



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

Wednesday, May 20, 2015

9:15 AM

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

ATTENDANCE

Present: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Goslin, Moore, Murphy, Schneider, Silvestri, Sims and Steele, and Tobolski (16)

Absent: Vice Chairman Fritchey (1)

PUBLIC TESTIMONY

Chairman Suffredin asked the Secretary to the Board to call upon the registered public speakers, in accordance with Cook County Code.

1. George Blakemore, Concerned Citizen
2. Vanessa Kinder, Executive Director of South Cook Intermediate Service Center
3. Leneu Navarre, Superintendent of Bloom Township
4. Daniel Cates, Superintendent of District 11

15-3333

COMMITTEE MINUTES

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

A motion was made by Commissioner Daley, seconded by Commissioner Boykin, that this Committee Minutes be recommended for approval. The motion carried.

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Goslin, Moore, Murphy, Schneider, Silvestri, Sims and Steele, and Tobolski (16)

Absent: Vice Chairman Fritchey (1)

15-3334

COMMITTEE MINUTES

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

A motion was made by Commissioner Daley, seconded by Commissioner Gorman, that this Committee Minutes be recommended for approval. The motion carried.

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Goslin, Moore, Murphy, Schneider, Silvestri, Sims and Steele, and Tobolski (16)

Absent: Vice Chairman Fritchey (1)

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

A motion was made by Commissioner Daley, seconded by Commissioner Boykin, that this Resolution be recommended for approval. The motion carried.

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Goslin, Moore, Murphy, Schneider, Silvestri, Sims and Steele, and Tobolski (16)

Absent: Vice Chairman Fritchey (1)

15-3027

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.

A motion was made by Commissioner Boykin, seconded by Commissioner Tobolski, that this Ordinance Amendment be motion to suspend the rules. The motion carried by the following vote:

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Goslin, Moore, Murphy, Schneider, Silvestri, Sims and Steele, and Tobolski (16)

Absent: Vice Chairman Fritchey (1)

A motion was made by Commissioner Boykin, seconded by Commissioner Tobolski, that this Ordinance be accepted as substituted. The motion carried.

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Goslin, Moore, Murphy, Schneider, Silvestri, Sims and Steele, and Tobolski (16)

Absent: Vice Chairman Fritchey (1)

PROPOSED SUBSTITUTE ORDINANCE AMENDMENT TO FILE #15-3027

Sponsored by: RICHARD BOYKIN, County Commissioner

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 6 – ALCOHOLIC LIQUOR, Section 6-2 “Definitions.” of the Cook County Code is hereby amended as Follows:

Sec. 6-2. Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. All words and phrases used in this Chapter which are defined in the Liquor Control Act of 1934 (235 ILCS 5/1-1 et seq.) shall have the same meaning herein as they have in such Act.

“*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, but not including denatured alcohol or wood alcohol.

“*Alcoholic Liquor*” means any alcohol, spirits, wine and beer, and every liquid or solid, containing alcohol, spirits, wine or beer, and capable of being consumed as a beverage by a human being. The provisions of this Chapter shall not apply to alcohol used in the manufacture of denatured alcohol produced in accordance with acts of congress and regulations promulgated thereunder, or to any liquid or solid containing one-half of one percent (0.5%), or less, of alcohol by volume

“*Applicant*” means an individual, partnership or corporation or any other legal entity which seeks and is required to be licensed under the provisions of this Chapter. In the case of a corporation, it shall mean the officers, directors, all persons owning directly or beneficially more than five percent (5%) of the stock of such corporation and the person operating as manager of the premises. In the case of a combination grocery/drugstore, "applicant" shall mean the officers, directors, all persons owning, directly or

beneficially, more than five percent (5%) of the stock of the entity having charge of the licensed premises and any person operating as a manager of the premises.

“*Beer*” means an alcoholic beverage obtained by the alcoholic fermentation of an infusion or concoction of barley, or other grain, malt and hops in water, and includes but is not limited to beer, ale, stout, lager, and porter.

“*Beer Garden*” means a privately owned outdoor location adjacent to the premises licensed for consumption on the premises – incidental activity or as a tavern or club, where alcoholic liquor may be sold and consumed subject to the provisions governing beer garden licenses

“*Club*” means a corporation organized under the laws of the state of Illinois, not for pecuniary profit, solely for the promotion of some common objective other than the sale or consumption of alcoholic liquors, and owning or leasing a building or space in a building for the use of its members and provided with a suitable and adequate kitchen and dining room for cooking, preparing and serving meals for its members and their guests; and operated solely for objects of national, state or local social, patriotic, recreational, benevolent or similar purpose.

“*Convenience store*” means a retail business with a primary emphasis placed on providing the public with a convenient location to quickly purchase from a wide array of consumable products (predominantly food or gasoline) and services. Convenience stores include the following characteristics: Stock of at least 500 SKUs (stock-keeping units) and Product mix including grocery-type items and also include items from the following groups: beverages; snacks (including confectionery); pharmaceutical items and tobacco.

“*Employee*” means any agent, manager, employee, entertainer, barkeeper, host, hostess, waiter, waitress or other such person employed in an establishment having obtained a liquor license on any contractual basis, or receiving any remuneration for services.

“*Firearm*” means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding, however excluded from this definition are:

- (a) Any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter or which has a maximum muzzle velocity of less than 700 feet per second;
- (b) Any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels breakable paint balls containing washable marking colors;
- (c) Any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission;
- (d) Any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition; and
- (e) An antique firearm (other than a machine-gun) which, although designed as a weapon, the Department of State Police finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

“*Hotel*” means every building or other structure kept, used, maintained, advertised and held out to the public to be a place where sleeping accommodations are offered for pay to travelers and guests, whether transient, permanent or residential.

“*Illinois Liquor Control Commission*” means the state commission created by the Illinois Liquor Control Act of 1934, as amended (“Act”), 235 ILCS 5/3-1 et seq.

“License” means a license which has been issued pursuant to this Chapter

“Licensee” means a person to whom a retailer’s liquor license been issued pursuant to this Chapter and includes an employee or agent of a licensee.

“Licensed establishment” means any place of business for which a retailer’s liquor license has been issued pursuant to this Chapter.

“Live Music” includes music sung or played on the premises by the performer and recorded music played on the premises by a disc jockey.

“Liquor” means alcoholic liquor as defined in this Section.

“Off-site catering” means the preparation of food at one location for service at another location.

“Outside caterer” means a person who performs off-site catering by preparing food at one location for service at a location within the unincorporated Cook County.

“Patron” means any customer, patron or visitor of a licensed establishment who is not employed by the licensee of such establishment.

“Person” means any natural individual, firm, trust, partnership, joint venture, association, corporation or other legal entity, whether acting in his or its own capacity or as administrator, executor, trustee, receiver or other representative appointed by a court. Whenever the word *“Person”* is used in any section of this Chapter prescribing a penalty or fine as applied to partnerships or associations, the word shall include the partners or members thereof, and such word as applied to corporations shall include the officers, agents or employees thereof who are responsible for any violation of said section.

“Premises” means the place of business or other completely enclosed location particularly described in a retailer’s liquor license where alcoholic liquor is stored, displayed, offered for sale or where drinks containing alcoholic liquor are mixed, concocted or poured and served for consumption. This term shall not include sidewalks, streets or other portions of the public way or private parking areas.

“Powdered Alcohol” means any powder or crystalline substance containing alcohol, as defined by this Act, that is produced or intended for human consumption either by direct use or reconstitution.

“Restaurant” means any other public place kept, used, maintained, advertised and held out to the public as a place where meals are served and where meals are actually and regularly served pursuant to the required licenses and provided with adequate and sanitary kitchen and dining room equipment and capacity, and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable meals for its guests.

“Retailer’s liquor license” means a license issued by the Liquor Control Commissioner, pursuant to this Chapter, to sell alcoholic liquor, at retail.

“Sheriff” means the Sheriff of Cook County

Unincorporated Cook County means all territory within the geographical limits of the County, which is not within the boundaries of any city, town or village.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 6 – ALCOHOLIC LIQUOR, Section 6-26 “Prohibited Activities – Sale of Individual Container of Beer Malt Liquor or Ale.” of the Cook County Code is hereby amended as Follows:

Sec. 6-26. Prohibited Activities – Sale of Certain Types of Alcoholic Beverages ~~Individual Containers of Beer Malt Liquor or Ale.~~

- (a) It shall be unlawful for any licensee or any officer, associate, member, representative, agent or employee of a licensee to divide a manufacturer's package containing more than one container of beer, malt liquor or ale, if the capacity of an individual container is 16 ounces or less, in order to sell an individual container, except for consumption on the licensed premises.
- (b) It shall be unlawful for any licensee or any officer, associate, member, representative, agent or employee of a licensee to sell, give, offer or expose for sale, or deliver an individual container of beer, malt liquor or ale with a capacity of 16 ounces or less, except for consumption on the licensed premises.
- (c) It shall be unlawful for any licensee under this Act to possess, serve, sell, offer for sale, deliver, barter, exchange, receive, or purchase for resale any product or form of Powdered Alcohol. This provision shall not apply to specific commercial uses as approved by the State of Illinois or bona fide research purposes only by one of the following institutions:
 - 1. health care provider that operates primarily for the purpose of scientific research; or
 - 2. department, commission, board or other administrative unit of the State of Illinois government, including a state institution of higher education; or
 - 3. private college or university research facility; or
 - 4. pharmaceutical or biotechnology company.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 6 – ALCOHOLIC LIQUOR, Section 6-42 “Owner and Employee Personal Liability.” of the Cook County Code is hereby amended as Follows:

Sec 6-42. Owner and Employee Personal Liability.

- (a) Any owner, officer, agent or employee of a licensee shall be personally subject to the assessment of fine in the amounts described in this section where through an affirmative act he or she intentionally, assists in the licensee’s violation of one or more provisions in Sections 6-223 (Alcoholic liquor to persons under the age of 21), 6-24 (Alcoholic Liquor to an intoxicated person), 6-245 (Inducing a patron to purchase beverage for others), ~~and 6-256 (Lewd behavior), and 6-26 (Sale of Certain Types of Alcoholic Beverages).~~
- (b) Any owner, officer, agent or employee of a licensee shall be personally subject to the assessment of fine in the amounts described in this section where: (i) there is a violation of one or more the provisions set out in subsection (a) of this section (ii) he or she knows of the violation[s], (iii) he or she has the authority to prevent or stop the violation, and (iv) fails to exercise that authority.
- (c) The personal liability of any person described in Subsection (a) of this section shall survive the dissolution of the licensee.
- (d) Any violation of a provision in this article shall be punishable by a fine of not less than \$1,000 or more than \$15,000. A separate and distinct offense shall be held to have been committed each day any person continues the violation.

- (e) A person charged under this Section may raise as an affirmative defense that the act or omission was based on a reasonable belief that any other course of conduct would have endangered the person charged or others.
- (f) Proceedings for administrative adjudication of alleged violations of this Section shall be conducted pursuant to the procedures set out in Chapter 2, Article IX, of the Cook County Code of Ordinances.

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

A motion was made by Commissioner Boykin, seconded by Commissioner Tobolski, that this Ordinance be recommended for approval as substituted. The motion carried.

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Daley, Gainer, García, Goslin, Moore, Murphy, Schneider, Silvestri, Sims and Steele, and Tobolski (15)

Nays: Commissioner Butler (1)

Absent: Vice Chairman Fritchey (1)

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;
 - ~~b~~c. 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.

A motion was made by Commissioner Daley, seconded by Commissioner Silvestri, that this Ordinance Amendment be recommended for approval. The motion carried.

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Goslin, Moore, Murphy, Schneider, Silvestri, Sims and Steele, and Tobolski (16)

Absent: Vice Chairman Fritchey (1)

ADJOURNMENT

A motion was made by Commissioner JOHN P. DALEY, seconded by Commissioner LUIS ARROYO JR, to adjourn the meeting.. The motion carried unanimously.

Ayes: Chairman Suffredin, Commissioners Arroyo, Boykin, Butler, Daley, Gainer, García, Gorman, Goslin, Moore, Murphy, Schneider, Sims, Silvestri, Steele and Tobolski (15)

Absent: Vice Chairman Fritchey and Commissioner Silvestri (2)

Respectfully submitted,



Chairman



Secretary

*A video recording of this meeting is available at <https://cook-county.legistar.com>