

Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL



POST BOARD ACTION AGENDA

Wednesday, March 22, 2017

11:00 AM

Cook County Building, Board Room, 118 North Clark Street, Chicago, Illinois

LUIS ARROYO, JR.
RICHARD R. BOYKIN
JERRY BUTLER
JOHN P. DALEY
JOHN A. FRITCHEY
BRIDGET GAINER
JESUS G. GARCIA
GREGG GOSLIN
EDWARD M. MOODY

STANLEY MOORE
SEAN M. MORRISON
TIMOTHY O. SCHNEIDER
PETER N. SILVESTRI
DEBORAH SIMS
ROBERT B. STEELE
LARRY SUFFREDIN
JEFFREY R. TOBOLSKI

**DAVID ORR
COUNTY CLERK**

Board met pursuant to law and pursuant to Resolution 17-0615.

OFFICIAL RECORD

President Preckwinkle in the chair.

CALL TO ORDER

At 11:00 A.M., being the hour appointed for the meeting, the President called the Board to order.

QUORUM

County Clerk David Orr called the roll of members and there was found to be a quorum present.

ATTENDANCE

Present: Commissioners Arroyo, Boykin, Daley, Fritchey, Gainer, García, Goslin, Moody, Moore, Morrison, Schneider, Silvestri, Sims, Steele, Suffredin and Tobolski (16)

Absent: Commissioner Butler (1)

INVOCATION

Prophetess Dr Phalese A. Binion, CEO and President of the Westside Ministers' Coalition of Chicago, Illinois, gave the invocation.

PUBLIC TESTIMONY

Pursuant to Cook County Code of Ordinances, public testimony will be permitted at regular and special meetings of the Board. Duly authorized public speakers shall be called upon at this time to deliver testimony germane to a specific item(s) on the meeting agenda, and the testimony must not exceed three (3) minutes. The names of duly authorized speakers shall be published in the Post Board Action Agenda and Journal of Proceedings as prepared by the Clerk of the Board.

1. Reverend Jesse L. Jackson, Sr., Founder and President, Rainbow PUSH Coalition
2. Marjorie Fujara, CCHHS Pediatrician
3. George Blakemore, Concerned Citizen

PRESIDENT

17-1337

Sponsored by: TONI PRECKWINKLE (President), Cook County Board of Commissioners

PROPOSED ORDINANCE

TRANSFERRING SMOKING BAN FROM ENVIRONMENTAL CONTROL TO PUBLIC HEALTH

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 38, Health and Human Services, Article VII, Clean Indoor Air of the Cook County Code is hereby enacted as Follows:

~~ARTICLE VII~~ ARTICLE IX.- CLEAN INDOOR AIR

DIVISION 1. - COUNTY CLEAN INDOOR AIR ORDINANCE

Sec. 38-201. - Title.

This division shall be known as the "Cook County Clean Indoor Air Ordinance."

Sec. 38-202. - Interpretation with other laws.

Nothing in this division supersedes any existing elimination of smoking that is already covered by fire code restrictions.

Sec. 38-203. - Definitions.

The following words and phrases, wherein used in this division, shall have the following meanings:

Arcade means a place of amusement, which contains four or more automatic amusement devices and is not licensed to serve alcoholic liquor.

Bar/tavern means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests and patrons on the premises and does not have an on-site kitchen to prepare food. Food service is limited to providing snack items or commercially prepared or wrapped foods that require no preparation.

Business means any sole proprietorship, partnership, joint venture, corporation, limited liability company or other business entity formed for profit-making purposes, including without limitation retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered.

Cook County facilities or *County facilities* means all Cook County owned or leased facilities, including, without limitation, Cook County facilities housing administrative offices, courthouses, detention facilities, clinics, hospitals, jails, storage facilities, garages and field locations.

Electronic cigarette means any electronically actuated device which in operation causes the user to exhale any smoke, vapor, or other substance other than those produced by unenhanced human exhalation. "Electronic Cigarette" includes any device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or under any other product name or descriptor. The term "electronic cigarette" does not include any asthma inhaler or other device that has been specifically approved by the United States Food and Drug Administration.

Employee means any person who is employed by an employer in consideration for direct or indirect monetary wages or profit and a person who volunteers his or her services for a nonprofit entity.

Employer means any person, business, partnership, association, corporation, including without limitation a municipal corporation, trust, or nonprofit entity that employs the services of one or more individual persons.

Enclosed area means all space between a floor and ceiling that is enclosed or semi-enclosed with (i) solid walls or windows (exclusive of doorways), which extend from the floor to the ceiling, or (ii) solid walls with half wall partition and no windows (exclusive of doorways) without limitation to lobbies and corridors.

Health-care facility means any office or institution providing medical care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including without limitation hospitals, clinics, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, dentists and all specialists within these professions. The definition shall include all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within health care facilities.

Place of employment means any enclosed area under the control of a public or private employer that employees frequent during the course of employment, including, without limitation, work areas, employee lounges, restrooms, conference rooms, classrooms, employee cafeterias, hallways and vehicles. A private residence is not a place of employment unless it is used as a childcare, adult day care, health care facility, or home-based business of any kind open to the public.

Public place means any enclosed area to which the public is invited or in which the public is permitted, including without limitation banks, educational facilities, government buildings (excluding County Facilities), health care facilities, laundromats, museums, public transportation facilities, reception areas, restaurants, bars/taverns, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms. A private residence is not a public place unless it is used as a childcare, adult daycare, health care facility, or home-based business of any kind open to the public.

Private club or lodge means any not-for-profit association that: (i) has been in active and continuous existence for at least three years; and (ii) has a membership roll of more than 50 bona fide members who pay membership dues on an annual or other periodic basis. For purposes of this section bona fide members do not include members who pay membership dues at the time of an amusement produced, presented or conducted by the club or lodge or in conjunction with contracting for production, presentation or conduct of an amusement by the club, as a condition to entering the premises where the amusement is produced, presented or conducted.

Private function means a gathering of persons for the purpose of deliberation, education, instruction, entertainment, amusement or dining where membership or specific invitation is a prerequisite to entry and where the event is not intended to be open to the public.

Restaurant means an eating establishment, including without limitation coffee shops, cafeterias, sandwich shops, and private and public school cafeterias that gives or offers for sale, food to the public, guests or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a restaurant bar area.

Restaurant bar area means an area of a restaurant that is primarily devoted to the serving of alcoholic liquor.

Retail tobacco store means any retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental and where no one under 18 is permitted.

Secondhand smoke or *involuntary smoking* is a mixture of the smoke given off by the burning ends of a cigarette, pipe, cigar, bidis, and kreteks (sidestream smoke) and the smoke emitted at the mouthpiece and exhaled from the lungs of smokers (mainstream smoke).

Service line means any indoor line at which one or more persons are waiting for or receiving services of any kind, whether or not the service involves the exchange of money.

Shopping mall means any enclosed walkway or hall area that serves to connect retail or professional establishments.

Smoke or *smoking* for the purposes of this division, means either:

- (1) The carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, or other lighted tobacco product in any manner or in any form; or
- (2) The use of any electronic cigarette.

Tobacco product for the purposes of this division, means any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from tobacco, which product is intended to enable human consumption of the tobacco or nicotine, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by other means. The term "Tobacco products" excludes any product that has been specifically approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.

Enclosed or semi-enclosed sports arena or recreational area means any sports pavilion, stadium, gymnasium, health spa, boxing arena, swimming pool, roller and ice rink, bowling alley and other similar places where members of the general public assemble either to engage in physical exercise, or participate in athletic competition or recreational activity, to witness sports, cultural, recreational or other events.

Sec. 38-204. - Prohibition of smoking in County facilities.

(a) *Smoking in County facilities.* Smoking tobacco products is not permitted in any area of any County Facility. This ban on smoking tobacco products in County facilities applies to all public areas of Cook County Facilities as well as all areas used only by County employees or officials, including, without limitation, individual offices of the separately elected or appointed officials operating and conducting business in County facilities.

(b) *Reasonable distance.* Smoking tobacco products is prohibited within fifteen (15) feet of an enclosed area of any County facility, except for County owned health facilities in which case smoking tobacco products is prohibited within thirty (30) feet, so as to prohibit congestion at exits that could constitute fire hazard in the event of an emergency evacuation of the County facility. However, if the County operates County facilities within buildings owned by third parties and the County's use in those buildings is not exclusive; this subsection shall apply only insofar as it restricts the conduct of County

employees.

(c) *Smoking tobacco products in Cook County owned or Cook County leased vehicles.* Smoking tobacco products is prohibited in all vehicles owned or leased by the County of Cook.

(d) *Implementation.* All appropriate County representatives, including the Chief of the Bureau of Human Resources, Director of Facilities Management and the Chief Administrative Officer, and all elected officials shall implement the foregoing ban.

(e) *Effect of section.* This section supersedes and replaces any and all earlier Resolutions and Ordinances pertaining to the subject of a smoking policy and the smoking of tobacco products in County facilities. It is intended for this section to apply to County facilities. However, to the extent that any provision of this section is less restrictive in regulating the smoking of tobacco products in County facilities than another Ordinance, the more restrictive provision shall apply.

Sec. 30-205. - Prohibition of smoking in public places.

(a) *Smoking in public places.* Smoking shall be prohibited in all enclosed public places and places of employment within the County of Cook, including without limitation the following places:

- (1) Arcades.
- (2) Aquariums, galleries, libraries, and museums.
- (3) Bars/taverns.
- (4) Bingo facilities.
- (5) Bowling alleys.
- (6) Convention facilities.
- (7) Facilities primarily used for exhibiting a motion picture, stage, drama, lecture, musical recital, or other similar performance.
- (8) Health care facilities and adult day care facilities.
- (9) Day care centers, nursery schools, elementary schools, high schools, community colleges, technical training establishments, specialty schools, colleges, and universities.
- (10) Lobbies, hallways and other common areas in apartment buildings, condominiums and enclosed common areas in trailer parks.
- (11) Polling places.
- (12) Public transportation under the authority of government agencies, including without limitation buses, trains, taxicabs, and limousines, and ticket boarding and waiting areas of public transit stations.

- (13) Restaurants, including if applicable, a restaurant bar area.
- (14) Restrooms, lobbies, reception areas, hallways, and other enclosed common-use areas.
- (15) Public elevators and all retail stores where merchandise is displayed and offered for sale.
- (16) Rooms, chambers, places of meeting or public assembly, including without limitation school buildings, under the control of an agency, board, commission, committee or council or a political subdivision of the State, to the extent the place is subject to the jurisdiction of the County.
- (17) Service lines.
- (18) Shopping malls.
- (19) Sports arenas or recreational areas, including without limitation, enclosed places in outdoor areas.
- (20) Grocery stores.
- (21) Public meetings.
- (22) Gymnasiums.
- (23) Gaming facilities.
- (24) Public and private school buildings.
- (25) Private clubs or lodges.

(b) *Reasonable distance*. Smoking is prohibited within fifteen (15) feet of any entrance, exit, windows that open or ventilation intakes to an enclosed area in which smoking is prohibited.

Sec. 38-206. - Where smoking is not regulated.

Notwithstanding any other provision of this article to the contrary, the following areas shall be exempt from the provisions of this division, provided smoking is not limited in such areas under the Illinois Clean Indoor Air Act:

- (1) Private residences, except when used as a licensed childcare, adult care facility, health care facility, or a home-based business of any kind open to the public.
- (2) Hotel and motel sleeping rooms that are rented to guests and are designated as smoking rooms provided that all smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into nonsmoking rooms or other areas where smoking is prohibited. Not more than 25 percent of the rooms rented to guests in a hotel or motel may be so designated. The status of rooms as smoking or nonsmoking may not be changed, except to permanently add additional nonsmoking rooms.
- (3) Private and semiprivate rooms in nursing homes and long-term care facilities that are occupied by one or more persons, all of whom are smokers and have requested in writing to be placed or

to remain, as the case may be, in a room where smoking is permitted and the smoke shall not infiltrate other areas of the nursing home.

Sec. 38-207. - Declaration of establishment as nonsmoking.

Notwithstanding any other provision of this division, an owner, operator, manager, or other person in control of an establishment, facility, or outdoor area may declare that entire establishment, facility, or outdoor area as a nonsmoking place. Smoking shall be prohibited in any place in which a sign conforming to the requirements of this division is posted.

Sec. 38-208. - Posting of signs.

(a) Every County facility, public place, and place of employment where smoking is prohibited by this division shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.

(b) The operator, manager or other person having control of an area where smoking is prohibited by this division shall remove all ashtrays and other smoking paraphernalia intended for use where smoking is prohibited.

Sec. 38-209. - Nonretaliation.

No person or employer shall discharge, refuse to hire, or in any manner retaliate against an employee, applicant for employment, or customer because that employee, applicant, or customer exercises any rights afforded by this division or reports or attempts to prosecute a violation of this division.

Sec. 38-210. - Enforcement.

(a) Any law enforcement agency and certified local public health department with jurisdiction shall be authorized to enforce this division within its jurisdiction. The certified local public health department is the Cook County Department of Public Health, except within those areas within Cook County which are served by another local health department certified by the Illinois Department of Public Health, in which case said certified local health department shall be authorized to enforce this division.

(b) Any resident who desires to register a complaint under this division may file a complaint with the Cook County Department of Public Health. If it does not have jurisdiction, the Cook County Department of Public Health shall transmit the complaint to the appropriate certified local health department.

(c) The Cook County Department of Public Health or designees shall, while an establishment is undergoing other public health inspections, inspect for compliance with this division.

(d) Any owner, manager, operator, or employee of an establishment regulated by this division shall inform persons violating this division of the appropriate provisions thereof.

(e) In addition to the remedies provided by the provisions of this division, the applicable certified local health department or any person aggrieved by the failure of the owner, operator, manager of other person in control of a public place or a place of employment to comply with the provisions of this section may apply for injunctive relief to enforce these provisions in any court of competent jurisdiction.

Sec. 38-211. - Violations and penalties.

(a) A person who smokes in an area where smoking is prohibited by this division shall be guilty of an infraction, punishable by a fine not more than \$100.00.

(b) A person who owns, manages, operates, or otherwise controls a public place, or place of employment and who fails to comply with the provisions of this division shall be guilty of an infraction, punishable by:

- (1) A fine not exceeding \$250.00 for the first violation.
- (2) A fine of not more than \$500.00 for the second violation within one year of the first violation.
- (3) A fine of not more than \$2,500.00 for each additional violation within one year and a 60-day suspension or revocation of any permit or license issued to the person for the premises on which the violation occurred.

(c) Each day on which a violation of this division occurs shall be considered a separate and distinct violation.

(d) Fines collected pursuant to this division will be deposited into a special fund created and maintained by the Cook County Treasurer. This special fund shall be utilized as directed by the Cook County Board of Commissioners for enforcement, public education purposes relating to the health hazards associated with smoking and for lung-related illness programs. The Cook County Board of Commissioners may enter into intergovernmental agreements with local governmental entities to allow distribution of a portion of such special fund to such local governmental entities, for use in accordance with these purposes.

Sec. 38-212. - Public education.

The Cook County Department of Public Health within its jurisdiction shall engage in a continuing program to explain and clarify the purposes and requirements of this division to residents affected by it, and to guide owners, operators, and managers in their compliance with it. Within their jurisdictions, local health departments certified by the Illinois Department of Public Health are authorized to provide the same continuing programs.

Sec. 38-213. - Other applicable laws.

This division shall not be interpreted or be construed to permit smoking where it is otherwise restricted by other applicable laws.

Sec. 38-214. - Severability.

If any provision, clause, sentence or paragraph of this division or the application thereof to any person or circumstances shall be held invalid by a court of competent jurisdiction, such invalidity shall not affect the other provisions of this division which can be given effect without the invalid provision or application, and to this end the provisions of this division are declared to be severable.

Sec. 38-215. - Applicability of this division.

This division shall apply to all areas within Cook County, Illinois, except those areas which are

governed by an ordinance of another governmental entity which, by law, may not be superseded by this division.

Secs. 38-216-38-250. - Reserved.

Effective date: This ordinance shall be in effect immediately upon adoption.

A motion was made by Commissioner Morrison, seconded by Commissioner Silvestri, that the Ordinance be referred to the Environmental Control Committee, as amended. The motion carried.

17-1345

Sponsored by: TONI PRECKWINKLE (President), Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

CONFORMING CHANGES TO LAND DEVELOPMENT ORDINANCES

BE IT ORDAINED, by the Cook County Board of Commissioners, that Part II, Land Development Ordinances, Chapter 102, Buildings and Building Regulations, Article III, Building Code, Section 102-104(5) of the Cook County Code is hereby amended as Follows:

Sec. 102-104. - General provisions.

(5) *Construction hours.* Hours of construction shall between the hours of 7:00 a.m. and 8:00 p.m., except for emergency work on public improvements or public utilities, and ~~except for~~ the operation of pumps when continuous pumping is necessary for removal of water from the construction area. A variance may be requested from the Department of Building and Zoning when it can be shown to the satisfaction of the Commissioner that construction outside these hours would be in the overall public interest or operationally essential, and for a limited time period.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Part II, Land Development Ordinances, Appendix A, Zoning, Article 8, General Provisions, Section 8.9 of the Cook County Code is hereby amended as Follows:

8.9. - Miscellaneous.

8.9.10. *Siting Approval of a New Pollution Control Facility.* Approval of a “new pollution control facility”, as defined in Chapter 30, Article VII, Division 6 of this Code, or expansion of an existing pollution control facility in unincorporated Cook County shall be subject to the requirements of Chapter 30, Article VII, Division 6 of this Code, and the zoning requirements found in Part II, Land Development Ordinances,

Appendix A, Article 13 of this Code, and shall be conditional pending permit approval by the State of Illinois.

8.9.11. Scavenger operations. The actual contact hours involved in the pickup of refuse and all other solid waste, and all related commercial and municipal scavenger operations in unincorporated Cook County shall be from 7:00 a.m. to 8:00 p.m. These hours are not intended to include or confine such functions as start up and shut down operations at the central operating point (transfer station, sanitary landfill, incinerator, etc.), or the transit time of the first trip to and the last trip from the defined collection areas. A variance may be requested from the Department of Building and Zoning when it can be shown to the satisfaction of the Commissioner that scavenger operations outside these hours is in the overall public interest or operationally essential, and for a limited time period.

8.9.12. Approval of New Utility-Scale Wind Turbine(s), Farm(s), or Energy Project(s). Approval of a new "utility-scale wind turbine", as defined by the United States Department of Energy, in unincorporated Cook County shall be subject to the building and zoning requirements found in this Part II, Land Development Ordinances, Appendix A, Article 13 of this Code.

Effective date: This ordinance shall be in effect immediately upon adoption.

A motion was made by Commissioner Morrison, seconded by Commissioner Silvestri, that the Ordinance Amendment be referred to the Environmental Control Committee. The motion carried.

17-2224

Presented by: TONI PRECKWINKLE, President, Cook County Board of Commissioners

PROPOSED APPOINTMENT

Appointee(s): Thurman Smith

Position: Director

Department/Board/Commission: Cook County Land Bank Authority Board of Directors

Effective date: Immediate

Expiration date: Three years from the date of approval or until a successor is appointed and qualified

A motion was made by Commissioner Suffredin, seconded by Commissioner Boykin, that the Proposed Appointment be referred to the Legislation and Intergovernmental Relations Committee. The motion carried.

COMMISSIONERS

17-2291

Presented by: DEBORAH SIMS, County Commissioner

PROPOSED NO CASH BID REQUEST

Requestor: Honorable Eugene Williams, President, Village of Lynwood

Request: Approval of No Cash Bid Request

Location: Village of Lynwood

Volume and Property Index Number:

022, 33-17-302-047-0000.

Summary: The purpose of this letter is to inform you of the Village of Lynwood's desire to participate in the Cook County no-cash bid program. The Village is interested in acquiring certain property located within Lynwood that is delinquent in real estate taxes or special assessments for two or more years, pursuant to 35 ILCS 200/21-90. Please accept this request to obtain the following property:

The Village intends to use this parcel for storm water retention. Currently, there is no third-party applicant for the parcel. The Village agrees to report the status of the parcel to the Cook County Department of Economic Development annually for five consecutive years or until the intended use is complete, whichever occurs last. Also, the Village will apply for tax-exempt status on the parcel once a tax deed is obtained until a developer is designated.

The Village has retained Hiskes, Dillner, O'Donnell, Marovich & Lapp, Ltd., and will bear all costs to proceed to tax deed and perform all other legal and other activities associated with this program.

A motion was made by Commissioner Sims, seconded by Commissioner Moody, that the Proposed No Cash Bid Request be referred to the Finance Subcommittee on Tax Delinquency. The motion carried.

OFFICE OF THE COUNTY AUDITOR

17-2083

Presented by: SHELLY A. BANKS, C.P.A., County Auditor

REPORT

Department: Office of the County Auditor

Report Title: Food Service Contract Final Audit Report

Report Period: February 2017

Summary: The purpose of the audit was to assess if adequate internal controls and procedures were in place to ensure compliance with the terms of the contract.

A motion was made by Commissioner Daley, seconded by Commissioner Sims, that the Report be referred to the Audit Committee. The motion carried.

17-2167

Presented by: SHELLY A. BANKS, C.P.A., County Auditor

REPORT

Department: Office of the County Auditor

Report Title: FY'17 1st Quarter Open Recommendations Status Report

Report Period: FY'17 1st Quarter

Summary: Report on the status of open audit recommendations.

A motion was made by Commissioner Daley, seconded by Commissioner Sims, that the Report be referred to the Audit Committee. The motion carried.

17-2178

Presented by: SHELLY A. BANKS, C.P.A., County Auditor

REPORT

Department: Office of the County Auditor

Report Title: Law Library Revenue Operations Final Audit Report

Report Period: March 2017

Summary: The purpose of the audit was to determine that policies and procedures exist for Law Library revenue operations, are compiled with and establish proper controls.

A motion was made by Commissioner Daley, seconded by Commissioner Sims, that the Report be referred to the Audit Committee. The motion carried.

BUREAU OF FINANCE
OFFICE OF THE COUNTY COMPTROLLER

17-21816

Presented by: LAWRENCE WILSON, County Comptroller

REPORT

Department: Comptroller's Office

Report Title: Bills and Claims Report

Report Period: 2/16/2017-3/1/2017

Summary: This report to be received and filed is to comply with the Amended Procurement Code Chapter 34-125 (k).

The Comptroller shall provide to the Board of Commissioners a report of all payments made pursuant to contracts for supplies, materials and equipment and for professional and managerial services for Cook County, including the separately elected Officials, which involve an expenditure of \$150,000.00 or more, within two (2) weeks of being made. Such reports shall include:

1. The name of the Vendor;
2. A brief description of the product or service provided;
3. The name of the Using Department and budgetary account from which the funds are being drawn;
and
4. The contract number under which the payment is being made.

A motion was made by Commissioner Daley, seconded by Commissioner Sims, that the Report be received and filed. The motion carried.

BUREAU OF ADMINISTRATION
DEPARTMENT OF ENVIRONMENTAL CONTROL

17-0059

Sponsored by: TONI PRECKWINKLE (President), Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT CHAPTER 30 - ENVIRONMENT

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 30 Environment, of the Cook County Code is hereby amended as Follows:

Chapter 30 - ENVIRONMENT ARTICLE I. - IN GENERAL

Sec. 30-1. - Short title.

Sec. 30-2. - Findings, intent, and purpose and scope.

Sec. 30-3. - Definitions.

Sec. 30-4. - Interpretation.

Sec. 30-5. - SeverabilitySeparability.

Sec. 30-6. - Scope of chapter.

Sec. 30-7. - Adoption of State rules by reference.

~~Sec. 30-8. - Malfunctions, breakdowns or startups.~~

~~Secs. 30-89-30-5840. - Reserved.~~

ARTICLE II. - ADMINISTRATION AND ENFORCEMENT ~~DIVISION 1. - GENERALLY~~

~~Sec. 30-41. - Advisory Committee.~~

~~Sec. 30-42. - Special processes and equipment; environmental impact statement.~~

~~Secs. 30-43-30-60. - Reserved.~~

DIVISION 12. - DEPARTMENT OF ENVIRONMENTAL CONTROL AND SUSTAINABILITY

Sec. 30-5961. - Created; membership.

Sec. 30-60. Rulemaking authority.

Sec. 30-61. Membership.

Sec. 30-62. - Duties of the Director of the Department.

~~Sec. 30-63. Duties of the Assistant Director.~~

~~Sec. 30-64. Qualifications of the Assistant Director.~~

~~Sec. 30-65. Technical personnel.~~

~~Sec. 30-66. Inspector's qualifications, duties, and authority.~~

~~Sec. 30-67. Complaints and reports.~~

Sec. 30-6368. - LiabilityImmunity

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Secs. 30-6469-30-90. - Reserved.

DIVISION 23. - FEES

Sec. 30-91. - Established.

Sec. 30-92. - Payment of fees.

~~Sec. 30-93. Fees are debt due the County; suit for.~~

~~Sec. 30-94. Refund of permit fees.~~

~~Sec. 30-95. Remittance of fees.~~

~~Sec. 30-96. Installation permit fee schedule.~~

~~Sec. 30-97. Original inspection fee schedule.~~

~~Sec. 30-98. Annual inspection fees.~~

~~Sec. 30-99. Fee on generation of liquid waste.~~

Secs. 30-93~~100~~-30-120. - Reserved.

DIVISION 3. - ENFORCEMENT PROCEDURES

Subdivision I. - In general

Sec. 30-121. - Generally.

Sec. 30-122. - Failure to comply.

Sec. 30-123. - Separate violations.

Sec. 30-124. - Warning.

Sec. 30-125. - Citation.

Sec. 30-126. - Notice.

Sec. 30-127. - Assistance from other officers.

Secs. 30-128-30-130. - Reserved.

Subdivision II. - Penalty

Sec. 30-131. - Penalties, cost recovery, and remedies.

Secs. 30-132. -30-135. - Reserved.

Subdivision III. - Cessation and Abatement

Sec. 30-136. - Public nuisance cessation and abatement

Secs. 30-137-30-140. - Reserved.

DIVISION 4. - APPEALS, VARIANCES, GRACE PERIODS

Sec. 30-121. - Reserved.

Sec. 30-122. - Period of grace.

Sec. 30-123. - Filing for appeals.

~~Sec. 30-124. - Variances.~~

Sec. 30-141. - Filing for appeals.

Secs. 30-142-30-150. - Reserved.

ARTICLE III. AIR

DIVISION 15. - AIR PERMITS AND PLANS

Subdivision I. Equipment Registration.

Sec. 30-151. - ~~Installation~~ Equipment registration permit.

~~Sec. 30-152. - Contents of installation permit application.~~

Sec. 30-152. - Equipment registration permit application fee.

Sec. 30-153. - ~~Standards for issuance of installation permit~~ Equipment registration permit fee schedule.

~~Sec. 30-154. - Conditional installation permit.~~

Sec. 30-154-155. - Action on application for equipment registration permit.

Sec. 30-155. - Effective date.

~~Sec. 30-156. - Compliance with approved plans.~~

~~Sec. 30-157. - Completion of work.~~

~~Sec. 30-158. - Proof of responsibility bond.~~

~~Sec. 30-159. - Secret process; plans for, suspended when affidavit filed.~~

Sec. 30-156-160. - Violation of ~~installation~~ equipment registration permit.

~~Sec. 30-161. - Failure to procure installation permit.~~

~~Sec. 30-162. - Subsequent violation.~~

Sec. 30-157-163. - Duty to report discontinuance or dismantlement.

Sec. 30-158~~164~~. - Permission for startup of previously discontinued or dismantled equipment.

Secs. 30-159~~165~~-30-165~~185~~. - Reserved.

Subdivision II. - Inspections related to equipment registration

Sec. 30-166. - Inspections.

Sec. 30-167. - Inspection fee schedule.

Secs. 30-168-30-182. - Reserved.

Subdivision III. ~~DIVISION 6. - CERTIFICATE OF OPERATION~~

Sec. 30-183. - Fee for certificate of operation.

Sec. 30-184. - Certificate of operation: issuance.

Sec. 30-185. - Certificate of operation: conditions.

Sec. 30-186. - Certificate of operation required.

~~Sec. 30-187. - Standards for issuance. Sec. 30-188. - Conditions.~~

Sec. 30-~~189~~187. - Certificate of operation to be posted; contents.

Sec. 30-188. - Non-transferability of certificate of operation.

Sec. 30-189. - New owners.

Sec. 30-190. - Effective date.

Secs. 30-191~~191~~-30-210. - Reserved.

~~DIVISION 7. - ENFORCEMENT PROCEDURES~~

~~Subdivision I. - In General~~

~~Sec. 30-211. - General.~~

~~Sec. 30-212. - Citation, hearing, and sealing.~~

~~Sec. 30-213. Violations and penalty.~~

~~Sec. 30-214. Breaking of the seal.~~

~~Sec. 30-215. Public nuisance cessation and abatement.~~

~~Secs. 30-216 30-220. Reserved.~~

~~Subdivision II. Inspections~~

~~Sec. 30-221. Duties of Director.~~

~~Sec. 30-222. Preliminary inspections; records.~~

~~Sec. 30-223. Final inspection; notification of discrepancies.~~

~~Secs. 30-224 30-230. Reserved.~~

~~Subdivision III. Annual Inspection and Certificate of Operation~~

~~Sec. 30-231. Generally.~~

~~Sec. 30-232. Government and municipal fuel burning, combustion or process equipment, processes, or devices.~~

~~Sec. 30-233. Certificate of operation Issuance; posting.~~

~~Sec. 30-234. Same Effective date or term.~~

~~Secs. 30-235 30-240. Reserved.~~

~~Subdivision IV. Compliance Programs and Project Completion Schedule~~

~~Sec. 30-241. Prohibition.~~

~~Sec. 30-242. Contents of compliance programs and project completion schedules.~~

~~Sec. 30-243. Effects of approval.~~

~~Sec. 30-244. Final compliance date.~~

~~Sec. 30-245. Tier II notification When required.~~

~~Secs. 30-246 30-270. - Reserved.~~

Subdivision IV. - Inspections related to equipment operation.

Sec. 30-211. - Inspections.

Secs. 30-212 - 30-215. - Reserved.

Subdivision V. - Malfunctions, breakdowns, and startups.

Sec. 30-216. - Duty to notify.

Secs. 30-217 - 30-320. - Reserved.

DIVISION 8. - POLLUTION CONTROL FACILITY SITING

Sec. 30-271. - Rules and definitions.

Sec. 30-272. - Purpose and intent.

Sec. 30-273. - Procedure for filing an application; pre-filing notice of intent to file an application.

Sec. 30-274. - Request for application and filing location.

Sec. 30-275. - Pre-filing review.

Sec. 30-276. - Payment of processing costs/surety bond.

Sec. 30-277. - Application receipt and distribution.

Sec. 30-278. - Withdrawal of an application.

Sec. 30-279. - General supervision of application review process.

Sec. 30-280. - Appointment of hearing officer.

Sec. 30-281. - Responsibilities of hearing officer.

Sec. 30-282. - Public hearing on an application.

Sec. 30-283. - Presentations to the County Board.

~~Sec. 30-284. County Board approval of a proposed site.~~

~~Secs. 30-285-30-289. Reserved.~~

~~DIVISION 9. ENVIRONMENTAL MANAGEMENT FUND~~

~~Sec. 30-290. Environmental management fund.~~

~~Secs. 30-291-30-320. Reserved.~~

~~DIVISION 2~~ARTICLE III. - AIR POLLUTION

~~Subdivision I~~DIVISION 1. - GENERALLY

Sec. 30-321. - Compliance date for all emission sources.

~~Sec. 30-322. Condensable emissions.~~

Sec. 30-323. - Circumvention clause.

Sec. 30-324. - Tests of fuel-burning, combustion or, process equipment, or air pollution control devices.

~~Sec. 30-325. Leaded gas ban.~~

~~Sec. 30-326. Climate change mitigation.~~

Secs. 30-327-30-350. - Reserved

~~DIVISION 2. EPISODES~~ moved remaining sections down to new Subdivision III

~~Sec. 30-351. Generally.~~

~~Sec. 30-352. Monitoring.~~

~~Sec. 30-353. Determination of actions required.~~

Sec. 30-354. - EpisodeAir quality index levels.

~~Sec. 30-355. Areas affected by watch, alert, or emergency.~~

~~Sec. 30-356. Episode action watch.~~

~~Sec. 30-357. Yellow alert. Sec. 30-358. Red alert.~~

~~Sec. 30-359. Emergency.~~

~~Sec. 30-360. Air pollution episode action plans.~~

~~Sec. 30-361. Sealing of offenders.~~

~~Sec. 30-362. Termination of watch and lowering of alerts.~~

~~Secs. 30-363-30-380. Reserved.~~

Subdivision II DIVISION 3. - SMOKE AND PARTICULATE MATTER

Sec. 30-381. - Visible emissions.

Sec. 30-382. - Particulate matter Air emission standards.

~~Sec. 30-383. Sulfur standards and limitations for fuel burning and process emission sources. Sec.~~

~~30-384. Organic material emission standards and limitations.~~

~~Sec. 30-385. Carbon monoxide emission standards and limitations.~~

~~Sec. 30-386. Nitrogen oxides emission standards and limitation.~~

Sec. 30-383. - Compliance Programs and Project Completion Schedule

Sec. 30-384. - Idling of motor vehicles.

Sec. 30-387385. - Open burning.

Sec. 30-388386. - Materials subject to becoming windborne.

~~Sec. 30-389. Compliance with State standards.~~

~~Sec. 30-390. Nondegradation.~~

Sec. 30-387. - Internal combustion engines.

Secs. 30-388391-30-409420. - Reserved.

~~ARTICLE IV. NOXIOUS, ODOROUS AND TOXIC MATTER DIVISION 1. GENERALLY~~

~~Sec. 30-421. - Generally.~~

~~Sec. 30-422. - Discharge of toxic matter.~~

~~Sec. 30-423. - Internal combustion engines.~~

~~Sec. 30-424. Nuisances.~~

Subdivision III. - EPISODES

Sec. 30-410. - Generally.

Sec. 30-411. - Monitoring.

Sec. 30-412. - Determination of actions required.

Sec. 30-413. - Air quality index levels.

Secs. 30-414 - 30-424. - Reserved.

Subdivision IV. DIVISION 2. - COOK COUNTY GASOLINE VAPOR COLLECTION AND CONTROL

SYSTEMS DISPENSING FACILITIES (STORAGE TANK FILLING OPERATIONS) ORDINANCE

~~Sec. 30-425. - Short title and definitions.~~

~~Sec. 30-425.1. - Dispensing motor fuel and inspection.~~

~~Sec. 30-425.2. - Record keeping obligations.~~

Sec. 30-425. - Stage 1 Systems.

Sec. 30-426. - Penalties and inspection fees.

~~Secs. 30-427-30-440. - Reserved.~~

Subdivision V. ARTICLE IX. - GREEN CONSTRUCTION

Sec. 30-441950. - Board of Commissioners findings.

Sec. 30-442951. - Definitions.

Sec. 30-443952. - Emission reduction.

Sec. 30-444953. - Costs.

Sec. 30-445954. - Compliance.

Sec. 30-446955. - Enforcement.

~~Sec. 30-956. - Regulations.~~

Secs. 30-447957-30-449960. - Reserved.

ARTICLE IV. - NOISE

DIVISION 1. - GENERALLY

Sec. 30-450. - ~~Noise and vibration control~~ Definitions.

~~Sec. 30-451. - Penalty.~~

~~Sec. 30-452. - Public performance exemption.~~

~~Sec. 30-453. - Excess noise or vibration declared a public nuisance.~~

~~Sec. 30-454. - Other private or public nuisance action not impaired.~~

~~Secs. 30-455-30-457. - Reserved.~~

~~Sec. 30-458. - Scavenger operations.~~

~~Sec. 30-459. - Use of construction equipment.~~

Sec. 30-451460. - ~~Idling of motor vehicles;~~ nNew motor vehicle noise; performance; ~~motor vehicle~~
use noise performance; ~~muffler modification.~~

Sec. 30-452461. - New motor powered equipment noise performance.

~~Sec. 30-462. Property use noise performance consistent with zone.~~

~~Sec. 30-463. Noise level measurement.~~

~~Sec. 30-464. I-2-I-4 Zone noise performance standards applied in nonabutting I-2-I-4 Zones.~~

~~Sec. 30-465. R-1-R-8, C-1-C-5 Zone noise performance standards.~~

~~Sec. 30-466. I-2 Zone noise performance standards.~~

~~Sec. 30-467. I-3 and I-4 Zone noise performance standards.~~

~~Sec. 30-468. R-1-R-6, B-1-B-5 and I-1 Zone vibration standards.~~

~~Sec. 30-469. I-2 Zone vibration standards.~~

~~Sec. 30-470. I-3 and I-4 Zone vibration standards.~~

~~Sec. 30-471. Regulations for impulse noise and vibration resulting from controlled detonations.~~

~~Sec. 30-472. General department policies and methods for complaint investigation, field monitoring and resolution of dispute in vibration problems.~~

~~Sec. 30-473. Automobile horn or audible signal device.~~

~~Sec. 30-474. Engine powered watercraft noise limitations.~~

~~Sec. 30-475. New off-highway recreational vehicle noise performance.~~

~~Secs. 30-476-30-500. Reserved.~~

~~DIVISION 2. TEST PROCEDURES~~

~~Sec. 30-501. New motor vehicles.~~

~~Sec. 30-502. Motor vehicles in use.~~

~~Sec. 30-503. Engine powered equipment or powered hand tools.~~

~~Sec. 30-504. Property uses along property lines and zoning district boundaries.~~

~~Sec. 30-505. New motor driven recreational or off-highway vehicles.~~

~~Secs. 30-506-30-540. - Reserved.~~

ARTICLE VI. - ASBESTOS AND RELATED SUBSTANCES

Sec. 30-541. - Definitions. UPDATED

Sec. 30-542. - Scope of Article.

Sec. 30-543. - Adoption of State and Federal rules by reference.

Sec. 30-544. - Variances.

DIVISION 1. - Asbestos

Sec. 30-545. - In General.

Sec. 30-546. - Obligation to maintain ACM.

Sec. 30-547. - Duty to register: asbestos abatement contractors.

Sec. 30-548. - Asbestos Removal Permit required.

Sec. 30-549. - Performance Standards for the abatement, demolition, alteration, or repair of asbestos containing structures or structural components.

Sec. 30-550. - Inspection.

Sec. 30-551. - Reports.

Sec. 30-552. - Transporting.

Sec. 30-542. - General requirements.

Sec. 30-543. - Fibrous material restrictions.

Sec. 30-553 - 30-559. - Reserved.

DIVISION 2. - Demolition

Sec. 30-560. - In General.

Sec. 30-561. - Demolition Permit required; general.

Sec. 30-544. - Demolition of asbestos-containing structure.

~~Sec. 30-545. Sampling and counting of particulate matter from manufacture of asbestos-containing product.~~

~~Sec. 30-546. Controlling asbestos handling facilities.~~

~~Sec. 30-547. Inspection.~~

~~Sec. 30-548. Sampling. Sec. 30-549. Transporting.~~

~~Sec. 30-550. Violation.~~

~~Sec. 30-551. Asbestos abatement contractor registration, registration fees and penalties.~~

~~Secs. 30-562552-30-768775. - Reserved.~~

~~ARTICLE X. DEMOLITION DEBRIS DIVERSION~~

~~DIVISION 3. - Demolition Debris Diversion~~

~~Sec. 30-769961. - Short title.~~

Sec. 30-770. - In General.

~~Sec. 30-771962. - Purpose and intent. Sec. 30-772963. - Findings.~~

~~Sec. 30-964. Definitions.~~

~~Sec. 30-773965. - Demolition debris diversion requirements.~~

~~Sec. 30-966. Submission of demolition permit application.~~

~~Sec. 30-967. Exceptions to the demolition debris diversion requirements.~~

~~Sec. 30-968. Submission of demolition debris diversion report.~~

~~Sec. 30-969. Exceptions to the demolition debris diversion report.~~

~~Sec. 30-970. County's right to monitor and inspect.~~

Sec. 30-774. - Inspection. ~~Sec. 30-971. Rulemaking.~~

~~Sec. 30-775972. - Penalties.~~

ARTICLE VII. - SOLID WASTE AND RECYCLING DIVISION 1. - IN GENERAL

Sec. 30-776. - Short title.

~~**Sec. 30-777. - Findings, purpose, intent and scope.**~~

~~**Sec. 30-777778. - Definitions.**~~

~~**Sec. 30-779. - Rule making.**~~

~~**Sec. 30-778780. - ViolationsPenalties.**~~

Sec. 30-779. - Penalties.

~~**Sec. 30-780781. - Permit denial, refusal of renewal or permit revocation.**~~

~~**Secs. 30-781782-30-800. - Reserved.**~~

DIVISION 2. - SOLID WASTE MANAGEMENT PLAN IMPLEMENTATION

Sec. 30-801. - Purpose for Solid Waste Management Plan.

Sec. 30-802. - County Solid Waste Management Coordinating Committee.

Sec. 30-803. - Solid Waste Coordinator.

Sec. 30-804. - Municipal solid waste and recycling reporting requirements and exemptions.

Secs. 30-805-30-821. - Reserved.

DIVISION 3. - SOLID WASTE FACILITIES

Sec. 30-822. - Compliance with rules and regulations.

Sec. 30-823. - County inspections.

Sec. 30-824. - Operational requirements.

Sec. 30-825. - Sanitary landfill fees and exemptions.

Sec. 30-826. - Municipal solid waste transfer station fees and exemptions.

Sec. 30-827. - Reporting requirements for sanitary landfills and municipal solid waste transfer

stations.

Sec. 30-828. - Permits for clean construction or demolition debris fill operations.

Sec. 30-829. - Permit renewal for clean construction and demolition debris fill operation.

Sec. 30-830. - Reporting requirements for clean construction and demolition debris fill operation.

Sec. 30-831. - Solid Waste Management Fund created.

Sec. 30-832. - Waste Processing Facilities.

Secs. 30-833~~32~~-30-856. - Reserved.

DIVISION 4. - RECYCLING FACILITIES

Sec. 30-857. - Intent and purpose.

Sec. 30-858. - Recycling facility permit required.

Sec. 30-859. - Recycling facility permit classifications.

Sec. 30-860. - Recycling facility fees.

Sec. 30-861. - Recycling facility permit term; permit nontransferability.

Sec. 30-862. - Recycling facility permit renewal.

Sec. 30-863. - Recycling facility report required.

Sec. 30-864. - Operating requirements-Recycling facilities.

Sec. 30-865. - Additional facility requirements-Class III Recycling Facilities.

Sec. 30-866. - Class V Facilities-Additional duties; recordkeeping.

Sec. 30-867. - Recyclable materials-Designated.

Sec. 30-868. - Recyclable materials-Segregation and storage.

Sec. 30-869. - Recyclable materials-Receptacles.

Sec. 30-870. - Recyclable materials-Storage areas to be kept clean.

Sec. 30-871. - Building and fire regulations-Applicable.

Sec. 30-872. - Storage time limit-Maintenance of records.

Sec. 30-873. - Prohibited and regulated materials.

Sec. 30-874. - Inspection by owner or operator.

Sec. 30-875. - Recycling facility permit exemptions.

Sec. 30-876. - ~~Prohibited activities~~Separate violations.

Sec. 30-877. - Penalties.

Secs. 30-878-30-900. - Reserved.

~~ARTICLE VIII. CLEAN INDOOR AIR~~

~~DIVISION 1. GENERALLY~~

~~Sec. 30-901. Smoking tobacco products in County facilities.~~

~~Secs. 30-902-30-910. Reserved.~~

~~DIVISION 2. COUNTY CLEAN INDOOR AIR ORDINANCE~~

~~Sec. 30-911. Title.~~

~~Sec. 30-912. Interpretation with other laws.~~

~~Sec. 30-913. Definitions.~~

~~Sec. 30-914. Prohibition of smoking in public places.~~

~~Sec. 30-915. Reasonable distance.~~

~~Sec. 30-916. Where smoking is not regulated.~~

~~Sec. 30-917. Declaration of establishment as nonsmoking.~~

~~Sec. 30-918. Posting of signs.~~

~~Sec. 30-919. - Nonretaliation.~~

~~Sec. 30-920. - Enforcement.~~

~~Sec. 30-921. - Violations and penalties.~~

~~Sec. 30-922. - Public education.~~

~~Sec. 30-923. - Other applicable laws.~~

~~Sec. 30-924. - Severability.~~

~~Sec. 30-925. - Applicability of this division.~~

~~Sec. 30-926. - Effective date.~~

~~Secs. 30-927-30-949. - Reserved.~~

DIVISION 5. LIQUID WASTE

Sec. 30-901. - Definitions.

Sec. 30-902. - Audits and reports.

Sec. 30-903. - Fee on generation of liquid waste.

Secs. 30-904-30-915. - Reserved.

DIVISION 6. - POLLUTION CONTROL FACILITY SITING

Sec. 30-916. - Rules and definitions.

Sec. 30-917. - Purpose and intent.

Secs. 30-918-30-940. - Reserved.

ARTICLE VII. - Tier II

Sec. 30-941. - Definitions.

Sec. 30-942. - Hazardous chemical inventory form and diagram - required.

Sec. 30-943. - Inventory form - contents and requirements.

Sec. 30-944. - Change of information - inventory update required.

Sec 30-945. - Diagram - contents and requirements.

Sec. 30-946. - Enforcement, Secs. 30-947-30-972. - Reserved.

Effective date: This ordinance shall be in effect immediately upon adoption

Full text of ordinance amendment can be found here: [<https://tinyurl.com/i3fmvrq>](https://tinyurl.com/i3fmvrq)

A motion was made by President Pro Tempore Steele, seconded by Commissioner Morrison, that the Ordinance Amendment be referred to the Environmental Control Committee. The motion carried.

BUREAU OF ADMINISTRATION
COOK COUNTY LAW LIBRARY

17-1006

Presented by: MONTELL DAVENPORT, Executive Law Librarian, Cook County Law Library

PROPOSED AGREEMENT

Department(s): Law Library

Other Part(ies): Law Library Microform Consortium (LLMC), Kaneohe, Hawaii

Request: Authorization to enter into an interagency agreement

Good(s) or Service(s): LLMC will digitally scan and make available via its online service LLMC-Digital, a collection of hardcopy materials, especially the Proceedings of the Cook County Board of Commissioners. CCLL seeks to convert the Proceedings into digital format to provide access to County residents and ensure the preservation of the original documents. LLMC seeks to add these materials to the corpus of materials offered to its worldwide patron base via its online service, LLMC-Digital.

Agreement period: One-time agreement

Fiscal Impact: None

Accounts: N/A

Agreement Number(s): None

Summary/Notes: Cook County Law Library (CCLL) will ship to LLMC and its agent NBS, in appropriately boxed condition, hardcopy materials in its collections known as the Proceedings of the Cook County Board of Commissioners and other materials as mutually agreed. CCLL will provide limited meta-data for each book and provide to LLMC the Cook County Law Library logo and an acknowledgement statement that the material was provided by Cook County Law Library. CCLL will bear the costs incurred in shipping the materials to LLMC and its agent NBS. LLMC will scan the materials to industry standards. LLMC will process the images and mount the images on LLMC-Digital. LLMC will also provide the images to CCLL upon request. Upon completion of the digitization of the Proceedings of the Cook County Board of Commissioners, LLMC agrees to include this content in its Open Access Collection providing for public access at no charge. CCLL will be recognized as the Sponsor for this program and, in exchange, offers to LLMC the right of first refusal to digitize foreign and international

titles. CCLL will assist LLMC with access to these materials in order to identify materials for digitization. As part of this agreement, LLMC commits, at its own expense, to aiding in the long-term preservation of these paper blocks by shipping them to and storing them indefinitely at its own expense in its dark archive facility in salt mines at Hutchinson, Kansas. Formal ownership of these materials while in the custody of LLMC shall be retained by CCLL.

A motion was made by Commissioner Daley, seconded by Commissioner Sims, that the Agreement be approved. The motion carried.

BUREAU OF ADMINISTRATION
OFFICE OF THE MEDICAL EXAMINER

17-2133

Presented by: PONNI ARUNKUMAR, M.D. Chief Medical Examiner

PROPOSED AGREEMENT

Department(s): Cook County Medical Examiner (CCME)

Other Part(ies): Rush University Medical Center (RUMC), Chicago, Illinois

Request: Authorization to enter into an interagency agreement

Good(s) or Service(s): The CCME is providing a clinical education experience to the RUMC students, and the RUMC students are gaining the training needed to complete their medical rotation.

Agreement period: 6/1/2017 - 5/31/2022

Fiscal Impact: None

Accounts: N/A

Agreement Number(s): N/A

Summary/Notes: RUMC shall be responsible for the overall direction of the Graduate Medical Education Programs and for enforcement of the Requirements. RUMC, acting through the Program Director, is responsible for ensuring that Residents' experience at the CCME Office shall comply with all applicable Requirements. The CCME Office shall provide all accommodations necessary for the clinical training of Residents to satisfy the Requirements and to provide adequate attending physicians to supervise the clinical education of the Residents during such rotation, subject to review and approval by the Graduate Medical Education Committee.

A motion was made by Commissioner Daley, seconded by Commissioner Sims, that the Agreement be approved. The motion carried.

BUREAU OF ADMINISTRATION
DEPARTMENT OF TRANSPORTATION AND HIGHWAYS

17-0378

Presented by: JOHN YONAN, P.E., Superintendent, Department of Transportation and Highways

PROPOSED CONTRACT

Department(s): Department of Transportation and Highways, Sheriff's Office, and Department of Homeland Security and Emergency Management

Vendor: Genuine Parts Company d/b/a NAPA, Naperville, Illinois

Request: Authorization for the Chief Procurement Officer to enter into and execute

Good(s) or Service(s): Vendor Managed Inventory Program

Contract Value: \$2,610,000.00

Contract period: 4/1/2017 – 3/31/2018, with one (1), one (1) year renewal option

Potential Fiscal Year Budget Impact:

Department of Transportation and Highways: FY 2017 - \$650,000.00

Sheriff's Office: FY 2017 - \$1,860,000.00

Homeland Security and Emergency Management: FY 2017- \$100,000.00

Accounts:

Department of Transportation and Highways: 500-444, 501-444

Sheriff's Office: 499-444

Homeland Security and Emergency Management Services: 769-444

Contract Number(s): 1684-15656

Concurrences:

The vendor has met the Minority- and Women-owned Business Enterprise Ordinance via direct participation and partial MWBE waiver.

The Chief Procurement Officer concurs.

Summary: The Department of Transportation and Highways, Sheriff's Office, and the Department of Homeland Security and Emergency Management request authorization for the Chief Procurement Officer to enter into and execute a contract with Genuine Parts Company d/b/a NAPA for a Vendor Managed Inventory Program. The Using Agencies will purchase automobile and

heavy duty equipment parts needed to repair County-owned vehicles.

This is a Comparable Government Procurement pursuant to Section 34-140 of the Cook County Procurement Code. Genuine Parts Company d/b/a NAPA was previously awarded through a Request for Proposals (RFP) process by the Illinois Tollway. Cook County wishes to leverage this procurement effort.

A motion was made by Commissioner Sims, seconded by Commissioner Arroyo, that the Contract be approved. The motion carried.

17-1697

Presented by: JOHN YONAN, P.E., Superintendent, Department of Transportation and Highways

PROPOSED CONTRACT (TRANSPORTATION AND HIGHWAYS)

Department(s): Transportation and Highways

Vendor: Plote Construction, Inc., Hoffman Estates, Illinois

Request: Authorization for the Chief Procurement Officer to enter into and execute contract.

Good(s) or Service(s): Construction Services

Location:

Lake Cook Road at Takeda Parkway

Mundhank Road-Barrington Road to Freeman Road

East Frontage Road - Old Orchard Road to Glenview Road West Frontage Road - Illinois Road to Orchard Lane

County Board District: 13, 14 and 15

Section:

16-A5019-00-FP

16-A8106-00-FP

16-EFEDN-00-FP

16-WFEDN-00-FP

Contract Value: \$2,199,610.65

Contract period: 3/29/2017 - 11/4/2019

Centerline Mileage: 2.875

Potential Fiscal Year Budget Impact: FY 2017 \$ 1,759,688.52, FY 2018 \$ 219,961.07, FY 2019 \$ 219,961.06

Accounts: Motor Fuel Tax Funds, Account 600-585

Contract Number(s): 1655-15887

IDOT Contract Number(s): N/A

Federal Project Number(s): N/A

Federal Job Number(s): N/A

Concurrences:

The vendor has met the Minority-and Women-owned Business Enterprise Ordinance via direct participation.

The Chief Procurement Officer concurs.

Summary: The Pavement Preservation and Rehabilitation Program - North 2016 - Group 1 includes pavement rehabilitation, concrete sidewalk improvements, existing structure adjustments and reconstruction, curb and gutter replacement, detector loops, maintenance of existing traffic signal installation, survey monuments, earth excavation, grading and shaping ditches, topsoil, seeding, sodding and fertilizer nutrients, pavement markings and reflective pavement markers, sidewalk ADA improvements, and all other work as required to complete the improvements.

Competitive bidding procedures were followed in accordance with the Cook County Procurement Code. Plote Construction, Inc. was the lowest, responsive and responsible bidder.

A motion was made by Commissioner Sims, seconded by Commissioner Arroyo, that the Contract be approved. The motion carried.

17-1768

Presented by: JOHN YONAN, P.E., Superintendent, Department of Transportation and Highways

PROPOSED APPROPRIATING RESOLUTION (TRANSPORTATION AND HIGHWAYS)

Department: Transportation and Highways

Other Part(ies): N/A

Request: Approval

Good(s) or Services(s): Transportation Distribution and Logistics Workforce Development Program

Location: Various Locations within Cook County

Section: 17-TDLWD-00-TR

County Board Districts: Countywide

Fiscal Impact: \$500,000.00

Accounts: Motor Fuel Tax Funds (600-585 Account)

Summary: The Department of Transportation and Highways respectfully submits for adoption a resolution appropriating funds for the Transportation Distribution and Logistics Workforce Development Program. This program consists of providing training and support for individuals entering the transportation distribution and logistics industry. This includes qualifications development, technical training and certifications that relate to the transportation sector. This program supports the regions role as North America's Freight Capital, a policy outlined in the County's Long Range Transportation Plan.

These services are needed to enable the Department to continue its mission of providing safe, efficient and effective transportation facilities for the general public in Cook County.

17-1768

Resolution for Improvement
by County Under the Illinois Highway Code

BE IT RESOLVED, by the County Board of Commissioners of Cook County, Illinois, that the following described County Highway(s) be improved under the Illinois Highway Code:
County Highway(s) N/A, beginning at a point near Various locations throughout Cook County and extending along said route(s) in a(n) N/A direction to a point near N/A, a distance of approximately N/A; and,

BE IT FURTHER RESOLVED, that the type of improvement shall be Transportation Distribution and Logistics Workforce Development Program which involves support and training for individuals entering into the transportation distribution and logistics industry. The program involves qualifications development, technical training and certifications that interact with the transportation sector and supports the regions role as North America's Freight Capital and shall be designated as Section: 17-TDLWD-00-TR and,

BE IT FURTHER RESOLVED, that the improvement was constructed by contract; and

BE IT FURTHER RESOLVED, that there is hereby appropriated the sum of Five Hundred Thousand and N0/100 Dollars, (\$500,000.00) from the County's allotment of Motor Fuel Tax Funds for the construction of this improvement and,

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

March 22, 2017

A motion was made by Commissioner Sims, seconded by Commissioner Arroyo, that the Appropriating Resolution be approved. The motion carried.

BUREAU OF ASSET MANAGEMENT
CAPITAL PLANNING AND POLICY

17-1936

Presented by: EARL MANNING, Director, Office of Capital Planning and Policy

PROPOSED CONTRACT AMENDMENT

Department(s): Capital Planning & Policy

Vendor: The Gordian Group, Inc., Greenville, South Carolina

Request: Authorization for the Chief Procurement Officer to extend contract

Good(s) or Service(s): Professional Services

Original Contract Period: 5/1/2012- 4/30/2015 with two (2), one (1), year renewal options

Proposed Contract Period Extension: 5/1/2017- 4/30/2018

Total Current Contract Amount Authority: \$7,050,000.00

Original Approval (Board or Procurement): 5/14/2012, \$1,050,000.00

Previous Board Increase(s) or Extension(s): 4/6/2015, \$2,500,000.00; 5/11/2016, 5/1/2016-4/30/2017, \$3,500,000.00

Previous Chief Procurement Officer Increase(s) or Extension(s): 4/24/2015, 5/1/2015-4/30/2016

This Increase Requested: N/A

Potential Fiscal Impact: N/A

Accounts: Capital Improvement Program

Contract Number(s): 11-28-043

Concurrences:

The vendor has met the Minority- and Women-owned Business Enterprise Ordinance via indirect

participation.

The Chief Procurement Officer concurs.

Summary: The objective of the Job Order Contracting (JOC) program is to provide an alternate procurement method to enable the County to rapidly engage construction project simultaneously. The JOC Program is consisted of the JOC administrator and JOC Construction Contractors.

The Gordian Group is the current JOC Administrator providing management services for the JOC Program. The Gordian Group's fee for the services provided is assessed as a percentage of the value of construction procured by the County through the JOC program. The County is under no obligation to expend any monies, and is only obligated to pay The Gordian Group's fee when the construction work is procured through the JOC program. This extension will accommodate the time necessary for the procurement and potential transitional period for the new JOC administrator.

This contract was awarded through a Request for Proposal (RFP) process in accordance with the Cook County Procurement Code. The Gordian Group, Inc. was awarded based on established evaluation criteria.

A motion was made by President Pro Tempore Steele, seconded by Commissioner Silvestri, that the Contract Amendment be approved. The motion carried.

BUREAU OF ASSET MANAGEMENT
FACILITIES MANAGEMENT

17-1778

Presented by: BILQIS JACOBS-EL, Director, Department of Facilities Management

PROPOSED CONTRACT

Department(s): Facilities Management

Vendor: Temp Tech Industries, Inc., Chicago, Illinois

Request: Authorization for the Chief Procurement Officer to enter into and execute

Good(s) or Service(s): Glass Supplies

Contract Value: \$523,556.00

Contract period: 4/1/2017 - 3/31/2019, with one (2), one (1) year renewal option

Potential Fiscal Year Budget Impact: FY 2017 \$174,518.64, FY 2018 \$261,777.96, FY2019 \$87,259.40.

Accounts: 200-333 Institutional Supplies

Contract Number(s): 1645-15174

Concurrences:

The vendor has met the Minority- and Women-owned Business Enterprise Ordinance via direct participation.

The Chief Procurement Officer concurs.

Summary: The Department of Facilities Management requests authorization for the Chief Procurement Officer to enter into and execute a contract with Temp Tech Industries, Inc. to provide glass supplies for the Department of Facilities Management's staff to repair glass panes at various Cook County facilities.

Competitive bidding procedures were followed in accordance with the Cook County Procurement Code. Temp Tech Industries, Inc. was the lowest, responsive and responsible bidder.

A motion was made by President Pro Tempore Steele, seconded by Commissioner Silvestri, that the Contract be approved. The motion carried.

BUREAU OF ASSET MANAGEMENT
REAL ESTATE

17-2238

Presented by: JESSICA CAFFREY, Director, Real Estate Management Division

PROPOSED LEASE AGREEMENT

Department: Department of Real Estate Management

Request: Approve a Lease Agreement

Landlord: County of Cook

Tenant: Office of the Attorney General of the State of Illinois

Location: 69 West Washington Street, 18th Floor

Term/Extension Period: 3/30/2017 - 3/31/2022

Space Occupied: 20,038 Square feet

Monthly

Lease Year	Base Rent (psf)	Annual Base Rent	Monthly Base Rent
1	\$17.19	\$344,453.28	\$28,704.44
2	\$17.53	\$351,266.16	\$29,272.18
3	\$17.88	\$358,279.44	\$29,856.62
4	\$18.24	\$365,493.12	\$30,457.76
5	\$18.61	\$372,907.20	\$31,075.60
Option Period:			
6	\$18.98	\$380,321.28	\$31,693.44
7	\$19.36	\$387,935.64	\$32,327.97
8	\$19.75	\$395,748.96	\$32,979.08
9	\$20.15	\$403,765.68	\$33,647.14
10	\$20.55	\$411,780.96	\$34,315.08

Operating Expenses: In addition to Base Rent, Tenant shall pay its proportionate share of operating expenses for the building, currently about \$9.33 per square foot or \$186,954.00 annually.

Fiscal Impact: Revenue Generating

Accounts: N/A

Option to Renew: One 5 year option, Lease Years 6-10

Termination: N/A

Utilities Included: No, Tenant pays for electricity metered to Premises

Summary/Notes: The Attorney General has occupied the Premises since March of 2007. Under the proposed agreement, the Attorney General would continue to use the entire 18th floor as executive and administrative offices. The County is providing minor office partitioning to the Premises.

A motion was made by President Pro Tempore Steele, seconded by Commissioner Silvestri, that the Lease Agreement be approved. The motion carried.

BUREAU OF ECONOMIC DEVELOPMENT
DEPARTMENT OF PLANNING AND DEVELOPMENT

17-2192

Sponsored by: TONI PRECKWINKLE (President) and EDWARD M. MOODY, Cook County Board of Commissioners

PROPOSED RESOLUTION

7518 WEST 98TH PLACE, LLC OR ITS ASSIGNEE CLASS 7A PROPERTY TAX INCENTIVE REQUEST

WHEREAS, the Cook County Bureau of Economic Development received and reviewed a Real Property Assessment Classification 7a application containing the following information:

Applicant: 7518 West 98th Place, LLC or its Assignee

Address: 7518 West 98th Place, Bridgeview, Illinois 60455

Municipality or Unincorporated Township: Bridgeview

Cook County District: 6

Permanent Index Number: 23-12-211-019-0000

Municipal Resolution Number: Village of Bridgeview Resolution No. 17-2

Number of month property vacant/abandoned: Nine (9) months vacant

Special circumstances justification requested: Yes

Estimated Number of jobs created by this project: 10-15 full-time jobs

Estimated Number of jobs retained at this location: 13 full-time jobs

Estimated Number of employees in Cook County: 79 full-time jobs

Estimated Number of construction jobs: 10-15 construction jobs

Proposed use of property: Commercial rental and sale of lifting gear

Living Wage Ordinance Compliance Affidavit Provided: No not required for commercial industry

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 7a that provides an applicant a reduction in the assessment level for an abandoned industrial facility; and

WHEREAS, the Cook County Classification System for Assessment defines abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 continuous months, have been purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances may exist that justify finding that the property is abandoned for purpose of Class 7a; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value, by a purchaser in whom the seller has no direct financial interest, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 7a requires the validation by the County Board of the shortened period of qualifying abandonment in cases where the facility has been abandoned for less than 24 consecutive months upon purchase for value; and

WHEREAS, the municipality states the Class 7a is necessary for development to occur on this specific real estate. The municipal resolution cites the five eligibility requirements set forth by the Class 7a assessment status; and

WHEREAS, industrial real estate is normally assessed at 25% of its market value, qualifying industrial real estate eligible for the Class 6b can receive a significant reduction in the level of assessment from the date that new construction or rehabilitation has been completed, or in the case of abandoned property from the date of substantial re-occupancy. Properties receiving Class 7a will be assessed at 10% of the market value for 10 years, 15% for the 11th year and 20% in the 12th year; and

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the above-captioned property is deemed abandoned with special circumstances under the Class 7a; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Office of the Cook County Assessor.

A motion was made by Commissioner García, seconded by Commissioner Moody, that the Proposed Resolution be referred to the Business and Economic Development Committee. The motion carried.

17-2199

Sponsored by: TONI PRECKWINKLE (President) and RICHARD R. BOYKIN, Cook County Board of Commissioners

PROPOSED RESOLUTION

DEZARA HOLDINGS LLC 6B PROPERTY TAX INCENTIVE REQUEST

WHEREAS, the Cook County Bureau of Economic Development received and reviewed a Real Property Assessment Classification 6b application containing the following information:

Applicant: DeZara Holdings LLC

Address: 10 Davis Drive, Bellwood, Illinois 60104

Municipality or Unincorporated Township: Bellwood

Cook County District: 1

Permanent Index Number: 15-08-101-061-0000, subject to PIN division changes

Municipal Resolution Number: 16-69

Number of month property vacant/abandoned: 35 months at time of application to BED

Special circumstances justification requested: Yes

Estimated Number of jobs created by this project: 0 full-time, 0 part-time

Estimated Number of jobs retained at this location: 10 full-time, 0 part-time

Estimated Number of employees in Cook County: 10 full-time, 0 part-time

Estimated Number of construction jobs: N/A

Proposed use of property: Industrial- warehousing, storage and distribution

Living Wage Ordinance Compliance Affidavit Provided: Yes

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an abandoned industrial facility; and

WHEREAS, the Cook County Classification System for Assessment defines abandoned property as buildings and other structures that, after having been vacant and unused for more than 24 continuous months, there has been no purchased for value by a purchaser and the property is in need of substantial rehabilitation ; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances may exist that justify finding that the property is abandoned for purpose of Class 6b; and

WHEREAS, in the case of abandonment of over 24 months and no purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property as being deemed abandoned; and

WHEREAS, Class 6b requires a resolution by the County Board validating the property as abandoned for the purpose of Class 6b; and

WHEREAS, the municipality states the Class 6b is necessary for development to occur on this specific real estate. The municipal resolution cites the qualifications of this property to meet the definition of abandoned with special circumstances; and

WHEREAS; industrial real estate is normally assessed at 25% of its market value, qualifying industrial real estate eligible for the Class 6b can receive a significant reduction in the level of assessment from the date that new construction or rehabilitation has been completed, or in the case of abandoned property from the date of substantial re-occupancy. Properties receiving Class 6b will be assessed at 10% of the market value for 10 years, 15% for the 11th year and 20% in the 12th year; and

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the above-captioned property is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Office of the Cook County Assessor.

A motion was made by Commissioner García, seconded by Commissioner Moody, that the Proposed Resolution be referred to the Business and Economic Development Committee. The motion carried.

17-2205

Sponsored by: TONI PRECKWINKLE (President) and JEFFREY R. TOBOLSKI, Cook County Board of Commissioners

PROPOSED RESOLUTION

ALLIANCE COMPANIES INC. 6B PROPERTY TAX INCENTIVE REQUEST

WHEREAS, the Cook County Bureau of Economic Development received and reviewed a Real Property Assessment Classification 6b application containing the following information:

Applicant: Alliance Companies Inc.

Address: 225 Fencl Lane, Hillside, Illinois 60162

Municipality or Unincorporated Township: Hillside

Cook County District: 16

Permanent Index Number: (2) PINs: 15-17-304-060-0000; 15-17-304-093-0000

Municipal Resolution Number: 17-01, approved January 23, 2017

Number of month property vacant/abandoned: 3

Special circumstances justification requested: Yes

Estimated Number of jobs created by this project: 0 full-time, 0 part-time

Estimated Number of jobs retained at this location: 20 full-time, 0 part-time

Estimated Number of employees in Cook County: 20 full-time, 0 part-time

Estimated Number of construction jobs: 8-12

Proposed use of property: Industrial-warehousing and distribution

Living Wage Ordinance Compliance Affidavit Provided: Yes

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an abandoned industrial facility; and

WHEREAS, the Cook County Classification System for Assessment defines abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 continuous months, have been purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances may exist that justify finding that the property is abandoned for purpose of Class 6b; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value, by a purchaser in whom the seller has no direct financial interest, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 6b requires the validation by the County Board of the shortened period of qualifying abandonment in cases where the facility has been abandoned for less than 24 consecutive months upon purchase for value; and

WHEREAS, the municipality states the Class 6b is necessary for development to occur on this specific real estate. The municipal resolution cites the qualifications of this property to meet the definition of abandoned with special circumstances; and

WHEREAS, industrial real estate is normally assessed at 25% of its market value, qualifying industrial real estate eligible for the Class 6b can receive a significant reduction in the level of assessment from the date that new construction or rehabilitation has been completed, or in the case of abandoned property from the date of substantial re-occupancy. Properties receiving Class 6b will be assessed at 10% of the market value for 10 years, 15% for the 11th year and 20% in the 12th year; and

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the above-captioned property is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Office of the Cook County Assessor.

A motion was made by Commissioner García, seconded by Commissioner Moody, that the Proposed Resolution be referred to the Business and Economic Development Committee. The motion carried.

17-2209

Sponsored by: TONI PRECKWINKLE (President) and EDWARD M. MOODY, Cook County Board of Commissioners

PROPOSED RESOLUTION

HAMRA GATEWAY LLC CLASS 8 PROPERTY TAX INCENTIVE REQUEST

WHEREAS, the Cook County Bureau of Economic Development received and reviewed a Real Property Assessment Classification 8 application containing the following information:

Applicant: Hamra Gateway LLC

Address: 300 East 162nd Street, South Holland, Illinois 60473

Municipality or Unincorporated Township: South Holland

Cook County District: 6

Permanent Index Number: (6) PINs: 29-15-308-018-0000; 29-15-308-019-0000; 29-15-308-020-0000; 29-15-308-040-0000; 29-15-308-042-0000; 29-15-308-072-0000

Municipal Resolution Number: Village of South Holland Resolution approved August 3, 2015

Number of month property vacant/abandoned: 26 months at time of application to BED

Special circumstances justification requested: Yes

Estimated Number of jobs created by this project: 50 full-time, 0 part-time

Estimated Number of jobs retained at this location: 0 full-time, 0 part-time

Estimated Number of employees in Cook County: 0 full-time, 0 part-time

Estimated Number of construction jobs: #0

Proposed use of property: Commercial-retail/office center

Living Wage Ordinance Compliance Affidavit Provided: N/A

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 8 that provides an applicant a reduction in the assessment level for an abandoned industrial facility; and

WHEREAS, the Cook County Classification System for Assessment defines abandoned property as

buildings and other structures that, after having been vacant and unused for more than 24 continuous months, there has been no purchased for value by a purchaser and the property is in need of substantial rehabilitation; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances may exist that justify finding that the property is abandoned for purpose of Class 8; and

WHEREAS, in the case of abandonment of over 24 months and no purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property as being deemed abandoned; and

WHEREAS, Class 8 requires a resolution by the County Board validating the property as abandoned for the purpose of Class 8; and

WHEREAS, the municipality states the Class 8 is necessary for development to occur on this specific real estate. The municipal resolution cites the qualifications of this property to meet the definition of abandoned with special circumstances; and

WHEREAS; commercial real estate is normally assessed at 25% of its market value, qualifying commercial real estate eligible for the Class 8 can receive a significant reduction in the level of assessment from the date that new construction or rehabilitation has been completed, or in the case of abandoned property from the date of substantial re-occupancy. Properties receiving Class 8 will be assessed at 10% of the market value for 10 years, 15% for the 11th year and 20% in the 12th year; and

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the above-captioned property is deemed abandoned with special circumstances under the Class 8; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Office of the Cook County Assessor.

A motion was made by Commissioner García, seconded by Commissioner Moody, that the Proposed Resolution be referred to the Business and Economic Development Committee. The motion carried.

17-2214

Sponsored by: TONI PRECKWINKLE (President) and TIMOTHY O. SCHNEIDER, Cook County Board of Commissioners

PROPOSED RESOLUTION

NINJA DOG LLC 6B PROPERTY TAX INCENTIVE REQUEST

WHEREAS, the Cook County Bureau of Economic Development received and reviewed a Real Property Assessment Classification 6b application containing the following information:

Applicant: Ninja Dog LLC

Address: 1125 Lunt Avenue, Elk Grove Village, Illinois 60007

Municipality or Unincorporated Township: Elk Grove Village

Cook County District: 15

Permanent Index Number: 08-34-204-009-0000

Municipal Resolution Number: Elk Grove Village Resolution No. 19-16

Number of month property vacant/abandoned: Nine (9) months vacant

Special circumstances justification requested: Yes

Estimated Number of jobs created by this project: 12-17 full-time jobs

Estimated Number of jobs retained at this location: Three (3) full-time jobs

Estimated Number of employees in Cook County: same as above

Estimated Number of construction jobs: None

Proposed use of property: Industrial warehousing and distribution

Living Wage Ordinance Compliance Affidavit Provided: Yes

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an abandoned industrial facility; and

WHEREAS, the Cook County Classification System for Assessment defines abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 continuous months, have been purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances may exist that justify finding that the property is abandoned for purpose of Class 6b; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value, by a purchaser in whom the seller has no direct financial interest, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 6b requires the validation by the County Board of the shortened period of qualifying abandonment in cases where the facility has been abandoned for less than 24 consecutive months upon purchase for value; and

WHEREAS, the municipality states the Class 6b is necessary for development to occur on this specific

real estate. The municipal resolution cites the qualifications of this property to meet the definition of abandoned with special circumstances; and

WHEREAS, industrial real estate is normally assessed at 25% of its market value, qualifying industrial real estate eligible for the Class 6b can receive a significant reduction in the level of assessment from the date that new construction or rehabilitation has been completed, or in the case of abandoned property from the date of substantial re-occupancy. Properties receiving Class 6b will be assessed at 10% of the market value for 10 years, 15% for the 11th year and 20% in the 12th year; and

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the above-captioned property is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Office of the Cook County Assessor.

A motion was made by Commissioner García, seconded by Commissioner Moody, that the Proposed Resolution be referred to the Business and Economic Development Committee. The motion carried.

BUREAU OF HUMAN RESOURCES

17-2213

Presented by: VELISHA HADDOX, Chief, Bureau of Human Resources

REPORT

Department: Bureau of Human Resources

Report Title: HR Bi-Weekly Activity Reports

Report Period: Pay Period 2 and Pay Period 3

Summary: Pay Period 2 covers the two (2) week pay period beginning 1/8/2017 and ending 1/21/2017.

Pay Period 3 covers the two (2) week pay period beginning 1/22/2017 and ending 2/4/2017.

A motion was made by Commissioner Arroyo, seconded by Commissioner Tobolski, that the Report be received and filed. The motion carried.

BUREAU OF TECHNOLOGY
CHIEF INFORMATION OFFICER

17-1520

Presented by: SIMONA ROLLINSON, Chief Information Officer, Bureau of Technology

PROPOSED CONTRACT (TECHNOLOGY)

Department(s): Bureau of Technology

Vendor: B2B Supplies USA, LLC d/b/a Printing Supplies USA, LLC, Plainsboro, New Jersey

Request: Authorization for the Chief Procurement Officer to enter into and execute contract

Good(s) or Service(s): Countywide Refurbished Toner Cartridges

Contract Value: \$307,746.00

Contract period: 4/1/2017 - 3/31/2019 with two (2) one (1)-year renewal options

Potential Fiscal Year Budget Impact: FY 2017 \$153,873.00, FY 2018 \$153,873.00

Accounts: Countywide, account 388/Computer Operation Supplies

Contract Number(s): 1653-15838

Concurrence(s):

The vendor has met the Minority- and Women-owned Business Enterprise Ordinance via full M/WBE waiver.

The Chief Procurement Officer concurs.

Summary: Bureau of Technology requests authorization for the Chief Procurement Officer to enter into and execute a contract with B2B Supplies USA, LLC d/b/a Printing Supplies USA, LLC for Remanufactured Toner Cartridges for all Cook County Using Agencies.

Competitive bidding procedures were followed in accordance with the Cook County Procurement Code. B2B Supplies USA, LLC d/b/a Printing Supplies USA, LLC was the lowest, responsive and responsible bidder.

A motion was made by Commissioner Fritchey, seconded by President Pro Tempore Steele, that the Contract be approved. The motion carried.

17-1940

Presented by: SIMONA ROLLINSON, Chief Information Officer, Bureau of Technology

PROPOSED CONTRACT AMENDMENT (TECHNOLOGY)

Department(s): Bureau of Technology

Vendor: Securus Technologies, Inc., Carrollton, Texas

Request: Authorization for the Chief Procurement Officer to extend contract

Good(s) or Service(s): Telephone services for Cook County jails and detention centers

Original Contract Period: 9/15/2008 - 9/14/2011

Proposed Contract Extension Period: 3/16/2017 - 3/15/2018

Total Current Contract Amount Authority: N/A

Original Approval (Board or Procurement): 11/20/2007

Previous Board Increase(s) or Extension(s): 3/1/2011 (amendment to scope); 12/18/2012, 9/15/2013 - 12/15/2014; 4/9/2014, 12/16/2014 - 12/15/15; 9/9/2015, 12/16/2015 - 9/15/2016; 9/14/2016, 9/16/2016 - 3/15/2017

Previous Chief Procurement Officer Increase(s) or Extension(s): N/A

This Increase Requested: N/A

Potential Fiscal Impact: N/A

Accounts: N/A

Contract Number(s): 08-45-256

Concurrences:

The vendor has met the Minority-and Women-owned Business Enterprise Ordinance via direct participation.

The Chief Procurement Officer concurs.

Summary: The Bureau of Technology respectfully requests Board approval of an extension to Contract No. 08-45-256 with Securus Technology, Inc. to provide telecommunications services to detainees at Cook County confinement facilities while a corresponding Request for Proposal ("RFP")

process is completed. In consideration of the extension, the County secured an additional rate reduction for users of telecommunications services at Cook County confinement facilities.

This contract was awarded through Request for Proposals (RFP) procedures in accordance with the Cook County Procurement Code. Securus Technologies, Inc. was awarded based on established evaluation criteria.

A motion was made by Commissioner Fritchey, seconded by President Pro Tempore Steele, that the Contract be approved. The motion carried.

Commissioners Boykin and Tobolski voted “present”.

OFFICE OF THE ASSESSOR

17-1321

Presented by: JOSEPH BERRIOS, Cook County Assessor

PROPOSED CONTRACT AMENDMENT

Department(s): Cook County Assessor's Office

Vendor: Accredited Chicago Newspapers, Chicago, Illinois

Request: Authorization for the Chief Procurement Officer to renew and increase contract

Good(s) or Service(s): State Mandated Publication for Cook County Townships in Chicago

Original Contract Period: 2/1/2015 - 2/29/2016, with two (2), one (1) year renewal option

Proposed Contract Period Extension: 3/1/2017 - 2/28/2018

Total Current Contract Amount Authority: \$1,128,941.27

Original Approval (Board or Procurement): 11/19/2014, \$1,032,222.23

Previous Board Increase(s) or Extension(s): N/A

Previous Chief Procurement Officer Increase(s) or Extension(s): 1/22/2016, \$96,719.04,
3/1/2016 - 2/28/2017

This Increase Requested: \$118,042.00

Potential Fiscal Impact: FY 2017 \$118,042.00

Accounts: 040-245 Advertising

Contract Number(s): 1484-13782

Concurrences:

The contract-specific goal set on this contract was zero.

The Chief Procurement Officer concurs.

Summary: This increase and second of two (2), one (1) year renewal options will allow the Cook County Assessor's Office to continue to satisfy the statutory requirements set forth in 35 ILCS 200/12-20 and 715 ILCS 10/1 which require assessments for townships in the city of Chicago to be published at the same time.

This contract was awarded as a Sole Source procurement pursuant to Section 34-139 of the Cook County Procurement Code

A motion was made by Commissioner Daley, seconded by Commissioner Sims, that the Contract Amendment be approved. The motion carried.

17-1828

Presented by: JOSEPH BERRIOS, Cook County Assessor, DAVID ORR, County Clerk

PROPOSED CONTRACT AMENDMENT

Department(s): Cook County Assessor's Office and Cook County Clerk's Office

Vendor: Cook County Suburban Publishers, Inc., Chicago, Illinois

Request: Authorization for the Chief Procurement Officer to renew and increase contract

Good(s) or Service(s): State Mandated Publications for Suburban Townships in Cook County

Original Contract Period: 7/1/2016 - 6/30/2017, with two (2), one (1) year renewal options

Proposed Contract Period Extension: 7/1/17 - 6/30/2018

Total Current Contract Amount Authority: \$879,170.45

Original Approval (Board or Procurement): 6/29/2016, \$879,170.45

Previous Board Increase(s) or Extension(s): N/A

Previous Chief Procurement Officer Increase(s) or Extension(s): N/A

This Increase Requested: \$808,385.05

Potential Fiscal Impact: FY 2017 \$646,792.08; FY 2018 \$161,592.97

Accounts: 040-245 Advertising; 524-245 Advertising

Contract Number(s): 1623-15293

Concurrences:

The contract-specific goal set on this contract was zero. The Chief Procurement Officer concurs.

Summary: This increase and first of two (2), one (1) year renewal options will allow the Cook County Assessor's Office to continue to satisfy the statutory requirements set forth in 35 ILCS 200/12-20 and 715 ILCS 10/1 which require assessments to be published at the same time for the North and South suburban townships. Cook County Suburban Publishers, Inc. can publish the North and South suburban townships under one umbrella.

This contract will also allow the Cook County Clerk's Office to continue to satisfy the statutory requirements set forth in Article 12 of the Election Code, 10 ILCS 5/12-1 et seq. which requires the Cook County Clerk's Office to place notices in a minimum of two newspapers for each suburban municipality in the election jurisdiction on the same day and for the same duration of time. If multiple vendors are involved, there could be a scenario where some newspapers in certain municipalities have different publication dates. This would result in a loss of coordination of the notices and possible confusion among the voters. Therefore, it is necessary to have one source that can publish notices in all election municipalities on the same day. Cook County Suburban Publishers, Inc. can provide the necessary geographical coverage and guarantee that notices are placed in the correct papers on the same day.

This contract was awarded as a Sole Source procurement pursuant to Section 34-139 of the Cook County Procurement Code.

A motion was made by Commissioner Daley, seconded by Commissioner Sims, that the Contract Amendment be approved. The motion carried.

OFFICE OF THE SHERIFF
FISCAL ADMINISTRATION AND SUPPORT SERVICES

17-1775

Presented by: THOMAS J. DART, Sheriff of Cook County

PROPOSED CONTRACT AMENDMENT

Department(s): Sheriff's Office and Department of Transportation and Highways

Vendor: Genuine Parts Company d/b/a NAPA, Naperville, Illinois

Request: Authorization for the Chief Procurement Officer to increase contract

Good(s) or Service(s): Vehicle and Equipment, Parts Management and Supply Services

Original Contract Period: 5/1/2012 - 9/30/2014

Proposed Contract Period Extension: N/A

Total Current Contract Amount Authority: \$6,886,666.67

Original Approval (Board or Procurement): 5/1/2012, \$700,000.00

Previous Board Increase(s) or Extension(s): 1/16/2013, \$1,160,000.00; 5/21/2014, \$2,678,666.67, 10/1/2014 - 9/30/2015; 9/9/2015, \$2,200,000.00, 10/1/2015 - 9/30/2016

Previous Chief Procurement Officer Increase(s) or Extension(s): 5/5/2014, \$148,000.00; 11/15/2016, 10/1/2016-12/31/2016; 1/17/2017, 1/1/2017-3/31/2017

This Increase Requested: \$875,000.00

Potential Fiscal Impact: FY 2017 \$675,000.00 (499-444); FY2017 \$20,000.00 (500-444); FY2017 \$180,000.00 (501-444)

Accounts: 499-444; 500-444; 501-444

Contract Number(s): 12-30-185

Concurrences:

The vendor has met the Minority- and Women-owned Business Enterprise Ordinance via direct participation and partial MWBE waiver.

The Chief Procurement Officer concurs.

Summary: This increase is requested to enable the Sheriff's Office and the Department of Transportation and Highways to continue to receive automotive maintenance supplies and parts for County-owned vehicles.

This contract was awarded as a Comparable Government Procurement pursuant to Section 31-140 of the Procurement Code. Genuine Parts Company d/b/a NAPA was previously awarded a contract through a Request for Proposals (RFP) process by the City of Chicago. Cook County wishes to continue to leverage this procurement effort.

A motion was made by Commissioner Silvestri, seconded by President Pro Tempore Steele, that the Contract Amendment be approved. The motion carried.

17-2266

Presented by: THOMAS J. DART, Sheriff of Cook County

PROPOSED REAPPOINTMENT

Appointee(s): Byron Brazier

Position: Member

Department/Board/Commission: Cook County Sheriff's Merit Board

Effective date: 3/20/2017

Expiration date: Third Monday in March, 2023, or until a successor is appointed

Summary: The reappointment of Mr. Byron Brazier to continue to serve as a member of the Cook County Sheriff's Merit Board shall be effective immediately. Pursuant to 55 ILCS 5/3-7002, Mr. Brazier's six year term will expire on the Third Monday in March, 2017. This reappointment will be effective from 3/20/2017 and Mr. Brazier's new six year term will expire on the Third Monday in March, 2023.

A motion was made by Commissioner Suffredin, seconded by President Pro Tempore Steele, that the Proposed Reappointment be referred to the Legislation and Intergovernmental Relations Committee. The motion carried.

17-2269

Presented by: THOMAS J. DART, Sheriff of Cook County

PROPOSED REAPPOINTMENT

Appointee(s): John Dalicandro

Position: Member

Department/Board/Commission: Cook County Sheriff's Merit Board

Effective date: 3/20/2017

Expiration date: Third Monday in March, 2023, or until a successor is appointed

Summary: The reappointment of Mr. John Dalicandro to continue to serve as a member of the Cook County Sheriff's Merit Board shall be effective immediately. Pursuant to 55 ILCS 5/3-7002, Mr. Dalicandro's six year term will expire on the Third Monday in March, 2017. This reappointment will be effective from 3/20/2017 and Mr. Dalicandro's new six year term will expire on the Third Monday in March, 2023

A motion was made by Commissioner Suffredin, seconded by President Pro Tempore Steele, that the Proposed Reappointment be referred to the Legislation and Intergovernmental Relations Committee. The motion carried

17-2271

Presented by: THOMAS J. DART, Sheriff of Cook County

PROPOSED REAPPOINTMENT

Appointee(s): Vincent T. Winters

Position: Member

Department/Board/Commission: Cook County Sheriff's Merit Board

Effective date: 3/20/2017

Expiration date: Third Monday in March, 2023, or until a successor is appointed

Summary: The reappointment of Mr. Vincent T. Winters to continue to serve as a member of the Cook County Sheriff's Merit Board shall be effective immediately. Pursuant to 55 ILCS 5/3-

7002, Mr. Winters' six year term will expire on the Third Monday in March, 2017. This reappointment will be effective from 3/20/2017 and Mr. Winters' new six year term will expire on the Third Monday in March, 2023.

A motion was made by Commissioner Suffredin, seconded by President Pro Tempore Steele, that the Proposed Reappointment be referred to the Legislation and Intergovernmental Relations Committee. The motion carried.

OFFICE OF THE STATE'S ATTORNEY

17-1952

Presented by: KIMBERLY FOXX, Cook County State's Attorney

PROPOSED PREVIOUSLY APPROVED ITEM AMENDMENT

Department: Cook County State's Attorney's Office

Request: Amendment to a previously approved settlement item on the 10/5/2016 Finance Agenda and County Board Agenda of the same date to add an additional payee.

Item Number: 16-5484 **Fiscal Impact:** N/A **Account(s):** N/A **Original Text of Item:**

Case: Round v. Randall

Case No: 14 C 7181

Settlement Amount: \$16,000.00

Fixed Charges Department: 499 (Public Safety) Payable to: Danny Round and Konicek & Dillon, P.C.

Litigation Subcommittee Approval: N/A

Subject matter: Allegation of a civil rights violation

A motion was made by Commissioner García, seconded by President Pro Tempore Steele, that the Previously Approved Item Amendment be approved. The motion carried.

COMMITTEE ITEMS REQUIRING BOARD ACTION

TECHNOLOGY AND INNOVATION COMMITTEE

MEETING OF MARCH 22, 2017

17-1041

Presented by: SIMONA ROLLINSON, Chief Information Officer, Bureau of Technology

PROPOSED CONTRACT AMENDMENT (TECHNOLOGY)

Department(s): Bureau of Technology and Bureau of Human Resources

Vendor: Oracle America, Inc., Redwood Shores, California

Request: Authorization for the Chief Procurement Officer to increase contract

Good(s) or Service(s): Oracle E-Business Suite and Talent Software, Licenses, and Hosting Services

Current Contract Period: 1/22/2015 - 1/21/2020 with five (5) one (1)-year renewal options

Proposed Contract Extension Period: N/A

Total Current Contract Amount Authority: \$12,821,331.50

Original Approval (Board or Procurement): 2/10/2015, \$12,150,000.00

Previous Board Increase(s) or Extension(s): 2/10/2016 \$671,331.50 (for addition of ESB licenses)

Previous Chief Procurement Officer Increase(s) or Extension(s): N/A

This Increase Requested: \$5,550,901.40

Potential Fiscal Impact: FY 2017: \$2,299,962.80; FY 2018: \$1,644,277.80; FY 2019 \$1,419,160.80; FY 2020: \$187,500.00

Accounts: E-Business Suite Software and Licenses: (490/441, \$1,313,000.00); (Capital/Project #: 22432, \$732,000.00)

Talent Software and Hosting Services: (032-441, \$990,338.40)

Contract Number(s): 1390-12899

Concurrences:

The contract-specific goal set on this contract was zero.

The Chief Procurement Officer concurs.

Summary: The Bureau of Technology requests approval of two amendments to Contract no. 1390-12899 with Oracle America, Inc. to 1) exercise the County's Universal License Agreement ("ULA") expansion option, and 2) add Oracle's Talent Software and Hosting Services to the product pool of the County's agreement.

The ULA is a component of the overarching Contract that allows the County to establish its license consumption levels before entering maintenance mode. Because the County is currently implementing multiple large Oracle-based projects with varying go-live dates through 2020, such as Enterprise Resource Planning, Integrated Property, and the Enterprise Service Bus, it is important that the County exercises its ULA expansion option in order to accommodate the license consumption required by these projects in the

coming years.

The Oracle Talent Software and Hosting Services element represent the products purchased by Oracle from Taleo Corporation, which the County previously purchased from Taleo Corporation under Contract No. 09-41-351 in 2009 to provide automated recruiting, hiring, and onboarding for the County, Health and Hospital System, Separately Elected Officials and Forest Preserve District.

The contract was awarded through the Request for Proposals (RFP) process in accordance with the Cook County Procurement Code. Oracle America, Inc. was awarded this contract based on established evaluation criteria.

A motion was made by Commissioner Fritchey, seconded by Commissioner Morrison, that the Contract Amendment be approved. The motion carried.

17-1491

Presented by: DOROTHY BROWN, Clerk of the Circuit Court

PROPOSED CONTRACT (TECHNOLOGY)

Department(s): Clerk of the Circuit Court

Vendor: Tyler Technologies, Inc. Plano, Texas

Request: Authorization for the Chief Procurement Officer to enter into and execute contract

Good(s) or Service(s): Implementation of an Electronic Case Management and Court Docket System

Contract Value: \$36,449,035.00

Contract period: 4/9/2017 - 4/8/2021, with two (2) three (3)-year renewal options

Potential Fiscal Year Budget Impact: FY 2017 (\$6,181,245.00), FY 2018 (\$8,563,007.00), FY 2019 (\$8,724,301.00), FY 2020 (\$7,954,082.00) FY 2021 (\$5,026,400.00)

Accounts: 335-579 (\$28,817,803) 528-441(\$6,966,243) 528-260 (\$664,989)

Contract Number(s): 1590-14357

Concurrence(s):

The vendor has met the Minority- and Women-owned Business Enterprise Ordinance via direct participation.

The Chief Procurement Officer concurs.

The Bureau of Technology concurs

Summary: The Office of the Clerk of the Circuit Court is requesting authorization for the Chief

Procurement Officer to enter into and execute a contract with Tyler Technologies, Inc. to implement the most technically sound, scalable, and state of the art comprehensive case management solution to replace its current case management / court docketing system for all areas of law and supporting administrative departments, which is currently located on the County's legacy mainframe system. Prior to releasing the RFP, a thorough needs analysis of the Clerk's business processes and our data sharing efforts with our justice partners was conducted to ensure that all of the critical functions and specifications for the new system were identified and included in the RFP.

The new case management system will provide sufficient flexibility and has met all of the requirements that were defined, this system is also in alignment with the best-in-industry project implementation and data migration approach which will convert over forty (40) years of case and court history.

Through the implementation of the case management system, the Clerk's Office will be able to provide the following:

- Implement improved Integration with Cook County Integrated Criminal Justice through the County's Enterprise Service Bus (ESB)
- Provide enhanced the public's access to the court system allowing for improved transparency within the court docket and case files;
- Improve and streamline operations and modernize business processes;
- Increase case processing efficiency;
- Decrease repetitive work;
- Reduce reliance on paper and printing

The contract was awarded through the Request for Proposal (RFP) process in accordance with the Cook County Procurement Code. Tyler Technologies, Inc. was selected based on established evaluation criteria.

A motion was made by Commissioner Fritchey, seconded by Commissioner Morrison, to return the Proposed Contract back to the Board of Commissioners with no recommendation. The motion carried.

A motion was made by Commissioner Fritchey, seconded by President Pro Tempore Steele, that the Proposed Contract be referred to the Finance Committee. The motion carried.

17-1516

Presented by: SIMONA ROLLINSON, Chief Information Officer, Bureau of Technology

PROPOSED CONTRACT AMENDMENT (TECHNOLOGY)

Department(s): Bureau of Technology

Vendor: Ensono OpCo Holdings, Inc. (previously known as Acxiom Corporation), Downers Grove, Illinois

Request: Authorization for the Chief Procurement Officer to increase contract

Good(s) or Service(s): Mainframe hosting services

Original Contract Period: 12/1/2011 - 11/30/2016

Proposed Contract Extension Period: N/A

Total Current Contract Amount Authority: \$27,278,793.00

Original Approval (Board or Procurement): 12/14/2011, \$23,203,710.00

Previous Board Increase(s) or Extension(s): 9/10/2012, \$1,087,543.00; 5/8/2013, \$1,353,946.00
12/1/2016 - 4/30/2017; 4/1/2015, \$1,633,594.00, 5/1/2017 - 6/30/2019)

Previous Chief Procurement Officer Increase(s) or Extension(s): N/A

This Increase Requested: \$8,251,415.00

Potential Fiscal Impact: FY 2017, \$2,372,329.00; FY 2018, \$3,788,028.00; FY 2019, \$2,091,058.00

Accounts: 499-441

Contract Number(s): 11-88-061

Concurrences:

The vendor has met the Minority-and Women-owned Business Enterprise Ordinance via direct and indirect participation and partial M/WBE waiver.

The Chief Procurement Officer concurs.

Summary: The Bureau of Technology requests approval of an increase to Contract No. 11-88-061 to ensure provision of Mainframe hosting services through the expiration of the agreement. The agreement currently provides Midrange hosting services through 6/30/2019, with Mainframe hosting services scheduled to expire in 4/30/2017. The Mainframe hosts critical applications for County Justice and Property Agencies and must be maintained through 2019 in order to ensure the continuity of core County functions during the County's migration from the Mainframe.

This contract was originally award as a Comparable Procurement pursuant to Section 34-140 of the Cook County Procurement Code. Ensono OpCo Holdings, Inc., previously known as Acxiom Corporation, was awarded a contract by the City of Chicago through a competitive Request for Proposal process. Cook County wishes to leverage this procurement effort.

A motion was made by Commissioner Fritchey, seconded by Commissioner Morrison, that the Contract Amendment be approved. The motion carried.

17-1942

Presented by: SIMONA ROLLINSON, Chief Information Officer, Bureau of Technology

PROPOSED CONTRACT (TECHNOLOGY)

Department(s): Bureau of Technology

Vendor: Sentinel Technologies, Inc., Downers Grove, Illinois

Request: Authorization for the Chief Procurement Officer to enter into and execute contract

Good(s) or Service(s): Unified Communications (Voice Over IP)

Contract Value: \$24,557,634.93

Contract period: 4/1/2017 - 3/31/2022 with three (3) one (1)-year renewal options

Potential Fiscal Year Budget Impact: FY 2017 \$8,626,332.27, FY 2018 \$4,972,856.00, FY 2019 \$5,122,856.00, FY 2020 \$5,055,365.66, FY 2021 \$780,225.00

Accounts: Legacy CPID#: 9639; Fund #: 11569; Project #:21075; Award #:10095; Organization #:1009; Object Account #:560227

Fund #: 11620, Award #: 10387

Contract Number(s): 1590-14365A

Concurrence(s):

The vendor has met the Minority-and Women-owned Business Enterprise Ordinance via direct participation.

The Chief Procurement Officer concurs.

Summary: The Bureau of Technology requests Board authorization for the Chief Procurement Officer to enter into Contract No. 1590-14365A for the implementation of a unified communications Voice Over IP (VoIP) solution to replace the County's aging telephony infrastructure.

This contract was awarded through Request for Proposals (RFP) procedures in accordance with the Cook County Procurement Code. Sentinel Technologies, Inc. was awarded based on established evaluation criteria.

A motion was made by Commissioner Fritchey, seconded by Commissioner Morrison, that the Contract Amendment be approved. The motion carried.

**LEGISLATION AND INTERGOVERNMENTAL RELATIONS COMMITTEE
MEETING OF MARCH 22, 2017**

17-2076

Presented by: TONI PRECKWINKLE, President, Cook County Board of Commissioners

PROPOSED APPOINTMENT

Appointee(s): Von T. Matthews

Position: Member

Department/Board/Commission: Cook County Board of Ethics

Effective date: Immediate

Expiration date: 3/8/2021 or until a successor is appointed and qualified.

A motion was made by Commissioner Suffredin, seconded by Commissioner Silvestri, that the Appointment be approved. The motion carried.

17-2179

Presented by: TONI PRECKWINKLE, President, Cook County Board of Commissioners

PROPOSED APPOINTMENT

Appointee(s): Ann P. Kalayil

Position: Chief, Bureau of Asset Management

Department/Board/Commission: Bureau of Asset Management

Effective date: Immediate

Expiration date: N/A

Summary: I hereby appoint Ann Kalayil to the position of Chief of the Bureau of Asset Management. Ann comes to Cook County with a long and successful background in facilities and real estate management, staff supervision, strategic planning and budgeting. Most recently, Ann served as Regional Administrator of the U.S. General Services Administration's Great Lakes Region. As the agency's regional chief executive, she headed operations that supported federal agencies and the U.S. Courts in six states.

Prior to her position at the GSA, Ann worked for more than 18 years at the University of Chicago in Information Technology Services. She has taught courses at DePaul University, Loyola University Chicago, and the University of Illinois at Chicago. She received a bachelor's degree in political science from the University of Illinois at Chicago, a bachelor's degree in computer science from Northeastern Illinois University, and a doctorate from the University of Wisconsin-Madison.

A motion was made by Commissioner Suffredin, seconded by Commissioner Silvestri, that the Appointment be approved. The motion carried.

17-2180

Presented by: TONI PRECKWINKLE, President, Cook County Board of Commissioners

PROPOSED APPOINTMENT

Appointee(s): Edward Calahan

Position: Commissioner

Department/Board/Commission: Cook County Medical Examiner's Advisory Committee

Effective date: Immediate

Expiration date: 3/7/2019 or until a successor is appointed and qualified

A motion was made by Commissioner Suffredin, seconded by Commissioner Silvestri, that the Appointment be approved. The motion carried.

**BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE
MEETING OF MARCH 22, 2017**

**17-1924
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND
RICHARD R. BOYKIN, COUNTY COMMISSIONER**

W-R INDUSTRIES, INC. 6B PROPERTY TAX INCENTIVE REQUEST

WHEREAS, the Cook County Bureau of Economic Development received and reviewed a Real Property Assessment Classification 6b application containing the following information:

Applicant: W-R Industries, Inc. or an entity to be named

Address: 2715 Grant Avenue, Bellwood, Illinois 60104

Municipality or Unincorporated Township: Bellwood

Cook County District: 1

Permanent Index Number: (1) PIN: 15-09-201-013-0000

Municipal Resolution Number: 16-64 approved 11/16/2016

Number of month property vacant/abandoned: 56 months at time of application to BED

Special circumstances justification requested: Yes, purchase from CCLBA is pending

Estimated Number of jobs created by this project: 2 full-time, 0 part-time

Estimated Number of jobs retained at this location: 7 full-time, 0 part-time

Estimated Number of employees in Cook County: 7 full-time, 0 part-time

Estimated Number of construction jobs: 15

Proposed use of property: Industrial-Manufacturing warehousing and distribution

Living Wage Ordinance Compliance Affidavit Provided: Yes

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an abandoned industrial facility; and

WHEREAS, the Cook County Classification System for Assessment defines abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 continuous months, have been purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances may exist that justify finding that the property is abandoned for purpose of Class 6b; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value, by a purchaser in whom the seller has no direct financial interest, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 6b requires the validation by the County Board of the shortened period of qualifying abandonment in cases where the facility has been abandoned for less than 24 consecutive months upon purchase for value; and

WHEREAS, the municipality states the Class 6b is necessary for development to occur on this specific real estate. The municipal Resolution cites the qualifications of this property to meet the definition of abandoned with special circumstances; and

WHEREAS, industrial real estate is normally assessed at 25% of its market value, qualifying industrial real estate eligible for the Class 6b can receive a significant reduction in the level of assessment from the date that new construction or rehabilitation has been completed, or in the case of abandoned property from the date of substantial re-occupancy. Properties receiving Class 6b will be assessed at 10% of the market value for 10 years, 15% for the 11th year and 20% in the 12th year.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County

of Cook, that the President and Board of Commissioners validate the above-captioned property is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Office of the Cook County Assessor.

Approved and adopted this 22nd of March 2017.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

A motion was made by Commissioner García, seconded by Commissioner Moody, that the Resolution be approved. The motion carried.

**17-1988
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND
LARRY SUFFREDIN, COUNTY COMMISSIONER**

SSN GROUP LLC OR ITS NOMINEE 6B PROPERTY TAX INCENTIVE REQUEST

WHEREAS, the Cook County Bureau of Economic Development received and reviewed a Real Property Assessment Classification 6b application containing the following information:

Applicant: SSN Group LLC or its nominee

Address: 6200 W. Howard, Niles, Illinois

Municipality or Unincorporated Township: Village of Niles

Cook County District: 13

Permanent Index Number: 10-29-102-013-0000

Municipal Resolution Number: Village of Niles Resolution No. 2017-06R

Number of month property vacant/abandoned: Eight (8) months vacant

Special circumstances justification requested: Yes

Estimated Number of jobs created by this project: 10-20 full-time

Estimated Number of jobs retained at this location: 111full-time

Estimated Number of employees in Cook County: Same as above

Estimated Number of construction jobs: Five (5) to 10 construction jobs

Proposed use of property: Light manufacturing of disposable medical devices

Living Wage Ordinance Compliance Affidavit Provided: Yes

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b that provides an applicant a reduction in the assessment level for an abandoned industrial facility; and

WHEREAS, the Cook County Classification System for Assessment defines abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 continuous months, have been purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances may exist that justify finding that the property is abandoned for purpose of Class 6b; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value, by a purchaser in whom the seller has no direct financial interest, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 6b requires the validation by the County Board of the shortened period of qualifying abandonment in cases where the facility has been abandoned for less than 24 consecutive months upon purchase for value; and

WHEREAS, the municipality states the Class 6b is necessary for development to occur on this specific real estate. The municipal Resolution cites the qualifications of this property to meet the definition of abandoned with special circumstances; and

WHEREAS, industrial real estate is normally assessed at 25% of its market value, qualifying industrial real estate eligible for the Class 6b can receive a significant reduction in the level of assessment from the date that new construction or rehabilitation has been completed, or in the case of abandoned property from the date of substantial re-occupancy. Properties receiving Class 6b will be assessed at 10% of the market value for 10 years, 15% for the 11th year and 20% in the 12th year.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the above-captioned property is deemed abandoned with special circumstances under the Class 6b; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Office of the Cook County Assessor.

Approved and adopted this 22nd of March 2017.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

A motion was made by Commissioner García, seconded by Commissioner Moody, that the Resolution be approved. The motion carried.

**17-1990
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND
LARRY SUFFREDIN, COUNTY COMMISSIONER**

ABY PETROLEUM INC. (ABI) CLASS 8 PROPERTY TAX INCENTIVE REQUEST

WHEREAS, the Cook County Bureau of Economic Development received and reviewed a Real Property Assessment Classification 8 application containing the following information:

Applicant: Aby Petroleum Inc. (ABI)

Address: 1006 E. Sibley Blvd., Dolton, Illinois

Municipality or Unincorporated Township: Village of Dolton

Cook County District: 6

Permanent Index Number: 29-11-129-050-0000 (formerly known as 29-11-129-039 partial)

Municipal Resolution Number: Village of Dolton Resolution No. 14-R-0004

Number of month property vacant/abandoned: 56 months vacant

Special circumstances justification requested: Yes

Estimated Number of jobs created by this project: 25 full-time, five (5) part-time

Estimated Number of jobs retained at this location: None

Estimated Number of employees in Cook County: 20 full-time jobs

Estimated Number of construction jobs: 10-15 construction jobs

Proposed use of property: This property will be used as a commercial restaurant with drive thru window

Living Wage Ordinance Compliance Affidavit Provided: Not required

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 8 that provides an applicant a reduction in the assessment level for an abandoned industrial

facility; and

WHEREAS, the Cook County Classification System for Assessment defines abandoned property as buildings and other structures that, after having been vacant and unused for more than 24 continuous months, there has been no purchased for value by a purchaser and the property is in need of substantial rehabilitation; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances may exist that justify finding that the property is abandoned for purpose of Class 8; and

WHEREAS, in the case of abandonment of over 24 months and no purchase for value by a disinterested buyer, the County may determine that special circumstances justify finding the property as being deemed abandoned; and

WHEREAS, Class 8 requires a Resolution by the County Board validating the property as abandoned for the purpose of Class 8; and

WHEREAS, the municipality states the Class 8 is necessary for development to occur on this specific real estate. The municipal Resolution cites the qualifications of this property to meet the definition of abandoned with special circumstances; and

WHEREAS, commercial real estate is normally assessed at 25% of its market value, qualifying commercial real estate eligible for the Class 8 can receive a significant reduction in the level of assessment from the date that new construction or rehabilitation has been completed, or in the case of abandoned property from the date of substantial re-occupancy. Properties receiving Class 8 will be assessed at 10% of the market value for 10 years, 15% for the 11th year and 20% in the 12th year.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the above-captioned property is deemed abandoned with special circumstances under the Class 8; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Office of the Cook County Assessor.

Approved and adopted this 22nd of March 2017.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

A motion was made by Commissioner García, seconded by Commissioner Moody, that the Resolution be approved. The motion carried.

**17-2000
RESOLUTION**

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT AND
EDWARD M. MOODY, COUNTY COMMISSIONER**

GLENWOOD-DYER ROAD LLC CLASS 8 PROPERTY TAX INCENTIVE REQUEST

WHEREAS, the Cook County Bureau of Economic Development received and reviewed a Real Property Assessment Classification 8 application containing the following information:

Applicant: Glenwood-Dyer Road LLC

Address: 3595 Glenwood Dryer Road, Lynwood, Illinois

Municipality or Unincorporated Township: Village of Lynwood 5/12/2015

Cook County District: 6

Permanent Index Number: 33-20-102-008-0000 & 33-20-102-009-0000

Municipal Resolution Number: Village of Lynwood Resolution No. 15-16

Number of month property vacant/abandoned: Six months vacant

Special circumstances justification requested: Yes

Estimated Number of jobs created by this project: Eight (8) full-time jobs

Estimated Number of jobs retained at this location: 24 full-time jobs

Estimated Number of employees in Cook County: same as above

Estimated Number of construction jobs: 15

Proposed use of property: industrial distribution and installation of windows doors and garage doors

Living Wage Ordinance Compliance Affidavit Provided: Yes

WHEREAS, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 8 that provides an applicant a reduction in the assessment level for an abandoned commercial facility; and

WHEREAS, the Cook County Classification System for Assessment defines abandoned property as buildings and other structures that, after having been vacant and unused for at least 24 continuous months, have been purchased for value by a purchaser in whom the seller has no direct financial interest; and

WHEREAS, in the instance where the property does not meet the definition of abandoned property, the municipality or the Board of Commissioners, may determine that special circumstances may exist that justify finding that the property is abandoned for purpose of Class 8; and

WHEREAS, in the case of abandonment of less than 24 months and purchase for value, by a purchaser in

whom the seller has no direct financial interest, the County may determine that special circumstances justify finding the property is deemed abandoned; and

WHEREAS, Class 8 requires the validation by the County Board of the shortened period of qualifying abandonment in cases where the facility has been abandoned for less than 24 consecutive months upon purchase for value; and

WHEREAS, the municipality states the Class 8 is necessary for development to occur on this specific real estate. The municipal Resolution cites the qualifications of this property to meet the definition of abandoned with special circumstances; and

WHEREAS, commercial real estate is normally assessed at 25% of its market value, qualifying commercial real estate eligible for the Class 8 can receive a significant reduction in the level of assessment from the date that new construction or rehabilitation has been completed, or in the case of abandoned property from the date of substantial re-occupancy. Properties receiving Class 8 will be assessed at 10% of the market value for 10 years, 15% for the 11th year and 20% in the 12th year.

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Commissioners of the County of Cook, that the President and Board of Commissioners validate the above-captioned property is deemed abandoned with special circumstances under the Class 8; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Office of the Cook County Assessor

Approved and adopted this 22nd of March 2017.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

A motion was made by Commissioner García, seconded by Commissioner Moody, that the Resolution be approved. The motion carried.

**17-0293
ORDINANCE AMENDMENT**

**Sponsored by
THE HONORABLE JESÚS G. GARCIA, COUNTY COMMISSIONER**

TAX INCENTIVE ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 74 Taxation, Article II Real Property Taxation, Division 1 Generally, Section 74-46; and Division 2 Classification System for Assessment, Sections 74-62 through 74-73 of the Cook County Code are hereby amended as follows:

Sec. 74-46. - Bureau of Economic Development Property Tax Incentive Program Fee.

Cook County Bureau of Economic Development shall charge the following processing fees in connection with the property tax incentive program review conducted by the Bureau of Economic Development:

(a) All property tax incentive applications received by the Cook County Assessor, as provided for in Division 2 of this Article, that require a Cook County Board of Commissioners Resolution of support shall be assessed a fee of \$1,000.00, except for Class 7a projects where the total development costs are less than \$1,000,000. Upon submission of the property tax incentive application to the Bureau of Economic Development, the applicant seeking the incentive and Resolution of support shall pay a non-refundable fee to the County of Cook to cover administrative costs related to processing the application.

(b) All property tax incentive applications received by the Cook County Assessor, as provided for in Division 2 of this Article, that require a Resolution of support from the Economic Development Advisory Committee (EDAC) shall be assessed a fee of \$2,500.00, except for Class 7c projects where the total development costs are less than \$1,000,000. Upon submission of the property tax incentive application to the Bureau of Economic Development, the applicant seeking the incentive and Resolution of support shall pay a non-refundable fee to the County of Cook to cover administrative costs related to processing the application.

Sec. 74-62. - System established; terms defined.

(a) *Established.* The County hereby establishes the system of classifying real estate for the purposes of assessment for taxation set forth in this division.

(b) *Definitions.* The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Abandoned property means, except as otherwise specified in Section 74-63, buildings and other structures that, after having been vacant and unused for at least 24 continuous months, have been purchased for value by a purchaser in whom the seller has no direct financial interest. Purchase of value shall include all transactions with any government or quasi government entity.

Area in need of commercial development means any area within the County which satisfies the provisions of Section 74-65(a).

Certified local government means a unit of local government fulfilling the requirements of the National Historic Preservation Act of 1966 (16 U.S.C. § 470a) [the "Act"] that has been certified by the Illinois State Historic Preservation Officer pursuant to the Act.

Community area means an area within the City of Chicago so designated and identified by the Social and Economic Characteristics of Chicago's Population: Community Area Profiles, December 1992 or revisions thereto, or in the County outside the City of Chicago, as defined by the municipality concerned or by the County in unincorporated areas.

Contributing building means a building which is a historic structure within a specifically designated historic or landmark district pursuant to a local ordinance, approved by a certified local government, which has been certified by the Illinois Historic Preservation Agency, and which meets the following criteria:

- (1) The building was constructed within or present during the period of historical significance of the district;
- (2) The building relates to the significant features, qualities and/or themes that give the district its historic, cultural and/or architectural significance; and
- (3) The building substantially retains its design, materials and appearance from the period of historical significance of the district; or if substantially altered, the changes are reversible such that, through the substantial rehabilitation of the building, the building will be returned to a state that substantially retains its design, materials and appearance from the period of historical significance of the district.

Cook County Tax Reactivation Project means a project in the County of Cook administered by the Cook County Assessor's Office, or other authorized entity, wherein marketable properties located in the County of Cook are identified and then purchased through the no cash bid process pursuant to Chapter 35 of the Illinois Compiled Statutes, or any subsequent statute.

Economic Disclosure Statement means a statement that must be provided in the form of an affidavit by the applicant to the municipality in which the real estate is located, or to the Cook County Board of Commissioners if the real estate is located in an unincorporated area, which is notarized and consists of the following:

- (1) A list of all real estate owned in Cook County by the applicant, including all permanent index numbers associated with such real estate;
- (2) Disclosure of the ownership interests of the applicant as set forth in Cook County's Code of Ethical Conduct (COOK COUNTY, ILL., CODE, Ch. 2, Art. VII, Div. 2, Subdiv. VI, § 2-610); and
- (3) Certification that the applicant is not delinquent in the payment of any property taxes administered by Cook County or by a local municipality.

Employee means any individual who works for an Employer.

Employer means any Person or entity that employs twenty or more Employees.

Expiring contract means a project based assistance contract under Section 8 of the United States Housing Act of 1937 (42 U.S.C. § 1437f) which, under the terms of the contract, will expire.

Fair market rent and HUD FMR mean the fair market rental established under Section 8(c) of the United States Housing Act of 1937 (42 U.S.C. § 1437f).

HUD means the United States Department of Housing and Urban Development (HUD).

HUD's Section 8 renewal policy guidelines means that certain handbook titled "Section 8 Renewal Policy: Guidelines for the Renewal of Project Based Section 8 Contracts" as published from time to time by the United States Department of Housing and Urban Development Office of Multi-Family Housing, as amended from time to time, or any successor publication.

Illinois Historic Preservation Agency means the Illinois Historic Preservation Agency, established pursuant to the Historic Preservation Agency Act (20 ILCS 3405/1, et seq.) and the Illinois Historic Preservation Act (20 ILCS 3410/1, et seq.).

In need of substantial revitalization means an area no less than ten contiguous acres or more than one contiguous square mile in size which is in a state of extreme economic depression evidenced by such factors, as defined in the rules and regulations as promulgated by the Office of the County Assessor, among others, as:

- (1) Substantial unemployment;
- (2) A low level of median family income;
- (3) Aggravated abandonment, deterioration, and underutilization of properties;
- (4) A lack of viable industrial and commercial buildings whose absence significantly contributes to the depressed economic and unemployment conditions in the area;
- (5) A clear pattern of stagnation or decline of real estate taxes within the area as a result of its depressed condition;
- (6) A manifest lack of economic feasibility for private enterprise to accomplish the necessary modernization, rehabilitation and development of the area without public assistance and encouragement; and
- (7) Other factors which evidence an imminent threat to public health, welfare and safety.

Industrial Growth Zone means real estate used for industrial purposes located within certain enterprise zones within Cook County as identified by the Cook County Board of Commissioners, including the Cal-Sag Enterprise Zone, Calumet Enterprise Zone, Will-Cook Enterprise Zone, and Lincoln and 394 Corridor Enterprise Zone and such other industrial areas as may be designated by the Cook County Board of Commissioners as areas in need of industrial development or redevelopment, and real estate located in certain industrial corridors which have been identified as areas in need of industrial development or redevelopment, including the Burnside Industrial Corridor, Calumet Industrial Corridor, Greater Southwest Industrial Corridor, Northwest Industrial Corridor, and Roosevelt-Cicero Industrial Corridor as identified by the City of Chicago.

Landmark means a building which is specifically designated as a historic or landmark structure pursuant to a local ordinance, approved by a certified local government, pursuant to its criteria, which have been certified by the Illinois Historic Preservation Agency. The definition of landmark does not include a facade or other architectural element which has been preserved and designated as a historic structure, if the remainder of the building has been demolished and replaced.

Low- or moderate-income person or household means a person or household occupying a single dwelling unit and whose combined annual income is equal to or less than the income limits for low-income families for the Chicago Metropolitan Statistical Area as determined by the Secretary of the United States Department of Housing and Urban Development pursuant to the United States Housing Act of 1937 (42 U.S.C. § 1437 et seq.). A household consists of all the occupants of a legal dwelling unit, related or unrelated.

Major rehabilitation means, for purposes of the Class 9 provisions of this division only, the extensive renovation or replacement of primary building components or systems as further prescribed by rule of the Assessor.

Manufacturing means the material staging and production of goods used in procedures commonly regarded as manufacturing, processing, fabrication, or assembling which changes existing material into new shapes, new qualities, or new combinations and including research and development associated with the production of goods.

Mark up to market option means a contract renewal option, pursuant to Section 524(a)(4)(A) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 [MAHRA] (Title V of Public Law No. 105-65, October 27, 1997, 111 Stat. 1384ff), as amended by Section 531 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Pub. L. No. 106-74, October 20, 1999, 113 Stat. 1109ff) (42 U.S.C. § 1437f) or any successor statute, for eligible properties located in strong markets, where a rent comparability study conducted by HUD has determined that comparable market rents are at or above 100 percent of the HUD Fair Market Rent, and for which HUD is authorized to approve renewal terms providing rents higher than the HUD FMR. The mark up to market option includes increasing rents from the HUD FMR to the level of an existing use restriction on a property.

Mark up to market option under HUD's discretionary authority means a contract renewal option, pursuant to Section 524 (a)(4)(C) or (D) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 [MAHRA] (Title V of Public Law No. 105-65, October 27, 1997, 111 Stat. 1384ff), as amended by Section 531 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Pub. L. No. 106-74, October 20, 1999, 113 Stat. 1109ff) (42 U.S.C. § 1437f) or any successor statute, providing rents higher than the HUD FMR, based on the exercise of HUD's discretionary authority, for properties which do not necessarily meet the usual eligibility criteria, but do meet a special set of statutory criteria, in that a vulnerable population is affected; there is a low vacancy rate in the area, which would make tenant based assistance difficult to use, or a lack of comparable housing; or the project is a high priority for the local community, as demonstrated by a contribution of state or local funds to the property.

Market value means that value, estimated at the price it would bring at a fair voluntary sale.

Marketable means tax delinquent commercial and/or industrial parcels targeted by the South Suburban Tax Reactivation Program which have been identified by the County Department of Planning and Development, or other authorized entity, as a property, that if developed, would bring economic benefit to the affected taxing districts.

Multifamily residential real estate means real estate which is used primarily for residential purposes and consists of an existing multifamily building containing seven or more rental dwelling units.

No further remediation letter means a letter from the IEPA, addressing the entire site, approving or approving with conditions a remedial action completion report.

Period of historical significance, for purposes of the Class L provisions of this division, means the period of development history (represented by the buildings in the district) for which the district is significant.

Preservation commission means a commission or similar body established by a certified local government pursuant to the National Historic Preservation Act of 1966 (16 U.S.C. § 470a) [the "Act"],

generally for the purpose of identifying, preserving, protecting, recommending for designation and encouraging the continued use and the rehabilitation of areas, properties and structures having historical and/or architectural significance.

Real estate means not only the land itself, whether laid out in town or city lots, or otherwise, with all things contained therein, but also all buildings, structures and improvements, and their permanent fixtures, of whatsoever kind, thereon, and all rights and privileges belonging or in anywise pertaining thereto. Included therein is any vehicle or similar portable structures used or so constructed as to permit its being used as a dwelling for one or more persons; if such structure is resting in whole on a permanent foundation.

Real estate, improved. For purposes of this division and more particularly Section 74-63, real estate while under lease or license to a unit of local government for an annual rental or fee of not more than \$1.00, shall not be deemed to be improved as a result of any alterations, additions or modifications consisting of the construction, landscaping, maintenance, or beautification of parks, parkways, parking lots, playgrounds, or similar public facilities operated or maintained for the public benefit. During the term of such lease or license, including extensions thereof, the real estate which is the subject of such lease or license shall be treated as though such alterations, additions, or modifications have not been made.

Real estate used for commercial purposes means any real estate used primarily for buying and selling of goods and services, or for otherwise providing goods and services, including any real estate used for hotel and motel purposes.

Real estate used for industrial purposes means any real estate used primarily in manufacturing, as defined in this Section, or in the extraction or processing of raw materials unserviceable in their natural state to create new physical products or materials, or in the processing of materials for recycling, or in the transportation or storage of raw materials or finished physical goods in the wholesale distribution of such materials or goods for sale or leasing.

Real estate used for residential purposes means any improvement or portion thereof occupied solely as a dwelling unit.

Remedial action plan means a plan addressing remediation of the entire site, approved by the IEPA pursuant to its site remediation program. The plan must include, as applicable: an executive summary; remediation objectives appropriate for the described planned industrial or commercial use; remedial technologies selected; confirmation sampling plan; applicable preventive, engineering, and institutional controls and monitoring procedures; cost estimates and timetable.

Rents affordable to low- and moderate-income persons and households means gross rents that do not exceed 30 percent of the adjusted income of a household whose income equals 55 percent of the median income for the Chicago Metropolitan Statistical Area, with adjustments for number of bedrooms in the units, as determined annually by the Secretary of the United States Department of Housing and Urban Development, or rents for units occupied by households receiving housing assistance under Section 8 of the United States Housing Act of 1937 (42 U.S.C. § 1437 et seq.). The term "gross rents" means the rental cost of the unit plus any allowances for tenant paid utilities (except telephone), services and appliances.

Section 8 contract means a contract for project-based assistance for a multifamily housing project under Section 8 of the United States Housing Act of 1937 (42 U.S.C. § 1437f).

Section 8 contract renewal means (a) renewal of a Section 8 contract for an additional five years

under the mark up to market option or under the mark up to market option under HUD's discretionary authority, after a determination of eligibility by HUD pursuant to its authority under Section 524(a)(4)(A), (C), or (D) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 [MAHRA] (Title V of Public Law No. 105-65, October 27, 1997, 111 Stat. 1384ff), as amended by Section 531 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Pub. L. No. 106-74, October 20, 1999, 113 Stat. 1109ff) (42 U.S.C. § 1437f) or any successor statute; or (b) renewal of a Section 8 contract by a not-for-profit corporation under any available option under HUD's renewal procedures as described in HUD's Section 8 Renewal Policy Guidelines.

Single room occupancy means a room rented as sleeping or living quarters with or without cooking facilities located in the same room as the sleeping or living quarters, and with or without individual bathrooms.

Single room occupancy building means a multiunit residential building in which at least 90 percent of the units are single room occupancy units, excluding rooms occupied by management employees, and in which at least 75 percent of the annual occupancy of the SRO units is for monthly terms.

Site means, for the purposes of the Class C provisions of this division, the real estate which is remediated and developed for industrial or commercial use. The site must be identified by property index number, and must be delineated by an accurate legal description if it comprises less than the whole of any parcel at the time of application.

Site remediation program or program means remediation of the site as appropriate for the planned industrial or commercial use, according to a remedial action plan approved by the Illinois Environmental Protection Agency (IEPA), pursuant to its site remediation program, under the authority of Title XVII of the Environmental Protection Act (415 ILCS 5/58 et seq.).

State Historic Preservation Officer means the Director of the Illinois Historic Preservation Agency.

Substantial rehabilitation, for the purposes of the Class L provisions of this Article only, means the extensive renovation or replacement of primary building systems of the landmark and/or the significant improvement of the condition of the landmark, as further prescribed by rule of the Assessor; which meets or exceeds the standards of the United States Department of the Interior for rehabilitation, preservation, restoration, and reconstruction of historic properties; and which has been completed in accordance with plans approved by the certified local government within which the landmark is located.

Targeted area means census tracts in the City of Chicago or census block groups in the County outside of the City of Chicago, as defined and identified by the U.S. Census Bureau's most recent census, in which at least 51 percent of the residents are low- or moderate-income persons.

Sec. 74-63. - Assessment classes.

Real estate is divided into the following assessment classes:

(1) *Class 1.* Unimproved real estate.

(2) *Class 2.* Real estate:

a. Used as a farm;

- b. Used for residential purposes when improved with a house, an apartment building of not more than six living units, or residential condominium, a residential cooperative or a government subsidized housing project, if required by statute to be assessed in the lowest assessment category;
- c. Improved with a building put to commercial and residential use, of six or less units where the building measures less than 20,000 square feet of above grade space; or
- d. Real estate improved with a single room occupancy building, as defined in this division, provided that:
 - 1. At least one-third of the single room occupancy units are leased at no more than 80 percent of the current "Fair Market Rent Schedule for Existing Housing for Single Room Occupancy Units" as set by the United States Department of Housing and Urban Development (hereinafter "FMR schedule");
 - 2. No single room occupancy units are leased at rents in excess of 100 percent of the current FMR schedule;
 - 3. The overall maximum average rent per unit for all single room occupancy units in the building shall not exceed 90 percent of the current FMR schedule; and
 - 4. The subject property is in substantial compliance with all local building, safety and health codes and requirements.

In the event that the owner fails to comply with these requirements, the Class 2 classification shall be revoked.

- (3) *Class 3.* All improved real estate used for residential purposes which is not included in any other class.
- (4) *Class 4.* Real estate owned and used by a not-for-profit corporation in furtherance of the purposes set forth in its charter unless used for residential purposes. If such real estate is used for residential purposes, it shall be classified in the appropriate residential class.
- (5) *Class 5a.* All real estate not included in Class 1, Class 2, Class 3, Class 4, Class 5b, Class 6b, Class C, Class 7a, Class 7b, Class 7c, Class 8, Class 9, Class S or Class L of this Section.
- (6) *Class 5b.* All real estate used for industrial purposes as defined herein and not included in any other class.
- (7) *Class 6b.* Real estate used primarily for industrial purposes, consisting of all newly constructed buildings or other structures, including the land upon which they are situated; or abandoned property, including the land upon which such property is situated; or all buildings and other structures which are substantially rehabilitated to the extent such rehabilitation has added to their value, including qualified land related to the rehabilitation. Land qualifies when the rehabilitation adds vertical or horizontal square footage to the

improvements. The amount of land eligible for the incentive shall be in such proportion as the square footage added by the rehabilitation bears to the total square footage of the improvements on the parcel.

- a. An applicant must obtain from the municipality in which the real estate is located or the County Board if the real estate is located in an unincorporated area, an Ordinance or Resolution expressly stating that the municipality or County Board, as the case may be, has determined that the incentive provided by Class 6b is necessary for development to occur on that specific real estate and that the municipality or County Board, as the case may be, supports and consents to the Class 6b application to the Assessor.

In addition, the Ordinance or Resolution shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

A certified copy of the Ordinance or Resolution need not be filed at the time of filing the Class 6b eligibility application with the Assessor, but must be filed with the Assessor no later than the date an assessment appeal is filed to request the class change to Class 6b. If the Resolution is not filed at the time of the eligibility application, the applicant shall instead file, at that time, a letter from the municipality or the County, as the case may be, confirming that a Resolution or Ordinance supporting the incentive has been requested. If the real estate is located within an Industrial Growth Zone, prior to filing a Class 6b eligibility application with the Assessor and in lieu of an Ordinance or Resolution, an applicant may obtain from an authorized officer of the municipality or an authorized officer of the Cook County Bureau of Economic Development if the real estate is located in an unincorporated area, a letter stating that the municipality or the County Board, as the case may be, supports and consents to the filing of the Class 6b application with the Assessor. Such authorized officer shall have been designated by the legislative body of the municipality or, in the case of an unincorporated area, by the Cook County Board.

A copy of the authorized officer letter and a certified copy of the legislative action designating the authorized officer shall be included with the Class 6b application and submitted to the Cook County Bureau of Economic Development for verification prior to filing of the application with the Assessor. The applicant must demonstrate that the industrial development project qualifies for the Class 6b classification.

In addition, the letter from the authorized officer shall:

1. Describe the redevelopment objective of the municipality;

2. State the applicant's intended use of the property; and

3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

- b. Following verification that the Class 6b application is in an Industrial Growth Zone and has been properly submitted with a letter from an authorized officer and a certified copy of the legislative action designating the authorized officer, the Bureau of Economic Development will forward the application to the Assessor's Office for filing.

A copy of the Resolution or letter confirming that a Resolution has been requested, or the letter from an authorized officer if the real estate is in an Industrial Growth Zone, along with and a certified copy of the legislative action designating the authorized officer, whichever is filed with the application, will be forwarded by the Assessor's Office to the Secretary of the County Board for distribution to the members of the County Board from the affected districts.

- c. Class 6b applications for newly constructed or substantially rehabilitated buildings and other structures must be made to the Assessor within one year prior to the commencement of such new construction or substantial rehabilitation to qualify for a Class 6b incentive. With respect to abandoned property, the Class 6b application must be made to the Assessor prior to the commencement of the reoccupation of the vacant and unused property.
- d. In the instance where real estate does not meet the definition of abandoned property as defined herein, the municipality or the County Board, as the case may be, may still determine that special circumstances justify finding that the property is deemed "abandoned" for purpose of Class 6b, unless:
1. There has been a purchase for value and the buildings and other structures have not been vacant and unused prior to such purchase; or
 2. There has been no purchase for value and the buildings and other structures have been vacant and unused for less than 24 continuous months.

The finding of abandonment, along with the specification of the special circumstances, shall be included in the Resolution or Ordinance supporting and consenting to the Class 6b application. If the Ordinance or Resolution is that of a municipality, the approval of the County Board is required to validate such a finding that the property is deemed "abandoned" for purposes of Class 6b, and a County Resolution to that effect shall be obtained. The applicant must obtain the municipal enabling Ordinance with the required finding of special circumstances and present such municipal Ordinance to the Board of Commissioners of Cook County prior to its determination as to whether it will validate such a finding that the property is deemed "abandoned" for purposes of Class 6b and provide a County Resolution to that effect. A certified copy of an Ordinance or Resolution finding that special circumstances exist, as well as a certified copy of a County Ordinance

or Resolution validating such a finding that the property is deemed "abandoned" for purposes of Class 6b need not be filed at the time of filing the Class 6b eligibility application with the Assessor, but must be filed with the Assessor no later than the date an assessment appeal is filed to request the class change to Class 6b. If the Resolution is not filed at the time of the Class 6b eligibility application, the applicant shall instead file, at that time, a letter from the municipality or the County as the case may be, confirming that a Resolution or Ordinance regarding special circumstances has been requested.

If the real estate is located within an Industrial Growth Zone, prior to filing a Class 6b eligibility application with the Assessor and in lieu of an Ordinance or Resolution, an applicant may obtain from an authorized officer of the municipality or an authorized officer of the Cook County Bureau of Economic Development if the real estate is located in an unincorporated area, a letter stating that the municipality or the County Board, as the case may be, supports and consents to the filing of the Class 6b application with the Assessor. Such authorized officer shall have been designated by the legislative body of the municipality or, in the case of an unincorporated area, by the Cook County Board.

A copy of the authorized officer letter and a certified copy of the legislative action designating the authorized officer shall be included with the Class 6b application and submitted to the Cook County Bureau of Economic Development for verification prior to filing of the application with the Assessor.

In addition, the letter from the authorized officer shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

Following verification that the Class 6b application is in an Industrial Growth Zone and has been properly submitted with a letter from an authorized officer and a certified copy of the legislative action designating the authorized officer, the Bureau of Economic Development will forward the application to the Assessor's Office for filing. A certified copy of the legislative action designating the authorized officer and the authorized officer letter shall be included with the Class 6b application at the time of filing the application with the Assessor. The applicant must demonstrate that the industrial development project qualifies for the Class 6b classification.

Temporary Emergency Economic Recovery Modification (TEERM) Program: In the instance where real estate does not meet the definition of abandoned property as defined herein, the municipality or the County Board, as the case may be, may still determine that special circumstances justify finding that the property is deemed "abandoned" for purpose of a Class 6b under the TEERM Program if there;

1. There has been no purchase for value; and
2. The buildings and other structures have been vacant and unused for at least 12 continuous months.

The finding of abandonment, along with the specification of the special circumstances, and a determination that the applicant's participation in the TEERM Program is necessary for the development to occur, and that without such designation the industrial enterprise would not be economically viable causing the property to be in imminent risk of remaining vacant and unused, shall be included in the Resolution or Ordinance supporting and consenting to the Class 6b application under the TEERM Program.

In addition, the Ordinance or Resolution where applicable shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

If the Ordinance or Resolution is that of a municipality, the approval of the County Board is required to validate such a finding that the property is deemed "abandoned" for purposes of Class 6b, and a County Resolution to that effect shall be obtained. The applicant must obtain the municipal enabling Ordinance with the required finding of special circumstances and present such municipal Ordinance to the Board of Commissioners of Cook County prior to its determination as to whether it will validate such a finding that the property is deemed "abandoned" for purposes of Class 6b and provide a County Resolution to that effect. A certified copy of an Ordinance or Resolution finding that special circumstances exist, as well as a certified copy of a County Ordinance or Resolution validating such a finding that the property is deemed "abandoned" for purposes of Class 6b need not be filed at the time of filing the Class 6b application with the Assessor, but must be filed with the Assessor no later than the date an assessment appeal is filed to request the class change to Class 6b. If the Resolution is not filed at the time of the Class 6b application, the applicant shall instead file, at that time, a letter from the municipality or the County as the case may be, confirming that a Resolution or Ordinance regarding special circumstances has been requested.

Sustainable Emergency Relief (SER) Program: In the instance where real estate does not meet the definition of abandoned property as defined herein, the municipality or the County Board, as the case may be, may still determine that special circumstances justify finding that the property is deemed "qualified" for purpose of Class 6b under the SER Program if:

1. The industrial enterprise that occupies the premises has been at the same location for a minimum of ten years prior to the date of application for the

SER Program; and

2. The industrial enterprise that occupies the premises submits evidence of hardship supporting a determination that participation in the SER Program is necessary for the industrial enterprise to continue operations at its current location and maintain its staff, and that without such designation the industrial enterprise would not be economically viable causing the property to be in imminent risk of becoming vacant and unused.

The finding that a property is qualified, along with the specification of the special circumstances, and a determination that the applicant's participation in the SER Program is necessary for the industrial enterprise to continue operations at its current location and maintain its staff, and that without such designation the industrial enterprise would not be economically viable causing the property to be in imminent risk of becoming vacant and unused, shall be included in the Resolution or Ordinance supporting and consenting to the Class 6b application under the SER Program.

In addition, the Ordinance or Resolution where applicable shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

If the Ordinance or Resolution is that of a municipality, the approval of the County Board is required to validate such a finding that the property is deemed "qualified" for purposes of Class 6b, and a County Resolution to that effect shall be obtained. The applicant must obtain the municipal enabling Ordinance with the required finding of special circumstances and present such municipal Ordinance to the Board of Commissioners of Cook County prior to its determination as to whether it will validate such a finding that the property is deemed "qualified" for purposes of Class 6b and provide a County Resolution to that effect. A certified copy of an Ordinance or Resolution finding that special circumstances exist, as well as a certified copy of a County Ordinance or Resolution validating such a finding that the property is deemed "qualified" for purposes of Class 6b need not be filed at the time of filing the Class 6b application with the Assessor, but must be filed with the Assessor no later than the date an assessment appeal is filed to request the class change to Class 6b. If the Resolution is not filed at the time of the Class 6b application, the applicant shall instead file, at that time, a letter from the municipality or the County as the case may be, confirming that a Resolution or Ordinance regarding special circumstances has been requested.

Applications for Class 6b incentives pursuant to the TEERM Program or SER Program under a Class 6b application must be received by the Assessor's Office on or before November 30, 2018 to receive consideration.

The Assessor shall provide by rule for the filing of annual reports by recipients of Class 6b incentives granted pursuant to the SER Program as to the use of the property and the number of persons employed at the Class 6b site. In such reports, recipients shall be required to certify whether the industrial enterprise that occupied the premises at the time of the SER application continues its operations at that location. In addition, recipients of Class 6b incentives granted pursuant to the SER Program shall be required to report to the Assessor within 30 days if the industrial enterprise that occupied the premises at the time of the SER application ceases operations at that location. A copy of such reports will be forwarded by the Assessor's Office to the Secretary of the County Board for distribution to members of the County Board from the affected districts. Failure to file such reports within the time established by the Assessor's rules shall result in loss of the incentive for the period relating to the non-filing. Additionally, if the industrial enterprise that occupied the premises at the time of the SER application ceases operations at that location, then the Class 6b incentive granted pursuant to the SER program shall terminate.

- e. This classification shall continue for a period of 12 years from the date such new construction (excluding demolition, if any) or such substantial rehabilitation was completed and initially assessed, or in the case of abandoned property, from the date of substantial re-occupancy, or in the case of incentives granted pursuant to the TEERM Program, from the date of the notice of approval. In the case of incentives granted pursuant to the SER Program, this classification shall continue for a period of 12 years from the date of the notice of approval, or until the industrial enterprise that occupied the premises at the time of the SER application ceases operations at that location if that occurs sooner.
- f. Unless a Class 6b granted pursuant to the TEERM Program or the SER Program, this incentive may be renewed during the last year a property is entitled to a ten percent assessment level pursuant to Section 74-64(7), if the following requirements are met:
 - 1. The taxpayer notifies the Assessor's Office of intent to request renewal of the incentive from the municipality or the County Board if the real estate is located in an unincorporated area;
 - 2. The municipality in which the real estate is located or the County Board, if the real estate is located in an unincorporated area, adopts a Resolution expressly stating that the municipality or the County Board, as the case may be, has determined that the industrial use of the property is necessary and beneficial to the local economy, and supports and consents to renewal of the Class 6b; and
 - 3. A copy of the Resolution and a completed renewal application are filed with the Assessor's Office before the expiration of the ten percent assessment level period.
- g. Class 6b incentives that are granted pursuant to the TEERM Program or SER Program are not renewable. For all other Class 6b incentives, the number of renewal periods is not limited as long as the property continues to apply and meet

the requirements for Class 6b.

- h. A copy of the request for renewal of the incentive will be forwarded by the Assessor's Office to the Secretary of the County Board for distribution to members of the County Board from the affected districts.
 - i. If no renewal is obtained, the incentive shall be phased out over the next two years, pursuant to Section 74-64(7). After expiration of the last incentive period, the real estate shall revert to the applicable classification under this Division.
 - j. The Assessor may adopt rules consistent with this subsection necessary to ensure proper review of all factors relevant to determine eligibility for the benefits provided under Class 6b.
 - k. The Assessor shall provide by rule for the filing of triennial reassessment reports by all Class 6b recipients as to the use of the property and the number of persons employed at the Class 6b site. A copy of such reports will be forwarded by the Assessor's Office to the Secretary of the County Board for distribution to members of the County Board from the affected districts. Failure to file such reports within the time established by the Assessor's rules shall result in loss of the incentive for the period relating to the non-filing.
- (8) *Class C.* Real estate which is to be used for industrial or commercial purposes, including abandoned property, as defined in Section 74-62, including the land upon which such property is situated; or vacant land; where such real estate because of contamination has undergone environmental testing and remediation and has received a "No Further Remediation Letter" from the site remediation program.
- a. To be eligible for a Class C classification an applicant must have received a "No Further Remediation Letter" confirming achievement of the remediation objectives based on the industrial or commercial use.
 - b. The owner of the property is rendered ineligible for the Class C classification by having previously owned or operated the site, directly or indirectly, or having been a partner or being associated through a family or business relationship with anyone who has owned or operated the site, which ownership or operation caused the contamination which was remediated pursuant to a site remediation, except for an employee who worked for an owner, as defined herein, that operated the site. A present owner or employer who can successfully demonstrate that the owner or employer was not responsible for the contamination may be eligible for Class C classification.
 - c. An applicant must obtain from the municipality in which the real estate is located or the County Board if the real estate is located in an unincorporated area, an Ordinance or Resolution expressly stating that the municipality or County Board, as the case may be, has determined that the incentive provided by Class C is necessary for development to occur on that specific real estate and that the municipality or County Board, as the case may be, supports and consents to the Class C application to the Assessor. A certified copy of the Ordinance or Resolution must be filed at the time of application for the Class C classification. A

copy of that Ordinance or Resolution, whichever is submitted, will be forwarded by the Assessor's Office to the Secretary of the Board for distribution to the members of the County Board from the affected districts.

In addition, the Ordinance or Resolution shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

- d. To qualify for the Class C classification, an application for Class C classification must be made within one year of the receipt of the "No Further Remediation Letter". Where an application for Class C classification encompasses less than all of the contiguous property owned by the applicant upon which remediation has been completed, the one-year limitation will be waived for any subsequent separate application for Class C classification for the remainder or for additional portions of the property, provided that such subsequent application is made within seven years.
- e. Additionally, to qualify for the Class C classification, the estimated remediation costs, including site investigation, testing, oversight, remediation and removal costs, monitoring, and engineering and legal fees associated with the remediation process, must total at least \$100,000.00, or alternatively, must total at least 25 percent of the market value of the real estate as determined by the Assessor's property record card in the year prior to the remediation, whichever is less.
- f. The initial Class C classification shall continue for a period of 12 years for both industrial and commercial property. For industrial property, this incentive may be renewed during the last year a property is entitled to a 16-percent assessment level, if the following requirements are met:
 1. The taxpayer notifies the Assessor's Office of the taxpayer's intent to request renewal of the incentive from the municipality, or the County Board if the real estate is located in an unincorporated area;
 2. The municipality in which the real estate is located or the County Board, if the real estate is located in an unincorporated area, adopts a Resolution expressly stating that the municipality or County Board, as the case may be, has determined that the industrial use of the property is necessary and beneficial to the local economy, and supports and consents to renewal of the Class C; and
 3. A copy of that Resolution and a completed renewal application are filed with the Office of the Assessor before the expiration of the 16-percent assessment level period.

The number of renewal periods is not limited as long as the property continues to apply and qualify for Class C. Any property which applies for Class C treatment on or before the adoption date of the ordinance from which this division is derived will be eligible for this renewal term at the end of their original incentive period subject to the above requirements. The notice of intent to request renewal which is filed with the Assessor's Office will be forwarded by the Assessor's Office to the Secretary of the Board for distribution to members of the County Board from the effected districts.

- g. If, on November 23, 1999, a property is receiving Class C treatment, but the assessment level is higher than 16 percent, that taxpayer may apply for renewal as outlined above and receive a 16-percent assessment level for the prescribed period beginning after the filing and approval of the resolution and renewal application. However, if, as of that effective date, the taxpayer's assessment is higher than 16 percent and the taxpayer is granted a renewal of the incentive for subsequent years, no reduction of the current assessment level based on renewal of the incentive will be granted. If no renewal is obtained, the incentive shall be phased out over the next two years, pursuant to Section 74-64. After such ten-year period expiration of the last incentive period, the real estate shall revert to the applicable classification under this Division.
 - h. For commercial properties, once the original 12-year incentive period has expired, the commercial Class C incentive will expire. The incentive classification will not be subject to renewal and the real estate shall revert to the applicable classification under this Division.
 - i. The Assessor shall review the application and supporting documentation to determine eligibility for the Class C classification. The Assessor may adopt rules consistent with the foregoing necessary to ensure proper review of all factors relevant to determine initial and continued eligibility for the benefits provided under the Class C classification.
 - j. The Assessor shall provide by rule for the filing of triennial reassessment reports by all Class C recipients as to the use of the property and the number of persons employed at the Class C site. Such reports shall be verified. Failure to file such reports within the time established by the Assessor's rules shall result in loss of the incentive for the period relating to the non-filing.
- (9) *Class 7a.* Real estate used primarily for commercial purposes, comprising a qualified commercial development project, as determined pursuant to Section 74-65(a), located in an area in need of commercial development, where total development costs, exclusive of land, do not exceed \$2,000,000.00, consisting of all newly constructed buildings or other structures, including the land upon which they are situated; or abandoned property, as defined in this Division, including the land upon which such property is situated; or all buildings and other structures which are substantially rehabilitated to the extent such rehabilitation has added to their value, including qualified land related to the rehabilitation. Land qualifies when the rehabilitation adds vertical or horizontal square footage to the improvements. The amount of land eligible for the incentive shall be in such proportion as the square footage added by the rehabilitation bears to the total square footage of the improvements on the parcel.

- a. In the instance where real estate does not meet the definition of abandoned property as defined herein, the municipality or the County Board, as the case may be, may still determine that special circumstances justify that the property is deemed "abandoned" for purposes of Class 7a. The finding of abandonment, along with the specification of the special circumstances, shall be included in the Resolution or Ordinance supporting and consenting to the Class 7a application.

In addition, the Ordinance or Resolution shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

Notwithstanding the foregoing, special circumstances may not be determined to justify finding that a property is deemed "abandoned" where:

- A. There has been a purchase for value and the buildings and other structures have not been vacant and unused prior to such purchase; or
- B. There has been no purchase for value and the buildings and other structures have been vacant and unused for less than 24 continuous months.

If a municipality enacts enabling legislation which a.) identifies, by permanent index numbers, specific retail corridors or geographies within the boundaries of such municipality that it deems to be distressed and in need of development; b.) authorizes the submission of applications for a Class 7a incentive for properties within such retail corridors, and c.) designates the authorized officer of such municipality, then applicants for a Class 7a incentive located in such retail corridors may obtain and submit, in lieu of an Ordinance or Resolution, a letter from the authorized officer of the municipality approving the submission of the Class 7a incentive application and a certified copy of the municipal enabling legislation.

A copy of the authorized officer letter and a certified copy of the municipal enabling legislation shall be included with the Class 7a application and submitted to the Cook County Bureau of Economic Development for verification prior to filing of the application with the Assessor.

In addition, the letter from the authorized officer shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and

3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

Following verification that the Class 7a application is in a retail corridor, as defined herein, and has been properly submitted with a letter from an authorized officer and a certified copy of the municipal enabling legislation, the Bureau of Economic Development will forward the application to the Assessor's Office for filing.

~~Such~~ The Resolution or Ordinance, or the authorization letter and a certified copy of the municipal enabling legislation (if applicable), must be filed with the eligibility application. If the Ordinance or Resolution is that of a municipality, the approval of the County Board is required to validate such a finding that the property is deemed "abandoned" for purposes of Class 7a and a Resolution to that effect shall be included with the Class 7a eligibility application filed with the Assessor.

- b. This classification shall continue for a period of 12 years from the date such new construction (excluding demolition, if any) or such substantial rehabilitation was completed and initially assessed, or in the case of abandoned property, from the date of substantial re-occupancy. ~~After such 12-year period, the real estate shall revert to the applicable classification under this Division. This incentive classification will be subject to renewal. Upon termination, the real estate shall revert to the applicable classification under this Division.~~
- c. The Assessor shall provide by rule for the filing of triennial reassessment reports by all Class 7a recipients as to the use of the property and the number of persons employed at the Class 7a site. Such reports shall be verified. Failure to file such reports within the time established by the Assessor's rules shall result in loss of the incentive for the period relating to the non-filing.
- (10) *Class 7b.* Real estate used primarily for commercial purposes, as defined in this Division, comprising a qualified commercial development project, as determined pursuant to Section 74-65(a), located in an "area in need of commercial development", where total development costs, exclusive of land, exceed \$2,000,000.00, consisting of all newly constructed buildings or other structures, including the land upon which they are situated; or abandoned property, as defined herein, including the land upon which such property is situated; or all buildings and other structures which are substantially rehabilitated to the extent such rehabilitation has added to their value, including qualified land related to the rehabilitation. Land qualifies when the rehabilitation adds vertical or horizontal square footage to the improvements. The amount of land eligible for the incentive shall be in such proportion as the square footage added by the rehabilitation bears to the total square footage of the improvements on the parcel.
- a. In the instance where real estate does not meet the definition of abandoned property as defined herein, the municipality or the County Board, as the case may be, may still determine that special circumstances justify finding that the property is deemed "abandoned" for purposes of Class 7b. The finding of abandonment, along with the specification of the special circumstances, shall be included in the Resolution or Ordinance supporting and consenting to the Class 7b application.

In addition, the Ordinance or Resolution shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

Notwithstanding the foregoing, special circumstances may not be determined to justify finding that a property is deemed "abandoned" where:

- A. There has been a purchase for value and the buildings and other structures have not been vacant and unused prior to such purchase; or
- B. There has been no purchase for value and the buildings and other structures have been vacant and unused for less than 24 continuous months.

If a municipality enacts enabling legislation which a.) identifies, by permanent index numbers, specific retail corridors or geographies within the boundaries of such municipality that it deems to be distressed and in need of development b.) authorizes the submission of applications for a Class 7b incentive for properties within such retail corridors, and c.) designates the authorized officer of such municipality, then applicants for a Class 7b incentive located in such retail corridors may obtain and submit, in lieu of an Ordinance or Resolution, a letter from the authorized officer of the municipality approving the submission of the Class 7b incentive application and a certified copy of the municipal enabling legislation.

A copy of the authorized officer letter and a certified copy of the municipal enabling legislation shall be included with the Class 7b application and submitted to the Cook County Bureau of Economic Development for verification prior to filing of the application with the Assessor.

In addition, the letter from the authorized officer shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

Following verification that the Class 7b application is in a retail corridor, as defined herein, and has been properly submitted with a letter from an authorized officer and a certified copy of the municipal enabling legislation, the Bureau of

Economic Development will forward the application to the Assessor's Office for filing.

~~Such~~ The Resolution or Ordinance, or authorization letter and certified copy of the municipal enabling legislation (if applicable), must be filed with the eligibility application. If the ordinance or resolution is that of a municipality, the approval of the County Board is required to validate such a finding that the property is deemed "abandoned" for purposes of Class 7b and a resolution to that effect shall be included with the Class 7b eligibility application filed with the Assessor.

- b. This classification shall continue for a period of 12 years from the date such new construction (excluding demolition, if any) or such substantial rehabilitation was completed and initially assessed, or in the case of abandoned property, from the date of substantial re-occupancy. This incentive classification will be subject to renewal. Upon termination, the real estate shall revert to the applicable classification under this Division.
 - c. The Assessor shall provide by rule for the filing of triennial reassessment reports by all Class 7b recipients as to the use of the property and the number of persons employed at the Class 7b site. Such reports shall be verified. Failure to file such reports within the time established by the Assessor's rules shall result in loss of the incentive for the period relating to the non-filing.
- (11) *Class 7c or Commercial Urban Relief Eligibility ("CURE").* Real estate used primarily for commercial purposes, consisting of all newly constructed buildings or other structures, including the land upon which they are situated; or abandoned property, including the land upon which such property is situated; or all buildings and other structures which are substantially rehabilitated to the extent such rehabilitation has added to their value, including qualified land related to the rehabilitation. Land qualifies when the rehabilitation adds vertical or horizontal square footage to the improvements. The amount of land eligible for the incentive shall be in such proportion as the square footage added by the rehabilitation bears to the total square footage of the improvements on the parcel.
- a. An applicant must obtain from the municipality in which the real estate is located or the County Board if the real estate is located in an unincorporated area, an Ordinance or Resolution expressly stating that:
 - (i) The property, site, or area is deemed a redevelopment priority by the municipality, and
 - (ii) The municipality or County Board, as the case may be, has determined that the incentive provided by Class 7c is necessary for development to occur on that specific real estate and that the municipality or County Board, ~~as the case may be,~~ supports and consents to the Class 7c application to the Assessor.

In addition, the Ordinance or Resolution shall:

1. Describe the redevelopment objective of the municipality;

2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

If a municipality enacts enabling legislation which a.) identifies, by permanent index numbers, specific retail corridors or geographies within the boundaries of such municipality that it deems to be distressed and in need of development; b.) authorizes the submission of applications for a Class 7c incentive for properties within such retail corridors, and c.) designates the authorized officer of the such municipality, then applicants for a Class 7c incentive located in such retail corridors may obtain and submit, in lieu of an Ordinance or Resolution, a letter from the authorized officer of the municipality approving the submission of the Class 7c incentive application and a certified copy of the municipal enabling legislation.

A copy of the authorized officer letter and a certified copy of the municipal enabling legislation shall be included with the Class 7c application and submitted to the Cook County Bureau of Economic Development for verification prior to filing of the application with the Assessor.

In addition, the letter from the authorized officer shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

Following verification that the Class 7c application is in a retail corridor, as defined herein, and has been properly submitted with a letter from an authorized officer and a certified copy of the municipal enabling legislation, the Bureau of Economic Development will forward the application to the Assessor's Office for filing.

In order to determine Class 7c applications, an application for Class 7c shall be submitted to the Assessor and the Bureau of Economic Development. Upon receipt of the application and all the necessary supporting data, the Economic Development Advisory Committee of the County, within 30 days return the application to the Assessor with a finding stating whether the conditions of Subsections (a)(1)-(a)(4) of this Section are present. The Assessor shall review the application, supporting data, findings of the Committee and other appropriate facts. Where the Assessor finds the conditions of Subsections (a)(1)-(a)(4) of this Section exist, the Assessor shall, within 30 days of the receipt of the Committee's findings, certify the commercial development project eligible for Class 7c treatment under this Division.

Where the Economic Development Advisory Committee does not return a finding

stating whether the conditions of Subsections (a)(1)-(a)(4) of this Section are present within 30 days, and upon further application of the requesting party, the Assessor may review the application, supporting data, and other appropriate facts and certify the commercial development project eligible for Class 7c treatment and grant the incentive.

- (1) That the Property's (the real estate that is subject of the Incentive application) Assessed Value, Equalized Assessed Value or Real estate taxes for three of the last six years, have declined or remained stagnant due to the depressed condition;
 - (2) There is a reasonable expectation that the development, re-development or rehabilitation of the commercial development project is viable and likely to go forward on a reasonably timely basis if granted Class 7c designation and will therefore result in the economic enhancement of the property;
 - (3) Certification of the commercial development project for Class 7c designation will materially assist development, redevelopment or rehabilitation of the property and the commercial development property would not go forward without the full incentive offered under Class 7c; and
 - (4) Certification of the commercial development project for Class 7c designation is reasonably expected to ultimately result in an increase in real property tax revenue and employment opportunities of the property.
- b. A certified copy of the Ordinance or Resolution, or authorization letter and certified copy of the municipal enabling legislation (if applicable), need not be filed at the time of filing the Class 7c eligibility application with the Assessor, but must be filed with the Assessor no later than the date an assessment appeal is filed to request the class change to Class 7c. If the Resolution is not filed at the time of the eligibility application, the applicant may instead file, at that time, a letter from the municipality or the County, as the case may be, confirming that a Resolution or Ordinance supporting the incentive has been requested.
- c. A copy of the Resolution or letter confirming that a Resolution has been requested, whichever is filed with the application, will be forwarded by the Assessor's Office to the Secretary of the County Board for distribution to the members of the County Board from the affected districts.
- d. Class 7c applications for newly constructed or substantially rehabilitated buildings and other structures must be made to the Assessor within one year prior to the commencement of such new construction or substantial rehabilitation to qualify for a Class 7c incentive. With respect to abandoned property, the Class 7c application must be made to the Assessor prior to the commencement of the reoccupation of the vacant and unused property. For the purpose of this Incentive [Class 7c] "abandoned property" shall mean property where the buildings and other structures, or portions thereof, have been vacant and unused for more than 12 continuous months and as established by rule of the Assessor.

- e. This classification shall continue for a period of three years from the date such new construction (excluding demolition, if any) such substantial rehabilitation was completed and initially assessed, or in the case of abandoned property, from the date of substantial occupancy.
 - f. Class 7c incentives that are granted are renewable.

The incentive shall be phased out after five years, pursuant to Section 74-64(8). After expiration of the last incentive period, the real estate shall revert to the applicable classification under this Division.
 - g. The Assessor may adopt rules consistent with this subsection necessary to ensure proper review of all factors relevant to determine eligibility and continued eligibility for the benefits provided under Class 7c.
 - h. Class 7c Applications must be received by the Assessor's Office on or before November 30, 2019, to receive consideration.
 - i. Renewal. The Class 7c Incentive shall be limited to only one renewal. The applicant may apply for a renewal on or after the third year of the Incentive, but before the expiration of the fifth year of the Incentive. The applicant must obtain the municipal enabling Ordinance and present such municipal Ordinance to the Board of Commissioners of Cook County as to whether it will validate the renewal. The Incentive may be renewed unless otherwise limited herein.
 - j. Effective Year. The Class 7c Incentive shall be effective for the tax year the application for the Incentive is filed. In addition, the Class 7c Incentive may be applied for only one year prior to the tax year in which the Incentive was applied via a certificate of error.
- (12) *Class 8.* Real estate used primarily for industrial and commercial purposes, consisting of all newly constructed buildings or other structures, including the land upon which they are situated; or abandoned property, as defined in this division, including the land upon which such property is situated; or all buildings and other structures which are substantially rehabilitated to the extent such rehabilitation has added to their value, including qualified land related to the rehabilitation.
- a. Land qualifies when the rehabilitation adds vertical or horizontal square footage to the improvements. The amount of land eligible for the incentive shall be in such proportion as the square footage added by the rehabilitation bears to the total square footage of the improvements on the parcel. Such real estate must be either obtained through the Cook County Tax Reactivation Project or must be located in one of the following designated geographical areas:
 - 1. An area which has been certified as in need of substantial revitalization in accordance with the provisions of Section 74-65(b);
 - 2. An enterprise community as proposed and approved by the County Board on June 22, 1994, or the Chicago City Council on May 18,

1994, and the municipality in which such real estate is located, or, if in an unincorporated area, the County must by lawful Resolution determine that such real estate is consistent with an overall plan for the rehabilitation of the area; or

3. Any one of the following five townships: Bloom, Bremen, Calumet, Rich and Thornton.
- b. In the instance where real estate does not meet the definition of abandoned property as defined herein, the municipality or the County Board, as the case may be, may still determine that special circumstances justify that the property is deemed "abandoned" for purpose of Class 8, unless:
1. There has been a purchase for value and the buildings and other structures have not been vacant and unused prior to such purchase; or
 2. There has been no purchase for value and the buildings and other structures have been vacant and unused for less than 24 continuous months.

The finding of abandonment, along with the specification of the special circumstances, shall be included in the Resolution or Ordinance supporting and consenting to the Class 8 application.

In addition, the Ordinance or Resolution where applicable shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

If the Ordinance or Resolution is that of a municipality, the approval of the County Board is required to validate such, a finding that the property is deemed "abandoned" for purposes of Class 8, and a Resolution to that effect shall be obtained. The applicant must obtain the municipal enabling Ordinance with the required finding of special circumstances and present such municipal Ordinance to the Board of Commissioners of Cook County prior to its determination as to whether it will validate such a finding that the property is deemed "abandoned" for purposes of Class 8 and provide a County Resolution to that effect. A certified copy of an Ordinance or Resolution finding that special circumstances exist, as well as a certified copy of a County Ordinance or Resolution validating such a finding that the property is deemed "abandoned" for purposes of Class 8 need not be filed at the time of filing the Class 8 application with the Assessor, but must be filed with the Assessor no later than the date an assessment appeal is filed to request the class change to Class 8. If the Resolution is not filed at the time of the Class 8 application, the applicant shall instead file, at that time, a letter from the municipality or the County as the case may be, confirming that a

Resolution or Ordinance regarding special circumstances has been requested.

If the real estate is located within an Industrial Growth Zone, prior to filing a Class 8 eligibility application with the Assessor and in lieu of an Ordinance or Resolution, an applicant may obtain from an authorized officer of the municipality or an authorized officer of the Cook County Bureau of Economic Development if the real estate is located in an unincorporated area, a letter stating that the municipality or the County Board, as the case may be, supports and consents to the filing of the Class 8 application with the Assessor. Such authorized officer shall have been designated by the legislative body of the municipality or, in the case of an unincorporated area, by the Cook County Board.

A copy of the authorized officer letter and a certified copy of the legislative action designating the authorized officer shall be included with the Class 8 application and submitted to the Cook County Bureau of Economic Development for verification prior to filing of the application with the Assessor. The applicant must demonstrate that the industrial development project qualifies for the Class 8 classification.

In addition, the letter from the authorized officer shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

Following verification that the Class 8 application is in an Industrial Growth Zone and has been properly submitted with a letter from an authorized officer and a certified copy of the legislative action designating the authorized officer, the Bureau of Economic Development will forward the application to the Assessor's Office for filing.

Temporary Emergency Economic Recovery Modification (TEERM) Program: In the instance where real estate does not meet the definition of abandoned property as defined herein, the municipality or the County Board, as the case may be, may still determine that special circumstances justify that the property is deemed "abandoned" for purpose of Class 8 under the TEERM Program, if:

1. There has been no purchase for value and the buildings; and
2. The buildings and other structures have been vacant and unused for at least 12 continuous months.

The finding of abandonment, along with the specification of the special circumstances, shall be included in the Resolution or Ordinance supporting and consenting to the Class 8 application under the TEERM Program.

In addition, the Ordinance or Resolution shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

If the Ordinance or Resolution is that of a municipality, the approval of the County Board is required to validate such, a finding that the property is deemed "abandoned" for purposes of Class 8, and a Resolution to that effect shall be obtained. The applicant must obtain the municipal enabling Ordinance with the required finding of special circumstances and present such municipal Ordinance to the Board of Commissioners of Cook County prior to its determination as to whether it will validate such a finding that the property is deemed "abandoned" for purposes of Class 8 and provide a County Resolution to that effect. A certified copy of an Ordinance or Resolution finding that special circumstances exist, as well as a certified copy of a County Ordinance or Resolution validating such a finding that the property is deemed "abandoned" for purposes of Class 8 need not be filed at the time of filing the Class 8 application with the Assessor, but must be filed with the Assessor no later than the date an assessment appeal is filed to request the class change to Class 8. If the Resolution is not filed at the time of the Class 8 application, the applicant shall instead file, at that time, a letter from the municipality or the County as the case may be, confirming that a Resolution or Ordinance regarding special circumstances has been requested.

Applications for the TEERM Program must be received by the Assessor's Office on or before November 30, 2018 to receive consideration.

- c. A copy of the Resolution or letter confirming that a Resolution has been requested, whichever is filed with the application, will be forwarded by the Assessor's Office to the Secretary of the County Board for distribution to the members of the County Board from the affected districts.
- d. An affidavit of the applicant attesting that all construction, demolition, maintenance or repair services at the subject property shall only be performed by a contractor or subcontractor who participates in an active apprenticeship and training program approved and registered with the United States Department of Labor's Office of Apprenticeship, shall also be submitted with the application. The Assessor shall provide by rule for the filing of such affidavit and the filing of any subsequent supporting documents which establishes credible evidence that any construction, maintenance or repair service performed at the subject property will be done by a contractor or subcontractor who participates in an active apprenticeship and training program approved and registered with the United States Department of Labor's Office of Apprenticeship. The failure to file such affidavit and supporting documents within the time established by the Assessor's rules shall

result in the loss of the incentive for the period relating to the non-filing.

- e. This classification shall continue for a period of 12 years from the date of new construction (excluding demolition, if any) or substantial rehabilitation was completed and initially assessed, or in the case of abandoned property, from the date of substantial re-occupancy, or in the case of incentives granted pursuant to the TEERM Program, from the date of the notice of approval.
- f. Unless it was granted pursuant to the TEERM Program, this incentive may be renewed during the last year a property is entitled to a ten-percent assessment level pursuant to Section 74-64(11), if the following requirements are met:
 - 1. The taxpayer notifies the Assessor's Office of the taxpayer's intent to request renewal of the incentive from the municipality, or the County Board if the real estate is located in an unincorporated area;
 - 2. The municipality in which the real estate is located or the County Board, if the real estate is located in an unincorporated area, adopts a Resolution expressly stating that the municipality or County Board, as the case may be, has determined that the industrial or commercial use of the property is necessary and beneficial to the local economy, and supports and consents to renewal of the Class 8; and
 - 3. A copy of that Resolution and a completed renewal application are filed with the Assessor's Office before the expiration of the ten-percent assessment level period.
 - 4. Applicant shall submit an affidavit to the Assessor's Office attesting that, at all times after the applicant receives and maintains a Class 8 designation, if any construction, demolition, maintenance or repair service is performed at the subject property, then any contractors and any subcontractors who perform such service must participate in an active apprenticeship and training program approved and registered with the United States Department of Labor's Office of Apprenticeship, if the contractor or subcontractor employs people in a covered occupation.
- g. Class 8 incentives that are granted pursuant to the TEERM Program are not renewable. For all other Class 8 incentives, the number of renewal periods is not limited as long as the property continues to apply and meet the requirements for Class 8.
- h. A copy of the request for renewal of the incentive will be forwarded by the Assessor's Office to the Secretary of the County Board for distribution to the members of the County Board from the affected districts.
- i. If no renewal is obtained, the incentive shall be phased out over the next two years, pursuant to Section 74-64(11). After expiration of the last incentive period the real estate shall revert to the applicable classification under this Division.

- j. The Assessor may adopt rules consistent with this subsection necessary to ensure proper review of all factors relevant to determine eligibility for the benefits provided under Class 8.
 - k. The certification of an area as in need of substantial revitalization shall expire five years from the date such certification is granted. The Assessor shall notify the applicant of the date of expiration of certification one year before the date of the expiration of the certification. Such certification, pursuant to the same criteria, may be extended for one additional five-year period subject to reapplication by the appropriate local governing body within the period from one year to six months prior to the expiration of the initial five-year period.
 - l. The Assessor shall provide by rule for the filing of triennial reassessment reports by all Class 8 recipients as to the use of the property and the number of persons employed at the Class 8 site. A copy of such reports will be forwarded by the Assessor's Office to the Secretary of the County Board for distribution to members of the County Board from the affected districts. Failure to file such reports within the time established by the Assessor's rules shall result in loss of the incentive for the period relating to the non-filing.
 - m. Taxpayers who currently receive a Class 8 incentive shall file with the Assessor's Office an affidavit as required under subsection (d) of this Section within 90 days of the enactment that will be applicable for all future construction, demolition, maintenance or repair services performed at the subject property as required under subsection (d) of this Section. Failure to provide the affidavit in a timely manner may result in the loss of the incentive for the period relating to the non-filing.
- (13) *Class 9.* All real estate otherwise entitled to Class 3 classification under this division, provided that such real estate, consisting of land and existing buildings and structures is multifamily residential real estate; either has undergone major rehabilitation, or is new construction, or both; has at least 35 percent of the dwelling units leased at rents affordable to low- or moderate-income persons or households; and is in substantial compliance with all applicable local building, safety and health requirements and codes.
- a. To qualify for the Class 9 classification, the applicant must:
 - 1. File an eligibility application with the Assessor prior to commencement of rehabilitation and/or of new construction;
 - 2. Either undertake and complete a major rehabilitation of the subject property, or undertake and complete construction of a new building;
 - 3. Maintain the subject property, including any new construction, in substantial compliance with all local building, safety and health codes and requirements for the duration of the Class 9 classification period;

4. Lease, for the duration of the Class 9 classification period, at least 35 percent of the dwelling units of the subject property, including any new construction, to tenants at rents which will not exceed rents affordable to low- and moderate-income persons or households;
 5. Agree to make a current listing of Class 9 tenants and their income available to the Assessor upon request;
 6. Further agrees to annually provide the tenants with a list of the permissible Class 9 rents;
 7. Agree to notify tenants of the upcoming Class 9 expiration at least one year prior to the termination of the incentive treatment; and
 8. File annually with the Assessor, on or before a date determined by the Assessor, for the duration of the Class 9 classification period, a sworn statement verifying continuous compliance with the Class 9 provisions of this Division.
- b. No applicant shall discriminate on the basis of race, color, sex, marital status, religion, national origin or ancestry, or on any other basis prohibited under Federal, State or local law.
- c. Upon completion of the major rehabilitation, the applicant must supplement the application by submitting evidence showing that major rehabilitation did, in fact, occur, the date that the major rehabilitation was completed and that the real estate complies with all applicable local building, safety and health requirements and codes. Upon completion of the new construction, the applicant must supplement the application by submitting an occupancy permit showing the date that the new construction was completed and ready for occupancy, and evidence that the real estate complies with all applicable local building, safety and health requirements and codes.
- d. Beginning January 1, 2000, the Class 9 classification shall have an initial duration of ten years from the date that the major rehabilitation was completed. That period may be extended for additional ten-year periods if:
1. An application is filed with the Assessor at least 12 months before the expiration of the incentive period;
 2. The applicant presents evidence that the real estate currently complies with all applicable local building, safety and health requirements and codes; and
 3. The Assessor determines that all application qualifications, except the major rehabilitation or new construction requirement, were maintained during the incentive period.

- e. When the Class 9 classification is due to expire or is terminated by action of the owner or the Assessor, the property owner shall, in a manner and form determined by the Assessor, notify all Class 9 tenants of the date of the termination of Class 9 classification. Once the Class 9 classification is terminated, the real estate shall revert to the applicable classification under this Division.
- (14) *Class S.* Real estate otherwise entitled to Class 3 classification under this division, consisting of land and existing buildings and structures, which is has been subject to a Section 8 contract renewal. The portion of the land and building eligible for the incentive shall be in such proportion as the number of Section 8 units bears to the total number of units. The proportion shall be applied only to property used for residential purposes, and not to portions of the property, if any, used for commercial purposes.
- a. Property qualifies for the Class S classification if its Section 8 contract has been renewed pursuant to one of the following alternatives:
 - 1. HUD has approved renewal of the Section 8 contract under the mark up to market option, after finding that:
 - i. The property has received a physical inspection score of at least 60, in an inspection by HUD's Real Estate Assessment Center, confirming that the property is decent, safe, sanitary and in good repair with no uncorrected exigent health and safety (EHS) violations;
 - ii. The property does not have a low- and moderate-income use restriction that cannot be eliminated by unilateral action by the owner. If, however, the current rent is lower than the use restriction, HUD may use the mark up to market option to increase the rents to the use restriction level, which would be a renewal qualifying for the S classification; and
 - iii. A rent comparability study conducted by HUD has demonstrated that comparable market rents are above 100 percent of the HUD Fair Market Rent.
 - 2. HUD has approved a contract renewal for five years of the Section 8 contract under the mark up to market under HUD's discretionary authority, after finding that the property meets at least one of the required criteria:
 - i. A vulnerable population is affected,
 - ii. There is a low vacancy rate in the area, which would make tenant based assistance difficult to use, or a lack of comparable housing, or
 - iii. The project is a high priority for the local community, as demonstrated by a contribution of state or local funds to the property.

3. HUD has approved renewal of a Section 8 contract for a not for profit corporation under any available option under HUD's renewal procedures as described in HUD's Section 8 Renewal Policy Guidelines.
- b. Additional requirements for qualification for the S classification are:
1. At least 20 percent of the living units must be Section 8 units for qualifying low- and moderate-income persons.
 2. The owner must agree to retain at least the existing number of Section 8 units for at least five years after the expiration of the expiring or expired Section 8 contract.
 3. For the duration of the Class S classification period, applicant must file annually with the Assessor, on or before a date determined by the Assessor, a sworn statement verifying continuous compliance with the Class S provisions of this Division.
 4. Applicant must agree to notify the Assessor's Office if the Section 8 contract is terminated prior to its expiration date. Applicant shall provide to the Assessor's office a copy of any notice of default or notice of abatement received from HUD.
- c. When the applicant applies to HUD for a contract renewal, no less than 120 days prior to the expiration of the contract, the applicant shall notify the Assessor's Office of the application, on a form provided by that office. Upon receiving approval of the contract renewal from HUD, the applicant shall file an application for the incentive with the Assessor's Office, on a form provided by that office. The application shall be supported by a copy of HUD's letter approving the contract renewal and a copy of the executed renewal contract.
- d. Any property which, as of November 23, 1999, has an existing Section 8 contract with a mark up to market option may apply for Class S classification for the any portion of the 2001 assessment year encompassed within the contract term, and for the remainder of the contract term, including any renewals approved with the mark up to market option. The classification shall continue until the expiration or termination of the Section 8 contract.
- Any property which, as of (DATE AMENDMENT APPROVED), has an existing Section 8 contract renewal may apply for Class S classification for any portion of the 2006 assessment year encompassed within the contract term, and for the remainder of the contract term, including any renewals approved with the mark up to market option, mark up to market option under HUD's discretionary authority or a Section 8 contract that has been renewed by a not-for-profit corporation under any available option under HUD's renewal procedures as described in HUD's Section 8 Renewal Policy Guidelines. The classification shall continue until the expiration or termination of the Section 8 contract.

- e. The incentive may be renewed if the Section 8 contract is again renewed under any of the following three options: 1) the mark up to market option; 2) the mark up to market option under HUD's discretionary authority; or 3) by a not-for-profit corporation under any available option under HUD's renewal procedures as described in HUD's Section 8 Renewal Policy Guidelines. Upon filing an application with HUD, no less than 120 days prior to termination of the contract, for renewal of the Section 8 contract, the taxpayer shall provide notice to the Assessor's Office of its application for renewal. The taxpayer shall provide a copy to the Assessor's Office of HUD's approval of the contract renewal, or notification of other action.
 - f. The Assessor's Office shall adopt rules consistent with this subsection necessary to ensure proper review of all factors relevant to determine initial and continued eligibility for the benefits provided under Class S.
- (15) *Class L.* Real estate which is to be used for commercial or industrial purposes and which is designated as Class 3, Class 4, Class 5a or Class 5b pursuant to this Division; is a landmark or contributing building; and has undergone substantial rehabilitation. The substantial rehabilitation must constitute an investment by the owner of at least 50 percent of the building's full market value as determined by the Assessor in the assessment year prior to the commencement of the substantial rehabilitation.
- a. Generally, the incentive shall apply only to the building and will not apply to the land underneath the building. However, if the entire building has been vacant and unused for at least 24 continuous months prior to the filing of the eligibility application with the Assessor, the land upon which the building is situated shall also be eligible for the incentive.
 - b. Prior to filing a Class L eligibility application with the Assessor, an applicant must obtain an Ordinance or Resolution from the unit of local government in which the real estate is located, which expressly states that the local government:
 - 1. Has determined that the incentive provided by Class L is necessary for the substantial rehabilitation of the property;
 - 2. Supports and consents to the granting of the incentive; and
 - 3. Has reviewed and accepted its preservation commission's written recommendation of the project for the Class L incentive. This recommendation will specify the project's budget and proposed scope of work and will specify that the project will meets or exceeds the Standards of the United States Department of the Interior for Rehabilitation, Preservation, Restoration, and Reconstruction of historic properties.
4. In addition, the Ordinance or Resolution shall:
- i. Describe the redevelopment objective of the municipality;
 - ii. State the applicant's intended use of the property; and

iii. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

- c. A certified copy of the Ordinance or Resolution need not be filed with the Assessor at the time the Class L eligibility application is filed but the Ordinance or Resolution must be filed with the Assessor no later than the date an assessment appeal is filed to request the class change to Class L.
- d. If the Ordinance or Resolution is not filed at the time of the eligibility application is filed, the applicant shall instead, include the following items with the eligibility application:
 - 1. A letter from the municipality or the County, as the case may be, confirming that a Resolution or Ordinance supporting the incentive has been requested; and
 - 2. A copy of the preservation commission's recommendation of the project.
- e. A copy of the Resolution or letter confirming that a Resolution has been requested, whichever is filed with the application, will be forwarded by the Assessor's Office to the Secretary of the Board for distribution to the members of the County Board from the affected districts.
- f. Additionally, to qualify a landmark building or contributing building for Class L classification, an eligibility application must be made to the Assessor within one year prior to the commencement of substantial rehabilitation. After the substantial rehabilitation has been completed, the preservation commission shall review the project to determine that it is eligible under Subsection (14) of this Section. The applicant must supplement the eligibility application with a copy of the determination of the preservation commission prior to classification of the real estate as Class L.
- g. The initial Class L classification shall continue for a period of 12 years from the date such substantial rehabilitation was completed and initially assessed.
- h. For property which was initially classified as Class 3, 4 or 5b, this incentive may be renewed during the last year a property is entitled to a 16-percent assessment level, if the following requirements are met:
 - 1. The taxpayer notifies the Assessor's Office of the taxpayer's intent to request renewal of the incentive from the municipality, or the County Board if the real estate is located in an unincorporated area;
 - 2. The municipality in which the real estate is located or the County Board, if the real estate is located in an unincorporated area, adopts a resolution expressly stating that the municipality or County Board, as the case may be, has determined that the industrial use of the property is necessary and beneficial to the local economy, and supports and consents to renewal of the Class L; and

3. A copy of that Resolution and a completed renewal application are filed with the Office of the Assessor before the expiration of the incentive period.

The number of renewal periods is not limited as long as the property continues to apply and qualify for Class L. The notice of intent to request renewal which is filed with the Assessor's Office will be forwarded by the Assessor's Office to the Secretary of the County Board for distribution to members of the County Board from the affected districts.

- i. If, as of November 23, 1999, a property is receiving Class L treatment, but the assessment level is higher than 16 percent, that taxpayer may apply for renewal as outlined above and receive a 16-percent assessment level for the prescribed period beginning after the filing and approval of the Resolution and renewal application. However, if as of the effective date, the taxpayer's assessment is higher than 16 percent and the taxpayer is granted a renewal of the incentive for subsequent years, no reduction of the current assessment level based on renewal of the incentive will be granted. If no renewal is obtained, the incentive shall be phased out over the next two years, pursuant to Section 74-64. After expiration of the last incentive period, the real estate shall revert to the applicable classification under this Division.
- j. For commercial properties, once the original 12-year incentive period has expired, the commercial Class L incentive will expire. The incentive classification will ~~not~~ be subject to renewal subject to subsection (h) ~~and the real estate shall revert to the applicable classification under this Division.~~
- k. The Assessor shall adopt rules consistent with the foregoing necessary to ensure proper review of all factors relevant to determine initial and continued eligibility for the benefits provided under Class L.
- l. The Assessor shall provide by rule for the filing of triennial reassessment reports by all Class L recipients as to the continued landmark status of the property and the number of persons employed at the Class L site. Failure to file such reports within the time established by the Assessor's rules may result in loss of the incentive for the period relating to the non-filing.
- m. The Assessor shall provide the Chairman of the Business and Economic Development Committee of the Cook County Board, annually on or before December 1, a report of each Class L that was designated in the prior year. Such report shall consist of the address of the Class L designated property, the date such designation was granted, the amount of property taxes that were not assessed each year during which the Class L incentive was in effect for such property, and if provided by the applicant, the aggregate amount of the investment in the project and the number of jobs generated in connection with such project.

Sec. 74-64. Market value percentages.

The Assessor shall assess, and the Board of Review shall review, assessments on real estate in the various classes at the following percentages of market value:

- (1) Class 1: Ten percent.
- (2) Class 2: Ten percent.
- (3) Class 3: Sixteen percent in tax year 2009, 13 percent in tax year 2010, ten percent in tax year 2011, and subsequent years.
- (4) Class 4: Twenty-five percent.
- (5) Class 5a: Twenty-five percent.
- (6) Class 5b: Twenty-five percent.
- (7) Class 6b: Ten percent for first ten years and for any subsequent ten-year renewal periods; if the incentive is not renewed, 15 percent in year 11 and 20 percent in year 12.
- (8) Class C: Industrial properties: Ten percent for first ten years, 15 percent in year 11 and 20 percent in year 12; commercial properties: ten percent for first ten) years, 15 percent in year 11 and 20 percent in year 12.
- (9) Class 7a: Ten percent for first ten years, 15 percent in year 11 and 20 percent in year 12.
- (10) Class 7b: Ten percent for first ten years, 15 percent in year 11 and 20 percent in year 12.
- (11) Class 7c: Ten percent for first three years, 15 percent in year four and 20 percent in year five.
- (12) Class 8: Ten percent for first ten years and for any subsequent ten-year renewal periods; if the incentive is not renewed, 15 percent in year 11 and 20 percent in year 12.
- (13) Class 9: Ten percent for an initial ten-year period, renewable upon application for additional ten-year periods.
- (14) Class S: Ten percent for the term of the Section 8 contract renewal under the mark up to market option, as defined herein, and for any additional terms of renewal of the Section 8 contract under the mark up to market option.
- (15) Class L, renewable properties: Ten percent for first ten years and for any subsequent ten-year renewal periods; if the incentive is not renewed, 15 percent in year 11 and 20 percent in year 12; commercial properties: Ten percent for first ten years, 15 percent in year 11 and 20 percent in year 12.

Sec. 74-65. - Qualifications for commercial development project status.

- (a) To qualify as a commercial development project under Class 7a or 7b, it is necessary that the project be located in an area in need of commercial development in that:

- (1) The area is ~~or has been within the last ten years, currently,~~ designated by Federal, State or local agency as a conservation, blighted or renewal area or an area encompassing a rehabilitation or redevelopment plan or project adopted under the Illinois Urban Renewal Consolidation Act of 1961, as amended, or the Commercial Renewal Re-development Areas Act of 1967, as amended, or that the area is located in a Federal Empowerment Zone or Enterprise Community, as proposed and approved by the County Board on June 22, 1994, or the Chicago City Council on May 18, 1994, or the Commercial District Development Commission Ordinance of the City of Chicago or designation of like effect adopted under any similar statute or Ordinance;
- (2) Real estate taxes within the area, during the last six years, have declined, remained stagnant or potential real estate taxes are not being fully realized due to the depressed condition of the area, and/or subject site, or property values as determined by the assessed value (AV) or equalized assessed value (EAV) for the redevelopment area or specific subject site have declined over the last six (6) years, or property values as determined by the AV or EAV are increasing at a rate that is less than the balance of the municipality's AV or EAV for the last six (6) years; or property values as determined by the AV or EAV for the redevelopment area/site are increasing at a rate that is less than Consumer Price Index (CPI) for All Urban Consumers as published by the US Department of Labor for last six (6) years;
- (3) There is a reasonable expectation that the development, re-development or rehabilitation of the commercial development project is viable and likely to go forward on a reasonably timely basis if granted Class 7a or 7b designation and will therefore result in the economic enhancement of the area;
- (4) Certification of the commercial development project for Class 7a or 7b designation will materially assist development, redevelopment or rehabilitation of the area and the commercial development project would not go forward without the full incentive offered under Class 7a or 7b; and
- (5) Certification of the commercial development project for Class 7a or 7b designation is reasonably expected to ultimately result in an increase in real property tax revenue and employment opportunities within the area.

(b) Prior to filing a Class 7a or 7b eligibility application with the Assessor, an applicant must obtain from the municipality in which the real estate is located, or the County Board if the real estate is located in an unincorporated area, an Ordinance or a Resolution expressly stating that the municipality or County Board, as the case may be, has determined that the conditions of Subsections (a)(1)-(a)(5) of this Section are present and that the municipality or County Board, as the case may be, supports and consents to the Class 7a or 7b application to the Assessor.

In addition, the Ordinance or Resolution shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

If a municipality enacts enabling legislation which identifies specific retail corridors or geographies within the boundaries of such municipality that it deems to be distressed and in need of development and which authorizes the submission of applications for Class 7a and 7b incentives for properties within such retail corridors, applicants for Class 7a and Class 7b incentives located in such retail corridors may obtain and submit to the Assessor, in lieu of an Ordinance or Resolution, a letter from an authorized officer of such municipality approving the submission of the Class 7a or 7b incentive application and a certified copy of the municipal enabling legislation.

A copy of the authorized officer letter and a certified copy of the municipal enabling legislation shall be included with the Class 7a or Class 7b application and submitted to the Cook County Bureau of Economic Development for verification prior to filing of the application with the Assessor.

In addition, the letter from the authorized officer shall:

1. Describe the redevelopment objective of the municipality;
2. State the applicant's intended use of the property; and
3. State that an Economic Disclosure Statement, as defined in this Division, was received and filed by the municipality or County Board, as the case may be.

Following verification that the Class 7a or Class 7b application is in a retail corridor, as defined herein, and has been properly submitted with a letter from an authorized officer and a certified copy of the municipal enabling legislation, the Bureau of Economic Development will forward the application to the Assessor's Office for filing.

A certified copy of such Ordinance or Resolution or authorization letter and certified copy of the municipal enabling legislation (if applicable) shall be included with the Class 7a or 7b application at the time of filing the application with the Assessor. A copy of the Ordinance or Resolution, whichever is submitted, will be forwarded by the Assessor's Office to the Secretary of the Board for distribution to the members of the County Board from the affected districts. The application shall include any other information deemed necessary by the Assessor. The applicant must demonstrate that the commercial development project qualifies for the Class 7a or 7b classification and shall bear the expense of doing so.

(c) Inasmuch as the County desires to encourage economic development in the neighborhoods of the County, support the increased use of the incentive by smaller projects and to limit the expense of such applications, the Assessor shall liberally construe the requirements of Subsections (a)(1)-(a)(5) of this Section for Class 7a applications.

(d) The Assessor shall adopt rules, including a provision to ensure a proper review of the application and supporting data.

(e) Certification of a commercial development project shall not be denied by reason of insufficient size if it otherwise qualifies hereunder. In determining what constitutes the "full incentive offered" as provided in Subsection (a)(4) of this Section, consideration may be given to any lawful intergovernmental participation agreements under which the project developer has agreed, as a precondition to Class 7a or 7b certification, to share a portion of future profits with the appropriate taxing districts.

(f) For Class 7a applications, where the Assessor finds that the conditions of Subsections (a)(1)-(a)(5) of this Section exist, the Assessor shall, within 60 days after receipt of the application and necessary supporting data, certify the commercial development project eligible for Class 7a treatment under this Division.

(g) In order to determine Class 7b applications, upon receipt of the application and all the necessary supporting data, the Assessor shall forward it to the Economic Development Advisory Committee of the County. The Committee shall within 30 days return the application to the Assessor with a finding stating whether the conditions of Subsections (a)(1)-(a)(5) of this Section are present. The Assessor shall review the application, supporting data, findings of the Committee and other appropriate facts. Where the Assessor finds the conditions of Subsections (a)(1)-(a)(5) of this Section exist, the Assessor shall, within 30 days of the receipt of the Committee's findings, certify the commercial development project eligible for Class 7b treatment under this Division.

(h) Class 7a and 7b certifications shall lapse within one year from the date of issuance unless new construction or substantial rehabilitation, or in the case of abandoned property, reoccupation of the commercial development project has commenced prior to its expiration.

(i) To be certified as an area in need of substantial revitalization for purposes of Class 8 classification it is necessary that:

- (1) The municipality in which the area is located or, if an unincorporated area, the County determine by lawful Resolution that the area is in a state of economic depression and that it is not economically feasible for private enterprise to accomplish the necessary modernization, rehabilitation, and development of the area without public assistance and encouragement, or a determination of similar import;
- (2) The municipality or, if in an unincorporated area, the County apply to the Assessor for certification of the area as one in need of substantial revitalization;
- (3) Upon receiving an application to certify an area as in need of substantial revitalization, the Assessor shall review the application, supporting data and other appropriate factors relevant to a determination of the severity of the economic conditions of the area. In determining whether the "in need of substantial revitalization" requirement is met, the Assessor shall give strong consideration and substantial weight to the fact that an area is located in a Federal empowerment zone or enterprise community, as proposed and approved by the County Board on June 22, 1994, or the Chicago City Council on May 18, 1994.

(j) Upon finding that existing factors convincingly demonstrate that the area is in need of substantial revitalization, as defined in this Division, the Assessor shall grant such certification to the area. In making this determination statistical data relevant to the surrounding area as well as the specific area for which certification is sought may be considered. The surrounding area for the City of Chicago shall be the community area as defined in this Division; for all other areas in the County it shall be, where applicable, the municipality in which the area is located.

(k) If a municipality within an Enterprise Community, as proposed and approved by the County Board on June 22, 1994, or the Chicago City Council on May 18, 1994, determines by municipal Resolution that the area is in a state of economic depression and that it is not economically feasible for private enterprise to accomplish the necessary modernization, rehabilitation, and development of the area without public assistance and encouragement, or a determination of similar import and submits a request for Class 8 certification, such certification shall be automatic pursuant to this Division. However, each property eligible for a Class 8 incentive within the certified area must file an application in a timely manner.

The Assessor shall provide the Chairman of the Business and Economic Development Committee of the Cook County Board, annually on or before December 1, a report of each Class 8 area that was designated in the prior year.

(l) Any Class 6a incentive that is still active can be renewed. The Class 6a incentive is defined in this Division. The renewal procedures described in Section 74-63 apply to Class 6a as well.

Sec. 74-66. Property in two or more classes.

Where a single parcel of real estate is partially included in two or more of the above-described classes, each portion shall be assessed at the assessment level herein prescribed for that class.

Sec. 74-67. - Assessor's status and progress report and GASB reporting.

A written report on the status and progress of the implementation of this Division, or any amendments thereto, and all rules promulgated by the Assessor hereunder, shall be submitted by the County Assessor to the President and County Board annually on or before December 1.

The Assessor shall provide property tax incentive information to the County Comptroller as required by the Governmental Accounting Standards Board (GASB), and as specifically requested by the Comptroller on or before December 1st of each year for the fiscal year ending the prior November 30th. The Assessor shall provide such information as requested on or before January 15th of each year for the fiscal year ending the prior November 30, for inclusion in the County's annual independent audit.

Sec. 74-68. Classification system to apply with tax assessment year.

(a) The incentive provisions of this Division provided to qualifying parcels of real estate for Class 6b, Class C, Class 7a, Class 7b and Class 8 shall expire on December 31, 2012~~25~~, unless otherwise reviewed by action of the County. Real estate granted a Class 6, Class 6a, Class 6b, Class 7 or Class 8 classification on or before ~~April 15, 2017~~~~December 31, 1994~~, shall retain such classification under the terms and conditions of this Division prior to ~~April 16, 2017~~~~January 1, 1995~~. Real estate for which an application for Class 6a, Class 6b, Class 7 or Class 8 classification is filed with the Assessor on or before ~~April 15, 2017~~~~December 31, 1994~~, and which thereafter is determined by the Assessor to be eligible for the classification under the terms and conditions of this Division after ~~April 16, 2017~~~~January 1, 1995~~, shall be entitled to receive such classification under such terms and conditions.

(b) Real estate granted a Class 6b, Class 6c, Class 7a, Class 7b or Class 8 classification on or before December 31, 1999, shall retain such classification under the terms and conditions of this Division prior to January 1, 2000. Real estate for which an application for Class 6b, Class 6c, Class 7a, Class 7b or Class 8 classification is filed with the Assessor on or before December 31, 1999, and which thereafter is determined by the Assessor to be eligible for classification under the terms and conditions of this Division existing prior to January 1, 2000, shall be entitled to receive such classification under such terms and

conditions.

(c) Real Estate granted a Class 6b, Class 7a, Class 7b or Class 8 classification on or before December 31, 2004, shall retain such classification under the terms and conditions of the Ordinance prior to January 1, 2005. Real estate for which an application for Class 6b, Class 7a, Class 7b or Class 8 classification is filed with the Assessor on or before December 31, 2004, and which thereafter is determined by the Assessor to be eligible for classification under the terms and conditions of this Ordinance existing prior to January 1, 2005, shall be entitled to receive such classification under such terms and conditions.

Sec. 74-69. - Applicable assessment level.

The assessment level applicable to real estate classified under incentive Classes 6b, C, 7a, 7b, 7c, 8, 9 and L shall in no event exceed the assessment level which otherwise would have been applicable to such real estate under the remaining assessment classes provided in this Division.

Sec. 74-70. - Class 8a and 8b designation/assessment class.

(a) Class 8a. Real estate that is used primarily for industrial or commercial purposes, which real estate would qualify for a Class 8 designation pursuant to Sections 74-62 through 74-64, except for the fact that the qualifying use of the property prior to application for the incentive does not comply with the definition of abandoned property provided for in Section 74-62(b), can receive a designation as a Class 8a property so long as the applicant can show that it has complied with all of the requirements necessary to receive a Class 8 designation per Sections 74-62 through 74-64, except for meeting the definition of abandonment provided for in Section 74-62(b), but only when the Cook County Board of Commissioners provides a Resolution or Ordinance in support of such designation absent abandonment.

(1) The Cook County Board of Commissioners may only provide such a Resolution or Ordinance in support of Class 8a designation absent abandonment when:

- a. An applicant who collects or transmits sales tax has obtained from the municipality in which the real estate is located or the Cook County Board of Commissioners, if the real estate is located in an unincorporated area, an agreement to abate a portion of the local government's sales tax generated by the industrial or commercial enterprise located on such real estate and such abatement of sales tax must cover the period of time for which the applicant would qualify for this Class 8a incentive; and
- b. Applicant can demonstrate to the satisfaction of the Cook County Board of Commissioners that due to national and regional economic conditions beyond its control the industrial or commercial enterprise has undergone a significant reduction in net operating income of at least 40 percent in the year it makes application for this incentive as compared to the average net operating income of the industrial or commercial enterprise in the prior three years; and
- c. Applicant provides objective and credible evidence including, but not limited to, an economic impact study that demonstrates to the satisfaction of the Cook County Board of Commissioners that the ongoing industrial or commercial enterprise is not economically viable and as such it will cease operations within 60 days of the submission of an eligibility application for Class 8a designation to the Cook County Assessor, and thereafter the property will become vacant and unused for

an extended period of time of at least 24 months; and

- d. Applicant provides objective and credible evidence including, but not limited to, an economic impact study that demonstrates to the satisfaction of the Cook County Board of Commissioners that designation as a Class 8a property will allow the industrial or commercial enterprise to be economically viable and thereby continue its operations so that the industrial or commercial enterprise can continue to occupy and fully utilize the real estate for an extended period of time.

(2) Such a Resolution or Ordinance must contain:

- a. A finding that the Cook County Board of Commissioners has determined that industrial or commercial enterprise has undergone a significant reduction in net operating income of at least 40 percent in the year it makes application for the incentive as compared to the average net operating income of the industrial or commercial enterprise in the prior three years; and
- b. A finding that the Cook County Board of Commissioners has determined that Class 8a designation of the property is necessary for the ongoing industrial or commercial enterprise to continue its operations and that without such designation the industrial or commercial enterprise would not be economically viable causing the property to become vacant and unused; and
- c. A statement by the Cook County Board of Commissioners that it supports and consents to the designation of the property as a Class 8a property absent an abandonment requirement; and
- d. A statement by the Cook County Board of Commissioners that it supports and consents to the application made to the Cook County Assessor requesting designation as a Class 8a property absent an abandonment requirement.

(3) When the real estate is located in an incorporated area of the county, and designation as a Class 8a property is sought using the provisions of this Section, the municipality in which the real estate is located must provide to the Cook County Assessor a Resolution or Ordinance that contains the following:

- a. A finding by the municipality that it has determined that Class 8a designation of the property is necessary for the ongoing industrial or commercial enterprise to continue its operations and that without such designation the industrial or commercial enterprise would not be economically viable causing the property to become vacant and unused; and
- b. A statement by the municipality that it supports and consents to the action by the Cook County Board of Commissioners to support designation of the property as a Class 8a property; and
- c. A statement by the municipality that it supports and consents to the Class 8a application to the Cook County Assessor; and

- (4) Real estate receiving a Class 8a designation pursuant to the provisions of this Section shall be assessed at the lowest percentage of market value provided for in Section 74-64(12), however the term of the incentive will be limited to five years only and such Class 8a designation shall not be renewed:
 - a. After the initial application has been approved and granted, if the subject real estate receiving the Class 8a designation pursuant to the provisions of this Section is sold or the applicant transfers ownership of any portion of the property at any time prior to the five-year term of the 8a classification, then the property's Class 8a classification shall be subject to an eligibility review by the Cook County Board of Commissioners, the municipality, and the Assessor under the procedures set forth in this Ordinance for the remainder of the five-year term.
- (5) In order for real estate to qualify for a Class 8a designation an eligibility application must be made to the Cook County Assessor.
- (6) Class 8a designation cannot be applied to real estate unless the following has occurred: application is made to the Cook County Assessor; all required municipal and county Ordinances and Resolutions are provided to the Cook County Assessor; and the Cook County Assessor determines that the real estate which is the subject of the application for a Class 8a designation would qualify for designation as a Class 8 property but for the inability to comply with the definition of abandonment pursuant to Section 74-62(b).
- (7) The Cook County Assessor may adopt rules consistent with this Section to determine eligibility for the benefits provided under Class 8a.
- (8) Upon receipt of an eligibility application for a Class 8a designation, the Cook County Assessor shall forward such application and any supporting documentation provided with such application to the Cook County Board of Commissioners or its designee for consideration as to whether the County Board will provide a Resolution or Ordinance in support of a Class 8a designation absent abandonment.
- (9) Real estate receiving a Class 8a designation pursuant to the provisions of this Section shall not be eligible for a Class 8a designation for any year prior to the assessment year for which an application for the designation is made to the Cook County Assessor.
- (10) The Cook County Board of Commissioners or its designee may adopt rules consistent with this Section that may be needed to ensure proper review of information, data and documents submitted in support of a request to the County Board for a Resolution or Ordinance in support of a Class 8a designation as provided for in this Section.
- (11) Applicants for a Class 8a designation of property can only make such an application for the following assessment years 2008, 2009, 2010, 2011, 2012, 2013 and the Cook County Assessor shall not designate any real estate as Class 8a property for assessment year 2018 or thereafter.
- (12) Real estate that receives a designation as a Class 8a incentive property will lose such designation and the corresponding reduced level of assessment, if the industrial or commercial enterprise located on the property ceases operations and the subject real estate becomes vacant and unused.

- (13) Real estate that receives a designation as a Class 8a incentive property will lose such designation and the corresponding reduced level of assessment upon termination of the required partial sales tax abatement by local government.

- (14) This Section 74-70 of the Real Estate Classification Ordinance will become effective upon passage.

(b) Class 8b. Real estate and improvements that house inpatient and outpatient hospital based services, where the property has been acquired for hospital use by a for-profit acquirer unrelated to the not-for-profit disposer, thereby avoiding Illinois Health Facilities and Services Review Board discontinuation approval, shall be considered for a Class 8b designation if it meets the requirements of this Section and the Cook County Board of Commissioners provides a Resolution or Ordinance in support of such designation.

- (1) The Cook County Board of Commissioners may only provide such a Resolution or Ordinance in support of Class 8b designation when:

- a. The applicant is a hospital, as defined in the Hospital Licensing Act, or an entity that owns the real property on which a hospital is located, the hospital is licensed by the state, and the abandonment of the hospital would require the applicant, or the hospital on behalf of which the applicant owns the real property on which the hospital is located, to obtain a permit or exemption from the State of Illinois Health Facilities and Services Review Board pursuant to the Illinois Health Facilities Planning Act prior to discontinuing hospital operations and to obtain a second permit or exemption prior to reopening or otherwise reestablishing the hospital after abandonment;
- b. The applicant demonstrated to the satisfaction of the Cook County Assessor that approval of the Class 8b designation will materially increase the likelihood that the property will be retained for hospital use with the associated employment benefits relative to industrial or commercial use of the property;
- c. The subject hospital is located in a zip code which has a ten-percent or greater incidence of families and/or individuals below the poverty level, as identified by the U.S. Census Bureau's most recent census; and
- d. The subject hospital employs at least 750 full-time equivalents (full-time equivalent jobs being defined as total hours worked by all non-full-time employees divided by average annual hours worked by the full-time employees).

- (2) Such a Resolution or Ordinance must contain:

- a. A finding that the Cook County Board of Commissioners has determined that the applicant demonstrated to the satisfaction of the Cook County Assessor that approval of the Class 8b designation will materially increase the likelihood that the property will be retained for hospital use; and
- b. A statement by the Cook County Board of Commissioners that it supports and consents to the designation of the property as a Class 8b property.

- (3) When the real estate is located in an incorporated area of the county, and designation as a Class 8b property is sought using the provisions of this Section, the municipality in which the real estate is located must provide to the Cook County Assessor a resolution or ordinance that contains the following:
 - a. A finding by the corporate authorities of the municipality that the proposed redevelopment contemplated for the subject hospital or the property on which the hospital sits is necessary and appropriate and that, without a classification having the impact of this Section, the special circumstances that exist on the property on which the subject hospital sits including, but not limited to, the unique requirement that mandates that the subject hospital's operations are continually maintained without interruption in order for the State of Illinois Health Facilities and Services Review Board to issue a certificate of need and licensure approval for the continued operation of the subject hospital and the extraordinary need for the continued operation of the subject hospital within the applicable region, will not be addressed and the property on which the subject hospital sits will become vacant and underutilized and cause the continued exasperation of blighted factors within the municipality and region;
 - b. A finding by the corporate authorities of the municipality that a classification having the impact of this Section is necessary for the redevelopment to occur on the property on which the subject hospital sits; and
 - c. A statement by the corporate authorities of the municipality supporting and consenting to the filing of an application for a classification having the impact of this Section for the property on which the subject hospital sits.
- (4) Real estate receiving a Class 8b designation pursuant to the provisions of this Section shall be assessed at the lowest percentage of market value and for the term provided for in Section 74-64(12).
- (5) In order for real estate to qualify for a Class 8b designation, a Class 8 or Class 8b application must be made or have been made to the Cook County Assessor. Any application for Class 8 submitted with required municipal approval after July 1, 2008, for hospital property where the property was acquired for hospital use by an unrelated for-profit acquirer, avoiding the Health Facilities and Services Review Board discontinuation approval, shall be reconsidered as an application pursuant to this Section upon supplement of such Class 8 application with the additional information required in this Section, if any. Upon receipt of an application, the Cook County Assessor shall forward such application and any supporting documentation provided with the application to the Cook County Board of Commissioners for consideration as to whether the Cook County Board will provide a resolution or ordinance in support of a Class 8b designation. Real estate receiving a Class 8b designation pursuant to the provisions of this Section shall be eligible for such designation beginning in the assessment year during which an application for the classification having the impact of this Section is made to the Cook County Assessor.
- (6) Class 8b designation cannot be applied to real estate unless the following has occurred: application is made or has been made to the Cook County Assessor, and all required municipal and county Ordinances and Resolutions are provided to the Cook County Assessor.

Sec. 74-71. - Definition: Laws regulating the payment of wages.

~~Property tax incentive. For the purpose of applicability of the Living Wage pursuant to Section 34-160 of the County's Code, and the Laws Regulating the Payment of Wages, pursuant to Section 74-74, "property tax incentive" means a reduction in the assessment level as set forth in Chapter 74, Article II, Division 2 of this Code for Class 6b industrial property, Class 8 industrial property, or Class 9 multifamily residential property. For the purpose of this Article, "property tax incentive" shall not include a Class 9 designation granted to supportive living facilities, which establish an alternative to nursing home care for low income older persons and persons with disabilities under Medicaid and which are certified by the State Department of Public Aid pursuant to Chapter 74, Article II, Division 2 of this Code, the County Real Property Assessment Classification Ordinance. Sales tax means the Retailer's Occupation Tax, the Service Occupation Tax and/or the Use Tax.~~

Sec. 74-72.

(a) Living wage requirement.

- (1) Unless expressly waived by the County Board, any Employer occupying a property that receives a property tax incentive for Class 6b industrial property, Class 8 industrial property, or Class 9 multifamily residential property shall pay not less than the Living Wage, as defined in the Cook County Procurement Code (COOK COUNTY, ILL., CODE, Ch. 34, Art. IV, Div. 1 § 34-121), shall be paid to each of its onsite Employees, unless such Employees' Wages are governed by Federal or State prevailing wage law. of any Employer that receives a property tax incentive shall notify all Employers who occupy such property as lessees of the requirements of this Section. Upon commencement of a lease, on or after July 1, 2020, of a property that receives a property tax incentive, any new lessee shall be required to submit to the municipality or the Cook County Board, as the case may be, an affidavit stating that such lessee is paying a Living Wage to its Employees in compliance with this Section. Notwithstanding anything herein to the contrary, the requirements of this Section shall not apply to an Employer who was a lessee and not an owner-occupant of a property that receives a property tax incentive prior to July 1, 2020.
- (2) This Section shall not apply to Employers that are not-for-profit organizations or funded by Federal grants or Federal loans or Employers who are lessees but are not owners of a property that receives a property tax incentive prior to adoption of this amended Ordinance. Further, this Section shall not apply to Employers who can demonstrate to the County Board that compliance with the requirements of this Section would cause such Employer to be in violation of the terms of a collective bargaining agreement between the Employer and a labor union. Each Employer receiving a property tax incentive shall comply with all the requirements and procedures set forth in the County Code Chapter 34 with regard to such Living Wage, including notification of Employees and all other requirements.
- (3) If an Employer is found to be in violation of this section, such Employer may be required to pay back pay to each affected Employee, and may also be fined by the County up to \$100.00 for each affected Employee for each day paid at less than the Living Wage. Such penalties will not be imposed on any Person except after a hearing (COOK COUNTY, ILL., CODE, Ch. 2, Art. IX). Further, if an Employer is found to be in violation of this section, the property tax incentive for this property is subject to revocation.

- (4) If an Employer is found to have retaliated against an affected Employee, the Employer's property tax incentive may be terminated unless such Employer appropriately reinstates or compensates such Employee.

- (5) For the purposes of this Section:

Property tax incentive means a reduction in the assessment level as set forth in Division 2 of this Article for Class 6b industrial property, Class 8 industrial property, or Class 9 multifamily residential property. "Property tax incentive" shall not include a Class 9 designation granted to supportive living facilities, which establish an alternative to nursing home care for low income older persons and persons with disabilities under Medicaid and which are certified by the State Department of Public Aid pursuant to Division 2 of this Article; and

Sales tax means the Retailer's Occupation Tax, the Service Occupation Tax and/or the Use Tax.

- (6) Living Wage Affidavit

Every municipality or the Cook County Board that provides a Resolution or Ordinance or authorized officer letter, as the case may be, to an applicant for a Class 6b industrial property or a Class 8 industrial property tax incentive shall maintain in its files and records documentation that such municipality or the County Board received and filed the Living Wage Affidavit submitted by the owner or lessee of such property stating that such owner or lessee is paying a Living Wage to its Employees in compliance with this Section. Further, an applicant or lessee of a Class 9 multifamily residential property tax incentive shall provide the municipality or the Cook County Board, as the case may be, a Living Wage Affidavit which shall be maintained by such municipality or the Cook County Board in its files and records.

- (b) State or Federal Laws.

- (a1) Except where a Person has requested an exception from the Assessor and the County Board expressly finds that granting the exception is in the best interest of the County, such Person including any Substantial Owner (as defined in COOK COUNTY, ILL., CODE, Ch. 34, Art. V § 34-367~~Part I, Chapter 34, Article V, Section 34-367 of the Cook County Code~~) shall be ineligible to receive any property tax incentive noted in Division 2 of this Article if, during the five-year period prior to the date of the application, such Person or Substantial Owner (as defined in COOK COUNTY, ILL., CODE, Ch. 34, Art. V § 34-367~~Part I, Chapter 34, Article V, Section 34-367 of the Cook County Code~~) admitted guilt or liability or has been adjudicated guilty or liable in any judicial or administrative proceeding of committing a repeated or willful violation of the Illinois Wage Payment and Collection Act, 820 ILCS 115/1 et seq., the Illinois Minimum Wage Act, 820 ILCS 105/1 et seq., the Illinois Worker Adjustment and Retraining Notification Act, 820 ILCS 65/1 et seq., the Worker Adjustment and Retraining Notification Act, 29 U.S.C. 2101 et seq., the Employee Classification Act, 820 ILCS 185/1 et seq., the Fair Labor Standards Act of 1938, 29 U.S.C. 201, et seq., or any comparable state statute or regulation of any state, which governs the payment of wages.

- (b2) The Assessor shall obtain an affidavit or certification from every Person and Substantial Owner (as defined in COOK COUNTY, ILL., CODE, Ch. 34, Art. V § 34-367~~Part I, Chapter 34, Article V, Section 34-367 of the Cook County Code~~) who seeks a property tax incentive from the County as noted in Division 2 of this Article certifying that the Person or Substantial Owner (as defined in COOK COUNTY, ILL., CODE, Ch. 34, Art. V § 34-367~~Part I, Chapter 34, Article V, Section 34-367 of the Cook County Code~~) has not violated the statutory provisions identified in Subsection (a) of this Section.
- (e3) If the County or Assessor becomes aware that a Person or Substantial Owner (as defined in COOK COUNTY, ILL., CODE, Ch. 34, Art. V § 34-367~~Part I, Chapter 34, Article V, Section 34-367 of the Cook County Code~~) has admitted guilt or liability or has been adjudicated guilty or liable in any judicial or administrative proceeding of committing a repeated or willful violation of the Illinois Wage Payment and Collection Act, 820 ILCS 115/1 et seq., the Illinois Minimum Wage Act, 820 ILCS 105/1 et seq., the Illinois Worker Adjustment and Retraining Notification Act, 820 ILCS 65/1 et seq., the Worker Adjustment and Retraining Notification Act, 29 U.S.C. 2101 et seq., the Employee Classification Act, 820 ILCS 185/1 et seq., the Fair Labor Standards Act of 1938, 29 U.S.C. 201, et seq., or any comparable state statute or regulation of any state, which governs the payment of wages during the five-year period prior to the date of the application, but after the County has reclassified the Person's or Substantial Owner's (as defined in COOK COUNTY, ILL., CODE, Ch. 34, Art. V § 34-367~~Part I, Chapter 34, Article V, Section 34-367 of the Cook County Code~~) subject property under a property tax incentive classification, then, after notice from the Assessor of such violation, the Person or Substantial Owner shall have 45 days to cure its violation and request an exception or waiver from the Assessor. Failure to cure or obtain an exception or waiver of ineligibility from the Assessor shall serve as grounds for revocation of the classification as provided by the Assessor or by the County Board by Resolution or Ordinance. In case of revocation or cancellation, the Incentive Classification shall be deemed null and void for the tax year in which the incentive was revoked or cancelled as to the subject property. In such an instance, the taxpayer shall be liable for and shall reimburse to the County Collector an amount equal to the difference in the amount of taxes that would have been collected had the subject property not received the property tax incentive.

Secs. 74-752. - Compliance with Laws.

An owner of real estate that is an applicant for an incentive under any Assessment Class for which a Resolution or Ordinance from the municipality or the County Board is required, or where an authorized officer letter is obtained in lieu of such Resolution or Ordinance, that describes why the incentive is necessary for the development to occur and that an Economic Disclosure Statement was received and filed by the municipality or the County Board, or a lessee of such real estate is, hereby, required to comply with all applicable ordinances, laws and regulations for as long as such owner or lessee occupies such real estate that is the recipient of an incentive, including, but not limited to, the following:

- (1) The Cook County Workforce Resource Ordinance (COOK COUNTY, ILL., CODE, Ch. 2, Art. XIV) as applicable;
- (2) The Cook County Wage Theft Ordinance (COOK COUNTY, ILL., CODE, Ch. 34, Art. IV, Div. 4 § 34-179);
- (3) The Cook County Human Rights Ordinance (COOK COUNTY, ILL., CODE, Ch. 42, Art. II);

- (4) The Illinois Human Rights Act (775 ILCS 5/2-105);
- (5) Title VII and Title IX of the Civil Rights Act (42 USC § 2000e, et seq.);
- (6) The Age Discrimination in Employment Act (29 USC §§ 621-634); and
- (7) The Americans with Disabilities Act (42 USC §§ 12101-12213).

Every municipality, or the Cook County Board as the case may be, that provides a Resolution or Ordinance or authorized officer letter to an applicant for an incentive under any Assessment Class shall maintain in its files and records documentation that such municipality, or the Cook County Board as the case may be, received and filed such applicant's Economic Disclosure Statement. Further, every municipality, or the Cook County Board as the case may be, that provides a Resolution or Ordinance or authorized officer letter shall require that the owner of real estate that is an applicant for an incentive under any Assessment Class, or a lessee of such real estate, submit an affidavit to such municipality, or the Cook County Board as the case may be, that such owner or lessee is in compliance with all applicable laws.

Sec. 74-743. - Revocation or cancellation of incentive classification.

(a) The following Incentive Classifications are subject to revocation herein: Class 6b (special circumstances); Class 6b TEERM; Class 6b SER; Class 7a; Class 7b; Class 7c; Class 8; and Class 8 TEERM.

(b) The incentive may be revoked under the following circumstances:

- 1. By rule, as provided by the Assessor;
- 2. By the County Board by Resolution or Ordinance, which is based on a report from the Bureau of Economic Development that has been approved by the Economic Development Advisory Committee of the County;
- 3. By the County Board by Resolution or Ordinance at the request of the Municipality's by submission of a Municipal Resolution or Ordinance; and
- 4. By request of the taxpayer to cancel.

(c) A basis for revocation pursuant to Section 74-73(b)(2) or (b)(3) above includes, but is not limited to, the following:

- 1. Failure to comply with the requirements of Section 74-71 or 74-72;
- 2. Delinquency in the payment of any property taxes administered by Cook County or by a local municipality; or
- 3. Inaccuracies or omissions in documents submitted by the taxpayer, including, but not limited to, the application and the Economic Disclosure Statement.

In case of revocation or cancellation, the Incentive Classification shall be deemed null and void for the tax year in which the incentive was revoked or cancelled as to the subject property. In such an instance, the taxpayer shall be liable for and shall reimburse to the County Collector an amount equal to the difference in the amount of taxes that would have been collected had the subject property been assessed as a Class 5 property and the amount of taxes collected under the Incentive Classification as determined by the Assessor.

Sec. 74-74 - ~~Laws regulating the payment of wages and~~ Employer Paid Sick Leave.

(a) Except where a Person has requested an exception from the Assessor and the County Board expressly finds that granting the exception is in the best interest of the County, such Person including any Substantial Owner (as defined in Part I, Chapter 34, Article V, Section 34-367 of the Cook County Code) shall be ineligible to receive any property tax incentive noted in Division 2 of this Article if, during the five-year period prior to the date of the application, such Person or Substantial Owner (as defined in Part I, Chapter 34, Article V, Section 34-367 of the Cook County Code) admitted guilt or liability or has been adjudicated guilty or liable in any judicial or administrative proceeding of committing a repeated or willful violation of the Illinois Wage Payment and Collection Act, 820 ILCS 115/1 et seq., the Illinois Minimum Wage Act, 820 ILCS 105/1 et seq., the Illinois Worker Adjustment and Retraining Notification Act, 820 ILCS 65/1 et seq., the Worker Adjustment and Retraining Notification Act, 29 U.S.C. 2101 et seq., the Employee Classification Act, 820 ILCS 185/1 et seq., the Fair Labor Standards Act of 1938, 29 U.S.C. 201, et seq., or any comparable state statute or regulation of any state, which governs the payment of wages.

(b) The Assessor shall obtain an affidavit or certification from every Person and Substantial Owner (as defined in Part I, Chapter 34, Article V, Section 34-367 of the Cook County Code) who seeks a property tax incentive from the County as noted in Division 2 of this Article certifying that the Person or Substantial Owner (as defined in Part I, Chapter, Article V, Section 34-367 of the Cook County Code) has not violated the statutory provisions identified in Subsection (a) of this Section.

(c) If the County or Assessor becomes aware that a Person or Substantial Owner (as defined in Part I, Chapter 34, Article V, Section 34-367 of the Cook County Code) has admitted guilt or liability or has been adjudicated guilty or liable in any judicial or administrative proceeding of committing a repeated or willful violation of the Illinois Wage Payment and Collection Act, 820 ILCS 115/1 et seq., the Illinois Minimum Wage Act, 820 ILCS 105/1 et seq., the Illinois Worker Adjustment and Retraining Notification Act, 820 ILCS 65/1 et seq., the Worker Adjustment and Retraining Notification Act, 29 U.S.C. 2101 et seq., the Employee Classification Act, 820 ILCS 185/1 et seq., the Fair Labor Standards Act of 1938, 29 U.S.C. 201, et seq., or any comparable state statute or regulation of any state, which governs the payment of wages during the five-year period prior to the date of the application, but after the County has reclassified the Person's or Substantial Owner's (as defined in Part I, Chapter 34, Article V, Section 34-367 of the Cook County Code) subject property under a property tax incentive classification, then, after notice from the Assessor of such violation, the Person or Substantial Owner shall have 45 days to cure its violation and request an exception or waiver from the Assessor. Failure to cure or obtain an exception or waiver of ineligibility from the Assessor shall serve as grounds for revocation of the classification as provided by the Assessor or by the County Board by Resolution or Ordinance. In case of revocation or cancellation, the Incentive Classification shall be deemed null and void for the tax year in which the incentive was revoked or cancelled as to the subject property. In such an instance, the taxpayer shall be liable for and shall reimburse to the County Collector an amount equal to the difference in the amount of taxes that would have been collected had the subject property not received the property tax incentive.

(d) The Assessor shall obtain an affidavit or certification from every Person and Substantial Owner who seeks a property tax incentive from the County that the applicant pays a Wage as defined in Section 42-12 to its employees in accordance with Sections 42-11 through 42-19 of the Cook County Code.

Effective date: This Ordinance Amendment shall be in effect as of May 1, 2017.

Approved and adopted this 22nd of March 2017.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

A motion was made by Commissioner García, seconded by Commissioner Moody, that the Ordinance Amendment be approved, as substituted. The motion carried.

Commissioner Schneider voted “no”.

**FINANCE COMMITTEE
MEETING OF MARCH 22, 2017**

COURT ORDERS

APPROVED

WORKERS' COMPENSATION CLAIMS PROPOSED SETTLEMENTS

APPROVED

PATIENT ARRESTEE CLAIMS

APPROVED

EMPLOYEES' INJURY COMPENSATION CLAIMS

APPROVED

17-2306 COMPTROLLERS REPORT

RECEIVED AND FILED AS AMENDED

17-1607 PROPOSED ORDINANCE AMENDMENT County Vehicle Policy

APPROVED

17-1954 Proposed Ordinance For The Levy Of Taxes For The Fiscal Year 2017

APPROVED AS AMENDED

**ZONING AND BUILDING COMMITTEE
MEETING OF MARCH 22, 2017**

17-2104

Presented by: JAMES WILSON, Secretary, Zoning Board of Appeals

RECOMMENDATION OF THE ZONING BOARD OF APPEALS

Request: Variation V 17-04

Township: Leyden

County District: 16

Property Address: 10213 West Dickens Avenue, Melrose Park, Illinois 60164

Property Description: The Subject Property consists of approximately 0.40 acre located on the south side of Dickens Avenue and approximately 57.33 feet west of Dora Street in Section 33.

Owner: Jessie Leszanczuk, 10213 West Dickens Avenue, Melrose Park, Illinois 60164

Agent/Attorney: N/A

Current Zoning: R-5 Single Family Residence District

Intended use: Applicant seeks a variance to reduce the right interior side yard setback from the minimum required 10 feet to an existing 1.5 feet. The variance is sought in order to bring existing lot conditions into compliance to allow for the construction of a breezeway connecting the existing principal and accessory structures.

Recommendation: ZBA Recommendation is that the application be granted.

Conditions: None

Objectors: None

History:

Zoning Board Hearing: 3/1/2017

Zoning Board Recommendation date: 3/1/2017

County Board extension granted: N/A

A motion was made by Commissioner Silvestri, seconded by Commissioner Sims, that the Recommendation of the Zoning Board of Appeals be approved. The motion carried.

17-2307

Presented by: JAMES WILSON, Secretary, Zoning Board of Appeals

RECOMMENDATION OF THE ZONING BOARD OF APPEALS

Request: Second one-year extension of time for Special Use SU 14-06 & Variation V 14-55. First approval of application and first extension of time approved by Cook County Board of Commissioners as 15-2563

Township: Schaumburg

County District: 15

Property Address: 540 Martingale Road, Schaumburg Township, Schaumburg, Illinois

Property Description: The subject property consists of approximately 8.003 acres. It measures 460.03 feet on the north line, 560.70 feet on the south line, 683.65 on the west line and 686.76 on the east line.

Owner: Shree Akshar Purushottam Swaminarayan Temple and Cultural Centre "Haridham" Sokhada Inc DBA YDS (not for profit corporation), 4074 South Archer Avenue, Chicago, Illinois

Agent/Attorney: Richard E. Zulkey, 77 W. Washington Street, Suite 1300, Chicago, Illinois

Current Zoning: R-3 Single Family Residence District

Intended use: Applicant seeks a Special Use for a PUD and a variation (V 14-55) in a R-3 Single Family Residence District on a property that is designated as an environmentally sensitive area in the Cook County Comprehensive Land Use Map 1999, to construct a Hindu Temple, cultural center and living quarters for the Temple caretaker and Idol.

Recommendation: 3/1/2017 ZBA Recommendation is that the application be granted a one year extension of time.

Conditions:

Section 1: BACKGROUND That the following described Subject Property be **granted with conditions** a Special Use for a PUD Permit in a in a R-3 Single Family Residence District that is designated as an environmentally sensitive area in the Cook County Comprehensive Land Use Map 1999, to construct a Temple, cultural center and living quarters for the Idol and Temple caretaker (comp V 14-55 to reduce front yard setback from the minimum required 50 feet to 44 feet) in Section 25 of Schaumburg Township and,

Section 2:

DESCRIPTION OF PROPERTY

LEGAL DESCRIPTION

That part of the Northeast Quarter of Section 25, Township 41 North, Range 10 East of Third Principal Meridian, described as follows:

Beginning at a point of the East line of said section, distance 1315.48 feet South from the North line of said section; thence South along the East line 683.10 feet; thence West 670.70 feet; Thence North 683.10 feet to a point distant 660 feet West from the East line of said section; thence East parallel with the North line of said section to the point of beginning (excepting therefrom that part thereof lying easterly of a straight line extending from a point on the North line of the above described tract distant 200 feet West (as measured along said North line) of the East line of the Northeast Quarter of said section; thence Southeasterly along a straight line a distance of 693.003 feet more or less to a point of the South line of said tract distant 110 feet West of said East line of the Northeast Quarter of Section 25) in Cook County, Illinois.

The Subject Property has a commonly known address is 540 Martingale Road, Schaumburg, Illinois, in the Township of Schaumburg, unincorporated Cook County, Illinois.

Section 3: That the Special Use in the R-3 Single Family Residence District as mentioned in Section 1 of this Ordinance is hereby authorized.

Section 4: SPECIAL USE That this Ordinance under the provisions of Section 13.8.9 of the Cook County Zoning Ordinance be in full force and effect from and after its passage and approval, except that if said use is not established within one year as provided in Section 13.8.14 said Special Use for shall be null and void. That said Subject Property be developed and constructed pursuant to the detailing set forth in the testimony and contained in the exhibits and Findings of the Cook County Zoning Board of Appeals hereby incorporated by reference into the Ordinance, as provided by law.

Objectors: None

History:

Zoning Board Hearing: 2/4/2015, 3/25/2015, 3/16/2016 and 3/1/2017

Zoning Board Recommendation date: 3/16/2016 & 3/1/2017

Zoning and Building Committee: recommended for approval of original application as amended 4/29/2015

County Board: approved original application as amended 4/29/2015

County Board extension granted: 4/13/2016

A motion was made by Commissioner Silvestri, seconded by Commissioner Sims, that the Recommendation of the Zoning Board of Appeals be approved. The motion carried.

NEW ITEMS

In accordance with Cook County Section 2-103(g) Amendment or suspension of rules, Commissioner Daley, seconded by Commissioner Sims, moved to suspend Section 2-105(h) Prior notice to public. The motion carried.

COMMITTEE ITEMS REQUIRING BOARD ACTION

**FINANCE COMMITTEE
MEETING OF MARCH 22, 2017**

17-2330

Presented by: JOHN JAY SHANNON, MD, Chief Executive Officer, Cook County Health & Hospitals System

REPORT

Department: CCHHS

Report Title: CCHHS Monthly Report Addendum

Report Period: March 2017

Summary: This is an addendum to the CCHHS March Monthly report submitted to the Finance Committee on March 8, 2017, which was provided in accordance with Resolution 14-4311 approved by the County Board on 7/23/14.

A motion was made by Commissioner Daley, seconded by Commissioner Sims, that the Report be received and filed. The motion carried.

**LEGISLATION AND INTERGOVERNMENTAL RELATIONS COMMITTEE
MEETING OF MARCH 22, 2017**

17-2180

Presented by: TONI PRECKWINKLE, President, Cook County Board of Commissioners

PROPOSED APPOINTMENT

Appointee(s): Edward Calahan

Position: Commissioner

Department/Board/Commission: Cook County Medical Examiner's Advisory Committee

Effective date: Immediate

Expiration date: 3/7/2019 or until a successor is appointed and qualified

A motion was made by Commissioner Suffredin, seconded by Commissioner Silvestri, that the Appointment be approved. The motion carried.

17-2329

Presented by: MICHAEL JASSO, Chief, Bureau of Economic Development

PROPOSED AGREEMENT

Department(s): Bureau of Economic Development and Department of Transportation and Highways

Other Part(ies): Chicago Cook Workforce Partnership, Chicago, Illinois

Request: Authorization to enter into an interagency agreement

Good(s) or Service(s): Authorization for the Chief of the Bureau of Economic Development and Superintendent of Transportation and Highways to enter into an agreement with the Chicago Cook

Workforce Partnership ("The Partnership") to establish and implement a private sector based Cook County youth employment program ("Program"). The Program will target at a minimum 200 young adults, ages 16-24, with barriers to employment and/or from low-income households and/or from suburban Cook County communities with high rates of poverty or unemployment for an internship program. The Program Participants will be compensated and the program will run for approximately seven weeks. The Partnership will focus on employers in sector specific training and employment, including but not limited to transportation, distribution and logistics; manufacturing; information technology; and other high-growth, high-demand sectors. The Partnership will work with service providers to hire and train career and peer mentors and recruit and retain youth throughout the Program. The Partnership's service providers will assist The Partnership to identify employers; develop job opportunities; assign Program Participants to worksites; serve as liaison between employers and Program Participants; and oversee quality of work assignments for the selected Program Participants.

Agreement period: Upon authorization of the County Board and execution of the Parties through 4/1/2018

Fiscal Impact: \$1,000,000.00 (\$500,000.00 from Motor Fuel Tax and \$500,000.00 from Special and Cooperative Programs/Fixed Charges)

Accounts: Motor Fuel Tax (600-585) and Fixed Charges - Special and Cooperative Programs (499-298)

Agreement Number(s): NA

A motion was made by Commissioner Daley, seconded by Commissioner Sims, that the Agreement be approved. The motion carried.

17-2380

Presented by: TONI PRECKWINKLE, President, Cook County Board of Commissioners

PROPOSED APPOINTMENT

Appointee(s): Diane Limas

Position: Director

Department/Board/Commission: Cook County Land Bank Authority Board of Directors

Effective date: Immediate

Expiration date: Three years from the date of approval or until a successor is appointed and qualified.

A motion was made by Commissioner Suffredin, seconded by Commissioner Silvestri, that the Proposed Appointment be referred to the Legislation and Intergovernmental Relations Committee. The motion carried.

17-2349

Sponsored by: RICHARD R. BOYKIN, Cook County Board of Commissioners

PROPOSED RESOLUTION

CALLING FOR A HEARING OF THE HUMAN RELATIONS COMMITTEE TO FIND WAYS TO FIGHT AND PREVENT HATE CRIMES AND SPEECH

WHEREAS, Cook County is home to 5.5 million people of diverse backgrounds; and

WHEREAS, there has been a sharp increase in hate crimes and hate speech directed toward Jews, Muslims, People of Color, and members of the LGTBQ community in 2016 and 2017; and

WHEREAS, Synagogues and Mosques in Cook County have been vandalized and threatened; and

WHEREAS, Jewish cemeteries have been the target of hateful vandalism; and

WHEREAS, hate speech directed at the LGTBQ community has increased in recent months; and

WHEREAS, hate crimes, hate speech, and hateful vandalism have no place in Cook County or the United States; and

WHEREAS, the Human Relations Committee of the Cook County Board should hold a hearing to shine a light on this troubling situation and to ensure there is a directed policy approach with involvement from the

affected communities.

NOW, THEREFORE, BE IT RESOLVED, by the Cook County Board of Commissioners and the President of the Board that the Human Relations Committee shall hold a hearing around the hateful acts against certain members of our society.

A motion was made by Commissioner Boykin, seconded by Commissioner Silvestri, that the Proposed Resolution be referred to the Human Relations Committee. The motion carried.

17-2372

Sponsored by: BRIDGET GAINER, LUIS ARROYO JR, RICHARD R. BOYKIN, JOHN P. DALEY, JOHN A. FRITCHEY, EDWARD M. MOODY, STANLEY MOORE, SEAN M. MORRISON, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS, ROBERT B. STEELE, LARRY SUFFREDIN and JEFFREY R. TOBOLSKI, Cook County Board of Commissioners

PROPOSED RESOLUTION

REQUESTING THE COOK COUNTY TREASURER AND THE COOK COUNTY CLERK TO

REPORT ON CHANGES TO THE ANNUAL TAX SALE AND IMPACT TO HOUSING AND COMMUNITY DEVELOPMENT IN COOK COUNTY

WHEREAS, the County of Cook is a home rule unit of government pursuant to the 1970 Illinois Constitution, Article VII, Section 6 (a); and,

WHEREAS, pursuant to their home rule powers, the Cook County Commissioners may exercise any power and perform any function relating to their governments and affairs, including the power to regulate for the protection of the public health, safety, morals, and welfare; and,

WHEREAS, under Illinois law, the Cook County Treasurer's Office is required to conduct an annual tax sale and biennial scavenger sale of delinquent PINS and parcels; and,

WHEREAS, due to a state amendment (PA 98-1101) passed in August 2014, the County must apply for judgment and order of sale against tax delinquent properties earlier each year; and,

WHEREAS, Cook County revenues from annual tax sales are impacted significantly due to the loss of statutory interest collection; and,

WHEREAS, in Tax Year 2016, the annual tax sale is moved eight months earlier resulting in an estimated \$40 million revenue loss to be repeated annually every year thereafter; and,

WHEREAS, Cook County homeowners and seniors are adversely affected by this change as taxpayers only have four months to pay back taxes before the property is offered at tax sale; and,

WHEREAS, if a homeowner's property is sold at the annual tax sale, a tax buyer can charge the homeowner up to 18% interest plus penalty fees; and,

WHEREAS, it will be beneficial for the County Board Committee on Workforce, Housing, and Community Development to hear a report on the impact this change has on communities hardest hit by the foreclosure crisis, senior citizens and homeowners of Cook County.

NOW, THEREFORE, BE IT RESOLVED, the Cook County Board of Commissioners do hereby request a representative from the Cook County Treasurer's Office and the Cook County Clerk's Office to appear before the Board to present a report on the annual tax sale and respond to questions from Commissioners.

Effective Date. This resolution shall take effect immediately upon adoption.

A motion was made by Commissioner Gainer, seconded by Commissioner Boykin, that the Proposed Resolution be referred to the Workforce, Housing & Community Development Committee. The motion carried.

Commissioners Goslin, Garcia and Butler voted "no".

17-2389

Sponsored by: LARRY SUFFREDING, JOHN P. DALEY and ROBERT B. STEELE, Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

AN AMENDMENT TO THE VITAL RECORDS FEES FOR COUNTY CLERK ORDINANCE

Sec. 2-174. - Vital records fees for County Clerk. Section 32-1

(a) *Birth records.* The Cook County Clerk shall continue to charge and collect a fee for the first copy, and a fee for each additional copy of a birth record as set out in Section 32-1. The following individuals may receive a copy of their birth record at no cost:

- (1) Individuals, or a not for profit organization representing the individuals, who lack a fixed, regular, and adequate night-time residence or a person who resides in a shelter, welfare hotel, transitional program or place not ordinarily used as regular sleeping accommodations such as living on the street or in a car; or
- (2) Individuals in the custody of the Cook County Department of Corrections; or
- (3) Individuals residing in a shelter for victims of domestic violence.

The Cook County Clerk may promulgate regulations to determine how individuals can apply for

(b) *Marriage records.* The Cook County Clerk shall charge and collect a fee for the issuance of a marriage license, sealing, filing and recording the same and the certificate thereunto as set out in Section 32-1. The Cook County Clerk shall continue to charge and collect a fee for the first copy, and a fee for each additional copy of a marriage record as set out in Section 32-1.

(c) *Death records.* The Cook County Clerk shall charge and collect a fee for the first copy, and a fee for each additional copy of a death record as set out in Section 32-1.

(d) *Genealogical records.* The County Clerk shall charge and collect a fee as set out in Section 32-1 for the first copy and a fee as set out in Section 32-1 for subsequent copies of any genealogical birth, death or marriage certificate.

(e) *Emergency fee.* The County Clerk shall charge and collect an emergency fee as set out in Section 32-1 for providing a copy of a vital record on an overnight basis. The emergency fee authorized in this subsection shall be in addition to any other fees authorized to be collected by the County Clerk for providing the requested document.

(f) *Waiver and refund of death record fee.* The County Clerk shall waive the County portion of the vital records fee for death records requested (first copy only) as set forth in Section 32-1 by those persons legally authorized to request and obtain a death certificate and seeking a copy of a death certificate for a decedent buried at Burr Oak Cemetery. Said waiver shall apply only to death records indicating a date of death prior to July 6, 2009, and burial at Burr Oak Cemetery; the waiver extends only to the County's portion of the fee for the first copy only and shall not extend to requests for additional copies. The County Clerk is required to continue to collect a \$2.00 fee for the first copy of the death record as required by State Statute unless waived by the State. The waiver shall run through September 15, 2009, unless otherwise authorized by the Cook County Board of Commissioners. In accordance with the County Clerk's records, the County Clerk is hereby authorized to refund Cook County's portion of the death records fee for death records requested (first copy only) to those individuals who legally requested and obtained a death record/certificate since July 6, 2009, for a decedent buried at Burr Oak Cemetery.

(g) *Civil Union records.* The Cook County Clerk shall charge and collect a fee for the issuance of a civil union license, sealing, filing and recording the same and the certificate thereunto as set out in Section 32-1. The Cook County Clerk shall charge and collect a fee for the first copy, and a fee for each additional copy of a civil union record as set out in Section 32-1.

(h) *Commemorative Certificates.* The Cook County Clerk shall charge and collect a fee for the issuance of a Commemorative Certificate of Marriage or for the issuance of a Commemorative Certificate of Civil Union as set out in Section 32-1. With each Commemorative Certificate issued, the Clerk shall also issue a certified copy of the underlying record. The fee charged and collected as set forth in Section 32-1 shall cover the cost of both the commemorative certificate and the certified copy.

Effective date: This ordinance shall be in effect immediately upon adoption.

A motion was made by Commissioner Suffredin, seconded by Commissioner Sims, that the Proposed Ordinance Amendment be referred to the Legislation and Intergovernmental Relations Committee. The motion carried.

17-2390

Sponsored by: LARRY SUFFREDIN, Cook County Board of Commissioners

PROPOSED RESOLUTION

REQUESTING A HEARING OF THE LEGISLATION AND INTERGOVERNMENTAL RELATIONS COMMITTEE TO DISCUSS PENDING LEGISLATION BEFORE THE ILLINOIS GENERAL ASSEMBLY AND THE UNITED STATES CONGRESS

WHEREAS, the Illinois General Assembly and the United States Congress are currently considering numerous bills that effect the services and operation of Cook County; and

WHEREAS, the County's intergovernmental relations staff and hired lobbyists are actively monitoring the legislation that effects Cook County's services and operations; and

WHEREAS, the Cook County Board of Commissioners wishes to be updated on the status of certain bills pending before the Illinois General Assembly and the United States Congress so that it may take positions and communicate such positions to the legislation bodies on the relevant proposed legislation;

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Board of Commissioners does hereby request that a meeting of the Legislation and Intergovernmental Relations Committee be convened to discuss the status of pending legislation in the Illinois General Assembly and the United States Congress; and

BE IT FURTHER RESOLVED, that the intergovernmental relations staff and all hired lobbyists of the President of the Cook County Board of Commissioners appear before the Committee and be prepared to update the Committee on legislation pending before the General Assembly and the United States Congress that affects Cook County's services and operations.

A motion was made by Commissioner Suffredin, seconded by Commissioner Steele, that the Proposed Ordinance Amendment be referred to the Legislation and Intergovernmental Relations Committee. The motion carried.

17-2321

Presented by: TANYA S. ANTHONY, Budget Director

REPORT

Department: Department of Budget and Management Services

Report Title: 2017 Performance Based Management and Budgeting Annual Report

Report Period: 12/1/2015 - 11/30/2016

Summary: This report is to comply with the amendments to Article X of the Cook County Code (PERFORMANCE BASED MANAGEMENT AND BUDGETING), approved by the Cook County Board of Commissioners on June 29, 2016. The purpose of the amendments was to enhance the effectiveness of the annual budget process by establishing administrative units called

“programs.” Amendments to Article X also created a new process for the submission of performance data.

“Programs” were identified for the purpose of being the primary building blocks of an agency’s or department’s budget request, making it possible to distinguish assigned employees and costs (i.e. inputs), and the resulting program performance metrics, i.e. outputs, outcomes, and efficiency.

Performance data submission was to take the form of an Annual Report, with submittals being due within 45 days of fiscal year end, by each County Department and Agency, and as part of its annual Budget Request, as described in Section 2-933. The President or his or her designee, the Budget Director, is to prepare a summary report of these values to be presented to the Board at a Board meeting to occur no later than the Month of March. This report is submitted for said purpose.

Summary/Notes: This Program developed by County representatives and The Partnership will help build talent and create pathways for sector based experience and employment for young adults. The Program will focus on sector specific paid training and/or paid work experience in areas which include transportation, distribution and logistics; manufacturing; information technology; and other high-growth, high-demand sectors targeted by The Partnership. The County shall provide funding for 200 young adults. The County and The Partnership may solicit additional funding from outside sources to further increase the number of opportunities provided to young adults in this Program. The Partnership will provide the Bureau of Economic Development with a mid and final report which shall include the number of businesses providing internships; number of service providers utilized; and the number of Program Participants served by each service provider. The final report will include the total number of Program Participants who participated in workplace readiness training, participated in internships, and participated in career exploration activities. The Partnership will also indicate if the Program Participants connected to a workforce program, training and/or post-secondary education program a

A motion was made by Commissioner Daley, seconded by Commissioner Sims, that the Report be referred to the Finance Committee. The motion carried.

17-2396

Sponsored by: SEAN M. MORRISON, Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

AMENDMENT TO SWEETENED BEVERAGE TAX

WHEREAS, the Cook County Board of Commissioners approved the sweetened beverage tax on November 10, 2016; and

WHEREAS, the tax will require wholesalers and retailers to include the tax in the price of the beverage prior to purchase; and

WHEREAS, that requirement will place an enormous burden on wholesalers and retailers; and

WHEREAS, Cook County does not require sales tax or the alcohol tax to be included in the price of the item prior to purchase; and

WHEREAS, by removing the requirement to include the price of the tax in the price of the beverage, Cook County can alleviate that burden without affecting the amount of revenue that will be collected.

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 74, Taxation, Article XXII, Sweetened Beverage Tax, Tax imposed and liability for payment, Section 74-852 of the Cook County Code is hereby amended as follows:

Sec. 74-852. - Tax imposed and liability for payment.

(a) Effective July 1, 2017, a tax at the rate of \$0.01 per ounce is hereby imposed on the retail sale of all sweetened beverages in Cook County.

(b) The ultimate incidence of and liability for payment of the tax levied in this Article is to be borne by the purchaser of the sweetened beverage. Nothing in this Article shall be construed to impose a tax upon the occupation of distributors or retailers.

(c) It shall be deemed a violation of this Article for any distributor or retailer to fail to include the tax imposed in this Article in the sale price of the sweetened beverage, syrup and/or powder or to otherwise absorb the tax, unless otherwise required by law. Any such distributor or retailer may identify the tax imposed by this Article as a separate line item charge on any invoice pertaining to sales of sweetened beverages in Cook County. The tax levied in this Article shall be in addition to any other taxes.

(d) Except as provisions are made in this Article for the collection of the tax levied in this Article upon the sweetened beverages, syrup and/or powder in the possession of retailers on the effective date of the ordinance from which this Article is derived, the tax levied in this Article shall be collected by each distributor when it sells sweetened beverages, syrup and/or powder to a retailer or a purchaser in Cook County.

(e) Any distributor of bottled sweetened beverages and any distributor of syrup and/or powder used to produce a sweetened beverage shall collect the tax levied by this Article from any retailer to whom the sale of bottled sweetened beverages or syrup and/or powder used to produce a sweetened beverage is made and shall remit the tax to the Department.

- (1) The tax on bottled sweetened beverages shall be based upon the number of whole ounces stated on the sealed container.
- (2) For purposes of the distributor's collection of the tax from its sale to a retailer of syrup and/or powder used to produce a sweetened beverage, the tax shall be \$0.01 per ounce of sweetened beverage produced from that syrup or powder. For such sales, the tax shall be calculated based upon the largest volume, in whole ounces, of sweetened beverage that could be produced from the syrup or powder, with a reduction of five percent of the calculated tax to account for spillage and product preparation at the retail level. The largest volume shall be determined based on the manufacturer's instructions.
- (3) Any retailer shall in turn then collect the tax from the purchaser of sweetened beverage.
- (4) Should a distributor sell sweetened beverages directly to a purchaser, the distributor shall collect

the tax from that purchaser.

(5) The tax shall be paid to the person required to collect it as trustee for and on behalf of the County.

(f) On or before August 20, 2017, every retailer of sweetened beverages doing business in the County shall file with the Department, on forms prescribed by it, a sworn tax return reporting the inventory of sweetened beverages, as well as the inventory of syrup and/or powder used to produce sweetened beverage, on which the sweetened beverage tax was not previously paid, in its possession or control on June 30, 2017. With said tax return, the retailer shall remit to the Cook County Collector the taxes due with respect to all sweetened beverages and syrup and/or powder used to produce sweetened beverage on which the sweetened beverage tax was not previously paid that was in the retailers' possession on June 30, 2017. The retailer shall in turn collect the tax from its purchasers. For the purpose of determining the amount of tax due on the amount of product in a retailer's possession or control on June 30, 2017, the following shall apply:

- (1) The tax on bottled sweetened beverages shall be based upon the number of whole ounces stated on the sealed container.
- (2) The tax for syrup and/or powder used to produce a sweetened beverage shall be \$0.01 per ounce of sweetened beverage produced from that syrup or powder, calculated based upon the largest volume, in whole ounces, of sweetened beverage that could be produced from the syrup or powder, with a reduction of five percent of the calculated tax to account for spillage and product preparation at the retail level. The largest volume shall be determined based on the manufacturer's instructions.

Effective date: This ordinance shall be in effect immediately.

A motion was made by Commissioner Morrison, seconded by Commissioner Sims, that the Proposed Ordinance Amendment referred to the Finance Committee. The motion carried.

17-2406

Sponsored by: ROBERT B. STEELE, LUIS ARROYO JR, JOHN P. DALEY, JOHN A. FRITCHEY, EDWARD M. MOODY, STANLEY MOORE, SEAN M. MORRISON, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS, LARRY SUFFREDIN and JEFFREY TOBOLSKI, Cook County Board of Commissioners

PROPOSED RESOLUTION

WHEREAS, more than 4,700 Illinoisans wait for lifesaving organ donations, with one Illinois resident added to the transplant list every 10 minutes; and

WHEREAS, 300 Illinoisans - nearly one per day - die every year while waiting for life-saving transplants; and

WHEREAS, Illinois is one of only three states that does not provide the opportunity for 16 and 17-year-olds to register their wishes to become organ and tissue donors; and

WHEREAS, the Illinois Secretary of State manages the First Person Consent organ and tissue donor registry for the state of Illinois and is partnering with Gift of Hope Organ & Tissue Donor Network to

provide 16 and 17-year-olds with the opportunity to register as organ and tissue donors; and

WHEREAS, Gift of Hope Organ & Tissue Donor Network is a not-for-profit organ procurement organization that coordinates organ and tissue donation and provides public education on donation in Illinois and northwest Indiana; and

WHEREAS, the Cook County Board of Commissioners supports the Illinois Secretary of State and Gift of Hope in their partnership to increase the number of registered organ donors to save and enhance the lives of as many people as possible through organ and tissue donation; and

WHEREAS, Cook County Board of Commissioners urges its elected officials and staff, and the State's Attorney Office, Cook County Medical Examiner's Office and Cook County Health Department to support and be champions of organ and tissue donation so lives can be saved and enhanced; and

WHEREAS, John H. Stroger, Jr. Hospital of Cook County and the Cook County Health and Hospitals System are strong supporters of organ and tissue donation and proper care of potential organ and tissue donors; and

WHEREAS, HB1805/SB868 expands Illinois' organ and tissue donor registry to include 16 and 17-year-olds to help meet that mission;

NOW, THEREFORE BE IT RESOLVED, that the Cook County Board of Commissioners supports HB1805/SB868 to help save more lives through organ and tissue donation; and

BE IT FURTHER RESOLVED that a copy of this resolution be shared with the Illinois General Assembly and the Governor's Office.

A motion was made by President Pro Tempore Steele, seconded by Commissioner Moody, that the Proposed Resolution be referred to the Health & Hospitals Committee. The motion carried.

Commissioners Goslin, Gainer, Butler, Garcia and Boykin voted "no".

ADJOURNMENT

* * * * *

A motion was made by Commissioner Daley, seconded by Commissioner Sims, that the meeting do now adjourn to meet again at the same time and same place on May 10, 2017, 2017, in accordance with County Board Resolution 17-0615.

The motion prevailed and the meeting stood adjourned.

