



**GLENCOE PARK DISTRICT
PERSONNEL AND POLICY COMMITTEE MEETING
Tuesday, January 17, 2017 - 6:00pm
Takiff Center – Aiken Activity Room**

Consistent with the requirements of the Illinois Compiled Statutes 5 ILCS 120/1 through 120/6 (Open Meetings Act), notices of this meeting were posted.
Meeting Location: Takiff Center, 999 Green Bay Road, Glencoe, IL 60022

AGENDA

- I. Call to Order
- II. Roll Call
- III. Approval of Minutes of the January 3, 2017 Personnel and Policy Committee Meeting
- IV. Matters from the Public
- V. Discussion on Proposed Policy Changes or Additions
 - A. Review Policy on Allowing for Third Party Construction on Park District Land
- VI. Other Business
- VII. Adjournment

The Glencoe Park District is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or facilities, are asked to contact the Park District at 847-835-3030.
Executive Director Email: lsheppard@glencooparkdistrict.com

III. Approval of Minutes of the January 3, 2017 Personnel & Policy Committee Meeting

Glencoe Park District
January 17, 2017
Personnel and Policy Committee Meeting

DRAFT

MINUTES OF JANUARY 3, 2017 PERSONNEL AND POLICY COMMITTEE MEETING
GLENCOE PARK DISTRICT
999 GREEN BAY ROAD, GLENCOE, ILLINOIS 60022

The meeting was called to order at 6:35 p.m. and roll was called.

Committee Members present:

Seth Palatnik, Chair/Commissioner
Lisa Brooks, Treasurer
Steve Gaines, President

Staff present:

Lisa Sheppard, Executive Director/Secretary
Carol Mensinger, Director of Finance/HR
Chris Leiner, Director of Parks/Maintenance
Mike Lushniak, Director of Recreation/Facilities

Commissioners present:

Dudley Onderdonk, Vice President
Andre Lerman, Commissioner

Members of the Public in attendance who signed in or spoke: Dan Dorfman

Matters from the Public: There was no one wishing to address the committee.

Approval of Minutes of the October 18, 2016 Personnel and Policy Committee Meeting:

A motion was made by Commissioner Gaines to approve the Minutes of the October 18, 2016 Personnel and Policy Committee Meeting as presented. Commissioner Brooks seconded the motion. No discussion ensued. Roll call vote taken:

AYES: Brooks, Gaines, Palatnik
NAYS: None
ABSENT: None

Discussion on Proposed Policy Changes or Additions: Chair Palatnik stated that Allowing for Third Party Construction on Park District Land Policy was tabled. A Personnel and Policy Committee Meeting was scheduled for January 17, 2017 at 6:00 p.m. to discuss that agenda item. Executive Director Sheppard and Director Mensinger led the discussion on Recreation Services Fees and Charges, which was tabled after extensive discussion. Discussion continued on the Use of Electronic Devices by Board Members Policy and Transgender Issues Policies, which will be presented to the Board for approval at the next Board meeting. Discussion on the Park Commission Land Sale Act ensued and Chair Palatnik directed Lisa Sheppard to update the policy and present to the Board.

Other Business: There was no other business.

Adjourn: Commissioner Gaines moved to adjourn the meeting at 7:55 p.m. Commissioner Brooks seconded the motion, which passed by unanimous voice vote.

Respectfully submitted,

Lisa M. Sheppard
Secretary

V. Discussion on Proposed Policy Changes or Additions

Agenda Item A: Review Policy on Allowing for Third Party Construction on Park District Land

Glencoe Park District
January 17, 2017
Personnel and Policy Committee Meeting



To: Board of Commissioners

Date: 12-20-16

From: Lisa Sheppard, Executive Director

SUBJECT: Policy on Third Party Construction on Park District Property

The attached policy addresses Third Party Construction on Park District Property. This new policy was written by Ancel Glink, in cooperation with staff and commissioners. It ensures and protects the Park District in the event the District would like to allow such construction on Glencoe Park District Land.

Two Items of Note:

1. Super-majority votes are generally governed by statute. The requirement in this policy for an affirmative vote by 4 commissioners is not required by statute but the Board is well within in their rights to impose such a regulation on themselves. But as a result, there is at least some risk that the voting requirement could be challenged by future Boards. While that risk seems relatively low, we want the District to be aware of it.
2. The District's Conduct Ordinance includes the following provision:

"Section 2.15" Erection of Structure/Wires

No Person shall construct, build, erect, or otherwise place any building, tent, stand, scaffold, platform or other structure of whatever kind, whether stationary or moveable and whether permanent or temporary in character, or construct, run, string, or otherwise place any electrical wire, conduit or pipe, or any public service or private utility, into, upon, above, or across or beneath District Property, unless a Permit, license, or contract therefor has first been obtained from the District."

To address a possible conflict with that provision, our attorneys included language in the attached policy stating:

"Notwithstanding any other Glencoe Park District policy or ordinance, construction of any facility, building, structure, or other improvement on Park District property by any third party is expressly prohibited unless authorized by a written agreement approved by the affirmative vote of no fewer than four (4) member of the Board of Park Commissioners."

Action Needed: The Committee Chair should advance the policy for approval if the other the committee members concur.

Glencoe Park District
Third Party Construction on Park District Property Policy

New Proposed Policy (Not Approved): January 17, 2017

1.0 Statement of Purpose

The Board of Park Commissioners finds it may be of benefit to the residents of Glencoe to permit Glencoe not-for-profit organizations to construct improvements on Park District property and to donate the improvement project to the Park District. The following Guidelines have been established related to the Park District's acceptance of such improvements.

2.0 General Guidelines

A copy of these guidelines will be made available to prospective not-for profit donors when requested.

2.1 Notwithstanding any other Glencoe Park District policy or ordinance, construction of any facility, building, structure, or other improvement on Park District property by any third party is expressly prohibited unless authorized by a written agreement approved by the affirmative vote of no fewer than four (4) member of the Board of Park Commissioners.

2.2 The Board will consider partnerships for construction of improvements on Park District property by Glencoe not-for-profit organizations. The organization must be currently recognized as a not-for-profit organization by the Internal Revenue Service and the Illinois Secretary of State and must have been in good standing with those agencies for a minimum of ten (10) consecutive years. Further, the organization must have a significant relationship to the Glencoe Park District community. A significant relationship with the Park District community can be demonstrated by meeting one of the following:

- A. Having a membership of which 55% or more reside within the corporate limits of the Park District; or
- B. Having a charter or other official recognition by a parent state or national organization that designates it as a Glencoe chapter.

2.3 Any Agreement entered into between the Park District and a not-for-profit organization to authorize construction of improvements in accordance with this policy will contain, but is not limited to, the following provisions:

- A. The improvement must be available for public use.
- B. The final design plans for the improvements must be approved by an affirmative vote of no fewer than four (4) members of the Board of Park Commissioners.

- C. Design and construction of the improvements must comply with all applicable Glencoe Park District, Village of Glencoe, County, State, and Federal laws, rules, regulations, and ordinances.
- D. The Park District Board and staff, in cooperation with the not-for-profit organization, will determine an expected useful life for the improvements. The not-for profit organization will be required to fund an endowment for maintenance of the improvements for the expected useful life of the project.
- E. The Park District will not guarantee that the improvements will remain on Park District property in perpetuity. At the end of the projected useful life of the improvements, the Board of Park Commissioners will determine whether the improvements are of value and interest to the Park District and the community. If the Board determines that the improvements are no longer of value or interest to the Park District and the community, the not-for –profit organization may be given an opportunity to restore/replace the improvements, or the Park District may, in the sole discretion of the Board, remove the improvements.
- F. The Park District is the sole owner of improvements constructed on Park District property. Authorization for construction of improvements on Park District property does not grant to any third party any ownership interest in the improvements or any property interest in any Park District property.
- G. The Board of Park Commissioners may select and engage; (i) an independent architect or contractor to review cost estimates for the design and construction of the improvements; and (ii) a contractor who is knowledgeable in Americans with Disabilities Act requirements for public facilities to provide an opinion on accessibility requirements for the improvements. The selection of any such contractors will be at the sole discretion of the Board and the related costs will be paid by the not-for-profit organization.
- H. The not-for-profit organization and its contractors will be required to provide insurance coverage for the project as required by the Park District and the Park District Risk Management Agency and will be required to indemnify and hold harmless the Park District and its elected, officials, employees, agents, and volunteers.
- I. The not-for-profit organization will be required to establish a design committee for the improvements. The Park District Executive Director or her designee will be a member of the design committee and will be provided access to all plans and drawings. The Park District Executive Director or her designee will be granted access to the construction site during the construction of the improvements.
- J. The Board of Park Commissioners, with input from Park District staff, will develop a construction timetable. The timetable will be monitored by the Park District Executive Director or her designee and monthly reports will be provided to the Board.
- K. The not-for-profit organization will be responsible for investigating all environmental issues and concerns and will pay all costs associated with any required environmental remediation.

- L. Prior to the beginning of construction of the improvements, the Park District will require the not-for-profit to: (i) submit to the Park District a surety bond in an amount determined by the Board of Park Commissioners; and (ii) deposit in escrow an amount determined by the Board of Park Commissioners as a construction contingency. The Park District will conduct a final inspection of the improvements prior to acceptance of the improvements. If any of the construction elements fail to meet the approved plans and specifications, the not-for-profit organization will be required to cause those construction elements to be remedied. If necessary, the construction contingency held in escrow may be used to pay for the remedies. Any amount remaining in the construction contingency escrow account thirty (30) days after the Park District's acceptance of the improvements will be returned to the not-for-profit organization.
- M. The not-for-profit organization will be required to pay all costs related to the improvements, including, but not limited to design, construction, testing fees, utility connection fees, and attorneys' fees.
- N. Prior to the start of construction of the improvements, the not-for profit organization will be required to submit to the Park District a minimum of three (3) written references for each contractor or subcontractor proposed to perform work on the improvements. The Park District will have the right to reject any contractors for whom satisfactory references are not provided.

3.0 Methods of Providing for Recognition of Donations and Naming/Re-Naming Rights

Recognition of improvements constructed on Park District property in accordance with this policy and the rights to naming or re-naming of the improvements and/or the park or facility in which the improvements are located shall be governed by the Glencoe Park District Policy on Gifts and Donations.