

**LISLE PARK DISTRICT  
1925 OHIO STREET  
LISLE, ILLINOIS**



**BOARD POLICY MANUAL  
AMENDED 11-16-17**

### **Mission Statement**

It is the mission of the Lisle Park District to enrich the quality of life for people of all ages by providing constructive and creative leisure opportunities.

### **Vision Statement**

The Lisle Park District

To Advocate:

Parks and Recreation  
Fiscal Integrity  
Innovative Solutions  
Civic Leadership  
Community Service

**THE LISLE PARK DISTRICT**  
**BOARD MEMBER POLICY MANUAL**

**1.0 Board Policy**

**1.01 Forward**

The Lisle Park District is a separate unit of local government, established in 1967, governed by a Board of five elected Commissioners who serve without pay. It is the purpose of the Lisle Park District to provide year round recreational programs, facilities and open space for the District residents. Parks and programs are designed to provide wholesome, constructive and enjoyable leisure time experiences that benefit the individual, the family and the community. The Board of Park Commissioners acts as the legislative and policy making body of the District in the operation, improvement and planning of its parks, recreation programs, facilities, personnel and fiscal operations.

**1.02 Purpose**

This Board policy manual is intended to describe the policies of the District as they apply to the Board of Park Commissioners. The Board of Park Commissioners has received and approved this manual and will in the future periodically review and revise the policies contained in this manual as it deems appropriate.

**1.03 Board Membership**

A. Number of Commissioners

The Board shall be comprised of five (5) members.

B. Term of Office

Commissioners shall be elected to serve for a term of four (4) years. Terms expire on a staggered basis. Commissioners shall serve until their successors are duly elected and qualified.

C. Qualification

Any person who is a legal voter and who resides within the District for at least one year is qualified to serve in the office of Commissioner. A person is not eligible to serve as park commissioner if that person is in arrears in the payment of a tax or other indebtedness due to the park district or has been convicted in any court located in the United States of any infamous crime, bribery, perjury, or other felony. (Park District Code, Section 2-11).

D. Nomination

A candidate for the office of Commissioner must file a nominating petition with the Secretary of the District signed by qualified voters of the District, equal in number to not less than 2% of the number who voted at the last

preceding election for Commissioners in the District but in no case will be less than 25 voters. (Park District Code, Section 2-11)

The Secretary of the District shall make available nominating petition forms to any prospective candidate for the office of Commissioner and shall publicize the first and last day for filing such nominating petitions well in advance of those dates.

E. Election

Commissioner elections are held biennially in April of odd-numbered years. (10 Illinois Compiled Statutes, 5/1-1)

F. Vacancy

1. Declaring a Vacancy

a. A vacancy on the Board may be declared whenever any member (1) dies, (2) resigns, (3) becomes under legal disability, (4) ceases to be a legal voter in the District, (5) is convicted of any infamous crime, (6) refuses or neglects to take his oath of office, (7) neglects to perform the duties of his office or attend meetings of the Board for the length of time as the Board fixes by ordinance or (8) for any other reason specified by law. (Park District Code, Section 2-25).

b. As provided in Ordinance No. 06-01, the Board may declare vacant the seat of any Commissioner who fails to attend six or more duly called meetings during any consecutive 12 month or shorter period. Before declaring such a seat vacant, the Board must first hold a hearing at which the Commissioner may seek to demonstrate that he/she was not, in fact, absent for the requisite consecutive number of meetings, or that there was good cause for one or more absences.

2. Method of Filling Vacancies

Vacancies shall be filled by appointment by a majority of the remaining members of the Board. Any person so appointed shall hold his office until the next regular election at which time a qualified candidate shall be elected to fill the vacancy for the unexpired term. However, if the vacancy occurs with less than 28 months remaining in the term, then the person appointed to fill the vacancy shall hold his office until the expiration of the term for which he has been appointed, and no election to fill the vacancy shall be held. If the vacancy occurs with more than 28 months left in the term, but less than 123 days before the next regularly scheduled election for this office, the person appointed to fill the vacancy shall hold his or her office until the second regularly scheduled election for the office following the appointment, at which a member shall be elected to fill the vacancy for the unexpired term. (Park District Code, Section 2-25).

G. Seating of Board Members

1. All newly elected, re-elected, or appointed commissioners, before entering upon the duties of their office, shall take and subscribe an oath to well and faithfully discharge the duties of said office. The oath shall be filed with the Board Secretary.
2. Newly elected, re-elected or appointed commissioners shall be seated at the first regular or special meeting following certification of the election results or appointment, as the case may be, or at such other time as the Board determines to be in the best interest of the District, but in no event later than the first regular or special meeting in the month of June following the election, or with respect to appointed commissioners, the second regular or special meeting following the appointment.

H. Commissioner Privileges

1. Compensation

Board members shall act as such without compensation. (Park District Code, Section 4-1)

2. Conferences, Seminars, Workshops and Outings

Opportunities to attend and participate in professional conferences, conventions, workshops, and seminars shall be provided at the District's expense subject to budgetary constraints and compliance with the District's Travel Expense Reimbursement Ordinance (Ordinance No. 16-04). Reimbursable expenses shall include registration fees, transportation, lodging, meals and other legitimate expenses actually incurred by a Commissioner in order to attend such events.

In the event a Commissioner is unable to attend an event for which the District has paid a fee, every effort will be made by that Commissioner to notify the Director with as much notice as possible in order that a replacement can be found or refund coordinated.

3. Professional Associations

The District shall establish membership in, and pay dues for, Board members to the National Recreation and Parks Association (NRPA) and Illinois Association of Park Districts (IAPD) or any other professional association approved by the Board.

4. District Programs and Facilities

- a. Recreation Programs

Current Board members and their immediate families are entitled to participate at no cost in those recreation programs where minimum registration has been met. These benefits do not apply to those recreation programs which involve a

contractual fee or which have not met the minimum registration requirements. For this purpose, immediate family shall mean the Board member's spouse and dependent children living at the member's home.

b. Facilities

i. Sea Lion Aquatic Park

Park Board Commissioners and their immediate family members may, upon request, be given Sea Lion Aquatic Park season passes at no charge. Immediate family members shall mean the Commissioner's spouse and dependent children living at the Commissioner's home.

ii. Community Park Fitness

Park Board Commissioners may use the fitness center at no charge. Immediate family members, as defined above, may, upon request, be granted a fitness center membership at 50% off the regular posted rates.

iii. River Bend Golf Course

Park Board Commissioners may golf at River Bend for no charge during the following hours:

Monday-Thursday	6:00 am – 2:00 pm
Friday	6:00 am – 1:00 pm
Weekends & Holidays	4:00 pm – close

The Commissioners' spouse and dependent children living at the Commissioner's home may golf with the Commissioner at the lowest daily rate. Riding carts are not included and Commissioners and members of their immediate family must pay for riding carts at the posted rates. Commissioners must make reservations 24 hours in advance. Commissioners cannot displace a paying patron and, at the discretion of the Superintendent of Golf, may not be allowed to golf at certain times if the course is too crowded.

5. Indemnification

Board members shall be indemnified against claims and actions, and shall be insured against any liability for negligent or wrongful acts alleged to have been committed within the scope of their employment as Commissioners. (Park District Code, Sections 8-20, 8-21).

## 1.04 Ethics and Conduct

### A. Illinois Governmental Ethics Act

Commissioners must file on an annual basis a Statement of Economic Interest, pursuant to the Illinois Governmental Ethics Act, with the DuPage County Clerk. (5 Illinois Compiled Statutes, 420/4A-101).

### B. Gifts and Political Activity

All Commissioners shall comply with the requirements of the District's Ethics Ordinance (Ordinance No. 04-03) governing gifts and political activity.

### C. Legal Authority

The Board, as a whole, is the legal corporate authority of the District. As an individual, a Board member 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.

### D. Representation

Board members are elected at large in non-partisan elections and represent all residents of the District.

### E. Relationship to the Director

Board members shall honor and respect the delegation of authority and responsibility to the Director of Parks and Recreation. Board members shall work directly with the Director and shall respect the chain of command. Board members should not give directions to the staff on daily operations of the District. Requests for information concerning District operations and programs shall be made through the Director. Suggestions for new policies shall be referred to the Director for study, appraisal and final recommendation. Complaints should be turned over to the Director for investigation and disposition by the Board. Board members shall acknowledge the Director's responsibility to carry out decisions of the majority of the Board.

### F. Sexual Harassment Policy

Board members shall comply with the District's Non-Discrimination and Anti-Harassment Policy as set forth in the District's Employee Handbook dated May, 2005, as may be amended from time to time.

### G. Discussing Park Business

On a five-member Board, with a quorum of three, any two members constitute a majority of a quorum, and therefore, must comply with the provisions of the Open Meetings Act in order to discuss District business.

## **1.05 Powers and Duties of the Board**

The general corporate powers of the Board, as set forth in the following Code, include but are not limited to the following responsibilities:

A. Policies

To study, develop, and adopt policies that will satisfy the park and recreation needs of the community and to see that such policies are effectively administered.

B. Budget

To adopt an annual budget in order to provide funds to support facilities, programs, and services for the public and to establish and enforce controls for the expenditure of funds within the limitations of the budget.

C. Tax Levy

To annually appropriate funds and levy taxes in accordance with provisions of current Illinois law.

D. Official Actions

To discharge the duties and responsibilities of the Board by official action of the Board as a whole. When acting as such, members shall be considered to be officers with District jurisdiction in accordance with State and Federal statutes which directly govern or affect park districts.

## **1.06 Officers of the Board**

The Board shall elect a President and Vice President from their members at the Annual Meeting of the Board. The terms of Office shall be one year or until their successors are elected, and shall commence immediately following their election at the Annual Meeting (Park District Code, Section 4-8)

A. President

The President of the Board shall preside at all meetings of the Board, and shall call Special Meetings thereof on his own motion or at the request of two or more of the members, and in case of a Special Meeting shall cause a notice to be given to all members as provided by the rule of the Board. The President shall have the right to vote upon all questions coming before the Board. (Park District Code, Section 4-9) The President shall also perform other duties as usually pertain to the office as required by law or as delegated to him by the Board.

B. Vice President

During the absence of the President, it shall be the duty of the Vice President to preside at meetings of the Board and to perform such duties as pertain to the office of the President.



## 1.07 Appointed Personnel of the Board

The Board shall appoint a Secretary, a Treasurer, an Attorney, and a Director of Parks and Recreation, prescribe their duties and establish the term of appointment. The Secretary and Treasurer need not be Board members, in which case the Board may fix their compensation. The Board may appoint an assistant secretary and an assistant treasurer. If the secretary or treasurer are unable to perform the duties of their respective offices, then the assistant secretary or assistant treasurer shall perform the duties of that office, respectively, as prescribed by the Board. The assistant secretary and assistant treasurer need not be members of the Board. (Park District Code, Section 4-8).

### A. Secretary

The duties of the Secretary shall include but not be limited to being present at all meetings of the Board, preparing, circulating in advance to Board members, and posting the agenda for all meetings of the Board and its committees and keeping accurate minutes of all official proceedings of the Board and its committees, preparing and publishing such reports as are required by law and pertain to his/her office, administering oaths and affirmations, maintaining a correct and current copy of the District's policy manuals, keeping of the corporate seal of the District, publishing all ordinances required to be published by statute, giving notice of all regular and special meetings of the Board in the manner provided by law, and performing other duties as usually pertains to the office, as are required by law or as may be delegated by the Board.

### B. Treasurer

The Treasurer shall be the District's chief financial officer and advisor to the Board. The duties of the Treasurer shall include but are not limited to submitting monthly financial reports, acting as custodian of all monies owned by the District, and received, ensuring all monies are deposited in a bank or funding institutions approved and designated by the Board.

### C. Attorney

The Attorney shall be the advisor to the Board and for the District in all legal matters and shall be in charge of the prosecution and defense of all litigation in which the District is involved. The duties of the Attorney shall include but are not limited to drafting or reviewing any ordinances, resolutions and agreements and other instruments required by the Board, giving opinions on all questions referred by the Board, and performing such other legal duties as are required by the Board.

### D. Director of Parks and Recreation

The Director shall be the chief administrative officer of, and professional advisor to, the District. The Board shall establish a job description for this position and shall delegate to the Director sufficient authority and responsibility to execute the Board's policies and establish standard operating

procedures based on those policies, enforce established rules and regulations, and administer the daily operations of the parks, recreation programs, facilities and services of the District for the benefit of the public. The Director may delegate his/her authority but shall nevertheless be responsible to the Board. The Board shall perform an annual written evaluation of the Director.

## **1.08 Committees of the Board**

Standing committees of the Board shall be Committees of the Whole. These committees shall have responsibility to review and make recommendations to the Board on policy matters pertaining to the following functions of the District: Finance, Buildings and Grounds, Recreation and Golf, Personnel and Technology, Policies and Procedures, and Intergovernmental. The Chairperson of each Standing Committee shall be appointed at the Annual Meeting.

### **A. Finance Committee**

The Finance Committee shall have charge of all financial affairs of the Board, the preparation of the annual budget and shall submit to the Board the estimated appropriations of funds necessary for the operation, maintenance and development of the parks from year to year.

### **B. Buildings and Grounds**

The Buildings and Grounds Committee shall have charge of the plans and investigation concerning the acquisition of land for park purposes, whether such acquisition be by condemnation, donation, purchase or other method, maintenance and operation of the parks and facilities of the District, and all plans for improvements or alterations in the District's grounds and buildings.

### **C. Recreation and Golf**

The Recreation and Golf Committee shall have charge of all recreation activities in the District's facilities and parks.

### **D. Personnel and Technology**

The Personnel and Technology Committee shall have charge of personnel matters, as well as District projects related to information management plans, telecommunications projects, and other information technology initiatives.

### **E. Policies and Procedures**

The Policies and Procedures Committee shall have charge of all District policies.

### **F. Intergovernmental**

The Intergovernmental Committee shall participate in Lisle Intergovernmental Committee meetings, and provide a forum for open communication between the various taxing bodies within the District.

G. Temporary Committees

The President, with ratification of the Board, may create Temporary Committees with whatever structure and duration is deemed necessary.

**1.09 Board Meetings**

A. Open Meetings Act

All meetings of the Board are subject to the rules and regulations provided in the Open Meetings Act and shall be scheduled, conducted and recorded accordingly. (5 Illinois Compiled Statutes, 120/1 *et seq.*)

B. Annual Meeting

The Annual Meeting of the Board shall be held on the third Thursday in May at 7:00 p.m. or at a Special Meeting in May called for that purpose. This shall be the organizational meeting of the Board. The President and Vice President shall be elected and the Secretary, Treasurer, Attorney and Committee Chairpersons shall be appointed.

C. Regular Meetings

Regular Meetings of the Board shall be held on the third Thursday of each month at 7:00 p.m.

D. Special Meetings

Special Meetings or Public Hearings of the Board may be called by the President on his/her own motion or at the request of two or more Board members. Notice of any such special meeting shall be given as required by the Open Meetings Act. (5 Illinois Compiled Statutes, 120/1 *et seq.*)

E. Emergency Meetings

Emergency Meetings of the Board may be called if a bona fide emergency exists. Notice of any such emergency meeting shall be given as required by the Open Meetings Act. (5 Illinois Compiled Statutes, 120/1 *et seq.*)

F. Place of Meeting

Board and Committee Meetings shall be held at the Recreation Center, 1925 Ohio Street, Lisle, Illinois. However, the Board may from time to time, change the place of any such meeting and will publish the location in accordance with the Open Meetings Act. (5 Illinois Compiled Statutes, 120/1 *et seq.*)

G. Public Meetings

1. Open Meetings

All Meetings of the Board shall be open meetings, subject to the provisions of the Open Meetings Act. (5 Illinois Compiled Statutes, 120/1 *et seq.*)

2. Executive Session

The Board may hold Closed Session Meetings or close a portion of a public meeting in accordance with the provisions of the Open Meetings Act. No final action on any Board matter will be taken while in a closed meeting. (5 Illinois Compiled Statutes, 120/1 (5 Illinois Compiled Statutes, 120/1 *et seq.*).

H. Schedule and Notice of Meetings

The schedule and public notice of all regular, rescheduled or reconvened Board meetings for each calendar year shall be made available in accordance with the Open Meetings Act. (5 Illinois Compiled Statutes, 120/1 *et seq.*).

Bonds will be issued in accordance with the Bond Issue Notification Act. (30 Illinois Compiled Statutes, 352/1).

I. Quorum

A majority of the Board or Committee shall constitute a quorum for the transaction of business.

J. Agenda

The agenda for each Board meeting shall be prepared by the Secretary of the District, reviewed by the President and submitted to the Board in advance of the meeting. Any Board member may submit agenda items. The agenda shall be posted at the Community Center and on the District's web site at least 48 hours prior to the meeting.

K. Hearing of Guest/Public Comment

Residents shall be invited to participate in Board meetings during the portion of the meeting specified in the agenda for "Hearing of Guests," or "Public Comment," and at other times during the meeting when recognized by the Board President or Committee Chairperson.

The Presiding Commissioner, at his/her discretion, may impose a five (5) minute time limit for each public comment addressed to the Board.

L. Discussion

The President or Committee Chairperson shall conduct discussions of pending matters in accordance with Roberts Rules of Order.

M. Voting

Unless otherwise required by law, a simple majority of members present at each Board or Committee meeting shall be required for the passage of all

motions. Board members may abstain from voting if they perceive they have a conflict of interest.

N. Minutes of Meetings

The Secretary of the District shall keep written minutes of all Board meetings as specified by the Open Meetings Act. Draft minutes of the preceding month's Board meetings shall be delivered to the Board members, Treasurer, and Attorney at least 48 hours before the next regularly scheduled meeting. The draft minutes of the preceding month's Board meeting shall be considered and acted upon by the Board at the next regular meeting. Approved minutes shall be made available to the public as specified in the Open Meetings Act and the Freedom of Information Act. Approved minutes will be posted on the District's web site.

At least two times annually, the Board must meet to review minutes from Executive Session Meetings and determine whether the need for confidentiality still exists for those minutes. Minutes no longer deemed confidential must be made available to the public.

O. Rules of Order

Roberts Rules of Order shall govern all questions of procedure not otherwise provided above.

**PASSED this 16<sup>th</sup> day of February, 2006 by roll call vote as follows:**

**AYES:** Will, Hough, Carballo, Kanzler, Cook

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

**Amended:** 3-15-12

**Amended:** 4-18-13

**Amended:** 11-16-17

## **APPENDIX**

- I. Ethics Ordinance (includes Gift Ban Act)
- II. Park Commissioner Attendance Ordinance

**APPEDIX I**

**Ethics Ordinance (Includes Gift Ban Act)**

**LISLE PARK DISTRICT**

**ORDINANCE NO. 04-3**

**ETHICS ORDINANCE**

**PREAMBLE**

**WHEREAS**, the Illinois General Assembly has enacted the State Officials and Employees 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 statues 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, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE LISLE PARK DISTRICT, AS FOLLOWS:**

**SECTION 1:** The Code of Ordinances of The Lisle Park District is hereby amended by the addition of the following provisions:

**ARTICLE 1**

**DEFINITIONS**

Section 1-1. For purposes of this ordinance, the following terms shall be given these definitions:

"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.

"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).

"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).

"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 the 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.

"Compensatory time off" means authorized time off earned 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.

"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).

"Employee" means a person employed by the Lisle 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.

"Employer" means The Lisle Park District.

"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, drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer of employee.

"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.

"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.



“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.

“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.

“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 election 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.

"Prohibited source" means that 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.

## **ARTICLE 5**

### **PROHIBITED POLITICAL ACTIVITIES**

Section 5-1. 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 Lisle 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 a 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 a 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 recognize 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.

## **ARTICLE 10**

### **GIFT BAN**

Section 10-1. Gift ban. Except as permitted by this Article, no officer or employee, and no spouse 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.

Section 10-2. Exceptions. Section 10-1 is not applicable to the following:

- (1) Opportunities, benefits, and services that are 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 of 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 an 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.

Section 10-3. 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 give 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.

## **ARTICLE 25**

### **PENALTIES**

Section 25-1. 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 false report alleging a violation of any provision of this Ordinance to the local law 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 Lisle 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.

A violation of Article 10 of this Ordinance may be prosecuted as a quasi-criminal offense by an attorney for the Lisle Park District, or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.

(e) 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 2:** This Ordinance shall be in effect upon its passage, approval and publication as provided by law.

Adopted this 15<sup>th</sup> day of July, 2004 by roll call vote of the members of the Board of Park Commissioners, as follows:

Roll Call:

Ayes: Jackson, Hough, Zakosek, Cook

Nays: Will

Absent:

**APPENDIX II**

**Park Commissioner Attendance Ordinance**

**ORDINANCE NO. 06-01**

**LISLE PARK DISTRICT**

**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 Lisle 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 the Board acts from time to time on behalf of the District through the majority vote of the Board members at public meetings where at least a quorum of said members is present; 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

WHEREAS, Article 2-25 of the Code provides, inter alia, 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 of the District has not previously adopted any ordinance fixing the length of time a member of the Board may fail to attend meetings of the Board for that member's office to 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 Lisle 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 in person at six (6) or more duly called Regular Meetings of the Board within any consecutive twelve (12) month period 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 or a closed session of an open meeting 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 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, in person as aforesaid, at six (6) or more duly called meetings of the Board in any consecutive twelve month or shorter period. 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 the meetings which the member has allegedly failed to attend.
- (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 create a rebuttable presumption that 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, or to explain his absence at any such meeting.
- (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 six (6) duly scheduled meetings of the Board were missed by such member, 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). Prior to declaring the member's office vacant, the Board may consider the reason(s) why the member had been absent.

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.

SECTION 6. EFFECTIVENESS. The ordinance shall be effective upon its passage.

PASSED this 16<sup>th</sup> day of February, 2006 by roll call vote as follows:

AYES: Will, Hough, Carballo, Kanzler, Cook

NAYS: None

ABSENT: None