(s), and shall approve the consultant's amount of compensation, if any. The Director shall be involved with the Board on all aspects relating to an appointment of a consultant, and shall work directly with the consultant.

9.6 Conflicts of Interest. District Ordinance Number 04-04-15, as it relates to the Illinois State Ethics Law, shall apply.

9.7 Acceptance of Donations. The Board may accept donations of land, equipment, and other items when the Board determines that the acceptance is in the best interests of the District.

9.8 Recognition of Outgoing Board Members. Service on the Board shall be recognized, upon completion of the Board member's term on the Board, by presentation to outgoing Board members of a plaque or small gift at a regular Board meeting, typically during the meeting that includes the Annual Meeting of the Board.

9.9 Procedures for Resident / Public Input. Resident and general public input on District matters is encouraged by the Board. Staff will widely publicize all appropriate means for the public to communicate (questions, comments, complaints) with the District and Board, e.g. telephone numbers, postal addresses, email addresses, website address, and will use bulletin boards and suggestion boxes where appropriate.

9.10 Prospective Candidate Information Packet. Staff will prepare an information packet for prospective Board candidates, whether elective or appointive candidates. This packet of information will contain essential information about the Board and District and include, at a minimum: the District's Mission and Vision Statements, Board policies, current brochures, a listing of District facilities and corresponding map, a Commissioner's responsibilities, and an invitation by the Director to meet with the candidate and discuss the above and any other timely matters of interest. Other documents are available at the District's Administrative building upon request.

9.11 Special Recreation. The District acknowledges and supports the Americans With Disabilities Act (42 U.S.C. 12131 "ADA") and prohibits discrimination on the basis of disability in the employment, services, programs, or activities of the District. The Board adopted the ADA grievance procedure and authorizes, empowers, and directs the Director to designate a responsible employee or employees to coordinate the District's efforts to comply with and carry out its responsibilities under ADA. The Board recognizes the need to provide quality recreation for special populations that live in the District's boundaries, within the financial resources available. The District will meet its responsibilities through participation in a cooperative special recreation association when such participation is more economical or viable than an "in-District" program. It is the Director's responsibility to monitor the performance of the Special Recreation Association and report to the Board accordingly.

The Executive Director of the Special Recreation Association will be required to provide a written and oral report to the Board biannually. The District will meet its financial obligations for the support of the Special Recreation Association primarily through a tax levy authorized for this purpose. Payments will be forwarded to the Special Recreation Association in accordance with operational agreements between the Special Recreation Association and the Park District.

The District will adopt a policy of compliance in the construction of new facilities as well as upgrading present facilities and will from time to time evaluate its services, policies, and practices in light of the requirements of ADA in order to serve persons with disabilities, including those participating in the Special Recreation Association of which the District is a member.

9.12 Regulating the Use of the Parks and Property. The Board recognizes the need to establish policies and ordinances to govern the use of District parks and property by the public. For this purpose, the Board has adopted the "Conduct Ordinance." It is the responsibility of Director, with assistance of the City of Prospect Heights and Village Mount Prospect Police Departments to enforce these policies and ordinances.

9.13 Non-Discrimination. The District shall not discriminate in the provision of its services or facilities, or in its employment practices, on any unlawful basis, including but not limited to race, religion, national origin, age, sex or sexual orientation, pregnancy, disability or association with a person with a disability, veteran status, or citizenship status and will not tolerate harassment or intimidation of any park patron, or District employee or volunteer. Our "zero tolerance" policy extends to discriminatory conduct or harassment or intimidation by a District elected or appointed official or District employee, or by a patron, volunteer, vendor, contractor, customer, or affiliated organization or other business partner of the District. The policy applies to all District operations.

In accordance with the District's Personnel Policy Manual, alleged harassment by Commissioner against another elected official can be reported to the Board President. If the Board President is the reporting person or is implicated by the allegation, the report can be made to any other Commissioner. Any report under this section must be referred to the District's Legal Counsel, who then must appoint a qualified independent attorney or consultant to review and investigate the allegations.

9.14 Amendment of Policies. Consideration of a new policy or the amendment of an existing policy may be initiated by any Board member or by the Director at any time. A written draft of the amendment or new policy must be submitted to the Board President to be considered for inclusion on a Board meeting agenda. Prior to Park Board consideration, the draft policy will be provided to the District's Attorney for review and comment. Any changes or additions to policies must be approved by a majority of the full Board at a regular or special meeting.

9.15 Tours of Facilities. Board members shall endeavor to tour the District's parks and other key facilities at least once each year in order to facilitate Board members' understanding of the needs and issues related to the District's facilities. The tour shall be conducted by knowledgeable members of the District's staff. Board members also are strongly encouraged to visit and review the facilities and programs of the District individually and as often as possible. Such visits should be made with due consideration for the integrity of any on-going program.

Appendix A

Board Attendance Policy

AN ORDINANCE FIXING THE LENGTH OF TIME A PARK COMMISSIONER MAY FAIL TO ATTEND MEETINGS OF THE PARK BOARD IN ORDER FOR SUCH COMMISSIONER'S OFFICE TO BE DECLARED VACANT AND PROVIDING A PROCEDURE FOR DECLARING SUCH A VACANCY

WHEREAS, the River Trails Park District ("District") is an Illinois park district organized and operating under and pursuant to the provisions of the Park District Code (70 ILCS 1205/1-1 *et seq.*) ("Code") and all laws amendatory thereof and supplementary thereto; and

WHEREAS, the District is governed by five (5) individuals elected or appointed from time to time and comprising the Board of Park Commissioners ("Board") of the District; and

WHEREAS, the Board is empowered to pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of the Board and District and to manage and control the officers and property of the District; and

WHEREAS, except as otherwise specifically provided by law, pursuant to the Open Meetings Act of the State of Illinois (5 ILCS 120/1 *et seq.*) three (3) members of the Board constitute a quorum for the purpose of discussing or transacting public business and the affirmative vote of three (3) members of the Board is necessary to adopt any motion, resolution, or ordinance, unless a greater number is otherwise required; and

WHEREAS, the members of the Board are elected to serve and represent the public, and an integral part of such service is attendance at the regular monthly meetings of the Board and such special or other meetings of the Board as may be called to order from time to time; and

WHEREAS, the failure of a park commissioner to attend the meetings of the Board deprives the electorate of the District of its full representation and may result in the inability of the Board to take necessary action on a matter before it; and

WHEREAS, Article 2-25 of the Code provides that whenever any member of the Board of any park district neglects to attend the meetings of the Board for the length of time that the Board fixes by ordinance, such member's office may be declared vacant; and

WHEREAS, the Board wishes to (1) fix the length of time that a member thereof may fail to attend meetings in order for such member's office to be declared vacant and (2) to provide a procedure pursuant to which a declaration of vacancy as aforesaid may be rendered.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Park Commissioners of the River Trails Park District as follows:

SECTION 1. That the recitals hereinabove set forth are true and correct and are incorporated into the text of this Ordinance to the same extent as if each of such recitals had been set forth herein in its entirety.

SECTION 2. REPEATED FAILURE TO ATTEND BOARD MEETINGS. That the failure of any member of the Board to be present either: (i) in person, (ii) by video or audio conference in accordance with Resolution No. 14-06-19C, or (iii) remotely, by any means, in the event the Governor or Illinois Department of Public Health has issued a disaster declaration related to public health concerns pursuant to 5 ILCS 120/7(e), at twelve (12) or more duly called regular meetings of the Board within any consecutive twelve (12) month period or every meeting for three (3) consecutive months after the effective date of this Ordinance, shall be cause for the President of the Board or the Board to convene a meeting closed to the public for the purpose of conducting a hearing to consider whether the office of Park Commissioner of such member shall be declared vacant, pursuant to 70 ILCS 2-25 and 5 ILCS 120/2 (c)(3). For purposes hereof, a member of the Board shall be deemed to be present at a meeting of the Board only if such member is in attendance at such meeting either in person or, if

permitted by Resolution **No. 14-06-19C**, by either video or audio conference, or otherwise attends remotely if such meeting is held remotely pursuant to 5 ILCS 120/7(e), from the time such meeting is called to order until the final adjournment of the meeting.

SECTION 3. HEARING.

- (a) Prior to taking any final action on declaring a member's seat on the Board to be vacant, a hearing ("Hearing") before the Board shall be held to determine whether the Park Commissioner failed to be present, either in person, by video or telephone conference, or by other remote attendance as aforesaid, at twelve (12) or more duly called meetings of the Board in any consecutive twelve month or shorter period or every meeting for three (3) consecutive months. The Park Commissioner whose office is in question shall be given at least fourteen (14) days prior written notice of the Hearing ("Hearing Notice") by the President of the Board.
- (b) The Hearing Notice shall include notice of the possible declaration of vacancy of the member's seat on the Board, the date, time and location of the meeting and a listing of the dates of meetings that the member has allegedly failed to attend in accordance with this Ordinance and Resolution **No. 14-06-19C**.
- (c) The member whose seat may be declared vacant shall have the right to be present at and to participate in the Hearing. The member shall also have the right to be represented by counsel prior to, during, and after the Hearing.
- (d) During the Hearing, the Board shall provide the member whose seat may be declared vacant, with certified copies of the minutes of the Board meetings which the member is alleged to have missed, showing those members in attendance at such meetings and those absent and such certified copies shall be conclusive evidence as to whether the member failed to attend each meeting for which the minutes reflect his absence.
- (e) At the Hearing, the member whose seat on the Board may be declared vacant may present oral and/or written evidence and/or present any witnesses to establish such member's presence at any meeting where the aforesaid minutes reflect such member's absence.
- (f) The President of the Board shall preside at the Hearing and may be assisted by legal counsel for the District.
- (g) No final action shall be taken at the Hearing.

SECTION 4. DECLARATION OF VACANCY. At any time after the adjournment of the Hearing, the Board shall, at a meeting open to the public, make a finding of fact regarding the number of meetings missed by the member during any consecutive twelve (12) month period and, if such finding indicates that at least twelve (12) duly scheduled meetings of the Board were missed by such member, or if a member missed every meeting for three (3) consecutive months, the Board may declare the office of Park Commissioner of said member vacant by the affirmative roll call vote of not less than three (3) members of the Board, whereupon said office shall be vacant and may be filled by the remaining members of the Board in accordance with the provisions of Section 2-25 of the Code (70 ILCS 1205/2-25).

SECTION 5. INVALIDITY. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance, or any part thereof.

ORDINANCE No. 15-06-04A

Approved by the River Trails Park District Board of Park Commissioners on June 4, 2015.

ORDINANCE ADOPTING STATE ETHICS REGULATIONS

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

WHEREAS, the Act requires all units of local government and school districts, within six months after the effective date of Public Act 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units "in a manner no less restrictive" than the provisions of the Act; and

WHEREAS, it is the clear intention of the Act to require units of local government and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations; and

WHEREAS, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable; and

WHEREAS, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than by Resolution;

NOW, THEREFORE, THE BOARD OF PARK COMMISSIONERS OF THE RIVER TRAILS PARK DISTRICT, COOK COUNTY, STATE OF ILLINOIS, HEREBY ORDAINS AS FOLLOWS:

SECTION 1: The Board of Park Commissioners hereby adopts the forgoing recitals as findings of fact as if said recitals were fully set forth within this Section One.

SECTION 2: Definitions. For purposes of this ordinance, the following terms shall be given these definitions:

- A. "Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.
- B. "Candidate" means a person who has filed nominating papers or petitions for nomination or election to

an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3).

- C. "Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).
- D. "Compensated time" means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.
- E. "Compensatory time off" means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.
- F. "Contribution" has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).
- G. "Employee" means a person employed by the River Trails Park District, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.
- H. "Employer" means the River Trails Park District.
- I. "Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.
- J. "Leave of absence" means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.
- K. "Officer" means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.
- L. "Political activity" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.
- M. "Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.
- N. "Prohibited political activity" means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

O. "Prohibited source" means any person or entity who:

1. is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;
2. does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
3. conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
4. has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

SECTION 3: Prohibited political activities.

- A. No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the River Trails Park District in connection with any prohibited political activity.
- B. At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).
- C. No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.
- D. Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.
- E. No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

SECTION 4: GIFT BAN

- A. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.
- B. Exceptions. Section 4 is not applicable to the following:
 - 1. Opportunities, benefits, and services that is available on the same conditions as for the general public.
 - 2. Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
 - 3. Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
 - 4. Educational materials and missions.

5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.
8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

- C. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

SECTION 5: ETHICS ADVISOR

- A. The President of the Board of Park Commissioners (“Board”), with the advice and consent of the Board shall designate an Ethics Advisor for the River Trails Park District. The duties of the Ethics Advisor may be delegated to an officer or employee of the Park District unless the position has been created as an office by the River Trails Park District.
- B. The Ethics Advisor shall provide guidance to the officers and employees of the River Trails Park District concerning the interpretation of and compliance with the provisions of this Ordinance and State ethics laws. The Ethics Advisor shall perform such other duties as may be delegated by the Board of Park Commissioners.

SECTION 6: ETHICS COMMISSION

- A. There is hereby created a commission to be known as the Ethics Commission of the River Trails Park District. The Commission shall be comprised of three members appointed by the President of the Board of Park Commissioners with the advice and consent of the Board. No person shall be appointed as a member of the Commission who is related, either by blood or by marriage up to the degree of first cousin, to any elected officer of the River Trails Park District.
- B. At the first meeting of the Commission, the initial appointees shall draw lots to determine their initial terms. Two commissioners shall serve 2-year terms, and the third commissioner shall serve a one-year term. Thereafter, all commissioners shall be appointed to 2year terms. Commissioners may be reappointed to serve subsequent terms.

At the first meeting of the Commission, the commissioners shall choose a chairperson from their number. Meetings shall be held at the call of the chairperson or any 2 commissioners. A quorum shall consist of two commissioners, and official action by the commission shall require the affirmative vote of two members.

- C. The President of the Board of Park Commissioners, with the advice and consent of the Board, may remove a commissioner in case of incompetency, neglect of duty or malfeasance in office after service on the commissioner by certified mail, return receipt requested, of a copy of the written charges against the commissioner and after providing an opportunity to be heard in person or by counsel upon not less than 10 days' notice. Vacancies shall be filled in the same manner as original appointments.
- D. The Commission shall have the following powers and duties:
 - 1. To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.
 - 2. Upon receipt of a signed, notarized, written complaint, to investigate, conduct hearings and

deliberations, issue recommendations for disciplinary actions, impose fines in accordance with Section 25-1(c) of this Ordinance and refer violations of Article 5 or Article 10 of this Ordinance to the appropriate attorney for prosecution. The Commission shall, however, act only upon the receipt of a written complaint alleging a violation of this Ordinance and not upon its own prerogative.

3. To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Ordinance.
4. To compel the attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the River Trails Park District to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline up to and including discharge.
5. The powers and duties of the Commission are limited to matters clearly within the purview of this Ordinance.

SECTION 7: COMPLAINTS / HEARINGS

- A. Complaints alleging a violation of this Ordinance shall be filed with the Ethics Commission.
- B. Within 3 business days after the receipt of a complaint, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant within 3 business days after receipt by the commission. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed.
- C. Upon not less than 48 hours' public notice, the Commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of this Ordinance, to determine whether there is probable cause, based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The Commission shall issue notice to the complainant and the respondent of the Commission's ruling on the sufficiency of the complaint and, if necessary, on probable cause to proceed within 7 business days after receiving the complaint.
- D. If the complaint is deemed sufficient to allege a violation of Article 10 of this Ordinance and there is a determination of probable cause, then the Commission's notice to the parties shall include a hearing date scheduled within 4 weeks after the complaint's receipt. Alternatively, the Commission may elect to notify in writing the attorney designated by the corporate authorities to prosecute such actions and request that the complaint be adjudicated judicially. If the complaint is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.
- E. If the complaint is deemed sufficient to allege a violation of Article 5 of this Ordinance, then the Commission shall notify in writing the attorney designated by the corporate authorities to prosecute such actions and shall transmit to the attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation.

- F. On the scheduled date and upon at least 48 hours' public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.
- G. Within 30 days after the date the hearing or any recessed hearing is concluded, the Commission shall either (i) dismiss the complaint or (ii) issue a recommendation for discipline to the alleged violator and to the President of the Board of Park Commissioners (where the alleged violator is a member of the Board) or to the Director of the Park District (where the alleged violator is a Park District employee), or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.
- H. If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the complaint within 7 business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within 14 days after receiving the demand, the Commission shall conduct a public hearing on the complaint upon at least 48 hours' public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within 7 days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the President of the Board of Park Commissioners (where the alleged violator is a member of the Board) or to the Director of the Park District (where the alleged violator is a Park District employee) or impose a fine upon the violator, or both.
- I. If a complaint is filed during the 60 days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under subsection (e) within 7 days after the complaint is filed, and during the 7 days preceding that election, the Commission shall render such decision before the date of that election, if possible.
- J. The Commission may fine any person who intentionally violates any provision of Article 10 of this Ordinance in an amount of not less than \$1,001 and not more than \$5,000. The Commission may fine any person who knowingly files a frivolous complaint alleging a violation of this Ordinance in an amount of not less than \$1,001 and not more than \$5,000. The Commission may recommend any appropriate discipline up to and including discharge.
- K. A complaint alleging the violation of this Act must be filed within one year after the alleged violation.

SECTION 8: PENALTIES

- A. A person who intentionally violates any provision of Article 5 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- B. A person who intentionally violates any provision of Article 10 of this Ordinance is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.
- C. Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- D. A violation of Article 5 of this Ordinance shall be prosecuted as a criminal offense by an attorney for the River Trails Park District by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure.

Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

- E. A violation of Article 10 of this Ordinance may be prosecuted as a quasi-criminal offense by an attorney for the River Trails Park District, or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.
- F. In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 5 or Article 10 of this Ordinance is subject to discipline or discharge.

SECTION 9: All policies, resolutions and ordinances of the Park District which conflict with the provisions of this Ordinance shall be and are hereby repealed to the extent of such conflict.

**RULES GOVERNING COMMISSIONER ATTENDANCE AT PARK BOARD MEETINGS
BY MEANS OF AUDIO OR VIDEO CONFERENCE**

In the event that any Commissioner is unable to be physically present at a meeting of the Board of Park Commissioners ("Board") due to illness or disability, employment purposes, the business of the Park District, or a family or other emergency, it may be necessary or desirable to permit the Commissioner to attend the meeting by means of a video or audio conference. The following rules shall apply when any Commissioner wishes to attend a Board meeting by means of a video or audio conference:

- A Commissioner may attend a Board meeting by means of a video or audio conference only if he or she is prevented from physically attending because of: (a) personal illness or disability; (b) employment purposes; (c) the business of the Board; or (d) a family or other emergency.
- Any Commissioner who wishes to attend a Board meeting by means of a video or audio conference shall notify the recording secretary of the Board as far in advance of the meeting as practical, unless advance notice is impractical.
- A quorum of the full Board [three (3) Commissioners] must be physically present at the location of an open or closed meeting of the Board in order for any Commissioner to attend by means of a video or audio conference.
- A Commissioner may be permitted to attend a Board meeting by means of a video or audio conference only by a majority vote of all sitting Board members, to the extent allowed by these rules.
- The Commissioner(s) attending the meeting by means of a video or audio conference must be able to hear all motions and remarks made by those Commissioners physically present at the meeting, and comments by members of the public who attend the meeting. If the Commissioner(s) participating by means of a video or audio conference cannot hear all motions and remarks made by those Commissioners physically present at the meeting, then he/she shall be considered absent from the meeting, and shall not be permitted to vote on any matter during the meeting.
- All Commissioners and members of the public who are physically present at the meeting must be able to hear all motions and remarks made by the Commissioner(s) attending the meeting by means of a video or audio conference. If the Commissioner(s) attending by means of video or audio conference cannot be heard by the Commissioners or members of the public physically present at the meeting, then he/she shall be considered absent from the meeting, and shall not be permitted to vote on any matter during the meeting.
- The minutes of the meeting shall identify which Commissioners were physically present and which attended by means of a video or audio conference.

Approved by the River Trails Park District Board of Park Commissioners on June 19, 2014.

APPENDIX D

RIVER TRAILS PARK DISTRICT

Regular Meeting of the Board of Commissioners
401 E. Camp McDonald Road, Prospect Heights, IL 60070

- I. Call to Order
- II. Roll Call
- III. Visitor / Visitor's Comments
- IV. Approval of Agenda / Changes
- V. Approval of Minutes for the meeting of TBD*
- VI. Approval of Treasurer's Report for TBD*
- VII. Approval of Voucher List*
- VIII. Communications
- IX. Unfinished or Continuing Business
- X. New Business
- XI. Commissioners Comments
- XII. Executive Session
- XIII. Action as a Result of the Executive Session
- XIV. Adjournment

*indicates an attachment included

For more information, please contact the Administration Office at 847-788-0551

****Due to limited parking spaces, please call 847-788-0551 if you plan on attending!**

The meeting will be moved to an alternate facility to accommodate a larger attendance.

Thank you for your cooperation**

Persons with disabilities requiring reasonable accommodation to participate in this meeting should contact the Park District's ADA Compliance Officer, _____, at the Park District's Administrative Office, _____, IL Monday through Friday from 8:30 am until 4:30 pm at least 48 hours prior to the meeting. Requests for a qualified ASL interpreter require five (5) working days advance notice. Telephone number _____; fax number _____; email: _____

Board Member Communications Policy

**Policy Regulating Communications Between Park Board Members
Adopted by the Board of Commissioners**

Section 2(a) of the Open Meetings Act provides that the governing boards of units of local government, including boards of park commissioners, may discuss public business only at a public meeting held after giving public notice. This requirement also applies to park board committees, and to discussions by a majority of a quorum of either the park board or one of its committees.

The requirements of the Open Meetings Act apply not only to in-person discussions, but also to “other means of contemporaneous interactive communications,” including telephone calls, video or audio conferences, electronic mail, electronic chat and instant messaging. The Board of Park Commissioners of the River Trails Park District wishes to comply with both the letter and the spirit of the Open Meetings Act, and therefore adopts the following policy.

Policy

Members of the Board of Park Commissioners constituting a quorum of the Park Board (three (3) or more members), or a majority of a quorum of any Board committee shall not discuss the business of the Park District in any of the following ways, except after full compliance with the requirements of the Open Meetings Act:

- (1) in person;
- (2) by conference telephone call;
- (3) by a series of person-to-person telephone conversations in which the views, opinions or ideas of one commissioner are conveyed to another by a third commissioner;
- (4) by participation in an internet ‘chat room’ or the use of instant messages;
- (5) by a series of direct or forwarded e-mail messages, other forms of communications and social media in which the views, opinions or ideas of one commissioner are conveyed to another by a third commissioner;
- (6) by a series of letters, notes or any other writings that are circulated or forwarded by mail or by personal messenger delivery from one commissioner to another in which the views, opinions or ideas of one commissioner are conveyed to another by a third commissioner.

Nothing contained in this policy shall be construed as prohibiting a Park Board member from disseminating information or messages about Park District business to any other Commissioner either in person, by telephone, by e-mail or in writing, provided that no discussion or response is requested. Park Board members should retain hard copies of any such transmittals for a period of at least two years even if the person is no longer a member of the Board of Commissioners.

Approved by the River Trails Park District Board of Park Commissioners on June 18, 2015.

Appendix F

Board Meeting Public Participation Policy

Pursuant to the Illinois Open Meetings Act, any person shall be permitted an opportunity to address public officials at a meeting open to the public under the rules established and recorded by the public body. The Board recognizes the need to establish a procedure for individuals and organizations to have the opportunity to present statements and/or information to the Board at its open meetings. The agenda for all Regular Meetings shall include a "Visitor Comment" item. This is a time for the Board to accept input from the public about the District. Additionally, as appropriate, the Board President may allow comment at Regular Meetings on specific agenda items when they are under discussion by the Board. The agenda for each Special Meeting will allow for public comment on the agenda item(s) for which the Special Meeting is called.

During the public comment period of a meeting, the Board President will ask if any member of the public wishes to address the Board. The Board will hear an individual's comments only after the President has recognized the individual to speak. Each speaker is generally allowed three (3) minutes to make comments. If it becomes apparent that there are large numbers of speakers, the President may shorten this time. The Board President may also impose a limit on the total time allotted at a meeting for public comment in order to enable the Board to be able to complete the regular or special business of the meeting. The Board President may also provide for other procedures, such as requiring written submission of questions by note cards provided at the meeting, or other reasonable means, depending on the nature of the agenda item, numbers of individuals seeking to provide comment, and need to facilitate orderly and efficient use of the public comment period.

Individuals or groups may also request to be added to the agenda of a Regular Meeting by notifying the Executive Director in writing of such request not later than 5:00 p.m. of the Wednesday of the week prior to the Regular Meeting. The request shall include the name, address, and telephone number of the individual or group representative making the request, and any relevant written materials. The individual or representative may then be placed on the agenda and generally allowed five (5) minutes to make his/her presentation. The Board President may exercise its discretion to reduce or extend this time limit based on the considerations mentioned above.

The Board normally will not respond to public comments at a meeting. Since most issues brought forth during "Visitor Comment" are either accepted in their entirety or require Board members to gather additional information before deciding how to proceed, an issue may be referred to staff or a Commissioner for additional investigation and brought back to the Board as a New Business item at a future meeting. If "Visitor Comment" concerns an item on the current meeting agenda "Action Items" list, the Board President may allow Commissioners to ask question of the public for the purpose of clarification or to gather further input pertaining to the action item.

Lack of an immediate response to public comments or presentations should not be interpreted as anything other than a commitment by the Board to take the issue under advisement for possible future action or response.

Personnel matters and other confidential matters exempt from discussing in an open meeting, as identified in Section 2(c) of the Illinois Open Meetings Act, will not be addressed during "Visitor Comment".

Approved by the River Trails Park District Board of Park Commissioners on June 18, 2015.

Appendix G

Rules Governing Recording of Meetings

Any person desiring to photograph, or to audio or video record a Park Board or committee meeting open to the public may do so subject to the following rules. It is the intent of the Park Board in adopting these rules to provide reasonable access and opportunity to persons desiring to photograph or make such recordings while at the same time avoiding disruption to and interference with the conduct of the meeting, including the deliberative process, or the ability of other persons attending the meeting to see or hear the proceedings, or the creation of unsafe conditions or damage to property.

1. Meetings which are closed to the public may not be recorded except as required and authorized by the Open Meetings Act.
2. The Board President may grant any special accommodation request.
3. No recording shall be used for a commercial for profit enterprise, without written approval of the President and the Executive Director.
4. Nothing in these rules shall be deemed to grant permission to publish, broadcast or reproduce the recording of any individual in any way.
5. All recording equipment must be in place prior to the commencement of the meeting.
6. No equipment, wiring or accessory may be affixed or attached to any Park District property without the prior consent of the Executive Director, which consent may be withheld at the discretion of the Executive Director.
7. No person photographing or recording the meeting shall by position, location or movement of self or equipment interfere with or obstruct any person's view of the meeting or ability to hear the meeting.
8. No person photographing or recording the meeting shall by position, location or movement of self or equipment block or obstruct access to or from the meeting or to or from the seating in the meeting or to or from any emergency exit in the meeting room or constitute a tripping or other hazard.
9. Equipment or devices used may not emit sounds that are distracting to members of the audience or the Park Board.
10. While the use of special lighting necessary to photograph or video record a meeting is permitted, flashbulbs or other lighting that creates a glare or shines in the eyes of persons attending or participating in the meeting or is otherwise obtrusive or distracting is not permitted. The President of the Park Board may require that such forms of artificial lighting not be used.
11. All recording equipment and wiring used shall conform to applicable electrical codes. No accessory shall be plugged in or attached to any electrical outlet that enables more equipment to utilize the outlet than would normally and safely utilize the outlet.
12. Persons operating equipment necessary to photograph or record the meeting shall be given a reasonable opportunity to modify their actions in order to conform to these rules.
13. The President may prohibit the recording of any audience member who objects to the recording.

14. The President may impose additional rules or limitations on any recording, as they deem necessary or appropriate to preserve the orderly operation and decorum of the meeting.
15. These rules may be modified on a temporary basis for good cause shown by a majority vote of the public body.
16. If any provision of these rules or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of these rules or the application thereof to other persons and circumstances.

Approved by the River Trails Park District Board of Park Commissioners on June 18, 2015.

Appendix H

Motions, Resolutions and Ordinances

The corporate authority usually acts by way of a motion, resolution, or ordinance. Motions are an informal method of Board action made orally and noted in the minutes. A motion may be auxiliary to the more formal resolution or ordinance; as for example, a motion that an ordinance passed.

Resolutions and ordinances are submitted in writing. An ordinance is the most formal expression of authority of the Park District and usually enacts permanent regulations. The Park District will be required by state statute to approve certain actions via ordinance. An ordinance can only be repealed or amended by another ordinance and not by a resolution, motion or any lesser expression of the Park District. An ordinance must contain the following words “Be It Ordained by...”. There is no requirement that the ordinance have a title.

A resolution is not a law, but authorizes ministerial acts of the Park District. A resolution is a form in which the Board expresses an opinion or a policy, or grants a special privilege. When the law requires that an action of the Park District be made via an ordinance, a resolution will not suffice. The Park District will be required by state statute to approve certain actions via resolution.

The Park District Code provides that the Board of Commissioners shall have the power “to pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of the [Board of Commissioners] and [the] [D]istrict and to establish by ordinance all needful rules and regulations for the government and protection of the parks, boulevards and driveways, and other property under its jurisdiction, and to effect the objects” for which the District is formed. 70 ILCS 1205/8-1(d).

Appendix I

Policy Governing Commissioner Attendance at Educational Sessions and Expense Reimbursement

Expenses for Commissioner attendance at educational functions shall be reimbursed to Commissioners in accordance with this policy, Ordinance No. 17.07.20, Ordinance Regulating Travel, Meal and Lodging Expenses in Accordance with the Local Government Travel Expense Control Act, and the Local Government Travel Expense Control Act, 50 ILCS 150/1 *et seq.* In no case shall Commissioners benefit financially from attending any educational functions.

Commissioner Attendance at National and State Conferences

Each year, the Board will allow a **maximum of two (2)** members of the Board to attend the NRPA National Conference along with the Director. The option shall rotate until all Commissioners have been give equal opportunity to attend. Should a greater number of Commissioners and/or staff desire to attend the NRPA National Conference, attendance shall be rotated based on monies available and on a fair rotation, unless a particular session relates to the functions of a staff or Board member who is also an officer or a member of a specific committee of the Board and would especially benefit from attendance at such session, in which event, that Commissioner or staff member shall have priority in attending such session. The number of Commissioners attending the NRPA National Conference must be designated prior to the establishment of the Annual Budget and Appropriations Ordinance and approved by super majority of the Board (majority plus one). All Commissioners will be budgeted for IPRA / IAPD State Conference and must designate themselves as attending by the **November** Board meeting.

Commissioners, when requested by the Board, shall provide the Board with a written report of educational sessions attended. Such report shall contain a brief description of subject matter and recommendations or ideas pertinent to the operations of the District, if any.

Reimbursement of Expenses Generally

When approved by the Board in accordance with Ordinance No. 17.07.20, the District will reimburse the actual and necessary travel, lodging (room only) and meal expenses, including appropriate taxes and incidental expenses, as described below, incurred for travel to and attendance at approved training. The maximum allowable reimbursable expenses for travel, lodging and meals are set forth in Ordinance No. 17.07.20.

No money for expenses shall be advanced to any attendee nor shall any attendee be reimbursed for any expenses incurred on behalf of any person other than such attendee unless authorized in advance by the Board. No authorization shall be given and no reimbursement shall be made for any such expense which is not related to the business and affairs of the Park District, as defined in Ordinance No. 17.07.20.

If a Commissioner indicates his/her intention to attend approved training and subsequently notifies the District of his/her intention not to attend such training, or fails to attend such training, he/she shall reimburse the District in full for all expenses incurred or monies advanced by the District in connection with the expected attendance at such training. This reimbursement must be made within thirty (30) days after written request is made by the District. This reimbursement may be waived, all or in part, if the reason for non-attendance is for reasons of serious illness or of an emergency nature.

Travel Expenses

The least expensive mode of transportation shall be used, to the extent possible. A Commissioner's reimbursement of travel expenses shall be limited to the maximum allowable expenses as set forth in Ordinance No. 17.07.20.

a. Airfare

The District will attempt to make all conference travel arrangements for the Commissioners. If making their own travel arrangements, Commissioners are expected to seek the most cost-efficient airfares when this mode of travel is used, using advanced bookings, promotional rates and airfare specials. A Commissioner's reimbursement of airfare shall be limited to the maximum allowable expenses as set forth in Ordinance No. 17.07.20.

Mileage to and from transportation terminals in both home and destination cities, toll charges and costs for parking are also included as reimbursable expenses. Expenses should be authorized in advance and provided such transportation is cost efficient and practical or if such transportation is organized by Park District staff.

b. Use of Personal Vehicle

Use of personal vehicles for District business shall be reimbursed at the current IRS determined auto expense reimbursement rate for mileage, as well as costs for tolls and parking. Personal vehicles used for District business must be licensed and insured as required by Illinois law.

c. Use of Other Transportation

Rail or bus travel is reimbursable for the actual cost; provided that rail or bus travel costs may not exceed the cost of coach fare, and a copy of the ticket or purchase receipt must be presented.

The cost of a rental car is reimbursable for the actual cost in accordance with Ordinance No. 17.07.20.

Use of taxis and limousines must be specifically related to District business to be reimbursable and may be used when District vehicles are not available.

Meals

A Commissioner's reimbursement of meals shall be limited to the maximum allowable expenses as set forth in Ordinance No. 17.07.20.

Whenever possible, Board and staff will attempt to arrange for meals together and use the District credit card or procurement card.

If the cost of meals is included in the training registration fee, the attendee shall not be entitled to reimbursement for any meals taken separately unless such separate meal is necessitated by virtue of the attendee's required attendance at a meeting or other event apart from the event at which the pre-paid meal is served.

Lodging

Overnight lodging for Commissioners registered to attend an event occurring on multiple days will be reimbursed, and will cover only those nights that occur during the attended educational/professional event session days, including prior night lodging for early morning meetings. Lodging will be reimbursed based on the standard single room rate at designated hotels.

Other expenses incurred that are related to overnight lodging shall be reimbursed when specifically related to District business, subject to Board approval in accordance with Ordinance No. 17.07.20. All receipts must be itemized and presented for reimbursement. Commissioners are responsible for personal expenses at the time of checkout and must deduct the charges on the expense voucher.

A Commissioner's reimbursement of lodging shall be limited to the maximum allowable expenses as set forth in Ordinance No. 17.07.20.

Miscellaneous Incidental Expenses

No expense should be reimbursed which would have been incurred by the Commissioner irrespective of his/her attendance at a meeting or session, and the expense must bear a legitimate and rational relationship to the business and affairs of the District in order to be eligible for reimbursement. Such incidental expenses shall be documented in the form of a listing, including receipts if available, shall be subject to a maximum amount and shall be subject to the requirements of Ordinance No. 17.07.20. Examples of these expenses are skycap and bellman tips, telephone calls made for the benefit of the District.

Other Expenses

The Park District will not reimburse entertainment expenses except to the extent permitted under Ordinance No. 17.07.20 and the Local Government Travel Expense Control Act, which is limited to actual and necessary entertainment expenses ancillary to the purpose of the program or event attended and which are "directly related to" Park District business. "Directly related" expenses to be reimbursable must be estimated, pre-approved and accompanied by an explanation for each occasion including:

- a. Amount and description of each separate expenditure. Incidental items, such as parking, taxi fares and telephone calls may be aggregated on a daily basis.
- b. The program or event at which the entertainment ancillary to the program or event was provided and the time and place that entertainment was provided.
- c. The Park District business purpose of the activity. A description of any business benefit derived or expected, and the nature of any business discussion with the person entertained.
- d. The business relationship. Names of person(s) entertained, titles, company affiliation or other identifying designations.

An original receipt or equivalent evidence must be attached to the expense report for the cost of each occasion of such entertainment and approved by the Board in accordance with Ordinance No. 17.07.20. Such documentation must clearly designate the business nature of the transaction and be relatable to the amount claimed in the time and expense report.

Documentation Requirements

Commissioners must complete the Travel, Meal and Lodging Form Reimbursement Form and provide receipts for all travel and travel related, lodging and meal expenses for Board approval prior to reimbursement. Commissioners are responsible for personal expenses and must deduct these costs from the receipt(s) before submittal. The Board reserves the right not to reimburse a Commissioner if receipts are not provided. The following substantiation is required for reimbursement of travel expenses under prevailing tax regulation.

- The amount of each expenditure.
- Receipt of each airline and hotel bill.
- Names and locations of each destination on each trip.
- Dates of departure and return for each trip and the number of days spent on District business. If trips combine District business with pleasure, care must be taken that the records indicate that the principal purpose was District business and that reasonable allocations of costs were made.
- District business reasons for each trip.
- Receipts are required for all expenses in which a receipt can be obtained.
- Amount and description of each separate expenditure. Incidental items, such as parking, taxi fares, may be aggregated on a daily basis.

The maximum allowable reimbursable expenses for travel, lodging and meals are set forth in Ordinance No. 17.07.20

Procedure for Reimbursement

Requests for reimbursements shall be made in accordance with Ordinance No. 17.07.20 and the following procedures:

Board members shall submit their expense reimbursement requests to the Executive Director, who shall review the submissions with the Treasurer and/or President of the Board for compliance with this Policy and, if in compliance, the request shall be presented to the full Board at an open meeting for approval in accordance with Ordinance No. 17.07.20. The request for reimbursement will be processed upon the Board's approval. If the Treasurer of the Board believes the submission is not in compliance with Board Policy, he will so advise the Board member, specify the details of such perceived non-compliance and request that the Board member comply. In the event of a disagreement between a Board member and the Treasurer of the Board, the matter of reimbursement shall be submitted to the full Board for determination.

In order to be eligible for reimbursement, expense reimbursement requests must be made within sixty (60) days of the date the expense was incurred.

EXHIBIT A – PERMISSIBLE TRAVEL EXPENSES

The maximum reimbursable rates for travel-related expenses are as follows:

Maximum Reimbursable Rates for Transportation	
Air Travel	Lowest reasonable rate (coach)
Auto	IRS standard mileage rate when expense was incurred
Rental Car	Lowest reasonable rate (midsize)
Rail or Bus	Lowest reasonable rate and cost shall not exceed airfare
Taxi, Shuttle, Rideshare, or Public Transportation	Actual reasonable rate

Maximum Reimbursable Rates for Meals	
Breakfast	\$20.00
Lunch	\$20.00
Dinner	\$30.00

Maximum Reimbursable Rates for Lodging	
Chicago and Suburban Cook County	Regional rates to be investigated
DuPage, Kane, Lake, McHenry and Will Counties	Regional rates to be investigated
All other Illinois Counties	Regional rates to be investigated
Outside of Illinois	Regional rates to be investigated As approved by the Board

Maximum Reimbursable Rates for Incidentals	
Daily	\$10.00

**River Trails Park District
TRAVEL, MEAL AND LODGING EXPENSE
REIMBURSEMENT FORM**

Before an expense for travel, meals, or lodging may be approved under **River Trails Park District Ordinance No. 17-07-20**, the following minimum documentation must first be submitted, in writing, to the River Trails Park District Board of Park Commissioners (the “Board”):

Name of Official or Employee: _____

Title/Position of Official or Employees: _____

Name and Date of the Activity/Event: _____

Check Number (if applicable): _____

Credit Card Receipt Number (if applicable): _____

Description of the purpose of the expense: _____

Reimbursement Expense (Estimated Costs or Actual Costs with receipts, if applicable):

Mileage: _____

Meals: _____

Parking: _____

Hotel/Lodging: _____

Car rental: _____

Airfare: _____

Other Transportation (bus, train, taxi, shuttle, etc): _____

Employee's/Officer's Signature: _____

Date: _____

Finance Director's Authorization: _____

Date: _____

ATTACH ALL RECEIPTS

Adopted by the Board of Commissioners May 20, 2021

BOARD MEMBER POLICY MANUAL DISCLAIMER AND SIGNED ACKNOWLEDGMENT

I hereby acknowledge receipt of the River Trails District Board Member Policy Manual and Appendices ("Manual"). I agree and represent that I have read this Manual thoroughly and in its entirety. I agree that if there is any policy or provision in the Manual that I do not understand, I will seek clarification from the Executive Director.

Please sign and date this acknowledgment and return it to the Executive Director

Board Member Signature

Date _____

Print Name