

**ROCK ISLAND COUNTY FOREST PRESERVE COMMISSION
JANUARY 17, 2023 – 5:51 PM
VICE-CHAIRMAN LUIS MORENO - REPORTING**

1. Karen Kinney, County Clerk, called the roll: (Record)

D. Adams, R. Brunk, L. Burns, C. Enburg, T. Foster, C. Layer, P. McNeil, D. Mielke, L. Moreno, M. Moreno-Baker, R. Morthland, B. Perkins, R. Simmer, E. Sowards, K. Swanson, B. Vyncke, J. R. Westpfahl, J. Woods

TOTAL PRESENT 18

E. Dewith

TOTAL ABSENT 1

2. President Swanson stated, "Okay, thank you. Next on the Agenda, we have Jerry Lack who will be doing a presentation. He is the Illowa co-chair. He is one of the hardest-working and most committed Members in Rock Island County."

Mr. Lack answered, "Thank you. Good evening. I would like to thank you for providing me a few minutes to discuss the benefits of utilizing the Illowa Construction Labor Management Council Project Labor Agreement, known as IMPACT. I hope you will consider using it for your future construction projects. First, I would like to provide some information for those of you that are not familiar with Illowa Labor Project Labor Agreements. Illowa was formed in 1985 by the Members of the Tri-City Building Trades Council in our area Contractors like Russel and Estes in our various contractor's association to enhance our relationships and improve quality operations between labor and management in the construction industry. Illowa has 20 Board Members comprised of ten labor and ten management representatives to assist in completing construction projects in a more efficient and timely manner with the highest quality and productivity, the Illowa council developed the IMPACT Agreement. The IMPACT Agreement is referred to as a project/labor agreement (PLA) in simple terms, the IMPACT is a Business Plan for construction projects. The Business Plan brings together the owners and developers, contractors, sub-contractors and multiple labor organizations to align each parties' goals and expectations for those construction projects. IMPACT works to deliver the highest quality and productivity that is in place so that a construction project can be completed on time and on budget. IMPACT provides the owners and developers with the best value and many benefits such as coordination and all-site contractors, sub-contractors, and trade members in a single agreement; which establishes uniform terms and conditions for the construction projects. So, with IMPACT, instead of an owner or general contractor dealing with 16 different construction and trade agreements...under IMPACT, they are covered under one agreement that provides uniformity throughout the project. IMPACT can also be referred to as a community workforce agreement because it utilized these skilled Members of the Tri-City Building Trades

Council and are local area professional contractors. IMPACT provides access to a pool of highly -trained and skilled professional trade Members from the building trades. These workers have completed the Joint Union Contractor Apprenticeship Training Program and have top-notch training in workplace safety, and receive continual training on new technologies in construction. IMPACT also provides owners the opportunity to employ local workers and contractors on construction projects. Thereby helping stimulate the area economy and keep our tax dollars local. With IMPACT, owners and developers have the assurance that the construction projects will be managed by highly qualified general contractors and sub-contractors and that they have these contractors have years of experience with stellar reputations completing quality construction projects throughout the area. Illowa has entered into over 600 IMPACT agreements. IMPACT has been used repeatedly by both the private and public sectors as well as the non-profit organizations. Local users of the Agreement include Deere & Company, Vonmaur, Isle of Capri, Quad City Bank & Trust, educational institutions such as St. Ambrose University, Augustana College and Blackhawk College have all utilized the Agreement for both new construction and renovation projects. Moline, Rock Island, UTHS and Silvis and other area High Schools and School Districts have all used IMPACT to make sure that construction projects that have tight deadlines over the summers get completed on time and on schedule. For city governments, county governments of also used the IMPACT Agreement to complete numerous construction projects. For example, the City of Rock Island has used the IMPACT Agreement for Schwiebert Park, the police station, the Wastewater Treatment and Filter Plants and Rock Island County here used the IMPACT Agreement for the Courthouse Annex, the Emergency Response Center, Hope Creek Care Center when it was built and even renovations of the Indian Bluff Golf Course. And, if you look close by here, down the street over here...we've got the new Federal Building under construction, the YWCA and the Rock Island School Districts Admin and Central Kitchen Area are all using the IMPACT Agreement. We also, as I mentioned, the non-profit organizations such as Cassai, VeroFresh, Arc of the Quad Cities and the Red Cross have also used the IMPACT Agreement. And of course, our area Hospitals, Genesis, Unity Point Health/Trinity are probably some of the biggest users of the Agreement. The IMPACT Agreement is very unique in that it is co-written by both Labor and Management. Most PLA's across the country just have Labor Organizations write the agreement. I think we are the only one in the whole United States that has both labor and management writing the agreement. In addition, IMPACT provides stringent production and safety standards, e.g., several IMPACT projects have entered into OSHA Partnerships and under the OSHA Partnership Agreement, OSHA is invited to inspect our construction sites, perform safety audits and tell us what we can do to make our construction sites even safer. Finally, a number of academic institutions have also conducted studies and reaffirm the benefits of project/labor agreements like IMPACT like Cornell University they concluded that PLA's are efficient instruments for workforce, community and economic development. They bring local workers in the projects that spend money locally again so your tax dollars aren't leaving the area and they are

helping to stimulate the economy. PLA's also make sense for construction projects because they reduce the risk of poor work, costly disruptions and encourage greater deficiency in productivity. There is no cost to use the Agreement. In fact, the IMPACT Agreement helps attract the more reputable and quality contractors and bidders. The Agreement also guarantees no work stoppages or strikes. Each year, several trades negotiate new contracts with their signatory contractors and if a strike or labor dispute occurs, IMPACT projects continue regardless of any labor strike. In closing, I would like to strongly encourage you to use the IMPACT Agreement for future projects with the Forest Preserve or even the county. Again, we always say...when it's union built, its quality built. And, I think you see the quality all throughout the community when you look at an IMPACT project. Thank you. I'll take any questions that you have."

Mr. L. Moreno stated, "You forgot to mention Arrowhead Ranch." (chuckles)

Mr. L. Moreno stated, "Any questions for Jerry? Seeing none, thank you, Jerry. I really appreciate it."

3. Commissioner Mielke moved to approve the December 20, 2022, Commission Minutes, as presented. Commissioner Simmer seconded.

A roll call vote was taken.

D. Adams, R. Brunk, L. Burns, C. Enburg, T. Foster, C. Layer, P. McNeil, D. Mielke, L. Moreno, M. Moreno-Baker, R. Morthland, B. Perkins, R. Simmer, E. Sowards, K. Swanson, B. Vyncke, J. R. Westpfahl, J. Woods

TOTAL YES 18

TOTAL NO 0

Motion carried.

4. **PUBLIC COMMENTS (NONE)** Three calls were made for Public Comment.

5. **PRESIDENTS COMMENTS:**

Vice Chair L. Moreno stated, "Winter maintenance is in full swing at all facilities. Some of the exciting projects are on the horizon and just looking at the logistics of the shelter rentals. Does anyone have any questions?"

President Swanson was recognized.

Mr. Swanson stated, "Dr. Moreno?"

Mr. Moreno answered, "Yes?"

Mr. Swanson stated, "First, I want to thank you very much for stepping in. It's a great testament to the deep bench we have in the Forest Preserve Executive Committee and Forest Preserve Commission. I am grateful for your leadership and I really wish I could be there with you, but right now I am sequestered to the bedroom, trying not to breathe any of the same air molecules that my spouse does and hopefully, will pull that off. But, just a couple of quick things. First, I am very grateful for Mr. Lack...he has probably stepped out of the chambers by now, but I would add to the Members of the Commission that in my 35 plus years at my employer; which has used IMPACT Agreements, I can attest that there is...a definite value add and I am grateful to Jerry and his team that he is very frank with the professional staff of the Forest Preserve District as to when that will be the case for an IMPACT and when they think they will be a strong value at and also, to be very frank, when a particular project that might require a certain level of specialty at the zoo or something like that. Illowa was very frank about when it might not have considerable impact. I just want to thank him for that and encourage my fellow Commission Members to think about that as we move forward. And then lastly, this is more of an update that I wanted to give you. You know that our Niabi Zoo Citizens Advisory Board has continued to do its work and has kind of evolved seeing that the primary need for the zoo is philanthropy support throughout the community. And so, they sponsored the creation of a foundation. Now based on their conversations with the District staff and others, they set up that foundation with a very long and cumbersome name that included all Forest Preserves in the District, even though....pardon me...we strongly suspected that most of its fundraising would be zeroed in on the zoo. And, um...I think that has been the case as they have been at it now for some time. So, what they have done...the foundation, the Niabi Zoo Foundation is, they are not going to touch their by-laws at all. They will still be able to raise and accept funds for the other Forest Preserves, but in a recognition of reality, they are going to streamline their name to the Niabi Zoo Foundation. Um, and so...they are working with Rock Island attorney, Mark Schwiebert, who is very generous with his time and support of this effort. And, it's not the kind of a thing because it is an independent body that we are seeking in a way of approval from the Commission...but I wanted to update you on that because all of that started by the good governance work that this Commission did in years past. And, I wanted to give an opportunity if anyone has any questions or concerns about this evolution, I would be very happy to address those now or anytime in the future. And with that Mr. Chair...I appreciate you letting me barge in for a moment."

Vice Chair L. Moreno stated, "Thank you, not a problem. Does anyone have any questions for Kai? Hearing none, we'll move on."

6. Commissioner Simmer moved to approve the Forest Preserve Claims and Treasurer's Disbursements in the amount of \$255,787.40, as presented. Commissioner Sowards seconded.

Commissioner Layer moved to approve the previous roll call vote. Commissioner Morthland seconded.

D. Adams, R. Brunk, L. Burns, C. Enburg, T. Foster, C. Layer, P. McNeil, D. Mielke, L. Moreno, M. Moreno-Baker, R. Morthland, B. Perkins, R. Simmer, E. Sowards, K. Swanson, B. Vyncke, J. R. Westpfahl, J. Woods

TOTAL YES 18

TOTAL NO 0

Motion carried.

7. Commissioner Burns moved to waive the reading and approve the Transfers of Appropriations, as presented. Commissioner Mielke seconded.

Commissioner Foster moved to approve the previous roll call vote. Commissioner Moreno-Baker seconded.

D. Adams, R. Brunk, L. Burns, C. Enburg, T. Foster, C. Layer, P. McNeil, D. Mielke, L. Moreno, M. Moreno-Baker, R. Morthland, B. Perkins, R. Simmer, E. Sowards, K. Swanson, B. Vyncke, J. R. Westpfahl, J. Woods

TOTAL YES 18

TOTAL NO 0

Motion carried.

8. Commissioner Burns moved to waive the reading and approve the Resolution RE: Semi-Annual Review of Closed Session Minutes, as presented. Commissioner Vyncke seconded.

(Note** The Resolution is in a .pdf format and begins on the next page.)

Resolution

Rock Island County Forest Preserve District
Re: Open Meetings Act Review of Minutes of a Meeting Lawfully Closed

WHEREAS, the Rock Island County Forest Preserve Commission strictly adheres to all provisions of the Open Meetings Act as defined in 5 ILCS 120; and

WHEREAS, 5 ILCS 120/2.06(c), calls for periodic review of minutes of meetings lawfully closed to determine if the need for confidentiality still exists as to all or part of these minutes or that the minutes or portions therefor no longer require confidential treatment and are available for public inspection; and

WHEREAS, during regular committee meetings held during the month of January, 2023; Rock Island County Forest Preserve has reviewed minutes of closed meetings for all previously held closed sessions.

NOW, THEREFORE, BE IT *RESOLVED* that the following meeting minutes have been determined to contain matters where the need for confidentiality still exists:

<u>Date of Meeting</u>	<u>Reason for Closed Session</u>
08-08-1986	Personnel
12-05-1986	Personnel
02-08-1991	Personnel & Potential Liability
07-10-1992	Personnel
02-05-1993	Investments contracts
05-07-1993	Personnel
08-15-1995	Personnel
08-05-2005	Litigation
09-30-2010	Personnel
10-08-2010	Personnel
12-03-2010	Personnel
03-04-2011	Personnel
04-05-2012	Personnel
06-05-2012	Personnel
06-07-2012	Personnel
06-08-2012	Personnel
06-27-2012	Personnel
06-28-2012	Personnel
10-15-2012	Litigation & Personnel
07-11-2013	Personnel
09-12-2013	Litigation
11-14-2013	Litigation & Personnel
12-12-2013	Litigation & Personnel
01-16-2014	Litigation
11-13-2014	Personnel
02-11-2015	Personnel
04-16-2015	Personnel
10-14-2015	Personnel
11-10-2015	Personnel
02-16-2016	Potential Litigation
03-17-2016	Personnel
04-12-2016	Personnel

06-15-2016	Litigation
01-10-2017	Litigation
04-11-2017	Litigation
01-09-2018	Personnel
11-13-2018	Personnel & Land Acquisition
02-11-2020	Personnel
12-15-2020	Litigation
07-13-2021	Land Acquisition
07-20-2021	Land Acquisition
10-13-2021	Negotiations
01-11-2023	Land Acquisition

This *Resolution* to become effective immediately after passage. Minutes of those meetings determined to be made available for public inspection will be released as per the Open Meetings Act 5 ILCS 120/2.06(b).

DONE IN OPEN MEETING THIS 20th DAY OF JANUARY, 2023

Kai Swanson
President, Rock Island County
Forest Preserve Commission

Karen Kinney
Secretary, Rock Island County
Forest Preserve Commission

Commissioner Layer moved to approve the previous roll call vote. Commissioner Morthland seconded.

D. Adams, R. Brunk, L. Burns, C. Enburg, T. Foster, C. Layer, P. McNeil, D. Mielke, L. Moreno, M. Moreno-Baker, R. Morthland, B. Perkins, R. Simmer, E. Sowards, K. Swanson, B. Vyncke, J. R. Westpfahl, J. Woods

TOTAL YES 18

TOTAL NO 0

Motion carried.

9. Vice Chair L. Moreno stated, "Folks, we have seven Resolutions next. I am wondering if anyone is interested in doing an omnibus vote? Is there any objection to an omnibus vote on any of the items? If there is, I can pull that one out. I am not seeing any objections. So, folks we'll have a motion to approve the listed Resolutions by omnibus vote. Is there motion to approve? Oh, there is a lot of hands going up. Motion by Dr. Simmer and seconded by Mr. Burns. Any comments questions or concerns? Seeing none. Motion to do the previous roll call by Mr. Layer and seconded by Ms. Enburg. All those in favor signified by saying Aye."

Ms. Winstead asked, "Mr. Moreno, may we please read each of those for the record so we know what's being approved."

Vice Chair L. Moreno answered, "Oh, yes! I'm sorry...I will read them for the record."

(Vice Chair L. Moreno read the following seven Resolutions)

Resolution RE: The Donation of a Red Wolf statue

Resolution regarding the Zoo Foundation Reimbursements for a White Rhino Exhibit

Resolution RE: Appropriations for AMOWA Forest Preserve

Resolution RE: Receipt of a Seed Donation

Resolution RE: Niabi Fund African Painted Dog Grant Appropriations

Resolution RE: Defining a Responsible Bidder

Vice Chair L. Moreno stated, "And thank you for that clarification, my first omnibus vote. Any comments, questions or concerns? Hearing none. Signified by saying Aye..."

Ms. Winstead stated, "Did you want to include the DFCI Fund Resolution?"

Vice Chair L. Moreno stated, "Oh, I forgot one! I'm sorry! Thank you! The last one was the motion to approve the Resolution RE: DFCI Fund Illiniwek Recreation Trail Grant Appropriations."

RESOLUTION

FY 2023 Niabi Zoo Fund Appropriation – Red Wolf Statue Donation

WHEREAS, Niabi Zoo accepted a Red Wolf statue with an estimated value of \$1,200.00, and

WHEREAS, the value of the donation requires the item to be recorded as a fixed asset of the District, and

NOW, THEREFORE, BE IT RESOLVED by the Forest Preserve Commission of Rock Island County, Rock Island, Illinois, as follows:

SECTION 1. An emergency exists as outlined above.

SECTION 2. Revenues in the amount of \$1,200.00 shall be increased from the Niabi Zoo Fund #131 to the following:

AMOUNT	APPROPRIATION	DESCRIPTION
\$1,200.00	131-32 364.10	Contributions from Private Sources

SECTION 3. Expenditures in the amount of \$1,200.00 shall be increased from the Niabi Zoo Fund #131 to the following:

AMOUNT	APPROPRIATION	DESCRIPTION
\$1,200.00	131-32-10 764.00	Machine & Equipment \$1,000-4,999

SECTION 4. This resolution to become effective immediately.

ADOPTED by the Rock Island County Forest Preserve Commission, Rock Island County, Illinois, this 17th day of January, 2023.

Kai Swanson, President
Forest Preserve Commission

Karen Kinney, Secretary
Forest Preserve Commission

RESOLUTION

FY 2023 Niabi Zoo Fund Appropriations – Zoo Foundation Reimbursements

WHEREAS, installation of a new gate at the rhino exhibit was required, and

WHEREAS, funds were not appropriated for the rhino gate, and

WHEREAS, a request for funds was made to the Niabi Zoo Foundation and accepted, and

NOW, THEREFORE, BE IT RESOLVED by the Forest Preserve Commission of Rock Island County, Rock Island, Illinois, as follows:

SECTION 1. An emergency exists as outlined above.

SECTION 2. Revenues in the amount of \$24,289.01 shall be increased from the Niabi Zoo Fund #131 to the following:

AMOUNT	APPROPRIATION	DESCRIPTION
\$24,289.01	131-32 364.10	Contributions from Private Sources

SECTION 3. Expenditures in the amount of \$24,289.01 shall be increased from the Niabi Zoo Fund #131 to the following:

AMOUNT	APPROPRIATION	DESCRIPTION
\$24,289.01	131-32-08 767	Infrastructure over \$15,000

SECTION 4. This resolution to become effective immediately.

ADOPTED by the Rock Island County Forest Preserve Commission, Rock Island County, Illinois, this 17th day of January, 2023.

Kai Swanson, President
Forest Preserve Commission

Karen Kinney, Secretary
Forest Preserve Commission

RESOLUTION

FY 23 Amôwa Forest Preserve Parking Area Design & Construction Documents Appropriations

WHEREAS, the District acquired three new properties now named Amôwa Forest Preserve, and

WHEREAS, development of the property has begun with design of public parking areas with progress payments due, and

WHEREAS, construction documents are in progress and a bid letting is expected in January of 2023, and

WHEREAS, additional funds beyond the adopted appropriations of Personal Property Replacement Taxes are expected to be received in FY 23, and

NOW, THEREFORE, BE IT RESOLVED by the Forest Preserve Commission of Rock Island County, Rock Island, Illinois, as follows:

SECTION 1. An emergency exists as outlined above.

SECTION 2. Expenditures in the amount of \$26,000.00 shall be increased from the General Fund #130 to the following:

AMOUNT	APPROPRIATION	DESCRIPTION
\$26,000.00	130-32-90 765	Construction in Progress

SECTION 3. Revenues in the amount of \$26,000.00 shall be increased from the Niabi Zoo Fund #131 to the following:

AMOUNT	APPROPRIATION	DESCRIPTION
\$26,000.00	130-32-10 335.15	Personal Property Replacement Tax

SECTION 4. This resolution to become effective immediately.

ADOPTED by the Rock Island County Forest Preserve Commission, Rock Island County, Illinois, this 17th day of January 17, 2023.

Kai Swanson, President
Forest Preserve Commission

Karen Kinney, Secretary
Forest Preserve Commission

RESOLUTION

RE: Forest Preserve General Fund Receipt of Non-cash Donation

WHEREAS, additional funds are required in the Forest Preserve General Fund #130 to increase the budget for the Illiniwek Forest Preserve for the Fiscal Year 2023, and

WHEREAS, a donation of seed was received and required to be recorded as a non-cash revenue & expense from the US Fish & Wildlife Service to be planted at Amôwa Forest Preserve, and

NOW, THEREFORE, BE IT RESOLVED by the Forest Preserve Commission of Rock Island County, Rock Island, Illinois, as follows:

SECTION 1. An emergency exists as outlined above.

SECTION 2. An amount of \$24,866.23 be appropriated from the non-cash donation to General Fund #130 to the following:

AMOUNT	APPROPRIATION	DESCRIPTION
\$24,866.23	130-32-90 334.11 AMUSF23-00-36411	Donations from Federal Funds

SECTION 3. An amount of \$24,866.23 be appropriated from the seed donated to General Fund #130 to the following:

AMOUNT	APPROPRIATION	DESCRIPTION
\$24,866.23	130-32-90 522.00 AMSUF23-40-522	Operating Supplies

SECTION 4. This resolution to become effective immediately.

ADOPTED by the Rock Island County Forest Preserve Commission, Rock Island County, Illinois, this 17th day of January, 2023.

Kai Swanson, President
Forest Preserve Commission

Karen Kinney, Secretary
Forest Preserve Commission

RESOLUTION

FY 2023 Niabi Zoo Fund African Painted Dog Grant Appropriations

WHEREAS, Niabi Zoo was awarded \$233,000.00 from the Illinois Department of Commerce & Economic Opportunity Tourism Grant program to construct a new African Painted Dog exhibit, and

WHEREAS, the Illinois Department of Commerce & Economic Opportunity Tourism Grant program is a reimbursable grant, and

WHEREAS, architectural and construction document work has been performed, and

NOW, THEREFORE, BE IT RESOLVED by the Forest Preserve Commission of Rock Island County, Rock Island, Illinois, as follows:

SECTION 1. An emergency exists as outlined above.

SECTION 2. Expenditures in the amount of \$35,300.00 shall be increased from grant revenue to be received in the Niabi Zoo Fund #131 to the following:

AMOUNT	APPROPRIATION	DESCRIPTION
\$35,300.00	131-32-35 767 TAFGP23	Infrastructure over \$15,000

SECTION 3. Revenues in the amount of \$35,300.00 shall be increased from the Niabi Zoo Fund #131 to the following:

AMOUNT	APPROPRIATION	DESCRIPTION
\$35,300.00	131-32-35 331.70 TAFGP23	Federal Grants

SECTION 4. This resolution to become effective immediately.

ADOPTED by the Rock Island County Forest Preserve Commission, Rock Island County, Illinois, this 17th day of January, 2022.

Kai Swanson, President
Forest Preserve Commission

Karen Kinney, Secretary
Forest Preserve Commission

Resolution

Re: Responsible Bidder

WHEREAS, the Rock Island County Forest Preserve District seeks to ensure best practices are adopted and maintained in all of its operations, and

WHEREAS, the Forest Preserve Commission wishes to put forth a standard which defines a responsible bidder, and

NOW, THEREFORE, BE IT RESOLVED by the Forest Preserve Commission of Rock Island County, Illinois, that the following definition be adopted:

Defining Responsible Bidder

A responsible bidder shall be defined, in the case of bidders, for construction projects of new facilities or renovation of current facilities, infrastructure and road projects over \$30,000 under the jurisdiction of the Forest Preserve District. The Forest Preserve Commission of Rock Island County may consider the following in its determination:

- A. Certificate/proof to transact business within the State of Illinois per 805 ILCS 5/13 of the Business Corporation Act of 1983.
- B. Evidence of compliance with:
 1. Federal Employer Tax Identification Number or Social Security Number (for individuals) through the submission of a W-9 to the District.
 2. Provisions of Section 2000(e) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246 as amended by Executive Order No. 11375 (known as the Equal Opportunity Employer provisions).
- C. Certificate of insurance indicating the following coverages with each project bid which include general liability, worker's compensation, completed operations, automobile, hazardous occupation, product liability and professional liability.
- D. Compliance with all provisions of 820 ILCS 130 Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance, and retirement for those trades as covered in the Act.
- E. Participation in apprenticeship and training programs applicable to the work performed on the project which are approved and registered with the United States Department of Labor's Apprenticeship and Training.
- F. The provisions of this Resolution shall not apply to federally funded projects, Illinois Department of Transportation, any grants or awarded funds to the District if such application would jeopardize the receipt or use of funds in support of such a project.
- G. Disclosure of the names and address of each subcontractor from whom the contractor has accepted a bid and/or intends to hire on any part of such project put forth to bid.
- H. A copy of the contractor's written program for the prevention of substance abuse.

- I. Certification from the bidder that all employees expected to perform work on the project have completed a 10-hour or greater OSHA safety program in the last 5 years. Only workers who have satisfactorily completed a 10-hour or greater OSHA safety program will be allowed to participate in the project. The bidder must have copies of employee OSHA cards on file and the Forest Preserve District may request that the bidder provide copies of employee OSHA cards. Failure to produce an employee's OSHA card may result in a determination that a bidder is not a responsible bidder.
- J. Compliance with any bid or performance bond as required with such project.
- K. Any other factors which are relevant to the determination of a bidder's ability to carry out the requirements of the project in accordance with what may be expected or demanded under the terms of the contract.

It shall be the sole responsibility of the contractor to comply with all the submission requirements stated in such bid documents at the time of submittal of a bid to the Forest Preserve District.

BE IT FURTHER RESOLVED all ordinances or resolutions or parts of such in conflict herewith are hereby repealed insofar as they do so conflict.

BE IT FURTHER RESOLVED that nothing herein hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any rights accrued, or liability incurred or cause or causes of action accrued or existing under any prior Resolution. Nor shall any right or remedy of any character be lost, impaired, or affected by this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect immediately upon adoption.

ADOPTED by the Rock Island County Forest Preserve Commission, Rock Island County, Illinois, this 17th day of January, 2022.

Kai Swanson, President
Forest Preserve Commission

Karen Kinney, Secretary
Forest Preserve Commission

Resolution

Re: Responsible Bidders

Formatted: Font: Bold

Formatted: Bottom: 0.75"

Previously adopted January 15, 2019

WHEREAS, the Rock Island County Forest Preserve District seeks to ensure best practices are adopted and maintained in all of its operations, and

WHEREAS, the Forest Preserve Commission wishes to put forth a standard which defines a responsible bidder, and

NOW, THEREFORE, BE IT RESOLVED by the Forest Preserve Commission of Rock Island County, Illinois, that the following definition be adopted:

Defining Responsible Bidder

A responsible bidder shall be defined, in the case of bidders, for construction projects of -new facilities or renovation of current facilities, infrastructure -and road projects over \$30,000~~25,000~~ under the jurisdiction of the Forest Preserve District, at the District's Niabi Zoo, Indian Bluff Golf Course or parks or preserves under the jurisdiction of the Forest Preserve District. -The Forest Preserve Commission of Rock Island County may consider the following in its determination:

- A. Certificate/proof to transact business within the State of Illinois per 805 ILCS 5/13 of the Business Corporation Act of 1983.
- B. Evidence of compliance with:
 1. Federal Employer Tax Identification Number or Social Security Number (for individuals) through the submission of a W-9 to the District.
 2. Provisions of Section 2000(e) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246 as amended by Executive Order No. 11375 (known as the Equal Opportunity Employer provisions).
- C. Certificate of insurance indicating the following coverages with each project bid which include general liability, worker's compensation, completed operations, automobile, hazardous occupation, product liability and professional liability.
- D. Compliance with all provisions of 820 ILCS 130 Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance, and retirement for those trades as covered in the Act.
- E. Participation in apprenticeship and training programs applicable to the work performed on the project which are approved and registered with the United States Department of Labor's Apprenticeship and Training.
- F. The provisions of this Resolution shall not apply to federally funded projects, Illinois Department of Transportation, any grants or awarded funds to the District if such application would jeopardize the receipt or use of funds in support of such a project.

- G. Disclosure of the names and address of each subcontractor from whom the contractor has accepted a bid and/or intends to hire on any part of such project put forth to bid.
- H. A copy of the contractor's written program for the prevention of substance abuse.
- I. Certification from the bidder that all employees expected to perform work on the project have completed a 10-hour or greater OSHA safety program in the last 5 years. Only workers who have satisfactorily completed a 10-hour or greater OSHA safety program will be allowed to participate in the project. The bidder must have copies of employee OSHA cards on file and the Forest Preserve District may request that the bidder provide copies of employee OSHA cards. Failure to produce an employee's OSHA card may result in a determination that a bidder is not a responsible bidder.
- J. Compliance with any bid or performance bond as required with such project.
- K. Any other factors which are relevant to the determination of a bidder's ability to carry out the requirements of the project in accordance with what may be expected or demanded under the terms of the contract.

It shall be the sole responsibility of the contractor to comply with all the submission requirements stated in such bid documents at the time of submittal of a bid to the Forest Preserve District.

BE IT FURTHER RESOLVED all ordinances or resolutions or parts of such in conflict herewith are hereby repealed insofar as they do so conflict.

BE IT FURTHER RESOLVED that nothing herein hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any rights accrued, or liability incurred or cause or causes of action accrued or existing under any prior Resolution. Nor shall any right or remedy of any character be lost, impaired, or affected by this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect immediately upon adoption.

ADOPTED by the Rock Island County Forest Preserve Commission, Rock Island County, Illinois, this 175th day of January, 202219.

Kai Swanson, President
Forest Preserve Commission

Karen Kinney, Secretary
Forest Preserve Commission

RESOLUTION

RE: FY 23 Illiniwek Recreation Trail Grant Appropriations

WHEREAS, Illiniwek Forest Preserve was awarded \$200,000.00 from the Illinois Recreation Trail Grant program to construct a new restroom facility and make trail improvements, and

WHEREAS, the Illinois Recreation Trail Grant program is a reimbursable grant, and

WHEREAS, engineering and 75% construction document work has been performed for the road and trail work required, and

NOW, THEREFORE, BE IT RESOLVED by the Forest Preserve Commission of Rock Island County, Rock Island, Illinois, as follows:

SECTION 1. An emergency exists as outlined above.

SECTION 2. Expenditures in the amount of \$36,768.13 shall be increased from grant revenue to be received in the DFCI Fund #335 to the following:

AMOUNT	APPROPRIATION	DESCRIPTION
\$36,768.13	335-32-35 765 RTP 23	Construction in Progress

SECTION 3. Revenues in the amount of \$36,768.13 shall be increased in the General Fund #130 to the following:

AMOUNT	APPROPRIATION	DESCRIPTION
\$36,768.13	335-32-35 334.70 RTP23	State Grants

SECTION 4. This resolution to become effective immediately.

ADOPTED by the Rock Island County Forest Preserve Commission, Rock Island County, Illinois, this 17th day of January, 2023.

Kai Swanson, President
Forest Preserve Commission

Karen Kinney, Secretary
Forest Preserve Commission

Commissioner Layer moved to approve the previous roll call vote. Commissioner Enburg seconded.

D. Adams, R. Brunk, L. Burns, C. Enburg, T. Foster, C. Layer, P. McNeil, D. Mielke, L. Moreno, M. Moreno-Baker, R. Morthland, B. Perkins, R. Simmer, E. Sowards, K. Swanson, B. Vyncke, J. R. Westpfahl, J. Woods

TOTAL YES 18

TOTAL NO 0

Motion carried.

(Group laughter)

Vice Chair Moreno stated, "Thank you very much!"

Ms. Winstead answered, "You are very welcome, sir."

Vice Chair Moreno added, "Kai, get back here!"

(Group laughter)

10. Commissioner Foster moved to approve the 2023 user fees for the District, as presented. Commissioner Sowards seconded.

Commissioner Perkins moved to approve the previous roll call vote. Commissioner Moreno-Baker seconded.

D. Adams, R. Brunk, L. Burns, C. Enburg, T. Foster, C. Layer, P. McNeil, D. Mielke, L. Moreno, M. Moreno-Baker, R. Morthland, B. Perkins, R. Simmer, E. Sowards, K. Swanson, B. Vyncke, J. R. Westpfahl, J. Woods

TOTAL YES 18

TOTAL NO 0

Motion carried.

11. Commissioner Morthland moved to approve staff recommendations on the logistical requirements for the Grand Illinois Trail and Support Facility Project at Illiniwek, as presented. Commissioner Adams seconded.

Commissioner Adams was recognized.

Mr. Adams stated, "I would like to see if we could do that...since we had a presentation by Mr. Lack from Illowa. I would like to move that be under an IMPACT Agreement, if the Board feels that's the..."

Vice Chair L. Moreno asked, "Does that need to go back to the Commission first or can we vote on that here?"

Ms. Winstead stated, "That, I do not know."

Mr. Morthland stated, "It's got to be an amendment."

Vice Chair L. Moreno asked, "Kai? Did you hear Mr. Adams? Mr. Adams, could you repeat that on the mic, please? Mr. Adams?"

Vice Chair L. Moreno asked Ms. Kinney, "Is Mr. Adams on?"

Ms. Kinney stated, "Okay, Mr. Adams."

Vice Chair L. Moreno stated, "Go ahead, Mr. Adams."

11a. Mr. Adams reiterated, "I would like to do the Illiniwek Enhancement project under an IMPACT Agreement."

Vice Chair L. Moreno stated, "So, the question I had was Mr. Swanson, is that something we do now or do we take it back to Committee?"

President Swanson stated, "Well, thank you, Mr. Adams. Uh, if Mr. Craver is there, he's been in contact with Mr. Lack and others with the IMPACT organization and I'm not...I think this is one they were pursuing. Mr. Craver, would you mind giving us some insight on this?"

Mr. Craver stated, "Sure. Uh, in your packet, as presented, there are plans for that project at about 75%...they are now at about 99%, and we are in the last little bit of putting together that project to go out to bid. I see no issue, at this point in time if the Board so chooses to instruct me to proceed with that project as an IMPACT Agreement. The same thing should happen if asked for the next item on the agenda."

Vice Chair L. Moreno stated, "So, we have a motion and a second and we need to see if they want to amend their motion and the second to include it as an IMPACT Agreement."

Vice Chair L. Moreno asked Ms. Winstead, "Who are my motion and second?"

Ms. Winstead answered, "Motion by KM...or Mr. Morthland."

Vice Chair L. Moreno asked, "Mr. Morthland do you want to adopt that?"

Mr. Morthland answered, "Sure."

Vice Chair L. Moreno asked, "And, the second was...?"

Ms. Winstead answered, "Mr. Adams."

Vice Chair L. Moreno asked, "Mr. Adams?"

Mr. Adams answered "Sure."

Vice Chair L. Moreno asked, "Are there any other comments, questions or concerns? Hearing none. Motion to adopt the previous roll call?"

Commissioner Burns moved to approve the previous roll call vote. Commissioner Foster seconded.

D. Adams, R. Brunk, L. Burns, C. Enburg, T. Foster, C. Layer, P. McNeil, D. Mielke, L. Moreno, M. Moreno-Baker, R. Morthland, B. Perkins, R. Simmer, E. Sowards, K. Swanson, B. Vyncke, J. R. Westpfahl, J. Woods

TOTAL YES 18

TOTAL NO 0

Motion carried.

12. Vice Chair L. Moreno stated, "Same thing...a motion to approve the AMOWA Forest Preserve Parking Lot Plans, as presented along with making it a, or part of the IMPACT Agreement. Motion by Commissioner Foster and seconded by Mr. Adams."

Commissioner Vyncke moved to approve the previous roll call vote. Commissioner Burns seconded.

D. Adams, R. Brunk, L. Burns, C. Enburg, T. Foster, C. Layer, P. McNeil, D. Mielke, L. Moreno, M. Moreno-Baker, R. Morthland, B. Perkins, R. Simmer, E. Sowards, K. Swanson, B. Vyncke, J. R. Westpfahl, J. Woods

TOTAL YES 18

TOTAL NO 0

Motion carried.

13. Commissioner Adams moved to approve the Food Services Concession Agreement at Niabi Zoo with Bubbles Bobo Tea, as presented. Commissioner Mielke seconded.

Commissioner Simmer was recognized.

Mr. Simmer asked, "What is Bubbles Tea? I have never heard of them before."

Vice Chair L. Moreno asked, "Jeff? Mr. Craver? We'll give him a second."

Mr. Craver replied, "Yes?"

Vice Chair L. Moreno stated, "There is a question about who Bubbles Tea is...where they are from?"

Mr. Craver stated, "Uh, yes...Commissioner Sowards (meant Simmer), I believe they currently have an operation out at NorthPark Mall. And, they have been operating out of there for several years. Um, obviously, they specialize in tea and other drinks. They are looking to expand their business footprint and operations. Mr. Jackson would have more details. I do not have their menu here, if you would bear with me at the moment. Last year, the zoo did struggle to find a provider so, we are happy and they are very eager to get in to the zoo and provide some quality fruits, snacks, sandwiches and drinks to our customers."

Vice Chair L. Moreno asked, "Are there any other questions?"

Mr. Simmer stated, "Are there...menus we've had before..."

Vice Chair L. Moreno interrupted, "Can you use your mic, please, sir...to ask the question?"

Mr. Simmer answered, "Yes."

Vice Chair L. Moreno asked Ms. Kinney, "Is it on? There...okay, go ahead."

Ms. Winstead stated, "Thank you."

Mr. Simmer stated, "Is it a normal type of menu from the past?"

Mr. Craver answered, "Yeah, with a little bit more emphasis on quality and freshness from using whole foods. It's never been processed."

Mr. Simmer asked, "More costly?"

Vice Chair L. Moreno replied, "Everything is more costly...and healthy."

Mr. Simmer asked, "If they are over at NorthPark, we could try this stuff over there?"

Mr. Craver answered, "Yes, I believe so."

Vice Chair L. Moreno stated, "You can't ask for samples because you are with the Park District."

(Group laughter)

Vice Chair L. Moreno added, "It's not to be confused with Michael Jackson's bubbles."

(Group laughter)

Vice Chair L. Moreno asked Ms. Winstead, "We have a motion and a second, correct?"

Ms. Winstead answered, "Yes."

Vice Chair L. Moreno asked, "Do we need...are there any other questions? Is there a motion to adopt the previous roll call?"

Commissioner Adams moved to approve the previous roll call vote. Commissioner Layer seconded.

D. Adams, R. Brunk, L. Burns, C. Enburg, T. Foster, C. Layer, P. McNeil, D. Mielke, L. Moreno, M. Moreno-Baker, R. Morthland, B. Perkins, R. Simmer, E. Sowards, K. Swanson, B. Vyncke, J. R. Westpfahl, J. Woods

TOTAL YES 18

TOTAL NO 0

Motion carried.

14. Commissioner Woods moved to approve the final draft of the Fiscal Year 2022 Annual Comprehensive Financial Report, as presented. Commissioner Foster seconded.

Commissioner Vyncke moved to approve the previous roll call vote. Commissioner Sowards seconded.

D. Adams, R. Brunk, L. Burns, C. Enburg, T. Foster, C. Layer, P. McNeil, D. Mielke, L. Moreno, M. Moreno-Baker, R. Morthland, B. Perkins, R. Simmer, E. Sowards, K. Swanson, B. Vyncke, J. R. Westpfahl, J. Woods

TOTAL YES 18

TOTAL NO 0

Motion carried.

15. **Comments from Commissioners: (None)**

16. Commissioner Burns moved to approve all Routine Reports from the Director and Departments Heads of the Forest Preserve Commission, as presented. Commissioner Adams seconded.

Commissioner Foster moved to approve the previous roll call vote. Commissioner Sowards seconded.

D. Adams, R. Brunk, L. Burns, C. Enburg, T. Foster, C. Layer, P. McNeil, D. Mielke, L. Moreno, M. Moreno-Baker, R. Morthland, B. Perkins, R. Simmer, E. Sowards, K. Swanson, B. Vyncke, J. R. Westpfahl, J. Woods

TOTAL YES 18

TOTAL NO 0

Motion carried.

The next meeting of the Forest Preserve Commission is Tuesday, February 21, 2023, at 5:30pm, immediately following the meeting of the Rock Island County Board.

17. Vice Chair L. Moreno stated, "Oh, I forgot. Commissioner Foster moved to recess. Commissioner Adams seconded. Are there any other comments, questions or concerns?"

Commissioner Adams moved to approve the previous roll call vote. Commissioner Moreno-Baker seconded.

D. Adams, R. Brunk, L. Burns, C. Enburg, T. Foster, C. Layer, P. McNeil, D. Mielke, L. Moreno, M. Moreno-Baker, R. Morthland, B. Perkins, R. Simmer, E. Sowards, K. Swanson, B. Vyncke, J. R. Westpfahl, J. Woods

TOTAL YES 18

TOTAL NO 0

Motion carried.

Vice Chairman L. Moreno declared the Forest Preserve Meeting recessed at 6:15pm.

RESPECTFULLY SUBMITTED,

KAREN KINNEY
COUNTY CLERK AND SECRETARY
OF THE FOREST PRESERVE COMMISSION

KK:rw