

## **PROPOSED SUBSTITUTE ORDINANCE AMENDMENT**

**Sponsored by:** TONI PRECKWINKLE, President, Cook County Board of Commissioners and BRIDGET GAINER and LARRY SUFFREDIN, County Commissioners

### **JUVENILE TEMPORARY DETENTION CENTER ADVISORY BOARD**

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 2 Administration, Article I. Boards, Commissions and Committees, Division 2. Juvenile Temporary Detention Center Advisory Board, Sec. 2-511 through 2-521 of the Cook County Code are hereby amended as follows:

#### **ARTICLE VI. BOARDS, COMMISSIONS AND COMMITTEES**

##### **DIVISION 3. JUVENILE TEMPORARY DETENTION CENTER ADVISORY BOARD**

###### **Sec. 2-511. Short title.**

This Ordinance shall be known and may be cited as the "Ordinance Establishing the Cook County Juvenile Temporary Detention Center Advisory Board."

###### **Sec. 2-512. Purpose of the Juvenile Temporary Detention Center Advisory Board.**

The purpose of the Advisory Board is to establish an advocacy and resource group to provide public recommendations to the Executive Director of the Juvenile Temporary Detention Center ("JTDC"), the Chief Judge, the County Board and the President on matters relating to the policies and operations of the JTDC.

###### **Sec. 2-513. Declaration.**

- (a) The County Board hereby establishes the Cook County Juvenile Temporary Detention Center Advisory Board ("Advisory Board"). The County Board hereby finds and declares that the Advisory Board shall provide, but not limited to, the following:
  - (1) Make public recommendations to the, Executive Director of the JTDC, the Chief Judge, the County Board and the President regarding administrative policies and procedures for operating the JTDC.
  - (2) Provide public recommendation to maximize the use of existing resources at the JTDC.
  - (3) Provide public recommendations regarding the educational, physical, social, and psychological needs of the population.

- (4) Establish public performance measures to track and measure the achievement of the JTDC's mission.
- (5) Provide public recommendations as needed to ensure the general health, mental health, educational, physical, social and psychological needs of the population at the JTDC are being recognized and addressed.

**Sec. 2-514. Definitions.**

For purposes of this article, the following words or terms shall have the meaning or construction ascribed to them in this section:

*Advisory Board* means the eleven (11) member board charged with providing public recommendations to the Executive Director of the JTDC, the Chief Judge, the County Board and the President on all matters relating to the policies and operations of the JTDC.

*Chairperson* means the chairperson of the Juvenile Temporary Detention Center Advisory Board.

*County Board* means the Board of Commissioners of Cook County, Illinois.

*Member* means a member of the Advisory Board.

*Ordinance* means the Ordinance Establishing the Cook County Juvenile Temporary Detention Center Advisory Board Ordinance, as amended.

*President* means the President of the Board of Commissioners of Cook County, Illinois.

**Sec. 2-515. Establishment of the Cook County Juvenile Temporary Detention Center Advisory Board ("Advisory Board").**

- (a) The Advisory Board is hereby created and established. The Advisory Board shall consist of eleven (11) members called "Members." The purpose of the Advisory Board is to establish an advocacy and resource group to provide public recommendations to the Executive Director of the JTDC, the Chief Judge, the County Board and the President on matters relating to the policies and operations of the Juvenile Temporary Detention Center.

**Sec. 2-516. Members of the JTDC Advisory Board.**

- (a) *General.* The appointed Members shall receive no compensation for their service, but may be reimbursed for actual and necessary expenses while serving on the JTDC Advisory Board. Pursuant to the relevant legal requirements regarding juvenile records, medical records, mental health records or any other law regulating sensitive and/or personal information, Members shall keep any and all such information confidential.

- (b) *Number of Members.* There shall be eleven (11) Members of the JTDC Advisory Board.
- (c) *Appointment of Members.* One of the eleven Members shall be an Ex-Officio Member; the ex-officio Member shall be a Cook County Board Commissioner, the ex-officio Member shall be a joint appointment of the President and Chief Judge. The ex-officio Member shall be a voting Member of the JTDC Advisory Board. The ex-officio Member shall serve as a liaison between the County Board and the JTDC Advisory Board. The ten (10) remaining Members may be appointed by the President and the Chief Judge as follows;
- (1) Five Members are to be appointed by the President and five Members may be appointed by the Chief Judge, Members may include youth community advocates, youth development experts, educators, mental health specialists, physicians, and attorneys to ensure that the various needs of this population are recognized and served. One of the Members appointed by the President shall be a young adult.
  - (2) The Cook County Justice Advisory Council shall solicit and accept written nominations of interested and qualified persons to sit on the JTDC Advisory Board within 60 days of approval and adoption of this ordinance. Within 45 days thereafter, the Chair of the Cook County Justice Advisory Council shall submit all applicants to the President and the Chief Judge in writing for consideration. Nominated candidates shall at a minimum satisfy the qualifications listed in Section 2-517. The President shall then appoint five (5) individuals ~~four (4) individuals~~ from the list of nominees to serve on the JTDC Advisory Board, and the Chief Judge may appoint five (5) individuals ~~four (4) individuals~~ from the list of nominees to serve on the JTDC Advisory Board. For appointments to the JTDC Advisory that would occur post December 3, 2013, the President and Chief Judge may accept nominations or solicit and accept written applications from interested and qualified persons to sit on the JTDC Advisory Board directly; however, said applicants or nominees shall at a minimum satisfy the qualifications listed in Section 2-517; Advisory Board Appointments occurring post December 3, 2013 shall be subject to confirmation by the County Board.
  - (3) Should a nominee recommended for appointment by the President or Chief Judge withdraw prior to being confirmed, be rescinded by the appointing authority prior to confirmation or should the nominee recommended for appointment be rejected by the County Board, the President and/or the Chief Judge depending on the appointing authority may submit additional nominations to the County Board for consideration within 60 (sixty) days following withdrawal, rescission or rejection by the County Board.

(d) Any unfilled initial Member positions as of December 3, 2013 that are subject to appointment by the President or Chief Judge (including the ex-officio Member) must be nominated for appointment to the County Board by the appropriate appointing authority by February 19, 2014. If by February 20, 2014 nominees for any unfilled initial Member terms have not been submitted to the County Board for consideration, the County Board shall appoint any remaining initial Members, including the ex-officio Member, for the JTDC Advisory Board as follows:

- (1) The Chair of the Cook County ~~Law Enforcement~~ Criminal Justice Legislation and Intergovernmental Relations Committee will ~~immediately~~ begin to solicit and accept written nominations of interested and qualified persons to sit on the Advisory Board beginning on April 10, 2014. Applications will be accepted until April 30, 2014. Applicants must submit his or her written statement of interest in the position and his or her resume.
- (2) Within ~~60~~ 45 ~~30~~ days thereafter the application deadline of April 30, 2014, the Cook County ~~Law Enforcement~~ Criminal Justice Legislation and Intergovernmental Relations Committee will hold a public hearing in compliance with the Illinois Open Meetings Act, 70 ILCS 3615/38.02 (b) (7) iii to review and approve nominees and submit them for consideration at the next immediately scheduled Cook County Board Meeting.
- (3) Prior to their confirmation hearing, each candidate for appointment by the President or Board of Commissioners shall submit a notarized, signed affidavit to the Chairman of the Legislation and Intergovernmental Relations Committee, that:
  - a. Is signed by the candidate;
  - b. Is sworn under oath, under penalties of perjury;
  - c. Is notarized;
  - d. Attests that the candidate fulfills the requirements set forth under the requisite statute, ordinance, law or regulation that creates the appointment, including, but not limited to:
    - a. Any residency requirements; and/or
    - b. Any prohibitions on dual employment;
  - e. Attests that the candidate possesses the adequate qualifications and skills;

- f. Notarizes and acknowledges:
  - a. The candidate's actual residency address;
  - b. The length of time that the candidate has resided at their actual residency;
  - c. If the candidate owns any other residential property within Cook County; and
  - d. If the candidate obtains any homeowners property tax exemptions for property other than their actual residency address.

(4) If there is any change in the information contained in the affidavit after the candidate is appointed, the candidate will notify the President of the Cook County Board of Commissioners and the Chairman of the Legislation and Intergovernmental Relations Committee in writing within seven business days of the change.

(5) For any vacancy according to Section 2-516 (f) that occurs after June 1, 2014, the following procedures will be utilized:

- a. Upon notice of a vacancy in an appointment made pursuant to Section 2-516 (c), the President shall submit his or her nomination to the Chairman of the Legislation and Intergovernmental Relations Committee.
- b. Upon a notice of a vacancy in an appointment made pursuant to Section 2-516 (d), the Chairman of the Legislation and Intergovernmental Relations Committee shall solicit and accept written nominations for that vacancy.
- c. The President of the Cook County Board of Commissioners may renominate any of her previous appointments made pursuant to Section 2-516 (c).
- d. Following the submission a nominee by the President or collection of applications by the Chairman of the Legislation and Intergovernmental Relations Committee, the Chairman shall hold a public hearing in compliance with the Illinois Open Meetings Act, 70 ILCS 3615/38.02 (b) (7) iii to approve any nominee to the Juvenile Temporary Detention Center Advisory Board.

- e. All applicants for any vacancy shall submit an affidavit as outlined in Section 2-516 (d)(3).

(e) *Terms of Members.*

(1) *Ex-Officio Member.*

- a. The ~~President's and Chief Judge's~~ Cook County Board Commissioner ex-officio Member shall serve as their County Board appointment for the length of the Commissioner's term. Upon an appointment or election change for the representative from the County Board, the President and Chief Judge may provide notice to the County Board and the JTDC Advisory Board of any such change in ex-officio member appointment.

(2) *The remaining Members.* The remaining ten (10) Members of the JTDC Advisory Board shall serve terms as follows

- a. For the initial Members,
  - 1. One (1) of the Members appointed by the President, other than the ex-officio Member, shall serve a term that expires on June 30, 2015 ~~June 30, 2013~~.
  - 2. Two (2) of the Members appointed by the Cook County Board or Chief Judge, other than the ex-officio Member, shall serve a term that expires on December 30, 2015 ~~December 30, 2014~~.
  - 3. Two (2) of the Members appointed by the President other than the ex-officio Member, shall serve a term that expires on June 30, 2016 ~~June 30, 2014~~.
  - 4. One (1) of the Members appointed by the Cook County Board or Chief Judge, other than the ex-officio Member, shall serve a term that expires on December 30, 2016 ~~December 30, 2015~~.
  - 5. Two (2) of the Members appointed by the President other than the ex-officio Member, shall serve terms that expire on June 30, 2017 ~~June 30, 2015~~.
  - 6. Two (2) of the Members appointed by the Cook County Board or Chief Judge, other than the ex-officio Member, shall serve terms that expire on December 30, 2017 ~~December 30, 2016~~.

- b. Thereafter, all Members other than the ex-officio member appointed shall serve a term of three (3) years.
  - 1. Each appointed Member, whether Initial or subsequent, shall hold office until a successor is appointed.
  - 2. Any appointed Member who is appointed to fill a vacancy, other than a vacancy caused by the expiration of the predecessor's term, shall serve until the expiration of his or her predecessor's term.
  
- (f) *Vacancy.* A vacancy shall occur upon the:
  - (1) Expiration of Member's term,
  - (2) Resignation,
  - (3) Death,
  - (4) Conviction of a felony, or
  - (5) Removal from the office of an appointed Member as set forth in paragraph (g) of this section.
  
- (g) *Removal of Members.* A JTDC Advisory Board Member may be removed for good cause by their Nominating Party~~President or Chief Judge~~. Good cause includes inefficiency, neglect of duty, malfeasance, or any cause which renders the Member unfit for the position or unable to perform the duties of the position. The ~~President or Chief Judge~~ Nominating Party shall provide written notice to that Member, the Executive Director of the JTDC, and the County Board of the proposed removal of that Member from the Advisory Board; such notice shall state the specific grounds which constitute cause for removal. The Member, in receipt of such notice, may request to appear before the County Board and present reasons in support of his or her retention. Thereafter, the County Board shall vote upon whether there are sufficient grounds to remove that Member from office. The ~~President or Chief Judge~~ Nominating Party shall notify the subject Member of the final action of the County Board.

**Sec. 2-517. Qualifications of Members.**

- (a) Criteria to be considered in nominating or appointing individuals to serve as Members shall include:
  - (1) Background and skills needed on the JTDC Advisory Board;

- (2) Resident of Cook County, Illinois;
  - (3) Availability and willingness to attend a minimum of four (4) JTDC Advisory Board meetings annually; and
  - (4) Willingness to acquire the knowledge and skills required to advise on complex juvenile detention center issues.
- (b) Ability and willingness to:
- (1) Promptly relate community input to the JTDC Advisory Board;
  - (2) Learn sufficient details about JTDC management and operations in order to effectively evaluate proposed actions and reports; and
  - (3) Accept and fulfill reasonable assignments from the Chairperson of the JTDC Advisory Board.

**Sec. 2-518. Chairperson/officers of the Advisory Board.**

- (a) The Members shall select the initial Chairperson of the JTDC Advisory Board from among the initial Members. The Chairperson shall serve a one-year term and, thereafter, the JTDC Advisory Board shall annually elect a chairperson from among the Members.
  - (1) The Chairperson shall preside at meetings of the JTDC Advisory Board, and is entitled to vote on all matters before the JTDC Advisory Board.
  - (2) A Member may be elected to serve successive terms as Chairperson.

**Sec. 2-519. Meetings of the JTDC Advisory Board.**

- (a) The President shall call the first meeting of the JTDC Advisory Board, after consultation with the Chief Judge. Thereafter, the Members shall prescribe the times and places for their meetings and the manner in which regular and special meetings may be called.
- (b) Meetings shall be held at the call of the Chairperson, however, no less than six (6) meetings shall be held annually
- (c) A majority of the voting Members shall constitute a quorum. Recommendations of the JTDC Advisory Board shall require the affirmative vote of a majority of the voting members of the JTDC Advisory Board present and voting at the meeting at which the action is taken.
- (d) To the extent feasible, the JTDC Advisory Board shall provide for and encourage participation by the public in the development and review of recommendations for



JTDC. The JTDC Advisory Board may hold public hearings as it deems appropriate to the performance of any of its responsibilities.

- (e) The JTDC Advisory Board shall comply in all respects with the Open Meetings Act, as now or hereafter amended, and found at 5 ILCS 120/1, et seq.
- (f) The JTDC Advisory Board shall be subject to the Local Records Act, as now or hereafter amended, and found at 50 ILCS 205/1, et seq.

**Sec. 2-520. Annual report of the JTDC Advisory Board.**

- (a) The JTDC Advisory Board shall submit to the Executive Director of the JTDC, the Chief Judge, the Board of Commissioners and the President an annual report prior to the end of the Cook County fiscal year.
- (b) Included in the report shall be any recommendations for additional legislation or other action which may be necessary to carry out the mission, purpose and intent of the JTDC.

**Effective date:** This ordinance shall be effective immediately upon approval and adoption.