



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

**Virtual Meeting**

**New Items Agenda**

**Thursday, September 23, 2021, 10:00 AM**

**Second Set**

[21-5033](#)

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

**PROPOSED ORDINANCE**

**AN ORDINANCE AUTHORIZING THE SALE OF TAXABLE PROPERTY ASSESSED CLEAN ENERGY NOTES OF THE COUNTY; AND OTHER MATTERS RELATED THERETO**

**WHEREAS**, Cook County (the “County”), is a county duly organized and validly existing under the laws of the State of Illinois (the “State”), and is a home rule unit of local government of the State pursuant to the 1970 Constitution of the State (the “Constitution”), and is further authorized pursuant to the Property Assessed Clean Energy Act of Illinois, 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) (the “Energy Projects”), and may, under the power granted by 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 issue limited recourse bonds or notes without referendum in furtherance of essential public and governmental purposes; and

**WHEREAS**, on the 22nd day of October, 2020, the Board of Commissioners of the County (the “Board”) approved Ordinance No. 20-4202 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 (“Notes”) of the County to Finance Projects Pursuant to the County’s PACE Program (the “PACE Program”), Providing for the Payment Of Said Notes, Authorizing the Sale of Said Notes to the Purchaser Thereof; and Other Matters Related Thereto (the “PACE Ordinance”); and

**WHEREAS**, Our Revival Chicago, LLC, an Illinois limited liability company (together with its successors and assigns the “Property Owner”) completed an application to participate in the PACE Program in order to finance or refinance certain qualified Energy Projects that benefit certain real property of the Property Owner (the “Ramova Theatre Project”) located within the County at 3506-18 South Halsted Street, Chicago, Illinois (the “Property”) in the amount of approximately \$7,400,000; and

**WHEREAS**, the PACE Ordinance requires additional authorization from the Board when a property owner is the beneficiary of Notes in an amount greater than \$5,000,000; and

**WHEREAS**, the County desires to approve the issuance of Notes (the “Ramova Theatre Project Notes”) secured not by the credit of the County but rather through voluntary assessments on the benefitted property as described further herein, in support of the Ramova Theatre Project in the amount of not to exceed \$7,400,000; and

**WHEREAS**, the Ramova Theatre Project Notes will be repaid through voluntary tax assessments levied on the Property from time to time by the County pursuant to the PACE Act and that certain assessment contract to be entered into between the County and the Property Owner (the "Assessment Contract"), in substantially the form previously approved by the Board as part of the PACE Ordinance; and

**WHEREAS**, the Assessment Contract establishes the terms of the Property Owner's participation in the PACE Program and payment of the amounts financed for costs associated with the Ramova Theatre Project; and

**WHEREAS**, the Board does hereby determine that it is advisable and in the best interests of the County to approve the issuance of the Ramova Theatre Project Notes:

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

**Section 1. Incorporation of the Recitals.** The Board hereby finds that all of the recitals contained in the preambles to this Ordinance are true, correct and complete and are hereby incorporated by reference thereto and are made a part hereof.

**Section 2. Public Purpose.** The Board finds it is necessary and in the best interests of the County to facilitate capital in furtherance of the PACE Program and issue the Ramova Theatre Project Notes, in the form attached hereto as Exhibit A. It is hereby found and determined that such issuance of Notes is advisable for the public health, safety, welfare and convenience, is for a proper public purpose or purposes, is in the public interest, and is authorized pursuant to the PACE Ordinance, the PACE Act, the Counties Code of the State of Illinois, and the Local Government Debt Reform Act; and as further supplemented and, where necessary, superseded by the County's home rule powers under Section 6 of Article VII of the 1970 Constitution of the State of Illinois, and these findings and determinations shall be deemed conclusive.

**Section 3. Approval of Issuance of Ramova Theatre Project Notes.** The Board hereby authorizes that there be borrowed for and on behalf of the County the Ramova Theatre Project Notes in an aggregate principal amount of not to exceed \$7,400,000 for costs associated with the Ramova Theatre Project. The Ramova Theatre Project Notes shall be non-recourse to the County and secured solely by payments received by the County under and pursuant to the terms of the Assessment Contract, in the form attached hereto as Exhibit B. The County shall make principal payments on the Ramova Theatre Project Notes, together with applicable interest, fees, penalties, indemnities and other amounts payable to the Registered Owner (as defined in the PACE Ordinance) under the Assessment Contract, in the amounts and on the dates set forth in the Note Notification (as defined in the PACE Ordinance). Such County payments shall be made solely from the revenues received by the County under the Assessment Contract. Upon the sale of the Ramova Theatre Project Notes, the Authorized Officers (as defined in the PACE Ordinance) shall prepare a Note Notification, which shall include the pertinent details of sale of such Ramova Theatre Project Notes as provided in the PACE Ordinance.

**Section 4. No Conflicts; Further Acts of the County.** It is hereby found that no person holding any office of the County either by election or appointment, is in any manner financially interested, either directly, in his or her own name, or indirectly, in the name of any other person, association, trust or corporation, in the transactions contemplated hereby.

**Section 5. Additional Ordinances.** The Board may adopt additional ordinances or proceedings supplementing or amending this Ordinance. This Ordinance and the PACE Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the County to make the property assessments described herein and in the PACE Ordinance and for the County to issue the Ramova Theatre Project Notes, all in accordance with applicable law.

**Section 6. No Public Hearing; Program Established.** The Board hereby finds that no public hearing shall be required in connection with the issuance of the Ramova Theatre Project Notes.

**Section 7. Enactment.** No provision of the County Code of the County (the "County Code") or violation of any provision of the County Code shall be deemed to impair the validity of this Ordinance or the instruments authorized by this Ordinance or to impair the security for or payment of the instruments authorized by this Ordinance; provided further, however, that the foregoing shall not be deemed to affect the availability of any other remedy or penalty for any violation of any provision of the County Code.

**Section 8. Severability.** The provisions of this Ordinance are hereby declared to be separable and if any section, paragraph, clause or provision of this Ordinance shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect any of the other provisions of this Ordinance.

**Section 9. Repealer and Effective Date.** All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed and this Ordinance shall be in full force and effect forthwith upon its adoption.

A copy of this Ordinance shall be published in pamphlet form, filed in the office of the County Clerk and made available for public inspection.

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

[21-5326](#)

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

**PROPOSED INTERGOVERNMENTAL AGREEMENT**

**Department:** Department of Budget and Management Services

**Other Part(ies):** Forest Preserve District of Cook County

**Request:** Authorization to enter into the Tenth Amended and Restated Intergovernmental Agreement (“Agreement”) between the County of Cook (the “County”) and the Forest Preserve District of Cook County (the “Forest Preserve”) for the reimbursement of payment for certain services rendered by various County departments and the Forest Preserve.

**Goods or Services:** The County and the Forest Preserve wish to amend and restate the recently approved Ninth Amended and Restated Intergovernmental Agreement (approved by the Board of Commissioners on 01/28/21 for FY2021) whereby they provide various services for each other .

**Agreement Number(s):** N/A

**Agreement Period:** 1/1/2022-12/31/2022

**Fiscal Impact:** Not to exceed \$2,103,614 in revenue and \$1,567,452 in expenses

**Accounts:** Various Countywide Corporate Accounts

**Summary:** The County and the Forest Preserve entered into an Intergovernmental Agreement on 8/21/2012 authorizing the Parties to perform various services for the other, in accordance with the Intergovernmental Cooperation Act. The Parties agreed to provide various services and to provide reimbursement for payment for said services. The Intergovernmental Agreement was further amended on 4/25/2013, 6/18/2014, 9/8/2015, 11/15/2016, 6/6/2017, 4/25/2018, 9/26/2018, 2/21/2019, 10/22/2020, and on 1/28/2021 to allow for additional cooperation. The Tenth Amended and Restated Intergovernmental Agreement consolidates the prior agreements into one Intergovernmental Agreement, so the parties can refer to one agreement, and this document also contains additional services and reimbursements for FY2022. This is a one-year agreement covering services and reimbursements from January 1, 2022 to December 31, 2022.

[21-5067](#)

**Presented by:** ANNETTE GUZMAN, Budget Director

**PROPOSED TRANSFER OF FUNDS**

**Department:** Department of Budget & Management Services

**Request:** Transfer of Funds

**Reason:** Funds transfer from ARPA fund balance to (3) accounts.

**From Account(s):**

11286.1014.10155.580380

**To Account(s):**

11286.1014.60162.501010: \$3,000,000

11286.1014.60162.501166: \$85,000,000

11286.1032.60162.520830: \$1,655,851

**Total Amount of Transfer:** \$89,655,851

**On what date did it become apparent that the receiving account would require an infusion of funds in order to meet current obligations? What was the balance in the account on that date, and what was the balance 30 days prior to that date?**

These transfers are related to the following:

- (a) \$3,000,000 approved in board resolution 21-3657 for the hiring of employees to support ARPA initiatives
- (b) \$1,655,851 approved in board resolution 21-3657 for professional services and administrative costs. This funding is required for BHR's workforce strategy consulting contract to assist with hiring of ARPA personnel
- (c) \$85,000,000 for pandemic pay and additional compensation for work done to mitigate the effects of the COVID-19 public health emergency, the authority for which is before the board during the September board agenda.

**How was the account used for the source of transferred funds identified? List any other accounts that were also considered (but not used) as the source of the transferred funds.**

Please see above. This is related to funding already approved for technical assistance and personnel through ARPA. Authority to use ARPA for pandemic pay and other compensation related to the pandemic is before the board this month.

**Identify any projects, purchases, programs, contracts, or other obligations that will be deferred,**

delayed, or canceled as a result of the reduction in available spending authority that will result in the account that funds are transferred from.

N/A.

If the answer to the above question is “none” then please explain why this account was originally budgeted in a manner that caused an unobligated surplus to develop at this point in the fiscal year.

N/A

[21-5088](#)

**Presented by:** ANNETTE GUZMAN, Budget Director

**PROPOSED TRANSFER OF FUNDS**

**Department:** Department of Budget & Management Services

**Request:** Transfer of Funds

**Reason:** Funds transfer from BED CARES Act Grants Program to DBMS CARES Act COVID-19 Program.

**From Account(s):** 11284.1027.20194.580170

**To Account(s):** 11284.1014.20192.580380

**Total Amount of Transfer:** \$4,685,302.87

**On what date did it become apparent that the receiving account would require an infusion of funds in order to meet current obligations? What was the balance in the account on that date, and what was the balance 30 days prior to that date?**

This transfer is not based on needing additional funding. As part of the CARES Act program, the Bureau of Economic Development was appropriated \$81M to distribute through approved economic development initiatives. As we near the expiration date set by the US Department of Treasury for the use of CARES Act funding (which is Dec. 31, 2021), the Bureau of Finance has worked with BED to forecast out their anticipated spend through the end of the County’s fiscal year (Nov. 30, 2021). Thus, we are transferring the amount of funding that BED anticipates will not be spent by that time in order to use the funding to cover other identified County COVID-19 costs.

**How was the account used for the source of transferred funds identified? List any other accounts that were also considered (but not used) as the source of the transferred funds.**

See above.

**Identify any projects, purchases, programs, contracts, or other obligations that will be deferred, delayed, or canceled as a result of the reduction in available spending authority that will result in the account that funds are transferred from.**

N/A.

**If the answer to the above question is “none” then please explain why this account was originally budgeted in a manner that caused an unobligated surplus to develop at this point in the fiscal year.**

N/A

[21-0797](#)

**Presented by:** ISRAEL ROCHA JR., Chief Executive Officer, Cook County Health & Hospitals System

**PROPOSED COOK COUNTY HEALTH AND HOSPITALS SYSTEM PRELIMINARY BUDGET**

**Department:** Cook County Health and Hospitals System

**Summary:** The Board of Directors of the Cook County Health & Hospitals System ("Health System Board") respectfully requests approval of the FY2021 Preliminary Budget of the Cook County Health & Hospitals System, doing business as Cook County Health ("CCH"), pursuant to the Cook County Ordinance establishing the Cook County Health & Hospitals System, Section 38-83, Preliminary CCHHS Budget and Annual Appropriation Ordinance