

# Administrative Policies

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## POL.A.01.01 - Freedom of Information Act Policy

The Park District of Oak Park recognizes its obligation under the Illinois Freedom of Information Act (FOIA) to permit any person to inspect and/or copy most public records of the District after making a written request. At the direction of the Board of Park Commissioners, the staff of the District has interpreted FOIA liberally in favor of persons requesting access to the District's records. However, this approach has resulted in the District's relatively small staff repeatedly being overburdened by numerous requests for voluminous records by a small number of individuals. Unlike larger units of government, the Park District has no freedom of information officer whose sole responsibility is to respond to FOIA requests. As a result, the Executive Director or other members of the District's staff must take time away from their other duties to respond to FOIA requests.

The Board of Park Commissioners has determined that the following policies and procedures strike a proper balance between the taxpayers' need for access to public records, the privacy interests of persons to whom the records may refer, and the public interest in efficient and effective government:

- The Executive Director has authority to appoint a staff member to serve as the FOIA Officer for the District.
- Only the Freedom of Information Officer or his/her designee may respond to requests for public records of the District. Any member of the Park Board or employee of the District who receives a request for a public record of the District, including a complaint, comment or opinion of a resident submitted to that Park Commissioner or employee in his/her official capacity, shall immediately refer the request to the FOIA Officer.
- All requests to inspect and/or copy public records of the Park District must be in writing. Request forms are available from the Park District's Administrative Office at 218 Madison St Oak Park, Illinois and on the website [www.pdop.org](http://www.pdop.org).
- All requests must specify the records to be inspected or copied with reasonable particularity in order to avoid inefficient use of staff time in retrieving records and making them available for inspection and/or copying.
- The FOIA Officer or his/her designee will respond in writing to all requests for public records within the time limitations set by FOIA. The Park District will respond to such requests in the order in which they are received.
- The Park District will produce for inspection any requested public record that is not exempt from disclosure under the Freedom of Information Act. Examples of records that are exempt include, but are not limited to, the following:
  - a. "Information that, if disclosed, would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." This exemption includes personnel files of Park District employees.
  - b. "Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated," unless that record "has been publicly cited and identified by" the Board of Park Commissioners.
  - c. Proposals and bids for any contract or grant, until awarded.

d. "Minutes of meetings of public bodies closed to the public as provided by the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act." Section 2.06 allows, but does not require, the Park Board to release minutes of closed sessions after conducting a semi-annual review of such minutes and concluding that it is no longer necessary to keep the minutes confidential. Minutes of meetings held in open session are not public records, and will not be produced for inspection, until they are approved by the Board of Park Commissioners.

e. Privileged communications between the Park District "and an attorney or auditor representing the public body," in which legal or accounting advice or opinions are requested or furnished.

- The Board of Park Commissioners hereby finds that production for inspection of public records consisting of a complaint, comment or opinion of a resident of the District would constitute a clearly unwarranted invasion of the personal privacy of any such resident. The Park District therefore will disclose any such record only after deleting the name, address and telephone number of the resident and any other personal identifying information. This policy does not apply to open session minutes of meetings of the Board of Park Commissioners, which will be made available for inspection and/or copying in their entirety.
- As permitted by FOIA, the Park District may deny a request for public records if "compliance with the request would be unduly burdensome and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information." Before invoking this exemption, the Freedom of Information Officer or his/her designee "shall extend to the person making the request an opportunity to confer with [the Officer] in an attempt to reduce the request to manageable proportions."
- The Park District will deem as unduly burdensome repeated requests for the same public records by the same person or by members of the same organization or group.
- The Park District will make public records available for inspection pursuant to this policy at the Hedges Administration Center, 218 Madison St Oak Park, Illinois on Monday through Friday, except holidays, between 8:30 a.m. and 4:30 p.m. by appointment with the Freedom of Information Officer or his/her designee. A representative of the Park District will remain present during all inspections of public records.
- Original public records may not be removed from the Hedges Administrative Center. Persons inspecting public records of the Park District shall not alter, deface or destroy any public record.
- The Park District will not permit inspection of public records that are in immediate use by Park District employees performing official duties that require use of those records.
- Upon request, the Park District will make a copy of any public record that is not exempt from disclosure under FOIA or this policy. Again upon request, the Park District also will certify any such copy. In order to recover the actual cost of reproducing and certifying copies of public records, including staff time expended in performing these tasks, the Park District will charge 25 cents per side of a page copied for each page after the first 50. A rate of 50 cents per side for a certified copy. Prior to copying any public records, the Park District will inform the requesting party of the amount to be charged. The Park District will copy the requested records only after receipt of payment of this amount.
- A person who wishes to have a public record copied without charge or at a reduced charge shall request a fee waiver or reduction as part of his/her written request to have the record copied.

The request for a fee waiver or reduction must state the specific purpose for which the public record is being requested, and must demonstrate how and why the principal purpose of the request is to promote the public interest by accessing and disseminating information regarding the health, safety and welfare or the legal rights of the general public and not to promote personal or commercial benefit. In determining whether to grant a fee waiver or reduction, the Freedom of Information Officer will consider:

- a. the amount of materials requested;
  - b. the cost of copying the materials requested;
  - c. the extent to which the written request for copies demonstrates that a fee waiver or reduction is, in fact, in the public interest;
  - d. any other relevant facts.
- A person who has made a written request to inspect and/or copy public records of the Park District may appeal in writing to the Board of Park Commissioners within ten (10) business days if:
    - a. The Freedom of Information Officer or his/her designee denies the request in whole or in part;
    - b. The Freedom of Information Officer or his/her designee states in writing to the requesting party that responding to the request would be unduly burdensome; or
    - c. The Freedom of Information Officer fails to respond in writing to the request within the time limitations set by FOIA. The Board of Park Commissioners shall respond to any such appeal within seven (7) business days.

## POL.A.01.02 - Americans With Disabilities Act

The District acknowledges and supports the Americans with Disabilities Act (42U.S.C. 12131 "ADA") and prohibits discrimination on the basis of disability in the services, programs, or activities of the District. The District will make all reasonable accommodations to facilitate community access and full participation by citizens.

The Board empowers the Executive Director of the District to designate an employee or employees to coordinate the District's efforts to comply with and carry out its responsibilities under ADA, including granting the authority to appoint a staff member to serve as the ADA Coordinator for the District.

### **Service Animals**

The Department of Justice (DOJ) has amended Title II of the Americans with Disabilities Act (ADA) with a final rule related to "service animals" (See § 35.136 Service Animals of the Revised Title II ADA Regulations). The DOJ has defined "service animals" as a dog that has been individually trained to do work or perform a task that benefits an individual with a disability. The dog is not a pet since it has a

specific job or task to perform. The rule states that other animals, whether wild or domestic, do not qualify as a service animal. Dogs that are not trained to perform tasks that assist a person related to their disability, including emotional support, are not considered a service animal. The rule has clarified that a person with a mental disability that uses a service animal is protected under the ADA. In addition, a miniature horse can be used as an alternative service animal but is subject to certain limitations.

Some examples of the tasks that a service dog can perform include but are not limited to:

- Alerting a person with hearing impairments to sounds.
- Pulling wheelchairs or carrying and picking up things for a person with a mobility impairment.
- Assisting a person with mobility impairment with balance.
- Guiding a person with a visual impairment.

It should be noted that there is presently no national standards related to the certification or training of a service animal. Many different organizations and individuals train service animals. Some but not all service animals can be recognized by several means:

- Some but not all will wear a special collar or harness
- Some but not all are licensed, certified and/or have identification papers.

There are only two questions that can be asked to determine if the dog with a person is a service animal.

1. You may ask if the animal is a service animal required because of a disability.
2. You may ask if the animal performs a specific task for the person.

No other questions about the person's disability or additional comments are acceptable to ask under the ADA.

Service animals can be asked to be removed from an area or program in specific situations including:

- The dog is barking.
- The dog is growling.
- The dog is not house broken.
- The dog displays a vicious or aggressive behavior toward other people.
- The dog acts disruptively such as jumping toward or running at other people.
- The area is regulated by health rules that do not allow an animal to enter.

It should also be noted that a person cannot be charged additional fees because they are using a service animal.

## **Special Recreation Programs**

The Board recognizes the need to provide quality recreation for special populations that live within the District utilizing the financial resources available. The District participates as a member of the West Suburban Special Recreation Association to work in cooperation with its partner districts to make certain that professional consideration and inclusion is accomplished in accommodating all residents with a disability. District participation in this association ensures that it meets its responsibilities through a cooperative special recreation association where such is more economical or viable than an "in-District"

program.

A Board member is annually appointed by the Board to represent the District serving as a West Suburban Special Recreation Association Board member. The District will meet its financial obligations for the support of West Suburban Special Recreation Association primarily through a tax levy provided for this purpose. Payments of tax receipts will be forwarded to the Special Recreation Association in accordance with agreement between the West Suburban Special Recreation Association and the Park District.

## POL.A.01.03 - Ethics Ordinance

All employees and parties providing work or services on behalf of the district must be in compliance with the requirements of the Illinois Ethics Bill or Public Acts 93-615 and 93-617. In 2011, the PDOP adopted ORDINANCE NO. 2011-5-01 for agency use.

## POL.A.01.04 - Annual Fiscal Filing Requirements

On an annual basis, the District shall file with the appropriate county and state agencies:

- Budget and Appropriation Ordinance;
- Tax Levy Ordinance;
- Annual Financial Statement and Independent Auditor's Report;
- Statement of Receipts and Disbursements;
- Prevailing Wage Ordinance;
- Any other documents or reports required by law

To the extent any Illinois State Law or Federal Law exists which is inconsistent or contrary to these policies, then the District shall conform to the requirements of State or Federal Law.

- a. Budget and Appropriation Ordinance. A combined Budget and Appropriation Ordinance shall be adopted by the Board by the Board's last meeting in November of each year. The Budget and Appropriation Ordinance shall contain a statement of cash on hand at the beginning of the fiscal year, an estimate of cash expected to be received during such fiscal year from all sources, an estimate of expenditures contemplated for such fiscal year and the estimated cash expected to be on hand at the end of such year. The Budget and Appropriation Ordinance shall be prepared in tentative form and be made conveniently available for public inspection for at least thirty (30) days before final action. At least one public hearing shall be held before final action. The hearing must be advertised in a newspaper published in this District at least one week prior to the date for which the hearing is scheduled. The Board must file a certified copy of the Budget and Appropriation Ordinance with the Cook County Clerk within 30 days of the adoption of the ordinance, along with an estimate, certified by the Director of Finance, of revenues, by source, anticipated to be received by the District for the fiscal year. The Board shall comply with all requirements of the Illinois District Code which relate to the Budget and Appropriation process. The Director of shall be charged with the preliminary preparation of the Budget. The Budget shall delineate the revenues and expenditures of all separate funds required by the District. In the preparation of the annual fiscal budget, management will consciously work toward satisfying and fulfilling both the short-term and

long-range goals and objectives formulated by management and approved by the Board. Whenever feasible and practical, the budget process shall be decentralized in which frontline managers will formulate the preliminary drafts of their area's budgets. The drafts will be reviewed by the appropriate Supervisor, the Director of Finance, and finally, the Executive Director. To carry out this policy, management will employ qualified people who can understand financial information, satisfy routine financial requirements, and satisfactorily prepare a budget.

b. Levy Ordinance. The District has the power to levy and collect taxes on all taxable property in the District. The Levy Ordinance shall be prepared, presented and approved in compliance with the Illinois Park District Code and the Illinois Compiled Statutes. The Director of Finance shall be charged with the preparation of the Levy Ordinance. The Levy Ordinance shall specify amounts to be raised by taxation and thereby levy said amounts. A certified copy of the approved Levy Ordinance shall be filed with the Cook County Clerk no later than the last Tuesday in December, or as otherwise established by law.

c. Annual Audit. An audit of all funds and financial practices shall be conducted annually by an independent certified public accounting firm which will be chosen by the Board. In addition to the normal test of various funds, internal controls and investments, the firm shall provide an audit management letter providing recommendations for improving the fiscal and financial management practices of the District and or specific internal control deficiencies. The examination is to be made in accordance with generally accepted auditing standards and include such tests of accounting records and other auditing procedures as the firm deems necessary to formulate an "Opinion," in accordance with Generally Accepted Accounting Principles.

The examination will be directed toward an expression of an opinion on the District's combined financial statements; however, it is not designated, nor can be relied upon, to disclose defalcations or similar irregularities, should any exist. The firm will notify the Board, however, if any such matters are disclosed or come to the firm's attention during the examination. The firm will prepare the District's annual financial report and file it with the Comptroller of the State of Illinois within six months following the close of each fiscal year in whatever form the State Comptroller requires. At the District's request, the firm will render advice or recommendations on accounting and other matters. The firm will furnish the Board and management with a "Management Letter," reporting on specific deficiencies found in the organization's internal control system. Special Audits can be conducted at the request of the Board.

d. Economic Disclosure Statement. The Government Ethics Act requires various district officials and employees to file economic disclosure statements with the clerk in the county in which they reside at the time they are appointed, elected or hired. After the initial filing, district officials and employees must continue to file annual statements by May 1 of each year, or as otherwise required by law. (5 ILCS 420/1-101) The Act requires the following persons to file disclosure statements:

- Members of the Board and candidates for election to the Board
- District employees who are compensated for services as employees and not as independent contractors and who:
  - i. are, or function as, the head of a department, division, bureau or other administrative unit;

- ii. have direct supervisory authority over, or direct responsibility for, the formulation, negotiation, issuance or execution of contracts in the amount of \$1,000 or greater; have authority to approve licenses or permits; adjudicate, arbitrate or decide any judicial or administrative proceeding, or review such a decision;
  - iii. have authority to issue or promulgate rules or regulations; or
  - iv. have supervisory responsibility for 20 or more employees.
- e. Statement of Receipts and Disbursements. The Director of Finance shall prepare a report at the end of each fiscal year showing:
1. the amount and source of all revenues, giving items, particulars and details;
  2. all monies disbursed, where the total amount paid during the fiscal year exceeds \$2,500 in the aggregate, including the name of each individual to whom the monies were disbursed and the amount paid to each person;
  3. all monies paid out as compensation for personal services, giving the name of each individual to whom paid by listing each employee, as required by the Illinois Park District Code;
  4. a summary statement of operations for all funds and account groups, as excerpted from the annual financial report filed with the State

Within six months after the close of the fiscal year, such statement shall be filed in the Office of the County Clerk. Within six months after the end of such fiscal year, the Director of Finance shall have published a notice in a newspaper of local circulation, stating that this report is available. Certification of the statement's publication must then be filed with the County Clerk.

- f. State Comptroller's Report. A copy of the Annual Audit Report must be filed with the Comptroller of the State of Illinois within six months following the close of each fiscal year in whatever form the State Controller requires. Per Part C of this policy, the Board's auditor shall complete this.

## POL.A.02.01 - Citizen Input Policy

The Park District of Oak Park feels that it is essential for the good of the Park District to solicit resident input on many of its decisions and actions. The Park District may utilize the following methods to obtain resident input.

- a. Resident Comment Opportunities at Regular Board Meetings. Residents are welcome to attend Board meetings if they have issues or comments they would like to make to the Park Board of Commissioners. An opportunity for public comment is provided at each Regular Board meeting
- b. Citizen Focus Groups. Staff may conduct focus group meetings from time to time with specific user groups in order to gain input on a variety of issues. Focus groups are usually comprised of a small group of users who have an interest in specific programs or facilities.
- c. Surveys. Staff may conduct surveys of residents in order to gain their input on a variety of issues.

Surveys may be conducted by phone, e-mail, online, in person or by regular mail. Surveys may also be utilized to determine annual agency goals and assist with long range planning. In these surveys, participant families, Park District representatives and part time staff and volunteers may be surveyed.

d. Comprehensive Needs Assessment. The Park District is always re-evaluating and assessing the recreational and leisure needs of the residents of our partners. The Board will review the changing needs of the community by directing staff to conduct a comprehensive assessment study at least every ten years. This information will assist in determining the resident interests and attitudes towards current programs and facilities, plus the need for future development of program offerings and facility development. Included shall be an investigation into economic conditions, population shifts and changing social needs.

e. Recreation Programs. Residents are encouraged to submit their ideas and suggestions for improving the programs and services offered to the community. Staff should initiate feedback by conducting regular program evaluations to measure participant satisfaction levels and to improve upon the services provided. Additional means of feedback such as focus groups, suggestion boxes, etc. are also encouraged as the situation warrants.

## POL.A.02.02 - Cooperation with Community Organizations Policy

To promote and enhance efficient use of tax dollars and effective delivery of park, facility and recreation services, the Board shall strive to develop cooperative inter-agency agreements with other public and private entities, and especially intergovernmental cooperation agreements with local, state, and federal governmental agencies including the following:

a. Relationships with Particular Groups; Liaisons. The Board desires to maintain it valuable relationships with the Memorial Trust Committee, the Pleasant Home Foundation, the Friends of the Oak Park Conservatory, and various sports and civic groups. Board members may be appointed to serve as liaisons between the District and some of these organizations.

b. School Districts 97 and 200. The Board encourages cooperation between the Park District and the Oak Park School Districts 97 and 200 in the development and use of facilities and equipment, when such cooperation results in efficient and effective programming that is beneficial to the Park District, the school district, and residents. Such cooperation may be memorialized in letters of agreement between the Park District and a school district.

c. West Suburban Special Recreation Association. The Board is committed to helping provide for the recreation needs of special populations within the Park District, including individuals with special needs or disabilities. In furtherance of that commitment, the Park District shall remain an active member of the West Suburban Special Recreation Association.

d. Council of Governments. The Executive Director and at least one Board member should attend the meetings of the Oak Park Council of Governments.

## Development and Management of Land & Facilities

The Park District will strive to work with other governmental entities including local municipalities, forest preserves, and school districts in the development and use of land and facilities when practical and when such cooperation produces mutually beneficial results such as increased efficiencies and/or increased recreational opportunities for residents. Park District staff should be aware of and participate, when appropriate, in governmental planning efforts for the community.

### **Lending of Equipment**

Lending and borrowing of equipment are common among governmental entities such as Districts, Municipalities, and School Districts. Department heads of the District are empowered to both loan and/or borrow equipment when determined necessary and approved by the Executive Director. The Department Head with approval of the Executive Director is granted the authority to waive or establish a fair and equitable rental rate on specialized pieces of equipment.

## **POL.A.02.03 - Community Organizations Use of Park District Property**

The Park District of Oak Park has long worked in cooperation with community organizations to enhance the recreational and educational opportunities available to Oak Park residents. The Park District is very appreciative of the work of these Organizations. The Park District desires to nurture its relationships with these Organizations, and to foster new and expanded relationships, in its continuing efforts to best serve its constituents.

### **Use of District Parks, Facilities, and Equipment**

The Park District has established a PACT program (Partner, Associate, Companion, and Tenant) to guide the Park District and the organizations that desire to use the Park District's property, facilities, and equipment. This PACT program is the best and most efficient means for the Park District to establish mutually beneficial relationships based on clear understandings of how each party can serve the other. This also is the surest method to address the sometimes complex issues and responsibilities every public agency faces.

Through the use of the PACT program, the Park District believes it can achieve useful and lasting relationships with the organizations that serve Oak Park residents so well. The PACT program will establish, for each Organization:

- The Park District property, facilities, and equipment that the Organization may use, and the term during which it may use them.
- The services and assistance that the Park District can offer the Organization in support of the work it undertakes.
- The services and programs that the Organization will offer its constituents.
- The fees, if any, and other financial considerations of the affiliation.
- The Park District's basic policies regarding the use of its property.
- Standard waiver, indemnification, and insurance provisions.

Using the information provided as part of an annual application process, the Park District will place groups accepted into the program into one of four categories. These four categories make up the acronym "P.A.C.T." (Partner, Associate, Companion, and Tenant). With each category comes varying levels of both benefits and expectations. Groups not meeting the requirements to be accepted into the program will still

have the ability to request use of Park District facilities, but will be required follow to the same procedures, policies, and fees as set for the general public.

### **P.A.C.T. Program Levels**

Partner. This category is reserved for organizations operating under a separate written agreement the Park District that has been approved by the Park District of Oak Park Board of Commissioners and/or the Executive Director. These organizations closely match the Park District in mission and objectives, serve the community in a way similar to the Park District, or are able to participate in a partnership that is mutually beneficial and assists the Park District in carrying out its own mission. In order to ensure that partners are able to uphold the agreement in a sustained manner, these organizations should have significant resources and have been in existence for at least 25 years. Possible examples could include other Oak Park government entities through intergovernmental agreements, Oak Park area educational institutions through facility sharing agreements, or non-profit corporations with a long-standing history in the community. Every partner will enter into a separate written agreement lasting one or more years with the Park District in advance of granting or providing any access to Park District facilities. Partner agreements are not designed to be a method for organizations to avoid the responsibilities and fees associated with being an Associate, Companion, or Tenant, but are instead an avenue for the Park District to meet its mission and enhance the recreational opportunities available to the residents of Oak Park by working together with other organizations. It should also be noted that Partners are only afforded priority access to Park District facilities as set forth in the Partner agreements and do not receive across-the-board priority access for the organization at all Park District facilities at all dates and times.

Associate. These organizations exist mainly to provide and actively promote non-competitive recreation opportunities available to Oak Park citizens without any pre-qualifications (other than age). They must demonstrate annual participation levels averaging at least 250 participants or more with at least 90% of this participation coming from Oak Park residents. Because of this similarity in mission and the high participation levels, if they were to cease operations at any point in time, it is anticipated that the community would look to the Park District to provide the same service in their absence. These groups or organizations must be non-profit corporations (registered with the State of Illinois as a 501c3) for no less than 10 years, operating with a volunteer board of officers. These organizations must possess a dedicated bank account within Illinois having assets in excess of \$5,000 and the ability to produce a monthly treasurer's reports and annual audits. In addition, these groups or organizations must possess liability insurance in excess of three million dollars aggregate and be willing and able to name the Park District as additionally insured.

Companion. These organizations follow the same core mission of offering recreational opportunities but may require participants to meet pre-qualifications (such as skill level, membership requirements, etc.) thereby placing limits on who can participate or do not meet the requirements of an Associate. They must demonstrate annual participation levels averaging at least 100 participants with at least 50% of this participation coming from Oak Park residents. The groups or organizations must be non-profit corporations (registered with the State of Illinois as a 501c (3), operating with a volunteer board of officers. These organizations must possess a dedicated bank account within Illinois with assets in excess of \$2,500 and the ability to produced monthly treasurer's reports and annual audits. In addition, the groups or organizations must possess liability insurance in excess of one million dollars and be willing and able to name the Park District as additionally insured.

Tenants. These are organized groups intended to provide educational, social, civic or service opportunities that are available to Oak Park citizens, or provide recreational opportunities, but do not meet the requirements of an Associate or Companion. These organizations can be unincorporated associations, groups or clubs or private educational providers but must have annual participation levels of at least 50 and a membership base consisting of no less than 25% Oak Park residents. These groups must possess a dedicated bank account within Illinois with assets in excess of \$500 and the ability to produce a monthly treasurer's reports. They do not necessarily possess group or organization insurance, but are willing to sign and exonerate the Park District (insurance may be required for certain activities).

## POL.A.02.04 - Volunteers

The Park District recognizes the need for volunteers in order to successfully implement programs and services. Whenever possible, volunteers are utilized to maximize community involvement and to enhance the overall quality of parks, programs, and facilities.

For the safety of participants and facility visitors, any volunteer who will directly supervising youth without the presence of a Park District staff member must pass a criminal background check on an annual basis. Other volunteer positions may also be required to complete a background check depending on the type of services and/or the location of services to be provided. Any applicant who refuses to sign a release to complete the background check will not be considered eligible for volunteer work with the Park District.

## POL.A.02.05 - Public Information Policy

The Park District has a responsibility and a commitment to disseminate information regarding agency administration and operations, programs and events, and parks and facilities in a prompt, fair and accurate manner to the community and the media. In addition, it is the Park District's responsibility to provide a timely, fair, and accurate response to issues and inquiries raised by residents and the media.

This Policy is founded on the following principles:

- a. Transparency. The Park District is committed to approaching disclosure of information in a proactive, open, honest, and fair manner. Information concerning the Park District's operational and institutional activities will be made available to the public in order to foster a relationship of mutual trust, cooperation, and respect.
- b. Accountability. As a governmental institution entrusted with public resources, the Park District is accountable to its taxpayers whose best interest is at the center of all decision-making.
- c. Law-Abiding. The Park District and its Board of Commissioners and employees will abide by all local, state, and federal laws governing the release of public information, including the Freedom of Information Act (FOIA).
- d. Public Engagement. Public engagement enhances the Park District's effectiveness and improves the quality of its decisions. The Park District will solicit public input and feedback on an on-going

basis and as part of planning and decision-making processes when appropriate.

## **Responsibility & Methods**

The Director of Marketing and Customer Service oversees the process of dissemination of information to the public, including the media and elected officials. The Park District uses a variety of communication and marketing tools, including but not limited to seasonal program guides, Park District web site, press releases, flyers, banners, newspaper advertising, and electronic newsletters. Media inquiries are routed through the Director of Marketing and Customer Service as the first point of contact with responsibility for coordination and handling of all inquiries.

Responses to public FOIA requests will be managed by the Park District's FOIA Officer, following all applicable laws as well as established Park District policies and procedures.

In the event of a crisis (a serious incident that will generate intense public or media focus whether immediately or within a short period of time), the Park District will follow the procedures outlined in the Park District Crisis Management and Communication Plan.

## **POL.A.02.06 - Donation Requests**

### **Donations Requests**

The Board of Commissioners recognizes that from time to time contributions will be requested of the District for goods and services. It is the Board's intention to provide assistance to those organizations that request it in the form of a donation for a charity or event in a timely and fair manner when possible. The donation(s) to Oak Park-based organizations will not exceed the amount of \$50.00 in value per calendar year. All donated items (e.g. coupons, passes) are limited to activities that take place in Oak Park and at Park District of Oak Park facilities.

Not for profit groups and their venue within the Oak Park area can request donations of items for charity auction. All requests must be made in writing and the determination of the type/value of the donation shall be at the discretion of the Executive Director. The request must be made 4 weeks prior to expected event, and is limited to one donation per organization, per calendar year.

Donations may include but are not limited to:

- Complimentary skating pass (one visit)
- Complimentary pool pass (one visit)
- Complimentary Cubhouse pass (one visit)
- \$25 Gift Certificates (not to exceed a total of \$50)

Conditions:

- All passes and certificates will have an expiration date of one year and must be used by the expiration date (no exceptions).
- All passes and certificates are non-transferrable and non-refundable.

## **POL.A.03.01 - Park & Recreation Comprehensive Plan**

The Board adopts and maintains a current Comprehensive Plan at all times. The Park and Recreation Comprehensive Plan (PRCP) is developed based on resident, guest, staff and commissioner, assessment of the District's current and future park, facility, and recreation needs. The PRCP will include, but not be limited to, a community profile, needs assessment, Park District profile, goals, objectives, level of service standards, capital projects and financial analysis. The PRCP is updated a minimum of once every ten years and published for public review.

## **POL.A.03.02 - Needs Assessment**

In order to facilitate the involvement and input of residents and guests in the long range planning and decision-making process affecting the delivery of park, facility and recreation services, the Board will conduct a comprehensive attitude and interest survey and assessment a minimum of once every five years to develop a needs assessment. The results of the needs assessment will become a part of the Comprehensive Plan and published for public review.

## **POL.A.03.03 - Park Master Plans Policy**

All land controlled by the District shall serve an intended park and recreation purpose which provides public benefit. The type of use may vary from a highly developed parcel which provides for active, programmed recreation and park services to one which is undeveloped and utilized as a passive open space site. Prior to committing to the development of a previously undeveloped open space, or redeveloping a park which significantly modifies its previous use and purpose, the Board will review and approve a Park Master Plan. This plan will govern the park sites development and will protect and preserve desirable qualities of the resource base.

Each Park Master Plan shall consist of a concept drawing which shows the spatial arrangements of various components of the plan, such as playground areas, athletic fields, buildings, pathways, landscape, etc.

Prior to adopting a park Master Plan, staff will hold a public meeting, if applicable, to gather input from the community and surrounding neighborhood. Input gathered from these meetings, along with recommendations and standards included in community and Park District planning documents, will be used by staff to develop a preliminary draft with cost estimates and will be presented to the Board for final approval. The Board shall endeavor to keep the master plan current and shall undertake a thorough review of the master plan at least as often as every 10 years.

## **POL.A.03.04 - Capital Improvement Plan**

The Board shall maintain a 5-Year Capital Projects Plan that forecasts the District's capital projects needs. The 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 Plan should be reviewed not less often than biennially.

## POL.A.03.05 - Statistics Policy

### **Participation Data**

In order to ensure that the Park District is fulfilling its mission and is meeting the recreational needs of the community, recreation staff will review and maintain seasonal and year-end participation reports of its programs and facilities.

## POL.A.03.06 - Succession Policy

In the event that the Executive Director is unable to perform his/her duties for a period of time, the Park District of Oak Park has in place the following succession plan to facilitate interim leadership.

A. Temporary, Short-Term Absences. A short-term planned absence is one of less than three months in which it is expected that the Executive Director will return to his/her position once the events precipitating the absence have concluded. This could include planned periods of leave such as a vacation or a sabbatical or unplanned absences that arise unexpectedly due to reasons such as personal or family illnesses or emergencies.

Unless otherwise determined in advance, the Executive Director is to continue to be consulted by phone of any urgent or serious matters. If the Executive Director is not able to be reached during this time, the following chain of succession to determine a temporary Acting Director would occur:

1. Director of Finance
2. Superintendent of Recreation

In the event that this chain of succession is activated, the Acting Director is to immediately inform the Board President. The Board of Commissioners may choose to meet to affirm the procedures in this plan or to make modifications as deemed appropriate for the situation. The Board President will be responsible for notifying staff and other Commissioners of the delegation of authority. If a crisis or emergency occurs during this time, the Acting Director would determine if the Crisis Plan would go into effect after consulting with the Board President.

B. Temporary, Long-Term Absences. A long-term planned absence is one that is expected to last more than three months. The procedures and conditions to be followed should be the same as for a short-term absence with one addition: the Board of Commissioners will give immediate consideration, in consultation with the Acting Director, to the temporary filling of the management position left vacant by the Acting Director. This is in recognition of the fact that it may not be reasonable to expect the Acting Director to carry the duties of both positions for more than three months.

C. Permanent Change. A permanent change is one in which it is determined that the Executive Director will not be returning to the position. The procedures and conditions to be followed should be the same as for a long-term absence with one addition: the Board of Commissioners will appoint a Transition and Search Committee to plan and carry out a transition to a new permanent Executive Director. The Board will also consider the need for outside consulting assistance depending on the circumstances of the transition and the board's capacity to plan and manage the transition and search. The Transition and Search Committee will also determine the need for an Interim Executive

Director, and plan for the recruitment and selection of an Interim Executive Director and/or permanent Executive Director.

In the event that a Department Head is unable to perform his/her duties for a period of time, the Executive Director will determine when to enact the following succession plan to facilitate interim leadership. The Executive Director may make modifications as deemed appropriate for the situation.

<b>Position</b>	<b>1st Successor</b>	<b>2nd Successor</b>
Director of Finance	Finance Manager	Executive Director
Superintendent of Recreation	Program Manager	Program Manager
Superintendent of Revenue Facilities	Program & Operations Manager	Executive Director
Superintendent of Building & Grounds	Asst Supt of Building & Grounds	Sports Field Manager
Director of Marketing & Customer Service	Customer Service Manager	Communication & Marketing Coordinator
Director of Human Resources & Risk Management	Executive Director	Finance Director

## POL.A.04.01 - Budget Philosophy

The Park District strives to maintain the most efficient and effective use of resources provided by tax payers and users of the District's facilities and services. The annual Budget will be comprised of conservative estimation of revenues, and liberal estimation of expenditures so to provide an ending fund balance which will be realistic and not result in an over expectation of available funds. The budget shall adhere to a fund balance policy. Whenever possible unnecessary programs will not be offered or will be eliminated. Services and programs will be offered at the most reasonable cost and fees.<

### **Tax Dependency**

To aid the Park District in achieving both sustainability and growth, it is the goal of the District that as part of its budget process, property taxes – exclusive of those not subject to the tax cap – should account for no more than 65% of total revenues.

### **Internal Service Funds**

It shall be the policy of the District to have internal source funds and to approve or dissolve those on an annual basis through the adoption of the annual budget.

## POL.A.04.02 - Fund Balance

This policy is established to provide financial stability, cash flow for operations, and the assurance that the District will be able to respond to emergencies with fiscal strength. It is the Park District's philosophy to support long-term financial strategies, where fiscal sustainability is its first priority, while also building funds for future growth. It is essential to maintain adequate levels of fund balance to mitigate current and

future risks (e.g., revenue shortfalls and unanticipated expenditures) and to ensure stable tax rates. Fund balance levels are also a crucial consideration in long-term financial planning. Credit rating agencies carefully monitor levels of fund balance and unassigned fund balance in the Corporate Fund to evaluate the Park District's continued credit worthiness.

Fund balance is generally referred to as cash balance, however, is defined as the difference between assets and liabilities in a governmental fund. A governmental fund is used to account for all or most of the Park District's general activities, including the collection and disbursement of earmarked monies (special revenue funds), the acquisition or construction of general capital assets (capital projects funds) and the servicing of general long-term debt (debt service funds). The Corporate Fund is used to account for all activities of the Park District not accounted for in some other fund.

Fund balances are composed of three primary categories:

- a. Non-spendable Fund Balance. The portion of a governmental fund's net assets that are not available to be spent, either short-term or long-term, in either form or through legal restrictions (e.g., inventories, prepaid items and endowments);
- b. Restricted Fund Balance. The portion of a governmental fund's net assets that are subject to external enforceable legal restrictions (e.g., grantor, contributors and property tax levies); and
- c. Unrestricted Fund Balance. The portion of a government fund's net assets that are available for operational needs. Unrestricted Fund Balance is made up of three components:
  - i. Committed Fund Balance. The portion of a governmental fund's net assets with self-imposed constraints or limitations that have been placed at the highest level of decision making;
  - ii. Assigned Fund Balance. The portion of a governmental fund's net assets to denote an intended use of resources; and
  - iii. Unassigned Fund Balance. Available expendable financial resources in a governmental fund that are not the object of tentative management plan (i.e. assignments).

Funds receive their resources from a variety of revenue sources, including both restricted and unrestricted (committed, assigned and unassigned) revenue items. When restricted funds exist, those funds are used first, followed by unrestricted. For unrestricted funds, committed funds are used first, then assigned, then unassigned.

### **Minimum Fund Balances**

The Park District is committed to holding fund balances stable and attaining a minimum balance of 25% for operating funds. Operating funds include: Corporate, IMRF, Liability, Audit, Recreation, Special Recreation, Revenue Facilities, and Cheney Mansion. The minimum fund balance for the Museum Fund shall be 75% as this fund acts as both an operating as well as a capital reserve fund. There is no fund balance requirement for the Capital Projects Fund other than current budgets shall not place this fund in a negative position. The Debt Service Fund shall have a minimum reserve equal to the semi-annual interest payment.

The following protocol will be enforced if the overall fund balance is under 20% or over 30%. It is assumed that budgeting constraints will be enacted if the fund balance is within this range.

- a. Fund Balances Under 20%. If the overall fund balance is between 15 and 25%, a plan lasting no more than five years will address this issue with budgetary adjustments to revenues and expenditures. If the overall fund balance is less than 15%, then fund transfers to capital projects will be reduced.
- b. Fund Balances Over 30%. If the overall fund balance is between 25 and 35%, a plan lasting no more than three years will decrease fund balance to 25% with budgetary adjustments to revenues and expenditures. If the fund balance is over 35%, then fund transfers to capital projects may be increased and the capital improvement plan may be adjusted. Should the fund balance exceed the target percentage by a significant amount, it is done with the intention to provide for needs caused by unforeseen events, and build the fund for planning for growth.

## POL.A.04.03 - Revenue Policy

The Park District uses multiple sources of revenue to supplement the revenue received in the form of taxes, because it is not financially feasible or healthy to rely solely on one source of revenue. Some of these sources may include fees and charges, inter-governmental, rentals, sponsorships and donations, and program revenues. The Park District will evaluate all new sources of revenue before acceptance to prevent compromising the mission of District. The Park District is always vigilant about finding new sources of revenue to improve the revenue mix of the District.

The following revenues sources are based on the Government Finance Officers classifications that are used in the District's annual financial audit as well as annual budget.

- a. Taxes. The Park District receives Property Taxes from the property owners of Oak Park. The District levies taxes in accordance with the Property Tax Extension Limitation Law (PTELL). The District currently levies taxes for seven purposes including Corporate, IMRF, Liability, Auditing, Recreation, Museum, and Special Recreation.
- b. Fees and Charges. The Park District of Oak Park charges fees for facility usage and sale of products including pool passes, ice rink usage, dog park usage, field usage, tours and program participation. The Park District will not charge fees to residents for entrance into parks, playgrounds, sled hills, or informal use of outdoor athletic facilities. Facility fees and charges are determined by the Facility Fees and Program Pricing Guidelines.
- c. Intergovernmental Revenue. Intergovernmental Revenue accounts for funds received from other governmental entities in the form of personal property replacement taxes, grants, and other one-time reimbursements for expenses. The Personal Property Replacement Tax is a corporate income tax collected statewide and then distributed to various taxing Districts. The Park District also has a strong history of receiving grant from numerous government entities.
- d. Rental Income. The Park District receives rental income for facility usage including special events, meetings, weddings, and movie shoots. The Cheney Mansion Coach House is leased for

residential purposes.

e. Miscellaneous Revenue. Miscellaneous Revenue receives a variety of revenues including non-resident fees, vending machine revenue, procurement card rebates and interest income received on cash deposits.

f. Sponsorship and Donations. The Park District pursues a variety of sponsorships and donations to help fund its recreation programs and other special events. This is done to reduce the burden on tax payers and participants for events such as the Frank Lloyd Wright Races, Summer Concert Series, and other holiday special events.

g. Other Financing Sources. The Park District uses this budget area to include debt service proceeds, capital transfers, operating transfers, and transfers for debt service payments.

h. Program Revenues. Program revenues are fees paid from residents and non-residents to take part in programs that Park District puts on yearly. Program revenues are received in the Corporate, Recreation, Revenue Facilities, and Cheney Mansion Funds with the majority in the Recreation and Revenue Facilities Funds. Program prices are determined by the Facility Fees and Program Pricing Guidelines.

## POL.A.04.04 - Sponsorship Policy

In an effort to utilize and maximize the community's resources, it is in the best interest of the Park District to create and enhance relationship-based sponsorships. This may be accomplished by providing local, regional, and national commercial businesses and non-profit groups a method for becoming involved with the many opportunities provided by the Park District. The Park District delivers quality, life-enriching activities to the broadest base of the community. This translates into exceptional visibility for sponsors and supporters. The goal of this policy is to create relationships and partnerships with sponsors for the financial benefit of the Park District.

### **Sponsorships vs. Donations**

There is an important difference between a sponsorship and a donation. In general, a sponsorship is cash, products, or services offered by a sponsor with the clear expectation that an obligation is created. The Park District will be obliged to return something of value to the sponsor. The value is typically public recognition and publicity or advertising highlighting the contribution of the sponsor and/or the sponsor's name, logo, message, products or services. The sponsor usually has clear marketing objectives that it is trying to achieve, including but not limited to the ability to drive sales directly based on the sponsorship and, quite often, the right to be the exclusive sponsor in a specific category of sales. The arrangement is typically consummated by a letter of agreement or contractual arrangement that details the particulars of the exchange.

In contrast, a donation comes with no restrictions on how the money or in-kind resources are used. Because donations or gifts are given without restrictions or expected benefits for the donor, a policy is generally not needed. Notably, donations are eligible for a governmental donation receipt for tax deduction purposes. Also notably, the Park District reserves the right to refuse any donation, whether

because of restrictions or expectations related to it or for other sound reasons.

This Policy specifically addresses sponsorships, the terms of sponsorship agreements, and the benefits provided to the Park District in return for the resources provided by the sponsors.

### **Guidelines for Acceptable Sponsorships**

Sponsors should be businesses, non-profit groups, or individuals that promote mutually beneficial relationships for the Park District. All potentially sponsored properties (facilities, events or programs) should be reviewed in terms of creating synergistic working relationships with regards to benefits, community contributions, knowledge, and political sensitivity. All sponsored properties should promote the Park District's Mission, Vision and Values.

The first major criterion for the Park District when determining whether to accept a sponsorship is the appropriate relationship of a sponsorship to the Park District's Mission, Vision and Values outlined above. That determination of appropriateness is based in large part on objective analysis, but ultimately is vested in the sound exercise of the Park District's discretion, considering all of the many factors that may be involved. The following questions are the major guiding components of this policy and will be addressed prior to soliciting potential sponsors:

- Is the sponsorship related to the purpose of the facility or programs and does it help promote the Park District's Mission, Vision and Values?
- Will the sponsorship help generate more revenue and/or less cost per participant than the Park District can provide without it?
- What are the real costs, including staff time, to the Park District in accepting the sponsorship and the cash, products, and services resources that come with the sponsorship?

Some potential sponsorships are inappropriate and will not be considered by the Park District. A partial list of categories of such sponsorships includes:

- Sponsorships that involve or promote environmental, work, or other practices that violate or threaten international, federal, State or local law or that promote or encourage drugs, pornography, alcohol, tobacco, or firearms.
- Sponsorships that duplicate, mimic, or create confusion regarding the nature or identity of any program of the Park District.
- Sponsorships that may exploit participants or staff members of the Park District.
- Sponsorship that offer benefits or opportunities that may violate laws or Park District policies.

### **Sponsorship Plan and Approval Levels**

Each project or program that involves solicitation or acceptance of sponsors must have a Sponsorship Plan developed by staff prior to any such solicitation or acceptance that is specific to that project or program and that is consistent with the terms and sponsorship levels of this Sponsorship Policy. The Sponsorship Plan must be approved by the Marketing & Customer Service Department. In addition, each sponsorship will need separate approval if it exceeds pre-specified limits. The approval levels are outlined below:

Under \$1,000: The program or project staff may approve this level of sponsorship, with review by the supervising Manager.

\$1,000 to \$10,000: This level of sponsorship requires approval of the Superintendent of the department seeking the sponsorship, with review by the Executive Director.

Over \$10,000: This level of sponsorship requires approval of the Executive Director (the Executive Director may recommend a Board of Commissioners review).

### **Non-Commercial Forums Prohibited**

When entering into a sponsorship that includes commercial advertising on behalf of the sponsor, the Park District intends to create only a specifically limited forum for that advertising. The Park District does not intend by this Sponsorship Policy or by approval of any sponsorship to create any public forum for any message or advertising apart from the specifically approved commercial advertising, and this Sponsorship Policy shall not be construed or applied in any manner to create any such public forum at any facility or related to any program or event. Also, although non-commercial community organizations or individuals may wish to sponsor a Park District facility, program, or event, no non-commercial speech or message shall be permitted as a part of such a sponsorship and this Sponsorship Policy shall not be construed or applied in any manner to allow any such speech or message.

In furtherance of this strict policy, any commercial advertisement incidental to a sponsorship shall be limited to the promotion of a commercial transaction, whether directly or indirectly, through the association of the sponsor's name with the commercial transaction of purchasing the commercial goods or services that the sponsor sells.

Also in furtherance of this strict policy, the Park District states the following standards underlying this policy:

- The Park District desires to avoid the delivery and exposure of all non-commercial messages to the "captive" audiences at Park District events;
- The Park District seeks to avoid all entanglement with constitutional questions related to "viewpoint-related" decisions and with the danger that the Park District will be associated with any non-commercial messages;
- The Park District desires to maximize income from sponsorship by allowing commercial advertising when appropriate, and seeks to avoid dissuading potential sponsors and the residents and others who participate in its programs by allowing any non-commercial messages, some of which could be inappropriate or offensive to the public;
- The Park District desires to maintain a position of neutrality on political and religious issues; and
- The Park District seeks to avoid the danger of "excessive entanglement" with any religion or political organization or point of view.

### **POL.A.04.05 - Investments**

It is the policy of the Park District of Oak Park to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the District and conforming to all state and local statutes and ordinances governing the investment of public

funds.

## **Scope**

This investment policy applies to all financial assets of the District. These funds are accounted for in the District's annual financial report and include the General Fund, Recreation Fund, Revenue Facility Fund, Debt Service Fund, Capital Projects Fund, Non-major Governmental Funds, and any other funds that may be created from time to time. All transactions involving financial assets and related activity of the foregoing funds shall be administered in accordance with the provisions of this policy.

## **Investment Objectives**

- a. Safety of Control. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required so that potential losses on individual securities and/or financial institutions do not exceed the income generated from the remainder of the portfolio.
- b. Liquidity. The District's investment portfolio shall remain sufficiently liquid to enable the District to meet all operating requirements, which may be reasonably anticipated in any District fund. Maturities of investments of all funds shall not exceed two years, unless the Board of Park Commissioners approves a temporary extension of maturities, maturities of investment of Capital Funds shall not exceed three years.
- c. Return on Investments. The investments portfolio of the District shall be designed to attain a market average rate of return throughout the budgetary and economic cycles, taking into account the District's risk constraints, the cash flow characteristics of the portfolio and legal restrictions for return on investments.
- d. Maintaining the Public's Trust. All participants in the investment process shall seek to act responsibility as custodians of the public and shall avoid any transactions that might impair public confidence in the District.
- e. Prudence. Investments shall be made with judgment and care under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investments, considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used by investment officials shall be the "prudent person" and shall be applied in the context of managing an overall portfolio.
- f. Local Consideration. The District shall make every attempt to invest in banking institutions operating in the Village of Oak Park which actively promote and support local, civic and economic development.

## **Deposits**

When money deposited by the District becomes collected funds and is not needed for immediate disbursement, it will be invested within two working days at prevailing rates or better in accordance with 30 ILCS 225/1.

The District shall designate a bank, or banks, or other financial depository institution in which funds of the

District may be deposited. Designated depositories must furnish copies of the last two (2) annual statements of condition and financial reports required by the Division Director of Financial Institutions, or the Comptroller of the Currency, to the District. In addition, all depository institutions are to be insured by the Federal Deposit Insurance Corporation.

### **Investment Earnings**

In accordance with current Government Accounting Standards Board (GASB) Statement standards, interest income will be reported as revenue in the fund that earned the interest. An operating transfer, approved by the Park Board, will be required to transfer interest earnings to any other Fund.

### **Valuation of Investments**

All investments will be valued in accordance with the current GASB Statement standards.

### **Investment Instruments**

The District may invest in any type of security allowed by Illinois law, notably 30 Illinois Complied Statutes 235 (30 ICS 235). A summary of the allowable instruments follows:

- Passbook savings account;
- Now, Super Now, and Money Market Accounts, including, but not limited to, The Illinois Park District Liquid Asset Fund + (IPDLAF+) or Illinois Metropolitan Investment Fund (IMET);
- Commercial Paper (issuer must be a U.S. Corporation with more than \$500 million in assets, rating must be within three highest classifications by two standard rating services, must mature within 180 days of purchase, and such purchase cannot exceed 10% of the corporations' outstanding obligations);
- State Treasurer's Investment Pool (The Illinois Funds);
- Money Market Mutual Funds (registered under the Investment Company Act of 1940, provided the Portfolio is limited to bonds, notes, certificates, treasury bills, or other securities which are guaranteed by the federal government as to principal and interest);
- Repurchase Agreement collateralized by full faith and credit U.S. Treasury securities;
- Certificates of Deposit and Time Deposits constituting direct obligations of any bank as defined by the Illinois Banking Act and only those insured by the FDIC legally issuable by savings and loan associations incorporated under the laws of the State of Illinois or any other state or under the laws of the United States and only in those savings and loan associations insured by SAIF;
- Bonds, notes, certificates of indebtedness, Treasury bills or other securities which are guaranteed by the full faith and credit of the United States of America as to principal and interest;
- Obligations of U.S. government agencies which are guaranteed by the full faith and credit of the United States Government; and
- Short term discount obligations of the Federal National Mortgage Association.

### **Diversification**

It is the policy of the District to diversify its investment portfolio. Investments shall be diversified to eliminate the risk of loss resulting in over concentration in a specific maturity, issuer, or class of securities. Concentration in short term corporation obligations will not exceed 90% of the limit contained in Illinois law. Diversification strategies shall be determined and revised periodically by the Director of Finance.

## **Collateralization**

It is the policy of the District to require that time deposits in excess of FDIC or SAIF insurable limits be secured by some form of collateral to protect public deposits in a single financial situation if it were to default due to poor management or economics factors.

Eligible collateral instruments and collateral ratios (market value divided by deposit) are as follows:

- U.S. Government Securities (110%)
- Obligations of Federal Agencies (110%)
- Obligations of Federal Instrumentalities (125%)
- Obligations of the State of Illinois (125%)
- General Obligations Bond of the District (110%)
- Bank Deposit Guaranty Bond (125%)

The ratio of fair market value of collateral to the amount of funds secured shall be reviewed quarterly and additional collateral will be requested when the ratio declines below the level required.

**Safekeeping of Collateral.** Third party safekeeping is required for all collateral. To accomplish this, the securities can be held at the following locations:

- A Federal Reserve Bank or its branch office;
- At another custodial facility - generally in a trust department through book - entry at the Federal Reserve, unless physical securities are involved; or
- By an escrow agent of the pledging institution.

Safekeeping will be documented by an approved written agreement. This may be in the form of a safekeeping agreement, trust agreement, escrow agreement or custody agreement. Substitution or exchange of securities held in safekeeping can be done without prior written notice of the District provided the market value of the replacement securities are equal to or greater than the market value of the securities being replaced. The District will be notified in writing of all substitutions.

## **Safekeeping of Securities**

Third party safekeeping is required for all securities. To accomplish this, the securities can be held at the following locations:

- A Federal Reserve Bank or its branch office;
- At another custodial facility - generally in a trust department through boo - entry at the Federal Reserve, unless physical securities are involved;
- By an escrow agent of the pledging institution; or
- A financial institution on the Illinois State Treasurer's approval list of safekeeping banks.

Safekeeping will be documented by an approved written agreement. This may be in the form of a safekeeping agreement, trust agreement, escrow agreement, or custody agreement.

## **Qualified Financial Institutions**

It will be at the discretion of the Finance Director, with the approval of the Executive Director, to determine which institutions would best serve the District.

a. Depositories - Demand Deposits.

- Any financial institution selected by the District shall provide normal banking services, including, but not limited to: checking accounts, wire transfers, purchases and sale of U.S. Treasury securities and safekeeping services.
- The District will not maintain funds in any financial institution that is not a member of the FDIC or SAIF system. In addition, the District will not maintain funds in any institution not willing or capable of posting required collateral for funds in excess of FDIC or SAIF limits.
- To qualify as a depository, a financial institution must furnish the Director of Finance or the Park Board Treasurer with copies of the latest two statement of conditions which it is required to furnish to the Director of Financial Institutions or to the Comptroller of Currency as the case may be. While acting as a depository, a financial institution must continue to furnish such statement to the Executive Director, Finance Manager or the Park Board Treasurer within 45 days of the end of each quarter.
- Fees for banking services shall be mutually agreed to by an authorized representative of the depository bank and the Accounting Supervisor on an annual basis. Fees for services shall be substantiated by a monthly account analysis and shall be reimbursed by means of compensating balances.
- All financial institutions acting as depository for the District must enter into a "Depository Agreement."

b. Banks and Savings and Loans - Certificates of Deposit. Any financial institution selected to be eligible for the District's certificate of deposit purchase program must meet the following requirements:

- Shall provide wire transfer and safekeeping services.
- Shall be a member of the FDIC or SAIF system and shall be willing and capable of posting required collateral for funds in excess of FDIC and SAIF insurable limits.
- To qualify as a depository, a financial institution must furnish the Finance Manager or the Park Board Treasurer with copies of the latest two statements of condition which it is required to furnish to the Director of Financial Institutions or to the Comptroller of Currency as the case may be. While acting as a depository, a financial institution must continue to furnish such statements to the Finance Manager or the Park Board Treasurer within 45 days of the end of each quarter.

**Sixty-five percent Rule.** The amount of funds deposited and/or invested in a financial institution shall not exceed 65% of the capital stock and surplus of such institution unless collateral security has been pledged, in which case the amount of such deposits and/or investments shall not exceed 75%.

### **Management of Program**

Management responsibility for the investment program is hereby delegated to the Director of Finance, who shall establish written procedures for the operation of the investment program, consistent with this investment policy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in any investment transactions except as provided under the terms of this policy and the procedures established by the Director of Finance. The Director of Finance

shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate or any other person involved in such transactions for the District.

The Wording of agreements necessary to fulfill the investment responsibilities is the responsibility of the Director of Finance who shall periodically review them for consistency with District policy and State law and who shall be assisted in this function by District legal counsel. These agreements include but are not limited to:

- Wire Transfer Agreement
- Depository Agreement
- Safekeeping Agreement
- Custody Agreement

The following individuals are authorized to purchase and sell investments, authorized wire transfers, authorized the release of pledged collateral, and to execute any documents required under this policy. Two signatures are required for all of investment transactions.

- Finance Manager
- Director of Finance
- Executive Director

## POL.A.04.06 - Procurement Policy

The Board of Commissioners recognizes the need that materials, supplies, equipment and services of the quality and quantity required to operate the District be specified, described, and procured in a manner that provides for full and free competition among potential suppliers. Each procurement action will be fully documented consistent with District purchasing procedures. Any variance from the policy must have prior approval of the Board.

### **Formal Bidding**

Formal competitive sealed bids consistent with this policy will be solicited on all procurements except:

- Those that are clearly identified and justified in writing as "sole source" and that are approved by the Board in advance of purchase.
- Those purchases of an emergency nature that requires immediate implementation in order to eliminate major problems and that are approved by the Executive Director and authorized by the Board.
- Those purchases specifically excluded from the bidding process by Illinois State Statutes.
- Those whose cost is less than \$20,000.00 and that are approved by the Executive Director.

Requests for formal bids for those procurements costing \$20,000.00 or more will be formally and publicly advertised. At least one notice will be published in the local newspaper not less than 14 days before the bids are "closed". Sealed bids will remain sealed until the formal "bid opening" is conducted by a designated District employee with at least one witness at the place, time and date specified in the advertisement. Upon recommendation of the Executive Director and approval of the Board, the award will be made to the lowest qualified bidder meeting the specifications and other required terms and conditions

of the procurement. The right is reserved to reject any bids if such action is deemed by the Board to be in the best interests of the District.

### **Informal Quotations**

Purchases costing more than \$500.00 but less than \$20,000.00 shall have at least three quotes, whenever possible, that are solicited by either written or oral invitation. Requests for informal quotations for purchases in this range need not be formally and publicly advertised. Certain items routinely purchased on a repetitive basis may be purchased from selected prequalified vendors. These items and vendors shall be reviewed annually, in January, by department heads with the Director of Finance and approved by the Executive Director. Upon approval by the Executive Director or his/her designee, the award is made to the lowest and best quotation meeting the specifications, delivery date and other required terms and conditions of purchase.

### **Purchasing Considerations**

**Economy of Resources.** In attempt to provide economies of scale and cheaper products, the district will continually look for opportunities to jointly purchase items and services. The district reviews the State of Illinois Joint Purchase for many items and uses a competitively bid contract with U.S. Communities through the Illinois Park and Recreation Association (IPRA). These items must be of similar quality to those that can be bought out of a contract.

**Local Purchasing.** Park District personnel should seek to purchase goods and services from Oak Park vendors when they are of comparable quality to goods or services purchased from vendors not located in Oak Park. The District will promote purchasing from Oak Park vendors by allowing an additional 15% to be spent on goods and services under \$10,000 and 10% on items \$10,000 to \$15,000. Approval for goods and services over \$15,000 must be given by the Executive Director.

**Environmentally Aware Purchasing.** Park District personnel should seek to reduce the environmental damages associated with their purchases by increasing their acquisition of environmentally preferable products and services to the extent feasible, consistent with price, performance, availability, and safety considerations. These products should have a third party certification of environmentally preferred status such as the Green Seal or Energy Star when feasible.

Environmentally Preferable Products include:

- Products that reduce greenhouse gas emissions or are made with renewable energy
- Products that reduce the use of toxins hazardous to the environment and employee and public health
- Products that contain the highest possible percentage of post-consumer recycled content
- Products that reduce air and water pollution
- Products that reduce waste
- Suppliers who strive to improve their environmental performance and provide environmentally preferable products, and who can document the supply-chain impacts of their efforts
- Reusable products
- Products that serve several functions (e.g., copier/printers, multipurpose cleaners) and

reduce the overall number of products purchased

The District will promote buying the environmentally preferable products by allowing an additional 15% to be spent on items under \$10,000 and 10% on items \$10,000 to \$15,000. Approval for goods and services over \$15,000 must be given by the Executive Director.

## POL.A.04.07 - Payments Policy

Payment methods include:

- a. Procurement Cards. The District may provide procurement cards to designated employees to facilitate the purchase on behalf of the District of approved items from approved vendors. Whenever possible the purchaser's procurement card should be used as a preferred method of payment.
- b. Petty Cash. Petty Cash Funds have been established to expedite miscellaneous small purchases. The funds can be used by all departments for facilitating authorized transactions of District business. To this extent, petty cash purchases should normally be for items that are not ordinarily inventoried by the District and for purchases of generally less than \$30.00. Petty cash receipts must be accompanied by a receipt and account number since this fund is reimbursed through charges to the user department. Petty Cash is not to be used to avoid or circumvent the Purchasing procedures of the Park District.
- c. Wire Transfers. Wire transfers can be made by the Director of Finance to facilitate quick deposits of funds into an account or to move funds from one institution to another in lieu of a check. Wire transfers may be made to expedite the movements of funds, to avoid penalties, late charges, and overdraws, and to maximize interest on excess funds.

Specific transfers currently allowed are:

- Net payroll (bi-weekly)
- Credit Union savings and loan withholdings
- Payroll tax withholdings
- Excess cash investments
- Social Security deposits
- Medicare deposits
- Bond principal and interest payments
- Procurement card payments
- Accounts payable check runs
- Vendor payments

- c. Checks. The Executive Director, Director of Finance, Finance Manager, and Board President are authorized to sign District checks with Board approval. Two of these four signatures are required. It is the policy of this Board to issue checks every Friday. If a check a check is outstanding for more than two (2) reconciliations, the Finance Manager, or his/her designee, shall notify the payee that the check was issued and is still outstanding. Sixty days after notice a list will be compiled of all

payees that did not respond to the notice and those checks will be sent to the State pursuant to the Unclaimed Property Act.

### **Payment of Bills**

If payment for goods or services furnished to the District is not required at the time of purchase, vendors must be paid within 30 days after the receipt of such bill or within 30 days after the date on which the goods or services were received, whichever is later. If one or more items on a construction-related bill or invoice are disapproved, but not the entire bill or invoice, then the portion that is not disapproved shall be paid. When safety or quality assurance testing of goods by the Park District is necessary before the approval or disapproval of a bill and such testing cannot be completed within 30 days after receipt of the goods, approval or disapproval of the bill must be made immediately upon completion of the testing or within 60 days after receipt of the goods, whichever occurs first. Written notice shall be mailed to the vendor or contractor immediately if a bill is disapproved.

## **POL.A.04.08 - Debt**

Where inappropriate levels of debt can create financial difficulties, reasonable levels of debt provide a mechanism to reduce costs for the District by allowing critical projects to be completed on a timely basis rather than using current funds. Debt is issued to achieve desired goals in acquiring, developing, and improving the District's parks and facilities and in purchasing necessary capital items for conducting the operations of the District. All types of legal debt will be considered.

No commissioner, committee, officer, or any other person employed or associated with the District shall be authorized to create any financial liability on behalf of the District except where said liability shall be approved in nature and amount by the Board and recorded in the minutes of said meeting and/or in accordance with the District's purchasing policy.

### **Debt Issuance**

When the District finances capital projects by issuing bonds, it shall amortize the debt over a term not to exceed the average useful life of the project(s) financed. All debt issuance must be approved by the Board of Commissioners. The District shall try to confine long-term borrowing to capital improvements and projects that have useful lives of 10 or more years. Except in emergencies or other extraordinary circumstances, borrowing should be undertaken only to fund capital improvements within the Capital Improvement Plan. The District's goal is to keep the average maturity of General Obligation bonds at or below 10 years. However, longer maturities may be considered for projects with useful lives greater than 10 years.

Capital improvements, equipment and facility projects shall be classified into "pay-as-you-go" and "debt financing" classifications. Pay-as-you-go capital items will be \$25,000 or less with short lives or replacement of existing equipment. Debt financing may be used for major, non-recurring items with a minimum of four years of useful life. Along with advice of Financial Advisors specializing in municipal government debt financing, the District will determine type of sale (negotiated or competitive) based upon issue size and market condition. This process will take consideration to the lowest total cost to the District considering interest rates as well as issuance costs. Financial Advisors will be selected on the basis of merit using a competitive RFP process. This process assures selection of the most qualified firm based on the scope of services and evaluation criteria outlined in the RFP.

The Park District of Oak Park shall determine on a case-by-case basis the appropriateness of seeking a bond rating on the issuance of general obligation debt under the prevailing market conditions.

### **Debt Service Levels**

Under the Property Tax Extension Limitation Law (PTELL), the District's non-referendum debt service limit based on the 1994 debt service extension base (DSEB) is \$219,549. As required by the PTELL, it will be the policy of the District to require voter approval to increase this limit for any major acquisition or development. Beginning in 2009, the DSEB will increase by the Consumer Price Index on an annual basis. The 2012 DESB is \$235,961. The maximum amount of debt that can be issued is 2.875% of EAV. These limitations will be verified and adhered to when new debt issuances are considered.

### **Market Review**

The District will review its outstanding debt annually for the purpose of determining if the financial marketplace will afford the District the opportunity to refund an issue and lessen its debt service costs. In order to consider the possible refunding of an issue a net present value savings must be of some significance over the life of the respective issue. The Government Finance Officers Association recommends a savings (net of all issuance costs and any cash contribution to the refunding) of at least 3-5 percent.

## **POL.A.04.09 - Fixed Assets Policy**

The District acquires and constructs capital assets in pursuit of its mission. To account for assets with depreciating values and to amortize them over their useful lives, capital assets must be recorded and capitalized in accordance with U.S. Generally Accepted Accounting Procedures (GAAP). If their value is below the District's capitalization threshold, assets are neither added to the capital asset accounts nor are they depreciated; rather they are fully expensed at the time of acquisition.

The responsibility for control of the fixed asset will reside with the department where the fixed asset is located. The Director of Finance shall ensure control is maintained by establishing a fixed asset inventory. The inventory will include the following for each asset:

- Asset description
- Asset serial number/ model number
- Asset type (i.e. Building, Machinery and Equipment)
- Acquisition date
- Vendor Name
- Cost and Purchase order number
- Assigned location
- Park District ID tag number
- Estimated useful life
- Department
- Cost Center
- Account number

This list will be maintained, updated, reviewed and audited by the Business Operations Department on a

regular basis. Operating departments shall report any acquisition, disposal, and transfer of fixed assets promptly to the Superintendent of Business Operations, or designee, to reflect changes in a timely fashion in the inventory records. Asset purchases, which fall under the capitalization threshold, will be included in the inventory if the item is over \$5,000. However, the cost of the asset will be expensed and not capitalized, and thus not depreciated.

### **Capitalization**

Capital fixed assets will be reported at historical cost, which shall include all costs incidental to the acquisition (freight, legal fees) and preparation (installation) for use of the asset. Where historical cost information is unavailable, the replacement value indexed back to the acquisition year or a realistic estimate will be used. Donated assets will be recorded at fair market value as of the date of the donation. Additions or improvements will be capitalized only if it extends the life of the asset and increases its service potential. The costs of normal maintenance to infrastructure such as crack filling and sidewalk patching will not be capitalized, but expensed. The cost of land is recorded as a fixed asset, but is not depreciable.

Capital asset depreciation is computed on a straight-line basis over the assets' estimated useful life with no allowance for salvage value. Depreciation expense is recorded based on the date of the acquisition. In the event that a capital fixed asset is retired before the end of its estimated useful life, any remaining cost of the asset should be expensed in the period of retirement. If an asset continues to be used in operations after the expiration of its estimated useful life, no more depreciation expense will be recorded on that asset.

Fixed Asset useful lives, capitalization thresholds and inventory thresholds are as follows:

<b>Fixed Asset</b>	<b>Useful Life</b>	<b>Capitalization Threshold</b>	<b>Inventory Threshold</b>
<b>Land</b>	N/A	All	N/A
<b>Land Improvements</b>			
Structural (parking lots, fencing)	20	\$15,000	\$1,000
Groundwork (landscaping)	30	\$15,000	\$5,000
<b>Buildings</b>	45	\$15,000	\$1,000
<b>Building Improvements</b>			
HVAC Systems	20	\$15,000	\$1,000
Roofing	20	\$15,000	\$1,000
Electrical/Plumbing	30	\$15,000	\$1,000
Carpet Replacement	10	\$15,000	\$1,000
<b>Vehicles &amp; Tractors</b>	5-15	\$15,000	\$1,000
<b>Machinery &amp; Equipment</b>			
Computers & Related Equipment	5	\$15,000	\$1,000

<b>Fixed Asset</b>	<b>Useful Life</b>	<b>Capitalization Threshold</b>	<b>Inventory Threshold</b>
Office Equipment	5	\$15,000	\$1,000
Telecommunications Equipment	5	\$15,000	\$1,000
Maintenance Equipment	7	\$15,000	\$1,000
Outdoor Recreation Equipment (playground)	10	\$15,000	\$1,000
Kitchen Equipment (appliances)	10	\$15,000	\$1,000
<b>Furniture &amp; Fixtures</b>	5	\$15,000	\$1,000
<b>Art Works &amp; Historical Artifacts</b>	N/A	\$15,000	\$1,000

## Definitions

**Supplies.** Items that have a useful life of one year or less, which need to be replenished periodically, and which have a value of less than \$1000 per individual unit. Supplies are not on the inventory listings and are expensed in the fiscal year they are purchased. Internal controls should be established for supplies in the individual departments to protect the Park District from loss due to theft or misuse.

**Fixed Assets.** Fixed assets shall include land, land improvements, easements, buildings, building improvements, vehicles, machinery and equipment, furniture and fixtures, works of art and historical treasures, infrastructure and all other tangible assets that have a useful life of more than one year and which have a value of \$1000 or more per individual unit. They are distinguished from Supplies by the longevity of usefulness and a monetary value.

**Infrastructure.** Long-lived capital assets that are normally stationary in nature and normally can be preserved for a significantly greater number of years than most capital systems, water and sewer systems, dams and lighting systems.

**Capital Fixed Assets.** Fixed assets that are reported on the financial balance sheet. All capital assets are fixed assets, but not all fixed assets are capital assets. A monetary criterion, capitalization threshold, is used to determine whether a given fixed asset should be capitalized and reported on the balance sheet. Ancillary costs should be included in the cost of the capital fixed asset.

**Ancillary Costs.** Costs relating to placing the capital fixed asset in service. Examples of the costs by category:

- a. Land. Legal and title fees; professional fees of engineers, attorneys, appraisers, financial advisors; surveying fees; appraisal and negotiation fees; damage payments; site preparation costs; and costs related to demolition of unwanted structures.
- b. Infrastructure. Professional fees of engineers, attorneys, appraisers, financial advisors, etc.; surveying fees; appraisal and negotiation fees; damage payments; site preparation costs; and cost related to demolition of unwanted structures.

c. **Buildings and Improvements.** Professional fees of engineers, attorneys, appraisers, financial advisors, etc.; damage payments; costs of fixtures permanently attached to a building or structure; insurance premiums, interest and related costs incurred during construction; and any other costs necessary to place the building or structure into its intended location.

d. **Other Capital Fixed Assets.** Transportation charges; installation costs; extended maintenance warranty contracts at time of purchase; any other normal or necessary costs required to place the asset in its intended location and condition for use.

**Controlled Fixed Asset.** Fixed assets that have a value of \$1000 or more per individual unit, but are under the capitalization threshold. Controlled fixed assets will be included on the fixed asset inventory listing, but will not be capitalized nor included on the balance sheet. They will be expensed in the fiscal year in which they have been placed into service.

**Capitalization Threshold.** The monetary criterion which determines whether a fixed asset should be capitalized and reported on the balance sheet and depreciation expense calculated and recorded in the schedule of expenses of the Park District's Comprehensive Annual Financial Report.

**Depreciation Expense.** The process of expensing the purchase price of a capital fixed asset over the useful life of the asset.

**Straight-line Depreciation Method.** This method assumes the asset provides constant benefits. If an asset has a useful life of ten years, then each year 1/10 of that asset's depreciable value is expensed based on the month it was placed into service.

## POL.A.04.10 - Insurance

### **Insurance Coverage for District**

The District shall obtain sufficient insurance protection from losses arising out of physical damages due to fire, storm, vandalism, accident or other hazards; injuries arising from work-related sources; judgments against the District and its employees predicated on liability for acts due to negligence; vehicle liability; and physical damage explosion protection. Such insurance is to be obtained from qualified carriers at the lowest effective cost.

In the alternative, the District may become a member of an intergovernmental self-insured cooperative, as permitted by the Illinois Intergovernmental Cooperative Act, in order to pool its funds with funds of other districts and share with them the cost of losses, including those set forth above.

Additionally, the District shall obtain adequate insurance that provides protection against both internal and external acts of fraud, dishonesty, and theft that may arise either from criminal intent or negligence. The following minimum coverage is to be maintained by the District or such policies included in the annual PDRMA coverage documents:

a. **Public Officials' Errors and Omissions Liability Coverage.** This coverage protects the District and members of the Board from lawsuits arising out of decisions made by the Board. It also covers the organization from civil suits that arise from the announcement of statements or the distribution of documents to the public by either a Board member or employee that are flagrantly in error or

fraudulent in their content. It does not cover any of the costs of a criminal defense that results in conviction.

b. Blanket Bond Coverage. This coverage protects the District against losses due to dishonest or fraudulent acts by District employees.

c. Comprehensive Dishonesty, Disappearance, and Destruction Coverage. This coverage protects the District from losses of money and securities resulting from robbery and theft. This covers all District-controlled premises. It also covers losses from check forgeries.

### **Insurance Coverage for Employees**

Insurance membership in a self-insured pool shall also be obtained to protect full-time employees of the District as to losses due to non-work related injuries or illness. The District may provide coverage for hospital rooms, board and services, dental, vision care, physicians' and surgeons' fees, and medications and other supplies. It may also provide insurance for life, accidental death, disability, and income protection.

## **POL.A.04.11 - Internal Reports & Audits**

### **Cash Receipts**

A Daily Income Report should be generated for each day's operation, even if the operation did not generate any inflow of funds. The Daily Income Report should have the following attached to it:

- Cash register tape(s) (where used)
- Copy of deposit slip(s)
- Credit card slip(s) (where used)
- Redeemed gift certificates
- Void(s) documentation

Appropriate supervisory personnel shall review and approve the report and sign it. The report should be physically brought to (or picked up by) Business Operations at no less than a two-day delay (this includes weekends and holidays). A detailed, written explanation of any Overs and Shorts of \$5.00 or more should accompany the Daily Report. Overs and Shorts of \$20.00 or more should be communicated to Business Operations at time of delivery of the report. In the event deposits cannot be made daily and/or the income reports cannot be turned in on a timely basis, the Finance Director shall be notified.

### **Monthly Financial Reports**

On a monthly basis, staff will provide the Board with a summarized income statement, comparing current monthly and year-to-date totals to the prior year's monthly and year-to-date totals. Additionally, the total annual budget amount for all revenue and expense accounts will be shown with a percentage, showing the actual amount of the annual budget earned or expended year to date. This report will be presented in summarized fashion with fund-level account detail.

### **Internal Auditing**

The Director of Finance shall periodically conduct such audits, investigation and implement such changes as are needed to guarantee the proper conduct of District activities related specifically to the collection and disbursement of funds, accounting allocation of those funds, budget administration, inventory of material, supplies and equipment, employment records, authorization, contracts, report of hours worked

and wages paid, and shall periodically conduct said payroll audits.

## POL.A.04.12 - Employment Processing Policy

### **Reporting of New Employees**

When the district hires a new employee it is the requirement the district inform the Illinois Department of Employment Security (IDES) of this hire. The district will provide this information to the IDES in a timely manner to ensure compliance with federal and state laws.

## POL.A.04.13 - Employee Wages

The Park District of Oak Park will strive to pay fair and competitive wages based on a number of factors. These factors include market conditions, district need, education background of employee, and work history of the employee.

### **Salary Ranges**

The District will perform a salary and wage study minimally every ten years to see how market conditions have changed. This study will take into account similar park districts to gauge market conditions. If an employee falls out of the range of wages for a position once the study is completed the district will take actions to correct the difference.

Salary ranges will be reviewed at least every two years by staff and ensure that they reflect current resources available and to determine if positions have changed enough to warrant a revision. The Board of Commissioners approves the pay ranges for full-time employees. The Executive Director approves pay ranges for part-time and seasonal employees.

## POL.A.04.14 - Records & Data Management Policy

### **Confidentiality**

Certain Park District employees are entrusted with confidential, non-public information. Such employees must access and use such confidential information in a professional manner and in compliance with all Park District policies and procedures and applicable laws.

For the purposes of this Policy, confidential, non-public information, in general, means information relating to Park District employees and patrons that is not generally available to the public. This includes, for example, health-related information, medical documents or insurance numbers, and driver's license numbers.

Park District employees must adhere to the following guidelines with regard to the confidential, non-public information of employees and patrons:

- Do not distribute, disclose or discuss confidential information unless you are authorized to do so, and only to employees with a business need to access the information;
- Avoid, wherever possible, the removal of confidential information from your work area;

- Keep confidential information in secure locations, such as locked cabinets or file rooms. Do not forward confidential information from or to a personal, non-Park District e-mail account; and
- Do not misuse confidential information for personal gain.

Failure to abide by this Policy may result in discipline, up to and including termination of employment.

## **Records & Data Security**

In an effort to protect the District and its users and comply with federal and state laws including the Illinois Identity Protection Act, care must be taken when handling personal and financial information, including the following:

- a. Social Security Numbers. The district shall not require individual's Social Security Number (SSN) to be collected or displayed, unless required by Local, State or Federal government regulations, and must not
  - Post or display in any manner an individual's SSN;
  - Print a SSN on any document for an individual to access products or services provided by the government;
  - Require the transmittal of a SSN number over an unprotected internet connection; or
  - Print a SSN number on any materials that are mailed, emailed, or otherwise delivered to the individual.
- b. Credit Cards. Federal law sets forth the standards for Payment Card Industry (PCI) compliance to protect cardholder data by limiting the ability of processing software to hold customers credit card information. To ensure PCI compliance, the District partners with a third party processor who must be 100% PCI compliant. All credit card processing and storage of information must be handled by a third party vendor.
- c. Passwords. The safety and security of the Park District's computer systems and resources must be considered at all times. Users may not share any passwords, nor obtain any other user's password by any unauthorized means.

## **Records & Data Retention**

The Local Records Commission for the State of Illinois issues regulations establishing procedures for compiling and submitting to the Commission lists and schedules of public records proposed for disposal. The Park District shall comply with any and all requirements of the Illinois Local Records Act and any other statutes, rules or regulations established governing local records retention as well as Park District procedures. Additional guidelines include:

- a. Electronic Communications & Data. The Park District provides and maintains messaging agents and electronic facilities including internal and external electronic mail (e-mail) and internet access. Use of these forms of communication is limited to staff, Board, and authorized volunteers. All electronic communications, as well as the equipment and stored information transmitted, received, or archived, are, and remain at all times, the property of the Park District. Accordingly, all messages and files created, sent, received, or stored within the system shall be related to District business and are, and shall remain, the property of the District. No person shall use any electronic communication anonymously or use pseudonyms to attempt to escape from prosecution of laws or

regulations, or otherwise escape responsibility for their actions.

Users shall not have any right of personal privacy in any matter stored in, created, received, or sent over the Park District e-mail system. The District reserves the right to retrieve and review any message or file composed, sent or received. It should be noted that although a message or file is deleted or erased, it is still possible to recreate the message. Although electronic mail may allow the use of passwords for security, confidentiality cannot be guaranteed. All electronic messages should therefore be limited to non-confidential matters. It is possible for messages to be retrieved and viewed by someone other than the intended recipient. Furthermore, the District may remove or change passwords, as it sees fit. All electronic mail messages sent or received by Commissioners from, or at, any source pertaining to the business of the Park District are "public records" under the Illinois Freedom of Information Act. As such, all messages are available to the public to inspect and copy, subject to the explicit exceptions contained in the law. In order to ensure that such messages comply with this policy, all electronic mail messages are subject to review by authorized Park District staff or authorized Commissioners.

For the protection of the Park District's computer users, all data, documents, and e-mail messages will be stored on the Park District's computer network. If the user desires to store documents on diskette, tape, local hard disks, or any other media attached to a personal computer, it is the user's sole responsibility to make backup copies of the data, documents, or e-mail messages.

Violations of this policy may result in corrective action up to and including termination of employment. If necessary, the District may advise appropriate legal officials of any violations.

## POL.A.04.15 - Change Orders

The Executive Director of the Park District is authorized and empowered to receive, review, investigate and approve or deny any and all change orders that authorize an increase or decrease in either the cost of a public contract by less than \$20,000 or the time of completion by less than 30 days on construction contracts for the Park District of Oak Park, in accordance with the terms and conditions of the contracts under which the change is requested. The Executive Director shall, as soon as practicable after acting on any change order pursuant to this ordinance, inform the Board: (a) that a change order has been requested; (b) the Executive Director's findings on the request for the change order; (c) the Executive Director's response to the change order. Upon completion of all documentation for the change order, the Executive Director shall circulate same to the members of the Board.

## POL.A.04.16 - Agency Gift Acceptance Policy

### **Purpose**

The Gift Acceptance Policy has been established to govern acceptance of gifts made to the Park District of Oak Park and to provide guidance to donors, staff and the Board.

### **Types of Gifts**

The Park District of Oak Park will consider any and all gifts that will contribute to the fulfillment of the Park District's Mission. Gifts can be in the form of cash, tangible personal property, real estate, and miscellaneous charitable items. Gifts are defined as assets that do not fall within the parameters of the Park District's sponsorship program.

## **Gift Acceptance Process**

The following process will be utilized when considering all gifts made to the Park District of Oak Park.

1. The donor is to submit a written proposal to the Executive Director, detailing the proposed gift.
2. The Executive Director will review the proposal with all necessary parties, including, but not limited to, donor, staff, Board committees, and legal counsel before presenting the proposal to the Board.
3. The Executive Director will present the proposal, along with a recommendation, to the Park Board for consideration.
4. The Board will consider the proposed gift at a regular scheduled Board meeting.
5. Upon acceptance of the gift proposal, the Board will instruct the Executive Director to work with the donor to handle the gift acceptance on behalf of the Board.

## **Restrictions**

Restrictions placed on gifts that are not consistent with the Mission of the Park District of Oak Park may be rendered unreasonable or unable to be fulfilled, thus resulting in a rejection of the gift. The Board reserves the right to request the donor to remove or alter the restrictions in order to gain acceptance. The Board reserves the right to reject any and all gifts for any reason.

## **Use of Legal Counsel**

The Park District of Oak Park reserves the right to seek the advice of legal counsel when considering potential gifts.

## **Legal, Professional and Appraisal Fees**

The responsibility of any and all legal, professional and appraisal fees that are associated with the gift acceptance must be detailed in the written proposal by the donor. Should additional fees arise during the gift acceptance process, the responsibility of these fees is to be assigned, in writing, prior to Board approval.

## **Acknowledgement**

The Park District will acknowledge the receipt of all gifts in writing, and in a manner which satisfies the necessary IRS substantiation requirements set forth in IRC Section 170(c) for the deduction of charitable gifts by individual donors. Additional publicity of the gift to the Park District will be handled by Park District staff in a manner that is agreeable to the donor and appropriate for the gift.

## **POL.A.04.17 - Land-Cash Donations**

If new developments are to occur within Park District boundaries, it is the Park District's position that the developer of the project should provide land or cash donation equivalent to the impact of the proposed development. The exact calculation of the impact associated with the development will be decided in conjunction with Village officials during the development process.

## **POL.A.05.01 - Environmental Philosophy**

### **Statement of Philosophy**

The community and the Park District are increasingly aware of the environmental issues that affect the quality of life. It is the intent of the Park District to assume a leadership role in the development and use of sound environmental policies, practices, and educational opportunities.

### **Environmental Principles**

The Park District will to the greatest extent practicable:

- Promote the acquisition, protection, and environmentally sensitive management of open space and natural habitat areas.
- Protect, enhance, and interpret the Park District's natural resource heritage.
- Design, develop, and maintain parks, facilities, and natural areas in a manner that enhances and protects the environment through conservation of soil, water, and energy; by minimizing the adverse impact on air and water quality; by reducing waste; and by utilizing in the most efficient manner possible/practical.
- Encourage recycling practices that utilize renewable resources and minimize the use of non-renewable ones.
- Practice integrated pest management, which reduces the Park District's dependence on pesticides.
- Abide by the federal and state Endangered Species Protection Acts in order to avoid adverse impacts on endangered or threatened species during Park District operations.
- Function as a role model within the community by actively promoting public awareness and educational programs that encourage environmentally sensitive lifestyles.

### **Environmental Practices**

a. Open Space and Natural Habitats Preservation. The Park District shall develop relations and agreements with public and private organizations and individuals in order to have open space and natural habitats preserved and or managed.

b. Bio-Diversity. The Park District will strive for the introduction and maintenance of naturalized areas within our parks for their many benefits to all forms of life. By incorporating biodiversity into our park system we can educate the community as well as foster a culture of conservation. The park district will strive to use native planting and a mixture of tree species throughout the park system for best results. Additionally, the Park District will designate specific areas for native plantings.

c. Park & Facility Design and Construction. The Park District will adequately plan and construct using the latest available information for new and renovated open space areas and facilities. Whenever possible, these projects will not negatively impact the environment. The District will strive to conserve soil, water and energy resources, and protect indoor and outdoor air quality whenever practical.

d. Energy Resource Management. The Park District will continually upgrade utilities in a financially responsible way to improve efficiencies in energy use and seek alternative energy sources.

e. Tree Management. The Tree Management Policy is intended to facilitate the Park District's mission, recognizing the immense value of its trees, which provide residents and visitors to our village with beauty, shade, cooling and enhanced air quality, as well as reduction of storm water run-off and atmospheric carbon dioxide. Trees are the only asset in our park system that increases in value with age as other infrastructure components lose value with age. Fundamental to the Park District's tree management policy is the setting of specific strategies to enhance the long-term value of our trees and the tree inventory is the basis for developing these strategies. The Park District will strive to maintain a healthy tree system which includes pruning, inoculation, protection and replacement. Additionally, the Park District will keep an inventory of all trees within its system and provide an annual report to the Park Board.

f. Integrated Pest Management Program. The Park District recognizes the importance of both safe and attractive parks and open space and has established a balanced Integrated Pest Management Program. This program utilizes cultural methods that include:

- Selecting appropriate plant species and their proper location.
- Use of preventative maintenance procedures.
- Promoting early detection of problems
- Utilizing natural control methods, where possible
- Testing for better application methods
- Minimizing overall pesticide use

It is the policy of the Park District of Oak Park that Integrated Pest Management (IPM) will be used to prevent and control pest problems in all parks and facilities maintained by the District. The principles of IPM require that non-chemical methods of pest control be given preference over chemical controls and the least hazardous chemical controls be given preference over other chemical controls. The goal of IPM is the reduction of chemical pesticides used in outdoor landscapes and indoor facilities. IPM usually results in a graduated response to any potential problem, with natural control methods being employed first and chemical pesticides used only as a last resort. In the park setting, IPM has become standard practice for many public agencies, which must consider the health of patrons, including young children and people with chemical sensitivities. Instead of relying on pesticides as the first choice for managing pest problems, IPM uses a hierarchy of pest control methods to maintain pest populations at or below levels determined by park management.

g. Green Operations. The Park District will strive to incorporate green cleaning products and practices within the daily operations where possible. When possible products that carry the Green Seal's GS-37 shall be used in both public and employee areas. Specific language for

environmentally safe and sensitive products shall be included in RFP documents when appropriate. The District shall strive to purchase products for use in facility and park operations to minimize negative environmental impact. Contract award will be considered with a 15% premium for green products when considering lowest responsive and responsible bidder.

h. Recycle & Reuse. The Park District will reduce the amount of material going into landfills by recycling paper, cardboard, aluminum and glass whenever and wherever in the park system it is reasonably possible and by composting landscaping waste

i. Carry In Carry Out. The Park District will encourage all of our affiliate users to exercise the philosophy of "Carry In / Carry Out" at all playing fields. By trying to be more conscious about generating less waste, using more reusable containers, increasing recycling, assuming responsibility for the trash we make and taking better care of our parks we improve the experience for all users. The waste minimization program's success depends on the cooperation of all coaches, players and families.

## Rules and Regulations Governing Uses of the Park Facilities

### **PARK DISTRICT OF OAK PARK RULES AND REGULATIONS GOVERNING USE OF PARK FACILITIES**

#### **Section 1. General Purposes.**

The parks, sports fields, buildings, and other facilities and equipment owned and managed by the Park District of Oak Park (the "Park Facilities") are held in trust by the Park District for the use and enjoyment of all of the Park District's residents and other patrons. Some park areas, buildings, and facilities such as designated play fields, courts, and the like are intended for use by individuals or small groups. Most of the Park Facilities, however, are intended and held for the use of the public generally and not for private use or commercial use. The Park District does provide for use of certain of the Park Facilities under limited and tightly regulated circumstances. At the same time, it is the Park District's policy not to authorize or allow use of parks by private persons or organizations for any assembly or event that would substantially interfere with or preempt the general public use of the Park Facilities or that would disturb or disrupt the general use of the parks or their neighbors. The Park District is committed to providing quality recreational opportunities for all persons regardless of age, race, color, religion, gender, sexual orientation, or preference, national origin, social or economic status, special ability, disability, or any other class or status.

#### **Section 2. Applicability of these Rules and Regulations.**

These Rules and Regulations apply to all uses of the Park Facilities. In the event of any conflict or inconsistency between any of these Rules and Regulations and any other existing Park District rule, code, or policy, the provision of these Rules and Regulations will apply and govern.

#### **Section 3. Applicability of Other Codes and Policies.**

All uses of the Park Facilities must be conducted in accordance not only with the provisions of these Rules and Regulations, but also with all other applicable Park District rules, codes, and policies, including without limitation the provisions of these Rules and Regulations.

## **Section 4. Priority for Oak Park Residents.**

First consideration for scheduling of activities in the Park Facilities will be given to uses proposed by and for residents of the Village of Oak Park, whose tax payments support the Park District and its programs.

## **Section 5. Definitions.**

5.1 "Amplified Sound" means any use of microphones, amplifiers, speakers, or other devices to artificially increase sound level.

5.2 "Applicant" means any person (as that term is defined herein) applying to the Park District for a Use Permit.

5.3 "Board" means the Board of Commissioners of the Park District of Oak Park.

5.4 "Executive Director" means the Executive Director of the Park District of Oak Park or her or his duly authorized designee.

5.5 "Park Facility" means each indoor and outdoor park, field, play area, playground, building, and equipment owned, operated or maintained by the Park District, including without limitation all recreation centers, Pleasant Home, Cheney Mansion, Dole Center, Ridgeland Common Recreation Center, Gymnastics and Recreation Center, Rehm Pool, and the Oak Park Conservatory.

5.6 "Park District" means the Park District of Oak Park.

5.7 "Person" means any individual, group, organization, corporation, or other entity unless the context clearly reflects a narrower definition.

5.8 "Sports Field" means each Park District field designed or maintained for the primary purpose of playing a particular sport or sports.

5.9 "Use Permit" means the permit issued by the Park District, authorizing a particular use of a Park Facility, and all conditions established by the Park District as part of the Use Permit.

## **Section 6. Use Permits.**

6.1 Use Permit Required Conditions. Any person seeking (a) to use any Park Facility for any sports activity, picnic, public assembly, or other activity or event involving more than 12 persons or (b) to engage in any activity at or in any Park Facility creating or emitting Amplified Sound must first obtain a Use Permit. The Executive Director may impose conditions on any Use Permit to ensure compliance with this Code.

6.2. Authority to Issue Use Permits. Subject to any restrictions or conditions imposed by the Board, the Executive Director will issue a Use Permit to any applicant who has demonstrated compliance with all applicable provisions of these Rules and Regulations. An application that does not demonstrate compliance with all restrictions or conditions imposed by the Board or all applicable provisions of these Rules and Regulations shall be denied.

6.3 Order of Processing of Applications. Each application for a Use Permit will be considered by the

Executive Director in the order in which that application was received by the Park District.

**6.4 Time Period for Decision.** The Executive Director must either issue or deny a Use Permit within 10 business days after receipt by the Park District of a properly completed application therefor. The Executive Director may extend the 10-day time period for good cause determined by the Executive Director and with written notice of that extension to the Applicant. If the Executive Director does not act within the 10-day period, or any extension of the 10-day period, then the application for a Use Permit shall be deemed to be denied by the Executive Director as of the last day of the applicable time period for decision.

**6.5 Grounds for Denial.** The Executive Director must deny an application for a Use Permit if any one of the following grounds is established:

- (a) *Previous Misrepresentation.* The applicant, or the person on whose behalf the application is made, has made any material misrepresentation on any previous occasion regarding the nature or scope of an event or activity.
- (b) *Violation of Use Permit.* The applicant, or the person on whose behalf the application is made, has violated the terms of a prior Use Permit.
- (c) *Incomplete Application.* The applicant has not properly completed and signed the Use Permit application, including all required attachments and submissions.
- (d) *Fee.* The applicant has not tendered the required application fee with the application or has not tendered the required user fee, indemnification agreement, insurance certificate, or security deposit within the times prescribed by the Executive Director.
- (e) *Falsehood or Misrepresentation.* The applicant has submitted an application for a Use Permit that includes a material falsehood or misrepresentation.
- (f) *Legal Incompetence.* The applicant is legally incompetent to contract or to sue and be sued.
- (g) *Conflicting Prior Application.* The Park District previously has received an application for a Use Permit for the same time and place requested by the applicant, and a Use Permit has been or will be granted to that prior applicant.
- (h) *Conflicting Program.* The time and place of the proposed use conflicts with a program or event scheduled by the Park District.
- (i) *Heavy Park Use.* The time and place of the proposed use coincides with a time of traditionally, or expected, heavy park use by the general public, such as a federal or local holiday, a regularly occurring local event, the commemoration of a significant anniversary or event, or a previously announced special event.
- (j) *Prohibition or Inconsistency.* The applicant's requested use is prohibited by, or substantially inconsistent with these Rules and Regulations or another Park District rule, code, or policy.

(k) Unreasonable Danger to Persons, Property. The applicant's requested use would present an unreasonable danger to the health or safety of the applicant, of other users, of neighboring property owners, of the public, or of Park District employees.

(l) Unreasonable Danger to Park District Property. The applicant's requested use would present an unreasonable danger to Park District property.

(m) Noncompliance with Park District Code, Rules, Regulations. The applicant has not, or cannot, comply with requirements of these Rules and Regulations or any other applicable Park District rule, code, regulation, or policy.

(n) Noncompliance with Law. The applicant has not, or cannot, comply with requirements of any federal, State of Illinois, or Village of Oak Park statute, law, rule, regulation, code, ordinance, or policy.

(o) Prohibited Use. The applicant's proposed use is prohibited by law.

(p) Previous Damage or Debts. The applicant, or the person on whose behalf the application is made, previously has damaged Park District property and has not paid for repair of that damage, or the applicant, or the person on whose behalf the application is made, has other outstanding debts to the Park District.

(q) Park Facility Unavailability. The Park Facility requested by the applicant is not in use because of repairs, remodeling, or rehabilitation.

(r) Cumulative Requests. The application is one of a series of requests for the same Park Facility that cumulatively would unreasonably interfere with the use of that location by Park District patrons.

**6.6 Appeal Process.** If the Executive Director denies an application, then the applicant may appeal that denial to the Board in writing. The applicant must file the appeal in writing within five business days after notice of the denial has been issued by the Executive Director. The Board will consider the applicant's appeal at the next regularly scheduled meeting of the Board or at a special meeting called for that purpose. The Board must render its decision in writing to the applicant within five business days after that meeting. If the Board denies the appeal, then the decision must state the reasons for the denial. The decision of the Board is final. The applicant may seek review of the Board's decision in the Circuit Court of Cook County, Illinois, in accordance with the Illinois Administrative Review Law.

## **Section 7. General Regulations.**

**7.1 Compliance with Law Required.** Each person using any Park Facility must comply, at all times, with all federal, State of Illinois, Village of Oak Park, and Park District statutes, laws, codes, ordinances, and regulations.

**7.2 Exception for Park District Uses and Programs.** These Rules and Regulations do not apply to limit or prohibit any program hosted or sponsored by the Park District, or any Park Facility use specifically authorized in writing in advance by the Park District, or any Park District policy or

regulation concerning the management and use of any Park Facility.

**7.3 Operational and Closing Hours.** The following operational and closing times apply to Park Facilities. The Park District Board of Commissioners or Executive Director may change the times stated in this Section 7.3 at any time and from time to time:

- (a) **General Closing Time.** All parks are closed every day between 10:00 p.m. and 6:00 a.m., except only as specifically otherwise posted or authorized in writing in advance by the Park District.
- (b) **Outdoor Playgrounds.** All outdoor playgrounds are closed every day between sunset and either 6:00 a.m. or sunrise, whichever is later.
- (c) **Dog Parks.** Dog parks are closed every day between sunset and sunrise.

**7.4 Improper Speech and Conduct Prohibited.** No person may use abusive, threatening, insulting, indecent, profane, or obscene language, or any language intended to incite a breach of the peace in any Park Facility at any time.

**7.5 Disorderly Conduct and Breach of Peace Prohibited.** No person may make, countenance, or assist in making of any improper noise, riot, disturbance, or breach of peace in any Park Facility at any time. No person may commit a breach of the peace in any Park Facility at any time.

**7.6 Damage to Property Prohibited.** No person may cut, break, remove, injure, deface, or in any other way or form damage any Park District property, including without limitation any tree, shrub, plant, turf, building, fence, ridges, lamp, or any other property.

**7.7 Refuse Disposal Prohibited.** No person may deposit or dispose of any refuse in any Park Facility or in or on any Park District property except only in approved containers.

**7.8 Skateboards, Roller Blades, Roller Skates Restricted.** No person may ride a skateboard, roller blades, or roller skates or similar equipment (collectively "Devices") at or in any Park Facility where the use of the Devices is posted as prohibited. No person may use any Device in any manner that interferes with or threatens any other Park District patron. Each person who uses a Device must yield the right of way to pedestrians at all times.

**7.9 Motor Vehicle Regulations.** No person may operate any motorized vehicle at or in any Park Facility except only on driveways and within parking lots or as specifically authorized in writing in advance by the Park District.

**7.10 Bicycle Regulations.** No person may ride a bicycle within any Park Facility where the use of bicycles is posted as prohibited. No person may use a bicycle at any time in a manner that interferes with or threatens any other person.

**7.11 Items Prohibited in all Parks.** No person may bring into, possess in, or use in any Park Facility at any time any of the following items: model airplanes, cars, rockets, and similar devices; firearms, bows and arrows, stones, or any similar object; missiles or similar weapons; chemicals; explosives

or fireworks of any kind; golf equipment; any item that poses an immediate threat to the health or safety of any person; or trees, shrubs, or other landscaping materials.

**7.12 Uses of Park Facility Without Proper Permit Prohibited.** No person may call, hold, or conduct any assembly, private or public meeting, concert, entertainment, or other activity that is prohibited or for which a Use Permit is required unless such Use Permit has been properly applied for and approved and issued by the Park District.

**7.13 Limitations on Animals in Parks.** Except as provided in this Section 7.13 and for dog parks in Section 8 of these Rules and Regulations, no person may bring any animal into any Park Facility. Notwithstanding this prohibition, dogs and cats only may be taken into a park if, but only if, the animal is securely held by suitable line, chain, or strap no more than eight feet in length, except that it is unlawful for any dog or cat, even though on a leash, to go on or be on any premise or on any path or sidewalk extending through any of the following playground apparatus areas: Andersen, Barrie, Carroll, Field, Fox, Longfellow, Stevenson, Randolph, Wenonah, Rehm, Taylor, Scoville, Maple, Lindberg, and Euclid Square. The limitation on locations set forth in the previous sentence does not apply to a dog used as a "service animal" as defined by the U.S. Department of Justice and does not apply to pets that are enrolled and participating in a Park District program for obedience training. The U.S. Department of Justice has defined a "service animal" as a dog that has been individually trained to do work or perform a task that benefits an individual with a disability. The dog is not a "pet," because it has a specific job or task to perform. No other animal qualifies as a service animal.

**7.14 Approval Required for Games and Sports.** No person may engage in any sport, game, or amusement at or in any Park Facility, except as previously approved by the Park District or when specifically designated in a Use Permit.

**7.15 Hindering Employees Prohibited.** No person may interfere with, or in any manner hinder, any employee of the Park District while that employee is engaged in the performance of her or his duties.

**7.16 Purchase, Sales, Peddling, Solicitation Prohibited.** No person may offer or exchange for sale any article or thing, or do any hawking, peddling, or soliciting, or buy or offer to buy any article or thing, or take up any collection, or solicit or receive contributions of money or anything of value at or in any Park Facility, except when authorized to do so by a Use Permit.

**7.17 Private Instruction, Retail and Commercial Uses Prohibited.** No person may (a) conduct or engage in any private instruction, lesson, class, or similar activity or undertaking or (b) engage in any retail or commercial use at or in any Park Facility at any time except as previously approved by the Park District or when designated in a Use Permit.

**7.18 Sleeping Prohibited after Hours.** No person may sleep at or in any Park Facility between the hours of 10:00 p.m. and 6:00 a.m. on any day.

**7.19 Shelters Prohibited.** No person may place a hammock, swing, tent, or any kind shelter at or in any Park Facility at any time, except as part of a supervised Park District program.

**7.20 Use of Playground Equipment by Adults Prohibited.** No person 16 years and older may use, in

any manner, any playground apparatus or device meant for the use of children.

7.21 Obstructing Travel Prohibited. No person may set or place, or cause to be set or placed, any goods, wares, or merchandise or property of any kind at or in any Park Facility in any manner that would inhibit or obstruct proper pedestrian or vehicular movement.

7.22 Fires Prohibited. No person may light or make use of fire at or in any Park Facility, except when the use of fire is specifically designated in writing in advance by the Executive Director and then only in compliance with regulations as are prescribed by the Executive Director.

7.23 Intoxicating Liquors, Drugs, Tobacco Products Prohibited. No intoxicated person may enter, be, or remain at or in any Park Facility. No person, at or in any Park Facility, may bring within, keep, sell, give away, drink, consume, or use any alcoholic liquor, intoxicating substance, or narcotics or drugs not therapeutically administered, unless authorized in advance by a Use Permit. No person may smoke cigarettes, cigars, pipes, or other tobacco products by any means in any Park Facility. No person may use any form of e-cigarette or similar device in any Park Facility.

7.24 Dumping Articles Prohibited. No person may deposit, dump, throw, or place any coal, ashes, dust, manure, litter, or rubbish at or in any Park Facility. Paper, garbage, or refuse matter must be deposited only in receptacles provided for that purpose.

7.25 Advertisements Restricted. No person other than the Park District may deploy, display, affix, or otherwise show any placard or advertisement of any kind at or in any Park Facility. No person other than the Park District may distribute, cast, throw, or place any handbill, pamphlet, circular, advertisement, or notice of any kind, nor write, draw, paste, stencil, affix, or otherwise show any notice or bills, advertisement, or other papers on any structure or thing at or in any Park Facility.

7.26 Gambling Prohibited. No person may play illegal games of chance or use any gambling device at or in any Park Facility.

7.27 Begging Prohibited. No person may beg or solicit alms at or in any Park Facility unless authorized in advance by a Use Permit.

7.28 Protection of Birds and Animals. No person may trap, catch, attack, wound, or kill any bird or other animal, or molest or rob any nest of any bird or other animal, at any Park Facility.

7.29 Resisting or Interfering with Officer Prohibited. No person may resist any commissioner, officer, or park patrolman of the Park District or police officer or official of the Village of Oak Park (collectively "Officers") in the discharge of her or his duties, or fail or refuse to obey any lawful command of any Officer, or in any manner assist or give aid to any person in custody to escape or to attempt to escape from custody, or rescue or attempt to rescue any person when that person is in such custody.

## **Section 8. Dog Parks.**

The Park District maintains rules and regulations governing dog parks within the Park District, titled Guidelines and Operations Plan for Dog Facilities (the "Dog Park Guidelines"). Every dog owner and dog

handler must abide by the rules and regulations set forth in the Dog Park Guidelines, as they may be amended from time to time. The Dog Park Guidelines provide, among other rules and regulations, all of the following rules and regulations:

- 8.1 Residents Only. Park District dog parks facilities are for Oak Park residents only.
- 8.2 Permit and Pass Required. Every dog owner or dog handler must secure a dog park permit and pass prior to any use of any dog park or temporary off-leash facility. Access to dog parks is limited to persons with valid, current dog park permits and passes.
- 8.3 Permit and Pass Application. Each application for a dog park permit and pass must be submitted to the Park District on forms provided by the Park District, which must include, among other information, all of the following:
  - (a) Proof of Residency. Proof of the applicant's residency in Oak Park.
  - (b) Waiver and Indemnity. Waiver, release, and indemnification provisions that must be signed by the applicant. All applicants must assume all risk of, and responsibility for, injury, damage, and loss relating to use of any dog park.
  - (c) Proof of Examination. Written proof of an examination of the dog by a certified Doctor of Veterinary Medicine including information and vaccinations as provided on the application.
  - (d) Proof of Dog License. Proof of a properly issued Oak Park dog license and rabies tag.
- 8.4 Compliance with Posted Rules and Regulations Required. Every dog owner and dog handler must abide by posted rules and responsibilities.
- 8.5 Young Children Prohibited. No child under the age of 11 years is permitted within a dog park at any time.
- 8.6 Adult Supervision of Youth Required. No child between the ages of 11 and 17 years is permitted within a dog park unless accompanied by an adult.
- 8.7 Collars, Wearing of Tags Required. Every dog must wear a collar at all times while within any Park Facility and must wear on that collar a current Village of Oak Park dog license tag and a rabies tag.
- 8.8 Display of Permit and Pass Required. Every dog owner and dog handler must display the Park District dog park permit and pass at all times when in a dog park.
- 8.9 Enforcement, Fines. Dog park rules and regulations may be enforced by the Oak Park Department of Animal Control, the Oak Park Police Department, and the Park District. Any person found to be in violation of any dog park rules or regulation is subject to a fine of up to \$1,000 for each offense.

## **Section 9. Insurance.**

The Park District requires every organized group using a Park Facility to provide insurance coverage at

least as follows:

**9.1 Commercial General and Umbrella Liability Insurance.** Commercial general liability (CGL) and, if necessary, commercial umbrella insurance, with a limit of not less than \$1,000,000 each occurrence. CGL insurance must be written on Insurance Services Office (ISO) occurrence form CG 00 01 10 93, or a substitute form providing equivalent coverage, and must cover liability arising from premises, operations, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract (including the tort liability of another assumed in a business contract). If alcoholic beverages are used, distributed, or sold, then liquor liability and Dram Shop liability coverage also must be provided with a limit not less than \$1,000,000 per occurrence. The Park District must be included as an insured under the CGL, using ISO additional insured endorsement CG 20 26 or a substitute providing equivalent coverage, and under the commercial umbrella policy, if any. This insurance shall apply as primary insurance with respect to any other insurance or self-insurance afforded to Park District.

**9.2 Business Auto and Umbrella Liability Insurance.** If applicable, business auto liability and, if necessary, commercial umbrella liability insurance, with a limit of not less than \$1,000,000 each accident. This insurance must cover liability arising out of any auto including owned, hired and non-owned autos. Business auto insurance must be written on ISO form CA 00 01, CA 00 05, CA 00 12, CA 00 20, or a substitute form providing equivalent liability coverage. If necessary, the policy must be endorsed to provide contractual liability coverage equivalent to that provided in the 1990 and later editions of CA 00 01.

**9.3 Workers Compensation Insurance.** If applicable, workers compensation and employers liability insurance. The commercial umbrella and/or employers liability limits must be not less than \$1,000,000 each accident for bodily injury by accident or \$1,000,000 each employee for bodily injury by disease.

#### **9.4 General Insurance Provisions.**

(a) ***Evidence of Insurance.*** The existence of all required insurance coverage must be certified by an applicant for a Use Permit, and no Use Permit may be issued until all required insurance coverage has been secured and proof of coverage has been filed with the Park District. The Park District may require certificates of insurance and applicable policy endorsements reflecting required coverage. The failure of the Park District to demand any required certificate, endorsement, or other evidence of full compliance with these insurance requirements, or the failure of the Park District to identify a deficiency from evidence that is provided, may not be construed as a waiver by the Park District of the group's obligation to maintain that insurance.

(b) ***Right to Prohibit Use.*** The Park District has the right, but not the obligation, to prohibit a group from using any Park Facility until required certificates or other evidence of insurance are received and approved by the Park District.

(c) ***Revocation if Noncompliance.*** The Park District may revoke any Use Permit or other permit or approval upon the failure to acquire and maintain the insurance required by this Section.

**9.5 Waiver or Modification of Insurance Requirement.** An organized group may request a waiver or modification of the insurance requirements of this Section. The Executive Director and the President of the Park District Board of Commissioners, in the exercise of their discretion based on all of the circumstances, may modify or waive one or more of the insurance requirements of this Section 9.5, which circumstances must include consideration of safety issues, liability issues, and various risk factors including without limitation the nature and duration of the proposed use and the proposed activities, the locations of the use and activities, and the risks generally associated with the activities. Under no circumstances may any decision to modify or waive a requirement be based on any consideration of age, race, color, religion, gender, sexual orientation or preference, national origin, social or economic status, special ability, disability, or any other class or status.

**9.6 Changes Without Notice.** The Park District Board of Commissioners may modify any or all of the requirements of this Section at any time, in the exercise of its discretion to reflect greater or lesser limits, in consideration of the factors set forth in Subsection 9.5 of this Section.

## **Section 10. Storage of Equipment Belonging to Others.**

Any organization requesting the use of a Park Facility to store equipment must (a) sign a release of responsibility, indemnifying and holding harmless the Park District for any and all loss or damage to property from any cause during the time that the equipment is stored in a Park Facility and (b) provide certification of insurance for fire and theft on the equipment during the entire period that the equipment is stored in a Park Facility, in the form required by Section 8 of these Rules and Regulations.

## **Section 11. Temporary Dismissal from Park Facilities.**

(a) **Definition of Temporary Dismissal.** "Temporary Dismissal" under this Section 11 means removal and exclusion from all Park Facilities for a 24-hour time period as provided in this Section 11.

(b) **Persons Subject to Temporary Dismissal.** Any person who violates (i) any provision of these Rules and Regulations, (ii) any other existing Park District rule, regulation, code, ordinance, or policy, or (iii) any State of Illinois or Village of Oak Park statute, code, or ordinance while in any Park Facility is subject to Temporary Dismissal.

(c) **Persons Authorized to Effect a Temporary Dismissal.** The following persons may effect a Temporary Dismissal: Village of Oak Park police officers and the Park District's Superintendent of Recreation, Superintendent of Buildings and Grounds, and all other Park District representatives authorized by the Executive Director of the Park District. A person authorized under this Subsection (c) is referred to as a "Dismissal Officer."

(d) **Basis for Determination of Temporary Dismissal.** The determination whether to temporarily dismiss a person rests in the sound exercise of discretion by the Dismissal Officer and may be based either on observations by the Dismissal Officer, or on any report that would ordinarily be relied upon by a law enforcement officer to determine probable cause, or both.

(e) **Time Period of Dismissal.** Each Temporary Dismissal is for a period of 24 hours after service of the Dismissal Notice under Subsection f of this Section.

(f) **Dismissal Notice.** A person who is temporarily dismissed under this Section 11 will receive a

written Dismissal Notice from the Dismissal Officer that states (1) the date and time of issuance, (2) the general location at which the notice was issued, (3) a statement that the individual may not enter any Park Facility for 24 hours after receipt of the notice, and (4) a statement that violation of the terms of the notice may lead to arrest and prosecution for criminal trespass.

(g) Violation of Dismissal Notice. The violation of any Dismissal Notice is a violation of these Rules and Regulations. A person who violates a Dismissal Notice is subject to being excluded from Park Facilities under Section 12 of these Rules and Regulations and to arrest and prosecution for criminal trespass.

## **Section 12. Exclusion from Park Facilities.**

(a) Definition of Exclusion. "Exclusion" under this Section 12 means removal and exclusion from all Park Facilities for a period of days as provided in this Section 12.

(b) Persons Subject to Exclusion. A person is subject to Exclusion if he or she has received three or more citations during any 60-day period for violation of (i) any provision of these Rules and Regulations, (ii) any other existing Park District rule, regulation, code, ordinance, or policy, or (iii) any State of Illinois or Village of Oak Park statute, code, or ordinance while in any Park Facility. A citation that has been dismissed is not counted when determining whether a person is subject to Exclusion.

(c) Persons Authorized to Effect an Exclusion. The following persons may effect an Exclusion: Village of Oak Park police officers and the Park District's Superintendent of Recreation, Superintendent of Buildings and Grounds, and all other Park District representatives authorized by the Executive Director of the Park District. A person authorized under this Subsection (c) is referred to as an "*Exclusion Officer*."

(d) Basis for Determination to Exclude. The determination whether to exclude a person is based on previously issued citations as provided in Subsection b of this Section 12, without regard to the pendency or disposition of any of those citations, and any current citation for violation of these Rules and Regulations or any other Park District code, ordinance, or regulation.

(e) Time Period of Exclusion. The time period of an Exclusion is based on the sound exercise of discretion by the Exclusion Officer and must fall within the following parameters:

1. A person who has accumulated three citations or has been the subject of one Temporary Dismissal during the 60-day period preceding the issuance of the current citation, or who has accumulated four citations in the 12-month period prior to issuance of the current citation, may be excluded for any period of days up to 60 days after receipt of the Exclusion Notice.
2. A person who has accumulated four citations or has been the subject of two or more Temporary Dismissals during the 60-day period preceding the issuance of the current citation, or who has accumulated five citations in the 12-month period prior to issuance of the current citation, may be excluded for any period of days up to 180 days after receipt of the Exclusion Notice.
3. A person who has accumulated five or more citations or has been the subject of three

or more Temporary Dismissals during the 60-day period preceding the issuance of the current citation, or who has accumulated six citations in the 12-month period prior to issuance of the current citation, may be excluded for any period of days up to 365 days after receipt of the Exclusion Notice.

The determination of the Exclusion Officer not to exclude a person eligible for Exclusion under this Subsection e at one time does not preclude that Exclusion Officer or any other Exclusion Officer from excluding that person at any time that person remains, or again becomes, eligible for Exclusion.

(f) Exclusion Notice. A person who is excluded under this Section 12 will receive a written Exclusion Notice from the Exclusion Officer that states (1) the date of issuance, (2) the general location at which the notice was issued, (3) the time period of Exclusion, (4) a statement that the individual may not enter any Park Facility during the period of Exclusion, (5) a statement that violation of the terms of the notice may lead to arrest and prosecution for criminal trespass, and (6) a statement that the Exclusion Notice may be appealed under this Section 12. An Exclusion commences immediately after receipt of the Exclusion Notice.

(g) Appeal of Length of Exclusion. Any person who receives an Exclusion Notice for a time period longer than seven days may appeal the length of the Exclusion to the Executive Director of the Park District. A written request for appeal, signed by the appellant, must be received at the Park District's headquarters within five days after issuance of the Exclusion Notice. The request for appeal must state an address and one or more telephone numbers at which the appellant can be reached readily during a regular business day. The filing of an appeal does not postpone the immediate commencement of the Exclusion.

If a request for an appeal is received, then the Executive Director or his or her designee must conduct a hearing on the appeal as follows:

1. The Park District, within three working days after receipt of the request for appeal, must notify the appellant with the date, time, and place of the hearing, which hearing date may not be less than five business days after notice is given. The notice may be sent by U.S. Mail or provided by telephone.
2. If the appellant is unable to attend the hearing as scheduled, then the appellant must contact the Executive Director's office at least three business days before the hearing date and request that the hearing be rescheduled. The failure to contact the Executive Director is grounds for dismissal of the appeal.
3. The hearing will be conducted at the Park District's headquarters and does not need to be a public hearing. At the hearing, the appellant may give testimony in support of his or her appeal and present facts, circumstances, evidence, and witnesses to rebut the bases for the length of the Exclusion. The appellant also may ask questions of any witnesses who testify in support of the length of the Exclusion. Rules of evidence and procedure need not be strictly applied. The Executive Director or designee may examine witnesses, including the Exclusion Officer and may set the date of the hearing and continue the hearing to a date certain if necessary to accommodate the scheduling of witnesses including the Exclusion Officer.

4. If on the date set for hearing the appellant fails to appear and is not represented at the hearing by her or his attorney, then the Executive Director or designee nevertheless may proceed with the hearing, consider the facts, circumstances, and evidence relevant to the length of the Exclusion, and make her or his determination in the absence of the appellant and her or his attorney.
5. Within five business days after the conclusion of the hearing, the Executive Director or designee must issue a written determination on the appeal. The Executive Director or designee may reduce the time period of the Exclusion to any number of days not less than the number of days the appellant has been Excluded, or the Executive Director or designee may sustain the length of the Exclusion, or based on aggravating evidence presented at the hearing the Executive Director or designee may increase the length of the Exclusion. The determination of the Executive Director or designee is final.

h. Violation of Exclusion Notice. The violation of any Exclusion Notice is a violation of this Chapter 2. A person who violates an Exclusion Notice is subject to further exclusion from Park Facilities under this Section 12 and to arrest and prosecution for criminal trespass.

### **Section 13. Displays and Symbols in Parks.**

Privately sponsored, unattended displays and symbols are never an appropriate use of Park District property and such displays and symbols are not allowed on or within Park District property or eligible for a Park Use Permit. Other activities of a speech or assembly nature not prohibited by this Section 13 are permitted on or within Park District property as provided in these Rules and Regulations.

## **POL.A.06.01 - Naming of District Property**

The Board of Commissioners of the Park District of Oak Park recognizes that the naming or renaming of a park or a building, or a portion of any of them,<sup>(1)</sup> is an important and sensitive undertaking. There are competing considerations and interests regarding how and what a Facility may be named including, among many others, topography, geography, natural features, location, and purpose. There also are competing considerations about the historical importance of a current name, the valuable contributions made by a particular person, group, or institution, and many other circumstances. Also, there are important practical considerations including, among others, that it would be impossible with the limited number of Park District Facilities to recognize even a small percentage of the many worthy events, persons, groups, and institutions through the naming of a Facility, particularly because all of the existing Park District Facilities have names, many of which are of historical or other importance.

The Board of Commissioners recognizes all of these competing and sensitive considerations and, with all of them in mind, the Board of Commissioners establishes this Facilities Naming Policy.

### **Naming Criteria**

As noted in the Statement of Understanding and General Policy above, all existing Facilities have been named. The importance of an existing name shall be of principal concern to the Board of Commissioners in determining whether to rename a Facility or portion of a Facility. The following criteria shall apply to the naming of a new Facility and the renaming of an existing Facility. These criteria are listed in order of priority, beginning with Criterion A as the most important. A lower ranked criterion shall not be given

priority over a preceding criterion except under extraordinary circumstances.

- a. Particular Features or Purposes. The particular feature or features of the Facility or the area around it (such as topography, geography, natural features), or the purpose of the Facility or of the activities or events held at or in the Facility.
- b. Name of the Area. The name of the area within which the Facility is located, such as the neighborhood or subdivision, provided that the area is not named for a person, group, company, institution, or organization.
- c. Name of Major Adjacent Street. The name of a major street adjacent to the Facility.
- d. Name of Major Donor or Person Designated by Major Donor. The name of a major donor of land, money, or services, or the name of a third party designated by that major donor; provided, however, that all of the following criteria shall be met:
  1. The donation of land, cash, services, or personal property must be very substantial in terms of proportion, impact, or effect on the Facility for which the name is proposed.
  2. The donation shall be entirely of a voluntary and charitable nature and shall not be made at the request of, or because of the application of any code, ordinance, or regulation of, the Park District or the Village of Oak Park.
  3. The donation must be accepted by the Park District for the use for which it was intended.
  4. The proposed name must be properly and legally available for use, and the proposed name must be approved as appropriate and honorable by an affirmative favorable vote of at least three members of the Board of Commissioners.
- e. Name of Significant Contributor. The name of a person who has contributed very substantial service to the Oak Park community or who has been very closely and very significantly associated with a significant community event.
- f. Additional Criteria Applicable to Renaming a Park after a Person. If the Board of Commissioners considers whether to name a new park after a particular person, group, company, institution, or organization, then that name shall satisfy all of the following criteria:
  1. The person, group, company, institution, or organization must have contributed very substantially and very significantly to the improvement of the quality of life of residents of the Oak Park community or of the State of Illinois or the United States of America.
  2. A park shall not be named after, and no decision shall be made to name a park after, a commissioner, trustee, or other official of the Park District or the Village of Oak Park until after that person has been retired from her or his office or position for not less than five years; provided, however, that this condition may be waived by an affirmative favorable vote of at least three members of the Board of Commissioners if the person being considered is deceased.
  3. The proposed name of the park must have been endorsed, prior to consideration by the Board of Commissioners, by a petition signed by not fewer than [1,000] residents of the Village of Oak Park. The petition shall state on its face the proposed name, the current name and location of the park for which the name is proposed, and, in not more than 300 words,

the particular reasons why that name merits consideration as a name for that park. Each resident signing the petition shall be at least 18 years old and shall provide her or his name and legal address on the petition.

4. The proposed name of the park shall be considered by the Board of Commissioners at a regular meeting of the Board first for tentative approval. The Board may decline to consider the proposed name further, or the Board may grant tentative approval of the proposed name. If the Board declines further consideration, then it shall state, in general, its reasons for declining. Tentative approval of a proposed name shall require an affirmative favorable vote of at least four members of the Board. If the Board tentatively approves the proposed name, then, not less than six months after the date of tentative approval, the Board may consider the proposed name for final approval. Final approval of a proposed name shall require two additional affirmative favorable votes, each of at least four members of the Board, at two regular meetings of the Board separated by not fewer than 28 days. Final approval of a proposed name shall not be considered on a consent agenda or by omnibus vote. Each vote on final approval of a proposed name shall be by a public call of the roll.

- g. The Board may conduct a public contest for the naming of a new park. Any such contest shall be conducted in accordance with the provisions and intent of this Policy.

<sup>1</sup> For purposes of this Policy, a reference to a "park" shall mean an outdoor open space; a reference to a "building" or "center" shall mean the building, or portions of the building, itself; and the term "Facilities" shall refer to parks and buildings and centers collectively.

## POL.A.06.03 - Encroachment and Easements

No person may cause or permit physical encroachment upon Park District property including, but not limited to actions such as mowing of grasses, planting of trees or shrubbery, placement of personal property, debris, materials, buildings, sheds, other structures, or signs on Park District lands. Park and facility development and design should incorporate measures such as fencing, sidewalks, etc. in order to clearly identify property lines to defend against encroachment.

From time to time, the District receives requests for temporary easements. The following provisions govern granting of easement requests:

1. Granting of easement requests should not interfere with existing development plans of the park site in question.
2. Easement requests should not place undue restrictions on the park site during the construction phase, or once the ground is repaired and is available for public use.
3. Easement grantee should be expected to restore fully, at his/her expense, all landscape items such as trees, shrubs, sod, and other items, as required to restore the landscape to its original condition or better, as determined by the District.
4. The Administration Committee will review all requests and staff recommendation for granting or denying the easement. The recommendation of the Committee and staff will then be forwarded to the Board for final action. A security deposit or bond, proof of \$1,000,000.00 insurance naming the District as additional insured, and a written statement from the requesting party that all damages

to park property will be fully paid by said owner will be required in addition to any fees assessed.

## Fees

- a. Residential. Homeowners may seek temporary easements of access for construction of improvements to their property. In such instances, fees may be waived for residential homeowners.
- b. Private Contractor/Developer. When a private contractor/developer requests to utilize District property for the purpose of generating revenues, the District will determine a reasonable and appropriate fee to the requesting party.
- c. Utility Companies. Fees will be assessed as determined to be reasonable and appropriate by the District.
- d. Governmental Bodies. Fees may be waived or assessed for governmental bodies depending upon the request and history of the mutual cooperative relationship between the two entities.

## POL.A.06.04 - Memorial Program

The Memorial Tree/Bench Program is designed to help beautify the District's parks and allow community members to honor a special person or occasion. Persons wishing to commemorate a special event, such as a wedding anniversary, birth date, or memorial to a loved one or relative may do so by having a tree planted or bench installed in any of the Park District's parks.

1. A one-time donation will allow the individual to adopt a tree or bench that has been planted in one of the District's parks.
2. Each adopted tree or bench an engraved plaque will be displayed near the base of the tree or bench with the individual's name.
3. Park District staff will take responsibility to maintain the tree and bench and will guarantee the replacement of the item. However, the Board reserves the right to relocate the tree or bench at their discretion due to future changes in the design of the park.

## POL.A.06.05 - Soccer Goal Safety & Education

The Park District of Oak Park adopted the Soccer Goal Safety and Education Policy pursuant to the Illinois Movable Soccer Goal Safety Act also known as Zach's Law, 430 ILCS 145/1 et.seq. The Act requires Park District of Oak Park to create a policy to outline how it will specially address the safety issues associated with movable soccer goals.

### **Moving and Securing Movable Soccer Goals; Warning Labels**

Prior to the commencement of the soccer season each year, the District will place and secure Movable Soccer Goals on its Property in accordance with the Safety Guidelines. Only the District shall be permitted to move any Movable Soccer Goal the District owns, installs, or places on its Property. Thereafter, if a Movable Soccer Goal becomes unanchored or improperly secured, only Authorized Personnel shall be permitted to re-secure it in accordance with the Safety Guidelines.

A warning label such as the following shall be posted on all Movable Soccer Goals:

ONLY AUTHORIZED PERSONNEL MAY MOVE AND ANCHOR THIS  
GOAL. IF THIS GOAL IS NOT ANCHORED DOWN, DO NOT USE IT  
AND CONTACT (708) 725-2050. SERIOUS INJURY INCLUDING  
DEATH CAN OCCUR IF IT TIPS OVER.

### **Routine Inspections by District**

The District shall routinely inspect all Movable Soccer Goals that the District has installed or placed onto its Property to verify that they are properly secured and document such inspection in writing.

### **Removal**

At the conclusion of each soccer season, the District will either remove all Movable Soccer Goals that it has installed or otherwise placed on its Property and store such goals at a secure location or otherwise secure such goals on its Property by placing the goal frames face to face (front posts and crossbars facing toward each other) and securing them at each goalpost with a lock and chain; or locking and chaining the goals to a suitable fixed structure such as a permanent fence; or locking unused portable goals in a secure storage room after each use; or fully disassembling the goals for season storage.

### **Acquisition of Tip-Resistant Movable Soccer Goals**

After the effective date of this Policy, the District will not purchase any Movable Soccer Goal unless it is tip resistant. A Movable Soccer Goal whose inside measurements are 6.5 to 8 feet high and 18 to 24 feet wide is not tip-resistant unless it conforms to the American Society for Testing and Materials (ASTM) standard F2673-08 for tip-resistant Movable Soccer Goals or is otherwise equipped with another design feature approved by the U.S. Consumer Product Safety Commission. Notwithstanding the foregoing provisions, the District may continue to use its existing goals in a manner consistent with this Policy.

### **Applicability**

If any provision of this Policy conflicts with any provision of the Act, the provisions of the Act shall prevail.

This Policy shall not create any new liability or increase any existing liability of the District, or any of its officers, employees, or agents, which exists under any other law, including but not limited to the Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/1-101 et seq. Nor shall this Policy alter, diminish, restrict, cancel, or waive any defense or immunity of the District or any of its officers, employees, or agents, which exists under any other law, including but not limited to the Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/1-101 et seq.

### **Availability of Policy**

All Park District employees who have responsibility for or contact with Movable Soccer Goals shall be advised of this Policy. A copy of the Policy is available to all other employees and any member of the public by requesting a copy from the Superintendent of Buildings and Grounds.

## **POL.A.06.06 - Enforcement of Park & Facility Rules**

The effective management of Park District parks and facilities is a complex responsibility, due in part to the number and diversity of visitors and recreational opportunities present at these public spaces. While

members of the Village of Oak Park Police Department are authorized to execute law enforcement functions, all Park District employees have an obligation to support these efforts by educating and informing the public of laws, rules, regulations, and policies, enforcing Park District rules and regulations, and deterring unlawful activities.

The following efforts increase the public's compliance with laws, rules, regulations, and policies and should be utilized by staff, when appropriate:

- a. Staff Presence allows for the observation of activities, grounds, and facilities, while making employees more readily available to visitors.
- b. Patron Interaction allows employees to inform and educate the public as to rules, as well as reasons for the rules.
- c. Signage serves to make visitors aware of site rules and regulations.
- d. Proper Maintenance & Cleanliness increases the likelihood that visitors will hold a greater appreciation for parks and facilities and will exercise a higher degree of care and respect for the rules.
- e. Crime Prevention Through Environmental Design prevents negative behavior through physical design of parks and facilities incorporating four principles: natural access control, natural surveillance, territoriality, and maintenance.

## POL.A.07.01 - Definition of User

### **Purpose**

The purpose of the Definition of User Policy is to categorize guests of the Park District and assist with setting their fees and charges for Park District programs, services, memberships and facility use.

### **Definition of Users**

- a. Residents. Residents are defined as individuals or organizations that reside within Park District boundaries.
- b. Nonresidents. Nonresidents are defined as individuals or organizations who do not reside within Park District boundaries.
- c. Active Adults. Active Adults are defined as persons aged 50 and older.
- d. Local Government Agencies. Local Government Agencies are defined as tax-supported organizations that reside within Park District boundaries. Local Government Employees are defined as individuals that are employed by the Local Government Agencies.
- e. Non-Profit Organizations. Non-Profit Organizations are defined as nonprofit groups, as stated by the State of Illinois, and are dedicated to serving Park District residents.

f. Park Districts and Special Recreation Associations. Park Districts are defined as tax-supported agencies that do not reside in the Park District of Oak Park boundaries. Special Recreation Associations are defined as associations comprised of member park districts in the State of Illinois.

## POL.A.07.02 - Fees and Charges Policy

### **Statement of Philosophy**

The Park District of Oak Park uses multiple sources of revenue to supplement the revenue it receives from property taxes. A primary source of revenue beyond property taxes are fees and charges collected from participants of the Park District. It is not financially feasible or healthy to rely solely on one source of revenue to support a diversified quality parks and recreation program. The District will evaluate its fees and charges policy annually as part of its Budget Guidelines; receiving approval from the Board of Commissioners prior to implementation.

### **Fees and Charges**

A system of fees and charges is an efficient and equitable way to distribute the costs associated with providing services that exceed the ability of the tax base to support the costs. With this in mind, the Park District has developed these goals and guidelines with the intention of uniformly defining the method used to determine pricing levels for fees and charges.

The Park District primarily provides recreation services on three different levels. Those levels include services that benefit the entire community, Recreation and Corporate programs and services that mostly benefit the user but to some extent benefit the community, and Revenue Facilities programs and services that benefit only the user. The chart below explains the differences in these levels.

	<b>Community Programs</b>	<b>Recreation Programs</b>	<b>Revenue Programs</b>
<b>Who Benefits?</b>	All people of the community	Mostly participants, but community to some extent	Participant only
<b>Who Pays?</b>	Community through taxation	Participants and community share costs	Participant pays full cost
<b>Desirability or Feasibility of Fees</b>	Not desirable or feasible	Desirable and feasible	Desirable and feasible
<b>Examples of Programs or Services</b>	Concerts in the Park, Conservatory	Teen events	Gymnastics, Dog Park
<b>Cost Recovery</b>	None or very little	Direct costs and 35% of indirect costs	Total direct and indirect costs

The concept of estimated cost recovery involves setting fees and a charge based on the level of service so that the revenue received equals the total cost of providing a particular service and is critical to the success of this system.

## **Definitions**

**Direct Cost:** These are costs that are directly attributed to an individual service and include: instructor salary, materials, transportation, admission fees, specific marketing costs, building rent in non-District owned facilities, etc.

**Indirect Cost:** These are costs that cannot be associated directly with an individual service provided and include: administrative salaries, utility costs, building maintenance and cleaning, office and restroom supply costs, etc.

**Total Cost:** This is the cost of providing a service and includes both the direct cost and an allocated portion of the indirect cost.

## **Goals**

The Park District will use tax revenues to improve and manage all of the land, facilities and recreation programs that have been determined to benefit all taxpayers. The Park District will also use tax revenue to assist residents who cannot afford to utilize a program or service.

Taxpayers should not be asked to meet the entire cost of providing activities and facilities that involve considerable expenses and serve a special interest with a limited number of participants. Charging fees for these programs is an equitable method of recovering costs for targeted or specialized programs and services. However, fees and charges should not become a barrier for participation or a method of excluding any resident of the Park District.

## **General Guidelines**

- The Park District will not charge fees to residents for entrance into parks, playgrounds, sled hills, or informal use of outdoor athletic facilities (when not previously scheduled).
- The Park District will charge fees for specialized services that do not benefit the entire community including recreational programs. These fees will be structured to pay for the cost of offering the program and contribute to overhead as outlined below:
  - a. Managers will consider appropriate direct, indirect, and overhead costs, market conditions, target markets and payment of capital improvement bonds issued to renovate a specific facility when developing fees and charges for all Park District services. The Park District will consider the cost of using the facility when determining the total cost of offering programs instructed by a contractual third party. Program supervisors should strive to keep the costs associated with any program minimal in order to keep the fee for the program reasonable.
  - b. The Park District will charge entry fees for admission to special use facilities such as the indoor ice arena or swimming pools.
  - c. The Park District may charge membership and/or initiation fees for access and use of a facility or program.
  - d. The Park District may develop special pricing strategies including differential fees for

different types of organizations, different times of the year, incentives to increase participation, and group, repeat business, or multiple family member discounts.

d. Managers may prorate fees if a person wishes to participate in a program after the first class of a program and the desired outcome of the program does not depend on attending all classes.

- The minimum number of participants per class needed to achieve revenue policy goals will be the determining factor in setting class minimums. Programs must reach minimum participant levels one week before the class starting date or the Park District will cancel the program (new program ideas are exempt from this guideline for one year to allow the program to grow.)
- Since non-residents of the Park District do not support the District through taxes, they should pay an additional fee to assist with costs associated with overhead, facility maintenance and development, and program development expenses covered by taxes. The Park District considers non-residents who pay High School District # 200 taxes as residents for any program held in an Oak Park River Forest High School facility.
- The Park District will actively seek other sources of revenue such as donations or grants to partially subsidize community-wide programs.
- Scholarship or fee reduction programs will be available to any resident that proves financial hardship for any program or facility regardless of the amount of tax support the program or facility receives.

## POL.A.07.03 - Scholarships

The Park District of Oak Park recognizes that families and individuals residing within Oak Park may experience economic hardships. In keeping with the Park District's mission, the Board of Commissioners allocate funds to assist low income individuals and families so they may enjoy the many benefits of parks and recreation through a Scholarship program. Annually, the Board shall determine the level of funding to be contributed to the program as part of the budget process and shall also strive to boost funding by securing grants for the same purpose. Residents will need to qualify for a scholarship annually, through a formal application process administered by the Customer Service team.

## POL.A.07.04 - Non-Resident Fees

The Park District of Oak Park offers its programs and facilities not only to its residents but also to non-residents. Because non-residents do not pay property taxes in Oak Park to support the Park District's programs and facilities, the Park District must adjust its fees for non-residents so that they provide financial support to the Park District similar to the support provided by residents. The Park District's Board of Commissioners has determined that non-resident fees should be in most cases approximately 50 percent greater than resident fees (the "50% Fee Increment"). This determination is based in part on the fact that about 50 percent of the Park District's annual revenue is derived from taxes.

The Park District intends to apply the funds derived from the 50% Fee Increment to programs and services that would not typically be funded through tax revenue. To do this, the Park District will maintain a non-resident fee increment account into which funds will be deposited equal to the 50% Fee Increment. These funds will be applied as determined from time to time by the Park District's Board and Executive

Director to such things as special events, scholarships, programs, projects, transportation, and activities.

## POL.A.07.05 - Refunds

### **Satisfaction Guarantee**

The Park District Oak Park is constantly striving to provide high quality recreation programs and activities and is so confident that guests will enjoy the programs that the promise of quality is backed by a Satisfaction Guarantee. The Park District Oak Park guarantees that guests will be satisfied with recreation programs in which they participate. If a guest is not satisfied, input in the form of suggestions, comments or ideas for improvement, is always welcome. A participant who is not completely satisfied must call or stop by the guest service desk before the second program (meetings and practices included) is over. The guest service staff will assist the participant in completing a Satisfaction Guarantee request form. If the guest wishes to discontinue the program, the Park District Oak Park will then do one of the following:

- Allow the guest to repeat the program at no charge.
- Issue a credit for fees paid toward another program (if available).
- Issue a refund.

The purpose of the Satisfaction Guarantee is to ensure that every guest has the opportunity to express a concern about a program in a timely manner and allow the Park District to have the opportunity to resolve the concern to the guest's satisfaction. It is not the intent of this policy to allow guests to participate in any variety of programs and receive a full refund. By detailing specific deadlines and requirements, guests and staff alike will have a clearer understanding of the purpose of the policy. The Satisfaction Guarantee policy demonstrates the Park District's commitment to the community. The Satisfaction Guarantee does not include adult athletic leagues, trips, preschool or playschool, and one-day events.

### **Medical Refund Requests**

In the case of a medical refund request, a doctor's note stating a release must be provided before a pro-rated (cost of remaining program meetings) credit or refund will be granted.

### **Other Refund Requests**

Unless otherwise noted, all other refunds must be requested before a program meets for the second time or no refund will be issued. These refunds will be pro-rated (cost of remaining program meetings).

Refund requests for special programs such as trips, camps and one-day programs must be received two weeks before the first program meeting to be eligible for a refund. Refunds within two weeks of the start date of these programs will be considered only if the vacated spot can be filled with another participant.

There is a \$25 service fee for refunds processed for camp programs and a \$3 service fee for all other programs. Refund requests will be processed within 10 business days. Refund checks will be issued in the participant's name unless the refund will be issued to a minor and the parent or guardian requests a change at the time of the refund request. Refunds for program fees paid by credit cards will only be issued to the original credit card used. Deposits are non-refundable unless otherwise noted.

## **POL.A.07.06 - Recreation Program Philosophy**

The Park District should provide a broad and diversified selection of recreation programs and services for various ages and interests. The District, in planning recreational programming and special events, shall take into consideration the participants' needs, geographic location, financial resources and safety.

## **POL.A.07.07 - Inclusion**

The Commissioners and Staff of the Park District of Oak Park believe that all individuals should be provided with leisure opportunities that allow for performance at their highest level of ability. Many people with disabilities have great success in Park District activities with the assistance from WSSRA. WSSRA assistance may range from additional training for Park District staff to recommendations for adaptive equipment to WSSRA employed inclusion aids. The Park District and WSSRA adhere to the following basic principles when providing accommodations to allow for successful inclusion of individuals with disabilities.

### **Principles of Inclusion**

1. The interests and needs of an individual participant will be addressed.
2. The concerns of the family will be taken into account.
3. The member agency staff will be given support by WSSRA.
4. Options and choices will be made available to individuals with disabilities.

Participation may be delayed or denied if program registration is not received in a reasonable amount of time to secure the assistance required. Participation in trips and one day activities is only possible if staff and space for both the participant and inclusion aid are available.

## **POL.A.07.08 - Behavior Management**

All park and facility users and program participants are expected to exhibit appropriate behavior at all times. The following guidelines have been developed to help make District facilities and programs safe and enjoyable for all participants. The Park District insists that all participants and visitors comply with a basic behavior code. All participants and visitors shall:

1. Show respect to all participants, staff and volunteers. Participants should follow program rules and take directions from staff.
2. Refrain from using abusive or offensive foul language.
3. Refrain from threatening or causing bodily harm to self, other participants, staff or any other individuals.
4. Show respect for equipment, supplies and facilities.
5. Not possess any weapons.

A positive approach will be used regarding discipline. Staff will periodically review rules with participants and during the program session. If inappropriate behavior occurs, a prompt resolution will be sought specific to each individual's situation. The agency reserves the right to immediately dismiss a participant whose behavior endangers his or her own safety or the safety of others.

## POL.A.07.09 - Wireless Internet Access

The District has implemented wireless internet access for patrons who wish to use their own wireless electronic device when in certain parks and facilities of the Park District.

### Guidelines

- All users are expected to use the wireless access in a legal and responsible manner, consistent with the values of the Park District and the recreational, educational and informational purposes for which it is provided. Misuse of Internet access will result in loss of the user's wireless access privileges and may result in suspension or termination of access to Park District property. It is not acceptable to use supplied wireless internet services to:
  - a. Digitally reproduce and distribute copyrighted materials;
  - b. Degrade or disrupt equipment or system performance;
  - c. Vandalize the data of any other user;
  - d. Gain unauthorized access to resources or entities;
  - e. Invade the privacy of individuals;
  - f. Violate federal, state, or local laws or regulations, including those regarding accessing, viewing, printing, and distributing sexually related content; or
  - g. Engage in any activity that is offensive or creates an intimidating or hostile environment.
- A patron's electronic device must be configured with virus protection using current virus definitions. Patrons are expected to know how to configure their own equipment for wireless use. The Park District does not offer wireless access support.
- Most WiFi network cards will be compatible. However, the Park District can make no guarantees as to compatibility of patron's equipment with the network.
- The district's public wireless network has been configured and sized for interactive searches and knowledge gathering on the internet. The district's public wireless network is not sized for large downloads from the web. Therefore, the downloading of software, large images, music, etc. from the web onto a patron's electronic device is not permitted. Patrons will be asked to terminate any activity that adversely impacts the center's network performance.
- Printing access is not available via the wireless connection unless the printing is part of an organized Park District program.
- As with most public wireless "hot spots," this wireless connection is not secure. Another wireless user can potentially intercept any information being transmitted. Patrons should not transmit personal information such as credit card numbers, passwords or other sensitive information while using any wireless "hot spot." WiFi users assume all risks and responsibilities to provide anti-virus protection and appropriate security settings on their laptop and should take appropriate precautions when using this service.
- The Park District is not be responsible for any information (i.e. credit card numbers, passwords, etc.) that is compromised, or for any damage caused to patrons' hardware or software due to electric surges, security issues or consequences caused by viruses or hacking.
- WiFi users should be certain that their laptops and other devices are secure at all times and should never be left unattended, even for brief periods of time. Theft of such devices is not the responsibility of the Park District.
- Use of Park District's wireless network is entirely at the risk of the user. The Park District

disclaims all liability for loss of confidential information or damages resulting from that loss.