



**Board of Commissioners of Cook County
Legislation and Intergovernmental Relations Committee**

Wednesday, May 20, 2015

9:15 AM

**Cook County Building, Board Room, Rm. 569
118 North Clark Street, Chicago, Illinois**

NOTICE AND AGENDA

There will be a meeting of the Committee or Subcommittee of the Board of Commissioners of Cook County at the date, time and location listed above to consider the following:

PUBLIC TESTIMONY

Authorization as a public speaker shall only be granted to those individuals who have submitted in writing, their name, address, subject matter, and organization (if any) to the Secretary 24 hours in advance of the meeting. Duly authorized public speakers shall be called upon to deliver testimony at a time specified in the meeting agenda. Authorized public speakers who are not present during the specified time for public testimony will forfeit their allotted time to speak at the meeting. Public testimony must be germane to a specific item(s) on the meeting agenda, and the testimony must not exceed three minutes; the Secretary will keep track of the time and advise when the time for public testimony has expired. Persons authorized to provide public testimony shall not use vulgar, abusive, or otherwise inappropriate language when addressing the Board; failure to act appropriately; failure to speak to an item that is germane to the meeting, or failure to adhere to the time requirements may result in expulsion from the meeting and/or disqualify the person from providing future testimony.

15-3333

COMMITTEE MINUTES

Approval of the minutes from the meeting of 4/29/2015 9:00 am

15-3334

COMMITTEE MINUTES

Approval of the minutes from the meeting of 5/29/2015 12:00 pm

15-3022

Sponsored by: LARRY SUFFREDIN, County Commissioner

PROPOSED RESOLUTION

**REQUESTING A HEARING OF THE LEGISLATION AND INTERGOVERNMENTAL RELATIONS
OF THE COOK COUNTY BOARD OF COMMISSIONERS TO DISCUSS SUPPORTING THE
INTERMEDIATE SERVICE CENTERS OF COOK COUNTY**

WHEREAS, the Intermediate Service Centers ("ISCs") of Cook County play a crucial role in providing shared services to the public and non-public school districts of suburban Cook County; and

WHEREAS, the Regional Safe Schools Program (“RSSP”) is one of the critical educational programs offered to the youth of suburban Cook County, and has been offered to the suburban Cook County public schools districts since 1997; and

WHEREAS, the RSSP initiative serves as the key youth drop-out and expulsion prevention program that keeps young people (Grades 6-12) in school with an opportunity for graduation and enhanced success; and

WHEREAS, should these students not receive educational services and enter into the juvenile justice system, the cost to the State of Illinois is egregious; and

WHEREAS, Governor Rauner February budget address eliminated grant support for the RSSP throughout the State; and

BE IT RESOLVED, since the dissolution of the Suburban Cook County Regional Office of Education (“ROE”) # 14 in 2010, the ISCs have taken on all duties and responsibilities of the Suburban Cook County Regional Office of Education; and

BE IT RESOLVED, all other 101 counties in the State of Illinois provide fiscal supports for their ROEs, and consider their ROEs to be a branch of county government;

BE IT RESOLVED, Counties supply such tangible supports such as providing rent-free space in county buildings, county-supplied insurance benefits, county personnel to carry out ROE duties, and salary stipends for ROE administrators; and

BE IT RESOLVED, the continued diminishment of state and federal grants and funding has caused the ISCs to incur annual fiscal deficits; and

BE IT RESOLVED, the continued existence of the ISCs is now in question due to the existing fiscal constraints and lack of support of Cook County; and

BE IT RESOLVED, these fiscal constraints call into question whether the ISCs can continue to provide educator licensure support, bus driver training (for all of Cook County and Chicago Public Schools), issuance of building and occupancy permits, Health/Life Safety inspections, annual Illinois State Board of Education compliance visits, non-public school recognition services, truancy services, McKinney-Vento homeless services, and professional development activities at several levels;

THEREFORE BE IT RESOLVED, that the Legislation and Intergovernmental Committee of the Cook County Commissioners will hold a Hearing to examine the relationship between the County of Cook and the Intermediate Service Centers; and

BE IT FURTHER RESOLVED, that the intent of the Hearing will be to investigate how supports can be provided to the Intermediate Service Centers to carry out their critical mission of serving the youth of Cook County, Illinois.

Legislative History: 4/29/15 Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

Sponsored by: RICHARD R. BOYKIN, Cook County Board Commissioner

PROPOSED ORDINANCE

AN ORDINANCE BANNING COOK COUNTY LIQUOR CODE LICENSE HOLDERS FROM THE SALE, OFFERING, PROVISION, FURNISHING, BARTERING, EXCHANGE OR GIFT OF POWDERED ALCOHOL

WHEREAS, Cook County is a home rule unit of government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, pursuant to its home rule power, Cook County may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, in the spring of 2014, Arizona-based Lipsmark, LLC announced that it intended to market powdered alcohol under the name “Palcohol”; and

WHEREAS, the product was briefly approved for sale by the U.S. Treasury Alcohol and Tobacco Tax and Trade Bureau, but the approval was temporarily rescinded because label approvals were given in error; and

WHEREAS, the U.S. Food and Drug Administration has concluded that it does not have a legal basis to block market entry of the product at this time; and

WHEREAS, the Food and Drug Administration commented that its review focused solely on the non-alcohol ingredients added to the product and that it does not have concerns that the ingredients, when added to the alcoholic beverage products, render the products adulterated under the Federal Food, Drug and Cosmetic Act; and

WHEREAS, in March of 2015, the Alcohol and Tobacco Tax and Trade approved labels for Palcohol; and

WHEREAS, in Palcohol is expected to be offered for sale this summer; and

WHEREAS, Lipsmark plans to manufacture Palcohol in two different formulations: an ingestible beverage formulation and a non-ingestible industrial formulation; and

WHEREAS, Palcohol’s ingestible beverage formulation is freeze-dried powdered alcohol which turns water into either vodka or rum, or optional flavors including cosmopolitan, mojito and the Powderita- a powdered margarita; and

WHEREAS, a package of Palcohol weighs only an ounce, can fit into a pocket and in addition to being mixed with liquids, can be sprinkled onto food, or snorted, which increases the risk of abuse, binge consumption and concealment; and

WHEREAS, snorting powdered alcohol elevates the risk of alcohol poisoning and is extremely dangerous because the alcohol is quickly absorbed by the body and results in immediate intoxication; and

WHEREAS, ingestible powdered alcohol has the potential to be a public health nuisance; and

WHEREAS, the portable nature of ingestible powdered alcohol makes it more enticing and easier for underage drinkers to use discreetly; and

WHEREAS, underage drinking is a significant problem that threatens the health and safety of our youth, contributes to crime and negatively impacts the entire community; and

WHEREAS, many states, including New York, Alaska, Delaware, Louisiana, South Carolina and Vermont have already banned ingestible powdered alcohol, and Colorado and Ohio are considering bans; and

WHEREAS, the public health risks and potential for abuse created by ingestible powdered alcohol far outweigh any value it may have in the marketplace; and

NOW, THEREFORE, BE IT ORDAINED, the above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners that Chapter 6, Alcoholic Liquor, Article II, Division 1, Sec. 6-39 of the Cook County Code of Ordinances is hereby enacted as follows:

Sec 6-39- Powdered Alcohol.

(a) As used in this section:

Alcohol means the product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, and includes synthetic ethyl alcohol. It does not include denatured alcohol or wood alcohol.

Powdered alcohol means any powder or crystalline substance that contains alcohol and is used or intended for human consumption.

(b) No licensee under this Code or any licensee's agent or employee shall possess, sell, offer for sale, give away, barter, exchange or otherwise furnish on the licensed premises any powdered alcohol in Unincorporated Cook County, or engage in act of concealment of any powdered alcohol on the licensed premises.

(c) Except as otherwise provided in this Code, any person who violates any of the requirements of this section or any regulation promulgated thereunder shall be fined not less than \$2,000.00 nor more than \$5,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply.

(d) Any violation of this section or any regulation promulgated thereunder may result in license suspension or revocation in accordance with the requirements of Chapter 6, Article II, Division 2 of the Cook County Code of Ordinances.

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

Legislative History: 4/29/15 Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

15-3085

Sponsored by: TONI PRECKWINKLE, President, JOHN P. DALEY, JESÚS G. GARCÍA, TIMOTHY O. SCHNEIDER, LARRY SUFFREDIN and ROBERT STEELE, County Commissioners

PROPOSED ORDINANCE AMENDMENT

AMENDING THE COOK COUNTY ETHICS ORDINANCE TO CLARIFY THE COOK COUNTY BOARD OF ETHICS'S EXISTING POWERS TO IMPOSE FINES FOR ORDINANCE VIOLATIONS AND TO SUE TO ENFORCE ITS DETERMINATIONS

WHEREAS, the County of Cook is a Home Rule Unit of Government pursuant to the 1970 Illinois Constitution, Article VII, Section 6; and,

WHEREAS, pursuant to its home rule power, the County of Cook may exercise any power and perform any function relating to its government and affairs, including the power to regulate for the protection of the public health, safety, morals and welfare; and,

WHEREAS, in 1993, this Board of Commissioners exercised that home rule power to enact the Cook County Ethics Ordinance (“Ethics Ordinance”), which is, by its own terms, applicable to the conduct of all County officials, appointees and employees; and,

WHEREAS, this Board of Commissioners further exercised that home rule power to create the Cook County Board of Ethics (“Board of Ethics”) to enforce the Cook County Ethics Ordinance; and,

WHEREAS, from time to time, this Board of Commissioners has amended the Ethics Ordinance; specifically, in one of the 2004 amendments, the Board of Commissioners changed the manner in which fines for violation are imposed, by eliminating the need to go to court to obtain a conviction, and instead vesting in the Board of Ethics the power to make findings of violations and impose fines; and

WHEREAS, the Ethics Ordinance currently grants the Board of Ethics the power to issue fines against County officials, appointees and employees for violations of the Cook County Ethics Ordinance and sue in its own name to enforce its determinations; and,

WHEREAS, the power of the Cook County Board of Ethics to enforce the Cook County Ethics Ordinance and pursue litigation in its own name has been called into question; and

WHEREAS, this amendment is intended solely to clarify, rather than change, existing law;

NOW THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 - Administration, Article VII - Ethics, Division 2 - Code of Ethical Conduct, Subdivisions IV and V, Sections 2-591 and 2-602 of the Cook County Code is hereby amended as follows:

SUBDIVISION IV. - Board of Ethics

Sec. 2-591. - Composition and Powers.

The organization and administration of the Cook County Board of Ethics shall be sufficiently independent to assure that no interference or influence external to the office adversely affects the independence and objectivity of the Board of Ethics. The composition and powers of the Board of Ethics are as follows:

- (1) The Board of Ethics shall be composed of five members appointed by the President of the County Board with the advice and consent of the County Board and will take into account the diversity of communities and conditions protected by this article. The Board of Ethics shall have an executive director who shall be appointed by the President.
- (2) Each member of the Board shall:
 - a. Reside within the corporate boundaries of the County;
 - b. Not be an employee of the County or any agency thereof;
 - c. Not hold elected public or political party office within the County;
 - d. Have no financial interest in any work or business of or official action by the County;
 - e. Not take an active part in managing the political campaign of a candidate for County office;
 - f. Not be convicted of any felony or any crime involving moral turpitude;
 - g. Not be engaged in activities that require registration under the Cook County Lobbyist Registration Ordinance; and

- h. Not be related, either by blood or by marriage up to the degree of first cousin, to any elected official of the County.
- (2) The members of the Board shall be appointed for terms of four years and hold office until their successors have been appointed. The initial appointment of the members shall be as follows: one member for four years; two members for three years; and two members for two years.
 - (3) Any member of the Board may be removed by the President, with the advice and consent of the Board of Commissioners, for incompetence, substantial neglect of duty, gross misconduct, malfeasance in office, or violation of any law, after written notice, stating the grounds for removal.
 - (5) Board members shall receive no compensation for their services.
 - (6) The Board shall conduct hearings, if necessary, and rule upon matters brought before it by the executive director. The executive director shall receive and initiate complaints of violations of the Ordinance. The executive director shall conduct investigations and shall present the findings of such investigations for such action as the Board determines is appropriate. The Board's authority to investigate an alleged violation of this article is limited to violations which occurred not more than two years prior to the date upon which a complaint is received or discovery of the fact that an alleged violation has occurred.
 - (7) The executive director shall investigate alleged violations of this article. County agencies, employees and officials shall cooperate with the Board and the executive director. Information necessary to any investigation shall be made available to the Executive Director upon written request.
 - (8) The Board shall have the authority to issue a subpoena for the appearance of witnesses, the production of evidence, or both, in the course of investigations and hearings. A subpoena shall be served in the same manner as subpoenas issued under the rules of the Illinois Supreme Court and shall be subject to the same witness and mileage fees fixed by law for such subpoenas. The Board shall adopt rules as necessary to implement this process.
 - (9) Upon determination by a majority of the Board that there is reason to believe that a violation of this article has occurred, the Board may
 - a. Notify the person who may have violated this article and request corrective action;
 - b. Impose sanctions for violations as set out in Section 2-602 and sue in its own name to enforce its determinations;
 - bc. Recommend to the President or the appropriate elected official that disciplinary or other action within the elected official's authority should be taken in relation to the potential violation; and
 - ed. Recommend to the President or the appropriate elected official such other remedies as shall be appropriate.

All recommendations shall be in writing and shall be set forth with specificity including a statement of reasons in support. An elected official to whom a recommendation has been sent shall, within 30 days of receipt of the recommendation, report to the Board in writing the actions taken on the recommendation and, to the extent that any recommended action is declined or different action is taken, provide a statement of reasons for that decision.

- (10) The Board may also advise, by means of written advisory opinions, and may consult with the County Board of Commissioners, President, County agencies, officials and employees on matters involving this article.

- (11) The Board may also from time to time recommend to the President or the Board of Commissioners such legislative action as it deems appropriate to effectuate the policy of this article.
- (12) The Board may adopt appropriate rules, definitions and regulations for the conduct of Board activities and duties as set forth in this article.
- (13) The Board shall prepare and publish an annual report summarizing the Board's activities and present the report to the President and the Board of Commissioners.
- (14) The Board shall preserve all pertinent records and reports for a period of not less than ten years.

SUBDIVISION V. - Sanctions for Violation

Sec. 2-602. - Fines.


(a) As authorized by the State Officials and Employees Ethics Act, the Board may impose a fine of up to \$5,000.00 per violation against any person found by the Board to have violated, intentionally obstructed or interfered with an investigation of, or intentionally made a false, frivolous or bad faith allegation under Section 2-574 or 2-583.

(b) As authorized by the State Officials and Employees Ethics Act, a person who intentionally violates any provision of Section 2-574 is guilty of a business offense and subject upon conviction to a fine of at least \$1,001.00 and up to \$5,000.00.

(c) As authorized by the State Officials and Employees Ethics Act, a person who intentionally violates any provision of Section 2-583 is guilty of a Class A misdemeanor.

~~(d) The Board may impose a fine of up to \$1,000.00 per offense on any person, including officials or candidates, found by the Board to have knowingly violated any provision of this article other than Section 2-574 or 2-583, or to have knowingly furnished false or misleading information to the Board, shall be subject to a fine of at least \$500.00 and up to \$5,000.00, for any one offense.~~

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


Secretary

Chairman: Suffredin
Vice-Chairman: Fritchey
Members: Committee of the Whole