



**Board of Commissioners of Cook County  
Minutes of the Business and Economic Development Committee**

**9:45 AM**

**Wednesday, June 7, 2017**

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

**ATTENDANCE**

**Present:** García, Moody, Arroyo, Butler, Morrison and Schneider (6)

**Absent:** Gainer, Moore and Steele (3)

**PUBLIC TESTIMONY**

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

1. George Blakemore

**17-3650**

**COMMITTEE MINUTES**

Approval of the minutes from the meeting of 5/10/2017

**A motion was made by Vice Chairman Moody, seconded by Commissioner Schneider, to approve 17-3650. The motion carried by the following vote:**

**Ayes:** García, Moody, Arroyo, Butler, Morrison and Schneider (6)

**Absent:** Gainer, Moore and Steele (3)

**17-3060**

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

**PROPOSED RESOLUTION**

**STEEL SUPPLY COMPANY CLASS 6B SUSTAINABLE EMERGENCY RELIEF (SER)**

**WHEREAS**, the Cook County Bureau of Economic Development received and reviewed a Real Property Assessment Classification 6b Sustainable Emergency Relief (SER) application containing the following information:

**Applicant:** Steel Supply Company

**Address:** 5105 Newport Drive, Rolling Meadows, Illinois

**Length of time at current location:** 47

**Length of time property under same ownership:** 50 Years

**Is there evidence supporting 10 years of the same ownership and/or occupancy (tenancy):** Yes

**Age of the Property (Building):** 50 Years

**Municipality or Unincorporated Township:** Rolling Meadows

**Cook County District:** 15

**Permanent Index Number(s):** 08-08-303-005-0000

**Municipal Resolution Number:** Resolution No. 17-R-18

**Evidence of Economic Hardship:** Yes

**Number of blighting factors associated with the property:** Four (4)

**Has justification for the Class 6b SER program been provided?:** Yes

**Estimated # of jobs created by this project:** None

**Estimated # of jobs retained at this location:** 51 full-time jobs

**Estimated # of employees in Cook County:** Same as above

**Estimated # of construction jobs:** None

**Proposed use of property: Industrial - Manufacturing:** Manufacturing, warehousing and distribution of steel finish bars and tubular products

**Living Wage Ordinance Compliance Affidavit Provided:** Yes

**WHEREAS**, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b Sustainable Emergency Relief (SER) that provides an applicant a reduction in the

assessment level for a long-term existing industrial enterprise that meets the qualifications of the SER program ; and

**WHEREAS**, the Cook County Classification System for Assessment requires that an applicant under the Class 6b SER program provide evidence justifying their participation in the subject program; and

**WHEREAS**, Class 6b SER requires a resolution by the County Board validating the property for the purpose of the Class 6bSER Program; and

**WHEREAS**, the industrial enterprise that occupies the premises has been at the same location for a minimum of ten years prior to the date of the application for the Class 6b SER Program;

**WHEREAS**, the industrial enterprise that occupies the premises has submitted evidence of economic hardship to the Cook County Bureau of Economic Development supporting a determination that participation in the Class 6b SER Program is necessary for the industrial enterprise to continue its operations at its current location and maintain its staff, and without the Class 6b SER the industrial enterprise would not be economically viable causing the property to be in imminent risk of becoming vacant and unused; and

**WHEREAS**, the applicant is not receiving another Cook County Property Tax Incentive for the same property; and

**WHEREAS**, the municipality states the Class 6b SER is necessary for the industrial enterprise to maintain is operations on this specific real estate. The municipal resolution cites the qualifications of this property to meet the definition of the Class 6b SER program; and

**WHEREAS**, industrial real estate is normally assessed at 25% of its market value, qualifying industrial real estate eligible for the Class 6b SER can receive a significant reduction in the level of assessment from the date that the application is approved by the Cook County Assessor. Properties receiving Class 6b SER will be assessed at 10% of the market value for 10 years, 15% for the 11th year and 20% in the 12th year; and

**WHEREAS**, the applicant understand that the Class 6b SER classification is not renewable and also the applicant vacates the specific real estate while the Class 6b SER is in place the designation will terminate and the assessment level will immediately revert back to the 25% assessment level; 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 meets the requirements of the Class 6bSER Program; 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 Vice Chairman Moody, seconded by Commissioner Morrison, to recommend for approval 17-3060. The motion carried by the following vote:**

**Ayes:** García, Moody, Arroyo, Butler, Morrison and Schneider (6)

**Absent:** Gainer, Moore and Steele (3)

**17-3061**

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

**PROPOSED RESOLUTION**

**MERCURY PRODUCTS CORPORATION CLASS 6B SUSTAINABLE EMERGENCY RELIEF (SER)**

**WHEREAS**, the Cook County Bureau of Economic Development received and reviewed a Real Property Assessment Classification 6b Sustainable Emergency Relief (SER) application containing the following information:

**Applicant:** Mercury Products Corporation

**Address:** 1201 S. Mercury Drive, Schaumburg, Illinois

**Length of time at current location:** 22 years

**Length of time property under same ownership:** 22 years

**Is there evidence supporting 10 years of the same ownership and/or occupancy (tenancy):** Yes

**Age of the Property (Building):** 50 years

**Municipality or Unincorporated Township:** Schaumburg

**Cook County District:** 15

**Permanent Index Number(s):** 07-32-105-032-0000

**Municipal Resolution Number:** Resolution No. R-16-079

**Evidence of Economic Hardship:** Yes

**Number of blighting factors associated with the property:** Three (3)

**Has justification for the Class 6b SER program been provided?:** Yes

**Estimated # of jobs created by this project:** None

**Estimated # of jobs retained at this location:** 115 full-time jobs

**Estimated # of employees in Cook County:** Same as above

**Estimated # of construction jobs:** None

**Proposed use of property: Industrial - Manufacturing:** Manufacturing, warehousing and distribution

of metal stamping and fabrication parts for the transportations industry.

**Living Wage Ordinance Compliance Affidavit Provided: Yes**

**WHEREAS**, the Cook County Board of Commissioners has adopted a Real Property Assessment Classification 6b Sustainable Emergency Relief (SER) that provides an applicant a reduction in the assessment level for a long-term existing industrial enterprise that meets the qualifications of the SER program ; and

**WHEREAS**, the Cook County Classification System for Assessment requires that an applicant under the Class 6b SER program provide evidence justifying their participation in the subject program; and

**WHEREAS**, Class 6b SER requires a resolution by the County Board validating the property for the purpose of the Class 6bSER Program; and

**WHEREAS**, the industrial enterprise that occupies the premises has been at the same location for a minimum of ten years prior to the date of the application for the Class 6b SER Program;

**WHEREAS**, the industrial enterprise that occupies the premises has submitted evidence of economic hardship to the Cook County Bureau of Economic Development supporting a determination that participation in the Class 6b SER Program is necessary for the industrial enterprise to continue its operations at its current location and maintain its staff, and without the Class 6b SER the industrial enterprise would not be economically viable causing the property to be in imminent risk of becoming vacant and unused; and

**WHEREAS**, the applicant is not receiving another Cook County Property Tax Incentive for the same property; and

**WHEREAS**, the municipality states the Class 6b SER is necessary for the industrial enterprise to maintain its operations on this specific real estate. The municipal resolution cites the qualifications of this property to meet the definition of the Class 6b SER program; and

**WHEREAS**, industrial real estate is normally assessed at 25% of its market value, qualifying industrial real estate eligible for the Class 6b SER can receive a significant reduction in the level of assessment from the date that the application is approved by the Cook County Assessor. Properties receiving Class 6b SER will be assessed at 10% of the market value for 10 years, 15% for the 11th year and 20% in the 12th year; and

**WHEREAS**, the applicant understand that the Class 6b SER classification is not renewable and also the applicant vacates the specific real estate while the Class 6b SER is in place the designation will terminate and the assessment level will immediately revert back to the 25% assessment level; 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 meets the requirements of the Class 6bSER Program; 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 Vice Chairman Moody, seconded by Commissioner Morrison, to recommend for approval 17-3061. The motion carried by the following vote:**

**Ayes:** García, Moody, Arroyo, Butler, Morrison and Schneider (6)  
**Absent:** Gainer, Moore and Steele (3)

**17-3075**

**Sponsored by:** TONI PRECKWINKLE (President) and DEBORAH SIMS, Cook County Board Of Commissioners

**PROPOSED RESOLUTION**

**HD HOSPITALITY INC. 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:** HD Hospitality Inc.

**Address:** 4375 Frontage Road, Oak Forest, Illinois

**Municipality or Unincorporated Township:** Village of Oak Forest

**Cook County District:** 5th

**Permanent Index Number:** 28-22-404-020-0000, 28-22-404-021-0000 & 28-22-404-022-0000

**Municipal Resolution Number:** Resolution Number 2016-09-0295R

**Number of month property vacant/abandoned:** Seven (7) days 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:** 10 full-time jobs

**Estimated Number of employees in Cook County:** None

**Estimated Number of construction jobs:** two (2) to five (5) jobs

**Proposed use of property:** Commercial use 59-key hotel space

**Living Wage Ordinance Compliance Affidavit Provided:** No, not applicable

**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; 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 Vice Chairman Moody, seconded by Commissioner Arroyo, to recommend for approval 17-3075. The motion carried by the following vote:**

**Ayes:** García, Moody, Arroyo, Butler, Morrison and Schneider (6)

**Absent:** Gainer, Moore and Steele (3)

**17-3082**

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

**PROPOSED RESOLUTION**

**HALLMARK INDUSTRIES INC. OR ITS ASSIGNEE 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:** Hallmark Industries Inc. or its Assignee

**Address:** 411 East North Avenue, Streamwood, Illinois 60107

**Municipality or Unincorporated Township:** Streamwood

**Cook County District:** 15

**Permanent Index Number:** (1) PIN: 06-35-400-045-0000

**Municipal Resolution Number:** Resolution 2017-19 approved April 6, 2017

**Number of month property vacant/abandoned:** 2 months

**Special circumstances justification requested:** Yes

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

**Estimated Number of jobs retained at this location:** 4 full-time, 0 part-time

**Estimated Number of employees in Cook County:** 4 full-time, 0 part-time

**Estimated Number of construction jobs:** N/A

**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 Vice Chairman Moody, seconded by Commissioner Arroyo, to recommend for approval 17-3082. The motion carried by the following vote:**

**Ayes:** García, Moody, Arroyo, Butler, Morrison and Schneider (6)

**Absent:** Gainer, Moore and Steele (3)

**17-3087**

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

**PROPOSED RESOLUTION  
FLEET PARK 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:** Fleet Park LLC

**Address:** 16901 Van Dam Road, South Holland, Illinois

**Municipality or Unincorporated Township:** Village of South Holland

**Cook County District:** 6th

**Permanent Index Number:** 29-23-401-078-0000

**Municipal Resolution Number:** Resolution approved December 5, 2016

**Number of month property vacant/abandoned:** 14 months vacant

**Special circumstances justification requested:** Yes

**Estimated Number of jobs created by this project:** Three (3) to Five full-time jobs

**Estimated Number of jobs retained at this location:** To be determined

**Estimated Number of employees in Cook County:** 50 full-time jobs

**Estimated Number of construction jobs:** 50 full-time jobs

**Proposed use of property:** Industrial site logistic services, trailer repair and truck storage

**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; 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 Arroyo, seconded by Commissioner Morrison, to recommend for approval 17-3087. The motion carried by the following vote:**

**Ayes:** García, Moody, Arroyo, Butler, Morrison and Schneider (6)

**Absent:** Gainer, Moore and Steele (3)

### **17-3106**

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

#### **PROPOSED RESOLUTION**

#### **ACCEPTING A GRANT FROM THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY'S ABANDONED RESIDENTIAL PROPERTY MUNICIPAL RELIEF PROGRAM**

**WHEREAS**, Cook County (the "Sponsor") has been awarded a grant (the "Grant") in the amount of \$250,000.00 from the Illinois Housing Development Authority (the "Authority"), program administrator of the Abandoned Residential Property Municipal Relief Program (the "Program"), as that Program is authorized by Section 7.31 of the Illinois Housing Development Act, 20 ILCS 3805/1 et seq. and the rules promulgated under the Act codified at 47 Ill. Adm. Code 381, as may be amended from time to time; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Sponsor shall enter into the Agreement with the Authority wherein the Authority agrees to make the Grant to the Sponsor, which shall be used by the Sponsor to assist with the maintenance and demolition of abandoned properties within the Sponsor's area, all in accordance with the terms and conditions set forth in the Agreement; and

**BE IT FURTHER RESOLVED**, that the President of the Sponsor or his or her designee and the County Clerk of the Sponsor are hereby authorized and empowered to execute and deliver in the name of or on behalf of the Sponsor the Agreement and any and all amendments, modifications and supplements thereto, and to execute and deliver such additional documents, instruments and certificates, as may be necessary or desirable for the Sponsor to perform its obligations under the Agreement; and

**BE IT FURTHER RESOLVED**, that the President of the Sponsor or his or her designee and the County Clerk be and hereby are authorized and directed to take such additional actions, to make further determinations, to pay such costs and to execute and deliver such additional instruments (including any amendments, Agreements or supplements) as he or she deems necessary or appropriate to carry into effect the foregoing resolutions; and

**BE IT FURTHER RESOLVED**, that the Sponsor hereby ratifies, authorizes and confirms and approves all documents and instruments executed in connection with the Grant and the Agreement, including those acts taken prior to the date hereof.

**A motion was made by Vice Chairman Moody, seconded by Commissioner Arroyo, to recommend for approval 17-3106. The motion carried by the following vote:**

**Ayes:** García, Moody, Arroyo, Butler, Morrison and Schneider (6)

**Absent:** Gainer, Moore and Steele (3)

**17-3127**

**Sponsored by:** TONI PRECKWINKLE (President) and JESÚS G. GARCÍA, Cook County Board Of Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**AMENDMENT TO TAX INCENTIVE ORDINANCE**

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 74 Taxation, Article II Real Property Taxation, Division 2. - Classification System For Assessment, Sec. 74-71, of the Cook County Code is hereby amended as follows:

**Sec. 74-71**

**(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*), to each of its onsite Employees, unless such Employees' Wages are governed by Federal or State prevailing wage law. For purposes of this Section, the term "Employee" shall mean an employee who performs duties or services for an Employer on average at least 30 hours per week in any two week period for which the Employee is paid; "hours per week" shall mean hours for which an employee is paid or is entitled to payment by the Employer for a period of time during which no duties are performed by the Employee due to vacation, holiday, illness, incapacity, jury duty, military duty or approved leave of absence.
- (2) On and after July 1, 2020, the owner of any property 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.
- (23) 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.
- (4) Every Employer required to pay the Living Wage shall notify its Employees of the Living Wage requirement and shall notify all of its Employees annually of any adjustment to the

Living Wage. In addition, the Employer shall notify its Employees that if any Employee contends that the Employer is not paying a Living Wage or has otherwise violated this section, that Employee may file a complaint with the Cook County Commission on Human Rights ("Commission"). The Commission shall investigate alleged violations of the Living Wage Ordinance and is authorized to adopt regulations for the proper administration and enforcement of its provisions. If at the conclusion of the Commission's investigation, the Commission finds that the Employer has violated this section, it shall (1) in the case of an Employer receiving a property tax incentive, notify the Assessor; or (2) in the case of a Contractor or a subcontractor required to pay the Living Wage, notify the CPO, who shall exercise such remedies as are in the best interest of the County, including ordering the Employer to pay back pay and penalties, as provided in this section.

(35) 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.

(46) 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.

(57) 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.

(68) *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.**

(1) 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*) 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*) 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.

- (2) 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*) 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*) has not violated the statutory provisions identified in Subsection (a) of this Section.
- (3) 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*) 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*)\_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.

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

**A motion was made by Vice Chairman Moody, seconded by Commissioner Arroyo, to recommend for approval 17-3127. The motion carried by the following vote:**

**Ayes:** García, Moody, Arroyo, Butler, Morrison and Schneider (6)

**Absent:** Gainer, Moore and Steele (3)

**ADJOURNMENT**

**A motion was made by Vice Chairman Moody, seconded by Commissioner Schneider to adjourn the meeting. The motion carried by the following vote:**

**Ayes:** García, Moody, Arroyo, Butler, Morrison and Schneider (6)

**Absent:** Gainer, Moore and Steele (3)

Respectfully submitted,



Chairman



Secretary

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