



LAKE COUNTY FOREST PRESERVES
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Preservation, Restoration, Education and Recreation

DATE: February 6, 2017

MEMO TO: Carol Calabresa, Chair
Planning Committee

FROM: Alex Ty Kovach
Executive Director

RECOMMENDATION: Recommend approval of an Ordinance approving Planning Committee Rules.

STRATEGIC DIRECTION SUPPORTED: Organizational Sustainability

FINANCIAL DATA: No financial impact.

BACKGROUND: The District recently re-organized the structure of the Committees of its Board of Commissioners (the “Board”). As part of that reorganization, the District’s current Planning Committee now exercises the functions of the former Land Preservation and Acquisition Committee (the “Land Acquisition Committee”). The District’s Rules of Order and Operational Procedures (the “Board Rules”) allow each Committee to adopt and amend its own rules of procedure, subject to the approval of the Board. The Land Acquisition Committee operated pursuant to rules and procedures that it and the Board approved (the “Committee Rules”). District staff and Corporate Counsel have prepared amended Committee Rules, attached to the attached resolution. The revised Rules include a number of revisions which are necessary in order to reflect the departmental and Committee reorganizations of the District.

Pursuant to the Board Rules, the procedure for a standing committee to amend its rules, after its first meeting following reorganization, is to (i) at one meeting, make and second a motion to amend, and discuss the amended rules, (ii) make a motion to defer the motion to amend until the next regular committee meeting, and (iii) approve the motion to amend at the next meeting, after further discussion (if desired by the Committee). Therefore, staff recommends that the Committee move to approve the amended Planning Committee Rules attached hereto, and then approve a motion to defer the main motion to the next regular meeting of the Planning Committee.

REVIEW BY OTHERS: Executive Director and Legal Counsel.

PRESENTER: Alex Ty Kovach

**LAKE COUNTY FOREST PRESERVE DISTRICT
LAKE COUNTY, ILLINOIS**

**AN ORDINANCE APPROVING
PLANNING COMMITTEE RULES**

WHEREAS, the Planning Committee is a standing committee of the Lake County Forest Preserve District (the "District"); and

WHEREAS, Article V, Section I of the Rules of Order and Operational Procedures for the District states that a standing committee may adopt and amend its own Rules of Procedure ("Rules"), subject to the approval of the Board of Commissioners; and

WHEREAS, the Planning Committee has reviewed and approved a proposed set of Rules, attached hereto as Exhibit "A," and has presented the Rules for approval to the Board of Commissioners;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois THAT:

Section 1. Recitals. The recitals set forth above are incorporated as part of this Ordinance by this reference.

Section 2. Approval of Rules. The Rules of the Planning Committee, attached hereto as Exhibit "A", are hereby approved.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this ____ day of _____, 2017.

AYES:

NAYS:

APPROVED this ____ day of _____, 2017.

Ann B. Maine, President
Lake County Forest Preserve District

ATTEST:

Julie A. Gragnani, Secretary

Exhibit No. _____

LAKE COUNTY FOREST PRESERVE DISTRICT

PLANNING COMMITTEE RULES

I. MEETINGS - SCHEDULE AND LOCATION

- A. The Planning Committee (the “Committee”) of the Lake County Forest Preserve District (the “District”) shall schedule and hold its regular and special meetings, and publish, post, and distribute notices and agendas of such meetings, in accordance with the Illinois Open Meetings Act, 5 ILCS 120/1 et seq. (the “Act”). The Committee shall hold its regular meetings at the District’s General Offices, 1899 W. Winchester Rd, Libertyville, Illinois (the “General Offices”), or at another location properly noticed. The schedule of the Committee’s regular meetings is established by the District’s Board of Commissioners (the “Board”) and attached to the Boards Rules of Order and Operational Procedures (the “Board Rules”).
- B. When it appears to the Chair of the Committee (the “Chair”) that a scheduled meeting will lack a quorum, as defined in Section II hereof, the Chair shall cancel such meeting and notify the Committee Secretary of such cancellation. The Committee secretary shall then notify the Committee members and the media, including media which have filed a request for such information, and post notice of such cancellation at the General Offices.
- C. The Chair may call a special meeting of the Committee by notifying the Committee Secretary of his or her intent to call a special meeting. The Secretary shall then provide and post a notice and agenda of such meeting, not less than forty-eight (48) hours in advance of such meeting, to the Committee members and the media, including media which have filed a request for such information.

II. QUORUM

A quorum of the Committee shall be as defined in the Board Rules.

III. ORDER OF BUSINESS

- A. The agenda and order of business of each regular meeting of the Committee shall be as follows, unless the Chair determines that the best interests of the Committee dictate otherwise: (1) call to order, (2) pledge of allegiance, (3) approval of minutes, (4) public comment, (5) addenda to the agenda, (6) correspondence, (7) bills and requisitions, (8) new business, (9) old business, (10) executive session, (11) potential final action following executive session, (12) next meeting, and (13) adjourn.

The Committee shall approve closed session minutes in open session. However, the Committee may discuss the substance of closed session minutes, including any correction thereof, only in closed session.

- B. Each agenda for a Committee meeting shall be prepared by the Chief Operations Officer and reviewed by the Director of Planning and Land Preservation (the “Department Director”), Executive Director, the Chair, and the President. The Chief Operations Officer shall prepare the agenda for each meeting, subject to the review and approval of the Executive Director, the Chair, and the President of the District. Agenda items and documents for Committee meetings shall be prepared by or at the direction of (i) a Director of a District Department (a “Director”), subject to the review and approval of the Chief Operations Officer or (ii) the Chief Operations Officer. If, during such review, there is a difference of opinion regarding an item or document on the Committee agenda, the President shall have the authority to make the final decision with respect to that item or document on the agenda. If a Committee member other than the Chair or President desires to discuss a specific matter at a meeting that will not be on the agenda for that meeting, such matter will be discussed at the meeting only if the Committee member first requests the Executive Director or Department Director to include such matter on the agenda within a time sufficient for the agenda to be reviewed as set forth in this Section and to be posted in accordance with the Act.

IV. CLOSED MEETINGS AND SESSIONS

- A. The Committee shall conduct all closed meetings and sessions in compliance with the Act. Attendance at closed meetings or sessions is limited only to (1) the Committee, (2) other Board Commissioners, (3) the Committee secretary, (4) Corporate Counsel (“Counsel”), (5) the Executive Director, (6) the Chief Operations Officer, (7) the Directors, (8) District consultants allowed to attend by the Committee, (9) other District staff selected to attend by the Executive Director, and (10) other individuals allowed by the Committee, including, when an interest in real estate is being considered for potential acquisition and is to be discussed, the owners of the property in which the interest is located (a “Property”) or their agents (collectively, the “Owner”), who may attend only that portion of the closed session devoted to such Property.
- B. At least twice annually, pursuant to the Act, the Committee shall meet in closed session to review all minutes of closed sessions not previously released to the public. At each such meeting, the Committee shall make one of the following determinations with respect to each set of minutes: (1) that all of such minutes must remain confidential, (2) that all of such minutes no longer require confidential treatment and may be made available for public inspection, or (3) that part of such minutes must remain confidential and part of such minutes no longer require confidential treatment and may be made available for public inspection. The Committee shall report the results of these determinations in open session.
- C. All attendees of a closed meeting or session shall hold all information discussed or presented therein strictly confidential. No person who cannot or will not comply with this requirement may attend a closed meeting or session. If any member of the Committee willfully violates the confidentiality requirements of this Section IV.C to the detriment of the District, the Chair may recommend to the President that such member be replaced in accordance with the Board Rules. If any other attendee violates the confidentiality requirements of this Section IV.C to the detriment of the District,

the Chair may bar such attendee from future attendance of closed meetings or sessions. If a member of the District staff violates the confidentiality requirements of this Section IV.C, such violation shall be grounds for disciplinary action under the District personnel policies then in effect. A District staff member's communication of confidential information to another person is not a violation to the extent such communication was (1) authorized by the Committee or (2) made to another person authorized to attend a closed session and such communication is necessary or desirable for the staff member to carry out his or her duties and was not otherwise prohibited by the Committee.

V. ABSENCE OF CHAIR

- A. In the absence of the Chair, the Vice-Chair of the Committee shall preside at Committee meetings.
- B. In the absence of both the Chair and the Vice-Chair, the members present shall select a Chair pro tem to act as the Chair for such meeting.

VI. SUBCOMMITTEES

From time to time, the Chair may (1) create subcommittees of the Committee as necessary or appropriate, with the concurrence of the Committee and (2) appoint members of the subcommittee.

VII. ACTION

- A. The Committee may take action by voice vote, except when a roll call is required by law or requested by any member, in which case it shall take action by a roll call vote. During each roll call vote, the Committee secretary shall record each vote by each Committee member as an "aye," "nay," or "abstain."
- B. Any member casting a minority voice vote may direct the Committee secretary to so record the vote.
- C. A motion to recommend to the Board that it approve an ordinance or resolution will be deemed approved by the Committee only if a concurring majority of the members of the Committee present at the meeting at which the motion is made (including the President if he or she is authorized by the Board Rules to vote) vote in favor of the motion. All others motions will be deemed approved by the Committee only if an affirmative majority of the members present at the meeting (including the President if he or she is authorized by the Board Rules to vote) vote in favor of the motion.

VIII. ACQUISITION OF PROPERTY

- A. A proposal to acquire an interest in Property may be submitted for Committee consideration in closed session by any of the following:

- (1) Members of the Committee,
 - (2) District Commissioners, or
 - (3) the Executive Director.
- B. Before approving a motion to recommend to the Board that it acquire an interest in Property, the Committee shall first refer the matter of acquiring such interest to the District Planning and Land Preservation Department (the “Department”) so that the Department may conduct a review of the Property, its suitability for District purposes, and other relevant facts and considerations related to such acquisition. The Committee or Department may also refer the matter of acquiring such interest to Counsel for preliminary legal analysis related to the Property.
- C. To assist in its review, the Department may obtain information pertinent to the interest in Property that is proposed to be acquired including but not limited to:
- (1) Analysis of overall ecological value of the Property, based on a qualitative and quantitative study and description of the site, including information on flora, fauna, soils, geology, extent of wetlands, floodplains and drainage,
 - (2) Analysis of the pre-settlement plant community and determination of whether the Property can be returned to its original state,
 - (3) Analysis of on-site and off-site planning and cultural and natural conditions of the Property,
 - (4) Analysis of public access opportunities and trail connections
 - (5) Compliance with the District’s adopted Land Acquisition Plan goals and policies,
 - (6) Maps, plats, and aerial photographs,
 - (7) Revenue-generating potential and overall operations and maintenance costs of the Property;
 - (8) An appraisal of the Property (if authorized by the Committee),
 - (9) Any additional information regarding market value of the interest to be acquired in the Property or comparable interests, funding availability to acquire the interest, or alternative acquisition strategies,
 - (10) Information regarding possible environmental hazards of the Property, including information based on a site and aerial investigation,
 - (11) Ownership information for the Property based on tax records, recorded conveyances, and title information, and
 - (12) Other information necessary or desirable to complete the Department’s analysis and review.

LAKE COUNTY FOREST PRESERVE DISTRICT
LAND PRESERVATION AND ACQUISITION
PLANNING COMMITTEE RULES

I. MEETINGS - SCHEDULE AND LOCATION

- A. ~~The Land Preservation and Acquisition~~ The Planning Committee (the “Committee”) of the Lake County Forest Preserve District (the “District”) shall schedule and hold its regular and special meetings, and publish, post, and distribute notices and agendas of such meetings, in accordance with the Illinois Open Meetings Act, 5 ILCS 120/1 et seq. (the “Act”). The Committee shall hold its regular meetings at the District’s General Offices, 1899 W. Winchester Rd, Libertyville, Illinois (the “General Offices”), or at another location properly noticed. The schedule of the Committee’s regular meetings is established by the District’s Board of Commissioners (the “Board”) and attached to the Boards Rules of Order and Operational Procedures (the “Board Rules”).
- B. —When it appears to the Chair of the Committee (the “Chair”) that a scheduled meeting will lack a quorum, as defined in Section II hereof, the Chair shall cancel such meeting and notify the Committee Secretary of such cancellation. The Committee secretary shall then notify the Committee members and the media, including media which have filed a request for such information, and post notice of such cancellation at the General Offices.
- C. —The Chair may call a special meetingsmeeting of the Committee by notifying the Committee Secretary of his or her intent to call a special meeting. The Secretary shall then provide and post a notice and agenda of such meeting, not less than forty-eight (48) hours in advance of such meeting, to the Committee members and the media, including media which have filed a request for such information.

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- A. The agenda and order of business of each regular meeting of the Committee shall be as follows, unless the Chair determines that ~~there is a special circumstance that dictates~~ the best interests of the Committee dictate otherwise: (1) call to order, (2) pledge of allegiance, (3) approval of minutes, (4) public comment, (5) addenda to the agenda, (6) correspondence, (7) bills and requisitions, (8) new business, (9) old business, (10) executive session, (11) potential final action ~~regarding land acquisition~~ following executive session, (12) next meeting, and (13) adjourn.

The Committee shall approve closed session minutes in open session. However, the Committee may discuss the substance of closed session minutes, including any correction thereof, only in closed session.

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direction of (i) a Director of a District Department (a “Director”), subject to the review and approval of the Chief Operations Officer or (ii) the Chief Operations Officer. If, during such review, there is a difference of opinion regarding an item or document on the Committee agenda, the President shall have the authority to make the final decision with respect to that item or document on the agenda. ~~-If a Committee member other than the Chair or President desires to discuss a specific matter at a meeting, he or she shall request that will not be on the agenda for that meeting, such matter will be discussed at the meeting only if the Committee member first requests the Executive Director or Department~~ Director to include such matter on the agenda within a time sufficient for the agenda to be reviewed as set forth in this Section and to be posted in accordance with the Act.

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C. To assist in its review, the Department may obtain information pertinent to the interest in Property that is proposed to be acquired including but not limited to:

- (1) Analysis of overall ecological value of the Property, based on a qualitative and quantitative study and description of the site, including information on flora, fauna, soils, geology, extent of wetlands, floodplains and drainage,
- (2) Analysis of the pre-settlement plant community and determination of whether the Property can be returned to its original state,
- (3) Analysis of on-site and off-site planning and cultural and natural conditions of the Property,
- (4) Analysis of public access opportunities and trail connections
- (5) Compliance with the District's adopted Land Acquisition Plan goals and policies,
- (56) Maps, plats, and aerial photographs,
- (67) Revenue-generating potential and overall operations and maintenance costs of the Property;
- (8) An appraisal of the Property (if authorized by the Committee),
- (89) Any additional information regarding market value of the interest to be acquired in the Property or comparable interests, funding availability to acquire the interest, or alternative acquisition strategies,
- (910) Information regarding possible environmental hazards of the Property, including information based on a site and aerial investigation,
- (1011) Ownership information for the Property based on tax records, recorded conveyances, and title information, and
- (112) Other information necessary or desirable to complete the Department's analysis and review.

D. After such information is gathered, the Executive Director, the Department Director, and when appropriate, Counsel- or authorized consultants, shall present a preliminary report to the Committee in closed session.

E. If the Committee determines that an appraisal is appropriate, it shall direct the Executive Director to obtain an appraisal either prior to or after the ~~Staff's~~District staff's review pursuant to Section VIII.C. If the Executive Director determines that the delay resulting from seeking direction from the Committee to obtain an appraisal might, in light of timing constraints, jeopardize the District's ability to acquire an interest in Property, the ~~Committee~~ Chair and the President of the District can collectively authorize the Executive Director to obtain an appraisal. If such authorization is given, the Executive Director shall notify the Committee members of such authorization at the next scheduled Committee meeting. The Executive Director and, ~~(if directed by the Committee,-),~~ Department Director, Counsel, ~~Staff~~District staff, and consultants, shall review each appraisal for compliance with appraisal specifications, legal requirements and computations.