



**BOARD OF COMMISSIONERS OF COOK COUNTY
BOARD OF COMMISSIONERS**

Virtual Meeting

New Items Agenda

Thursday, October 22, 2020, 10:00 AM

Fourth Set

20-4202

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

PROPOSED ORDINANCE

ESTABLISHING A PROPERTY ASSESSED CLEAN ENERGY (“PACE”) PROGRAM AND A PACE AREA TO FINANCE AND/OR REFINANCE THE ACQUISITION, CONSTRUCTION, INSTALLATION, OR MODIFICATION OF ENERGY PROJECTS; PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$500,000,000 TAXABLE PACE REVENUE NOTES OF THE COUNTY TO FINANCE PROJECTS PURSUANT TO THE COUNTY’S PACE PROGRAM, PROVIDING FOR THE PAYMENT OF SAID NOTES, AUTHORIZING THE SALE OF SAID NOTES TO THE PURCHASER THEREOF; AND OTHER MATTERS RELATED THERETO

WHEREAS, Cook County, a county duly organized and validly existing under the 1970 Constitution of the State of Illinois Constitution (the “Constitution”) and the laws of the State of Illinois (the “County”), is a home rule unit of local government of the State of Illinois authorized pursuant to the Property Assessed Clean Energy Act, 50 ILCS 50/1 et seq., as amended (the “PACE Act”) to establish a property assessed clean energy program (the “PACE Program”), create a PACE area (as defined in the PACE Act) and finance and/or refinance energy projects (as defined in the PACE Act), and may, under the power granted by said Section 6(a) of Article VII of the Constitution, as supplemented by the Local Government Debt Reform Act of the State of Illinois, as amended (the “Debt Reform Act”), and the other Omnibus Bond Acts, as amended, exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the PACE Act states that a program such as the PACE Program may be administered by a program administrator (as defined in the PACE Act);

WHEREAS, the County solicited a request for proposal in accordance with its Procurement Ordinance for qualified parties to be the program administrator for the PACE Program;

WHEREAS, the County desires to designate The Illinois Energy Conservation Authority NFP (“IECA”) as program administrator (the “Program Administrator”) for the PACE Program; and

WHEREAS, the Program Administrator has prepared the report attached hereto as Exhibit A (the “Program Report”) setting forth certain terms of the proposed PACE Program in conformity with the PACE Act; and

WHEREAS, the County now desires to establish the PACE area as the entire corporate limits of the County described in Exhibit B and to establish the PACE Program as further described herein and in the Program Report and to finance or refinance energy projects; and

WHEREAS, the Board of Commissioners of the County (the “Board”) has not adopted any ordinance, resolution, order or motion or provided any County Code provisions which restrict or limit the exercise of the home rule powers of the County in the issuance of limited recourse bonds or notes without referendum in furtherance of essential public and governmental purposes or which provides any special rules or procedures for the exercise of such power; and

WHEREAS, pursuant to the PACE Act, in order to provide capital in furtherance of the PACE Program the County may issue bonds or notes pursuant to and in accordance with Section 35 of the PACE Act, secured by payments under one or more Assessment Contracts, or if applicable, municipal bond insurance, letters of credit, or public or private guarantees of sureties or, if applicable, other lawfully available funds of the County including revenues sources or reserves from bond or note proceeds; and

WHEREAS, the Illinois Finance Authority, a body politic and corporate duly organized and validly existing under and by virtue of the laws of the State of Illinois (the “Authority”), is authorized to issue PACE bonds (as defined in the PACE Act) to finance or refinance energy projects in accordance with the PACE Act and pursuant to subsection (d) of Section 825-65 of the Illinois Finance Authority Act, 20 ILCS 3501/801-1 et seq. (the “Authority Act”); and

WHEREAS, the Board does hereby determine that it is advisable and in the best interests of the County to establish the Program in and for the County, designate a PACE Area, designate a program administrator, provide for property assessments, authorize the issuance of not to exceed \$500,000,000 Taxable PACE Revenue Notes or Bonds (“Bond” or “Bonds” are referred to throughout this Ordinance interchangeably as, the “Note” or the “Notes”) secured by payments under one or more Assessment Contracts, within certain expressed and delegated limitations as hereinafter set forth, and approve certain related matters:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF COOK, ILLINOIS, AS FOLLOWS:

Incorporation of the Recitals.

Public Purpose.

Designation of the Program Administrator.

Report of the Program Administrator; Creation of PACE Area.

Note Details and Security.

Execution; Authentication.

Registration of Notes; Persons Treated as Registered Owners.

Prepayment.

Sale of Notes.

Funds and Accounts.

Property Assessments

Limited Obligation of the County.

Covenants of the County.

No Conflicts; Further Acts of the County

Additional Ordinances.

No Public Hearing; Program Established.

Assessment Contract.

Additional Actions. The Authorized Officer is hereby authorized:

Enactment.

Severability.

Repealer and Effective Date.

This Ordinance shall become effective upon its passage and approval.

Click for full text: <https://tinyurl.com/y63rqx73>

[20-4814](#)

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

PROPOSED RESOLUTION

COOK COUNTY COMMUNITY RECOVERY LOAN PROGRAM FORGIVENESS

WHEREAS, on March 13, 2020, the President of the United States issued a Proclamation, declaring a National Public Health Emergency as a result of the COVID-19 outbreak; and

WHEREAS, on March 27, 2020, the President of the United States signed into law the Coronavirus Aid, Relief, and Economic Security Act (the “CARES Act”); and

WHEREAS, the CARES Act established the Coronavirus Relief Fund (“CRF”), which provides aid to eligible local governments to address necessary expenditures due to the COVID-19 Public Health Emergency; and

WHEREAS, on April 7, 2020, President Preckwinkle issued Executive Order 2020-9 which authorized the Cook County Bureau of Economic Development (BED) to develop, establish and administer a loan and technical assistance program for independent contractors and small businesses located in suburban Cook County in the amount of \$10 Million; and

WHEREAS, Cook County qualified as an eligible local government and received \$429 Million in CRF funding from the U.S Department of Treasury; and

WHEREAS, as a result of COVID-19, Cook County businesses and residents have been severely impacted and recovery initiatives are needed to assist Cook County businesses and residents as result of losses suffered and unforeseen expenses incurred; and

WHEREAS, on July 30, 2020, the Cook County Board of Commissioners approved the allocation of nearly \$82 Million in CRF funds to support the implementation of BED programs and initiatives to address the needs of residents, community development and small businesses in suburban Cook County, namely the Cook County Recovery Loan Program, Cook County COVID-19 Small Business Recovery Grant and Technical Assistance Program, Cook County Rental Assistance Program, Cook County Mortgage Assistance Program, and the Cook County Critical Social Service Programs; and

WHEREAS, the US Department of Treasury limits the use of CRF for eligible expenses by December 30, 2020; and

WHEREAS, Cook County determines that forgiveness of the loans extended through the Cook County Community Recovery Loan Program is necessary in response to adequately support such loan recipients through the ongoing public health emergency in Cook County; and

WHEREAS, in order to support Cook County Community Recovery Loan Program recipients in the ongoing public health emergency and prior to the December 30, 2020 deadline, the BED proposes to forgive such loans extended through such program up to \$10 Million, and to reimburse the County with up to \$10 Million in CRF funding for such loan forgiveness. Such forgiven loans shall thereby be considered grants in accordance with the U.S. Treasury guidelines for CRF funding issued pursuant to Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act and subsequent guidance.

NOW THEREFORE BE IT RESOLVED, that the Cook County Board of Commissioners hereby determines that forgiveness of loans up to \$10 Million made under the Cook County Community Recovery program is necessary in response to the public health emergency in Cook County, and approves the use of up to \$10 Million in CRF funding allocated to the BED to forgive such loans made to independent contractors and small businesses to further assist them in the community recovery efforts as a result of COVID-19 pandemic.

BE IT FURTHER RESOLVED, that as the US Department of Treasury limits the use of CRF for eligible expenses by December 30, 2020, the Cook County Board of Commissioners recognizes that time is of the essence and, authorizes BED to forgive the loans issued under the Cook County Community Recovery Loan Fund that was implemented pursuant to Executive Order 2020-9 in the amount of up to \$10 Million and to use CRF to reimburse the County for such loans in the amount of up to \$10 Million. The Cook County Board of Commissioners further authorizes the Chief of the BED to modify and enter into any agreements as necessary to forgive the loans made to independent contractors and small businesses under the Cook Community Recovery Loan Fund and to provide grants to such independent contractors and small businesses in lieu thereof.

[20-4866](#)

Sponsored by: BRANDON JOHNSON, Cook County Board of Commissioners

PROPOSED RESOLUTION

A RESOLUTION TO FULLY FUND OUR COMMUNITIES BY CANCELING WALL STREET PAYMENTS

WHEREAS, the COVID-19 pandemic has created a crisis more sudden and far more dramatic than any previously in history; and

WHEREAS, to date the COVID-19 virus has no known cure or vaccine, and will continue to spread with no certain end in sight, requiring continued public health measures; and

WHEREAS, in a period of just six months, the COVID-19 pandemic has infected more than 6.8 million people and caused the death of more than 200,000 people in the United States; and

WHEREAS, the COVID-19 pandemic has forced state and local governments to shut down businesses for weeks even months to protect everyone's health, with tens of millions of people losing their jobs within a period of weeks and millions more underemployed; and

WHEREAS, the COVID-19 pandemic continues to constitute an emergency that places essential workers at high risk for contracting the virus: Public sector employees, such as first responders, public health staff, sanitation workers, and safety net enrollment staff are among the many public employees saving lives, keeping communities safe, and ensuring that families have access to healthcare, food and roofs over their heads; and

WHEREAS, state and local governments are facing staggering budget shortfalls as economic contraction has reduced nearly all forms of government revenues, with the prospect of severe cuts to public services, painful layoffs and austerity measures on the horizon that will disproportionately impact Black, Brown and Indigenous workers and communities; and

WHEREAS, state and local governments are unable to predict the true scale of declining revenues, as costs rise sharply from business closings and rampant unemployment; and

WHEREAS, the public health and economic crises caused by the pandemic demand a robust safety net and the expansion of public services; and

WHEREAS, the imposition of austerity measures and service cuts will not only greatly increase the suffering of communities and families, it will prolong our recovery and roll back advances we have made in creating more equitable communities for Cook County residents; and

WHEREAS, the recovery from the COVID-19 pandemic will be uneven and disastrous without reprioritization of our local budget; and

WHEREAS, state and local governments across the country pay an estimated \$160 billion annually in interest payments on public debt, hindering governments' ability to provide critical services and meet community needs; and

WHEREAS, these high-interest payments that are intended to compensate creditors for the risk that borrowers will default on their debts become a major drain on public budgets; and

WHEREAS, the risk of state and local governments and government agencies defaulting on their debts is virtually nonexistent because debt payments take priority over almost all other government expenses and history shows that municipal borrower default rates are less than 0.2 percent; and

WHEREAS, despite these extremely rare defaults, credit rating agencies give municipal borrowers lower credit ratings than corporations with riskier credit profiles, thereby forcing them to pay unreasonably high interest rates; and

WHEREAS, credit rating agencies give municipal borrowers with larger concentrations of people of color lower credit ratings; and

WHEREAS, the Wall Street banks that underwrite the municipal bonds have rigged the rules to maximize profits; and

WHEREAS, Wall Street banks have a long history of targeting municipal borrowers with fraudulent practices and predatory forms of debt, of repeatedly breaking federal and state antitrust and securities laws, and of defrauding municipal borrowers with misleading information to pad their own bottom line; and

WHEREAS, many of the bondholders profiting off of the interest from municipal bonds are the same wealthy investors who don't pay their fair share in taxes; and

THEREFORE BE IT RESOLVED, by the Cook County Board of Commissioners that the Office of the Chief Financial Officer enter into conversations with the financial institutions that serve as bond underwriters for Cook County and demand that they offer Cook County long-term loans with terms of up to 30 years to meet all of its borrowing needs without charging any interest or fees; and

BE IT FURTHER RESOLVED, that the Cook County Board of Commissioners calls on the Federal Reserve Bank of the United States to offer long-term loans with terms of up to thirty years to meet all of the borrowing needs of all state and local governments and government units in the United States without charging them any interest or fees.

[20-4117](#)

Presented by: TIMOTHY C. EVANS, Chief Judge, Circuit Court of Cook County

PROPOSED CONTRACT AMENDMENT

Department(s): Circuit Court of Cook County, Juvenile Probation and Court Services

Vendor: Aunt Martha's Youth Service Center, Inc. Olympia Filed, Illinois

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

Good(s) or Service(s): Evening Reporting Center Services

Original Contract Period: 10/1/2013 - 9/30/2016, with two (2), one (1) year renewal options

Proposed Amendment Type: Extension and Increase

Proposed Contract Period: 12/1/2020 -11/30/2021

Total Current Contract Amount Authority: \$10,761,724.30

Original Approval (Board or Procurement): Board, 9/11/2013, \$5,192,160.00

Increase Requested: \$1,243,899.00

Previous Board Increase(s): (9/14/2016, \$1,768,740.00), (9/13/2017, \$1,926,326.30), (8/25/2018, \$912,400.00), (7/25/2019, \$624,229.00), (3/26/2020, \$829,266.00)

Previous Chief Procurement Officer Increase(s): n/a

Previous Board Renewals: (9/14/2016: 10/1/2016 - 9/30/2017), (9/13/2017: 10/1/2017 - 9/30/2018), (8/25/2018: 10/1/2018 - 9/30/2019)

Previous Chief Procurement Officer Renewals: N/A

Previous Board Extension(s): (7/25/2019: 10/1/2019 - 3/31/2020), (4/7/2020: 4/1/2020 -11/30/2020)

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

Potential Fiscal Impact: FY 2021 \$1,243,899.00

Accounts: 11100.1326.15295.521313 Special and Co-op Programs

Contract Number(s): 13-23-001

Concurrences:

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

The Chief Procurement Officer concurs.

Summary: The Evening Reporting Center Program is a key component of the Circuit Court's Juvenile Detention alternative Initiative. The one year extension is being requested to allow uninterrupted services to continue for court involved youth until there is a determination for funding to award a new contract to the qualifying proposers who responded to the request for proposal.

This contract was originally awarded through Request for Proposal (RFP) procedures in accordance with Cook County Procurement Code. Aunt Martha's Youth Service Center, Inc. was selected based on established evaluation criteria.