



BOARD OF COMMISSIONERS OF COOK COUNTY
Cook County Building, Board Room, 118 North Clark Street, Chicago, Illinois

New Items Agenda

for the

Meeting of the Board of Commissioners

Wednesday, October 7, 2015, 11:00 AM

15-5775

Sponsored by: ROBERT STEELE, County Commissioner

PROPOSED ORDINANCE AMENDMENT

CLERK OF THE CIRCUIT COURT, COURT AUTOMATION FEES

WHEREAS, Illinois Compiled Statutes, 705 ILCS 105/27.3a, authorizes county boards to require the Clerk of the Circuit Court to collect a court automation fee to be used to establish and maintain an automated record keeping system; and

WHEREAS, on October 3, 1988, the Cook County Board of Commissioners adopted County Ordinance 88-0-45 (Ordinances of Cook County, Chapter 13, section 13-186.1-186.4) establishing the Court Automation Fund and authorizing the Clerk of the Circuit Court to collect an additional court filing fee of \$3.00; and

WHEREAS, Section 1 of P.A. 87-670, effective January 1, 1992, amended Illinois Compiled Statutes, 705 ILCS 105/27.3a, by increasing the fees authorized to be collected to an amount not to exceed \$5.00; and

WHEREAS, on February 3, 1992, the Cook County Board of Commissioners amended County Ordinance 92-0-15 increasing the fee to \$5.00; and

WHEREAS, on August 15, 2005, Public Act 094-0596, approved by the State Legislature and signed by the Governor, amended 705 ILCS 105/27.3a, increasing the maximum court automation fee to \$15.00; and

WHEREAS, on December 27, 2013, Public Act 098-0606, approved by the State Legislature and signed by the Governor, amended 705 ILCS 105/27.3a, increasing the maximum court automation fee to ~~\$15.00~~ \$25.00; and

WHEREAS, the Clerk of the Circuit Court has represented that the Automation Fees be increased as authorized by the Legislature excluding minor traffic cases satisfied without a court appearance; and

WHEREAS, the Clerk of the Circuit Court has represented that the costs associated with automating the records of the Circuit Court include procuring a new case management system for all case types --- civil, criminal, traffic, domestic violence, juvenile, and child protection; a system which has not been replaced in its entirety since the first system was implemented in 1970; procuring the equipment needed to retrofit all courtrooms to electronic courtrooms in order to utilize the current imaging and electronic filing technology and meet one of the pre-requisites needed to obtain approval from the Administrative Office of the Illinois Courts (AOIC) to make electronic records the official court records, thus eliminating the

need for paper files; and to create and equip a customer service computer resource center to allow individuals representing themselves to have access to electronic records, thus providing fair access to justice. These needs justify and necessitate the increased fee; and

WHEREAS, the Board of Commissioners of Cook County desire to increase the fee as requested; and to stay the same upon approval for at least the next 4 years.

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 32 Fees, Sec. 32-1 of the Cook County Code are amended as Follows:

Sec. 18-33. Court automation fee imposed.

(a) *Definitions.* Except where the context otherwise requires, the terms, words and/or phrases used in this section shall be ascribed the same meaning as those terms defined or used by 705 ILCS 105/27.3a, et seq. (fees for automated record keeping).

(b) *Imposed.*

(1) In accordance with the provisions set forth in 705 ILCS 105/27.3a et seq. (fees for automated record keeping), a court automation fee is hereby imposed in the County. The Clerk of the Circuit Court of the County shall charge and collect a court automation fee as set out in Section 32-1 from each party in all civil cases and by the defendant in any felony, traffic misdemeanor, municipal ordinance, or conservation case upon a judgment of guilty or grant of supervision, provided that the record keeping system which processes the case category for which the fee is charged is automated or has been approved for automation by the County Board.

(2) Such fee shall be paid at the time of filing the first pleading <for all civil cases>, paper or other appearance filed by each party. No additional fee shall be required if more than one party is presented in a single pleading, paper or other appearance.

(c) *Collection and enforcement.*

(1) In accordance with the provisions set forth in 705 ILCS 105/27.3a et seq., such court automation fee shall be charged and collected by the Clerk of the Circuit Court. Such fee shall be collected in the manner in which all other fees or costs are collected.

- (2) This fee shall be in addition to all other fees and charges of such clerk, and assessable as costs, and shall be remitted monthly by such clerk to the County Treasurer, to be retained in a special fund designated as the court automation fund. The fund shall be audited by the County Auditor, and the Board shall make expenditure from the fund in payment of any cost related to the automation of court records, including hardware, software, research and development costs and personnel related thereto, provided that the expenditure is approved by the Clerk of the Circuit Court and by the Chief Judge of the Circuit Court or designate.

- (3) This fee shall not be charged in any matter coming to any such clerk on change of venue, nor in any proceeding to review the decision of any administrative officer, agency or body. The Clerk of the Circuit Court shall not collect the fees herein authorized from any official, department or agency of County Government where the services provided by the Clerk of the Circuit Court are for official purposes. Any County official, department or agency requesting services from the Clerk of the Circuit Court pursuant to this provision shall be required to indicate that the request is made for "Official Purposes". The Clerk of the Circuit Court shall establish and keep a record of the fee exempt services rendered to each County official, department or agency. Such records shall be available on request, to the Chief Financial Officer of the County.

CHAPTER 32 FEES

Sec. 32-1 Fee schedule

The fees or charges provided for or required by the below-listed sections shall be as shown below:

CHAPTER 18, COURTS

18-34	Court automation fee	15.00 25.00
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Effective date: This ordinance shall be in effect on December 1, 2015 in accordance with the effective date of Public Act 098-0606.

15-5780

Sponsored by: ROBERT STEELE, County Commissioner

PROPOSED ORDINANCE AMENDMENT

CLERK OF THE CIRCUIT COURT, DOCUMENT STORAGE FEES

WHEREAS, Illinois Compiled Statutes, 705 ILCS 105/27.3ac, authorizes county boards to require the Clerk of the Circuit Court to collect a court document fee to be used to establish a document storage system; and

WHEREAS, on January 7, 1991, the Cook County Board of Commissioners adopted County Ordinance 91-0-7 establishing the Document Storage Fund and authorizing the Clerk of the Circuit Court to collect an additional court filing fee of \$3.00; and

WHEREAS, Section 1 of P.A. 87-670, effective January 1, 1992, amended Illinois Compiled Statutes, 705 ILCS 105/27.3c, by increasing the fees authorized to be collected to an amount not to exceed \$5.00; and

WHEREAS, on February 3, 1992, the Cook County Board of Commissioners amended County Ordinance 92-0-14 increasing the fee to \$5.00; and

WHEREAS, on August 15, 2005, Public Act 094-0595, approved by the State Legislature and signed by the Governor, amended 705 ILCS 105/27.3c, increasing the maximum document storage fee to \$15; and

WHEREAS, on December 27, 2013, Public Act 098-0606, approved by the State Legislature and signed by the Governor, amended 705 ILCS 105/27.3c, increasing the maximum document storage fee to ~~\$15.00~~ \$25.00; and

WHEREAS, the Clerk of the Circuit Court has represented that the document storage fees be increased as authorized by the Legislature excluding minor traffic cases satisfied without a court appearance; and

WHEREAS, the Clerk of the Circuit Court has represented that the costs associated with maintaining the current document management and storage system; and converting old paper files, for cases filed prior to the implementation of the imaging system prior to 2006 for County Division; November 11, 2009 for Chancery Division; 2011 for Probate Division; June 2011 for Law Division; August 2011 for Civil Division; 2012 for Juvenile Justice and Child Protection; April 2012 for Domestic Relations and Child Support; December 2013 for Criminal Division, Criminal Department, and Major Traffic; February 2014 for Criminal and Major Traffic; and, 2016 for the completion of Minor Traffic. The paper records date back to October 1871 and will cost more than \$20 million to convert to electronic records based upon the most recent Needs Analysis performed in 2006. These needs justify and necessitate the increased fee;

and

WHEREAS, the Board of Commissioners of Cook County desires to increase the fee as requested; and to stay the same upon approval for at least the next 4 years.

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 32 Fees, Sec. 32-1 of the Cook County Code are amended as Follows:

Sec. 18-34. Court Clerk document storage fee

(a) *Generally.* In accordance with provisions set forth in 705 ILCS 105/27.3c, et seq. (document storage system), a document storage fee is hereby imposed in the County. The Clerk of the Circuit Court of the County shall charge and collect a document storage fee as set out in Section 32-1 from each party in all civil cases and by the defendant in any felony, traffic misdemeanor, municipal ordinance, or conservation case upon a judgement of guilty or grant of supervision, provided that the record keeping system which processes the case category for which the fee is charged is automated or has been approved for automation by the County Board. Such fee shall be paid at the time of filing the first pleading, paper or other appearance filed by each party. No additional fee shall be required if more than one party is presented in a single pleading, paper or other appearance.

(b) *Definitions.* Except where the context otherwise requires, the terms, words and/or phrases used in this section shall be ascribed the same meaning as those terms defined or used by 705 ILCS 105/27.3c et seq. (document storage system).

(c) *Collection and enforcement.* In accordance with provisions set forth in 705 ILCS 105/27.3c, et seq. (document storage system), such document storage fee shall be charged and collected by the Clerk of the Circuit Court. Such fee shall be collected in the manner in which all other fees or costs are collected. (This fee shall be in addition to all other fees and charges of such clerk, and assessable as costs, and shall be remitted monthly by such clerk to the County Treasurer to be retained in a special fund designated as the “Document Storage Fund.” The fund shall be audited by the County Auditor and the Board shall make expenditure from the fund in payment of any cost related to the automation of court records, including hardware, software, research and development costs and personnel related thereto, provided that the expenditure is approved by the Clerk of the Circuit Court. This fee shall not be charged in any matter coming to any such clerk on change of venue, nor in any proceeding to review the decision of any administrative officer, agency or body. The Clerk of the Circuit Court shall not collect the fees herein authorized from any official, department or agency of County Government where the services provided by the Clerk of the Circuit Court are for official purposes. Any County official, department or agency requesting services from the Clerk of the Circuit Court pursuant to this provision shall be required to indicate that the request is made for “Official Purposes.” The Clerk of the Circuit Court shall establish and keep a record of the fee exempt services rendered to each County official, department or agency. Such records shall be available on request, to the Chief Financial Officer of the County.

CHAPTER 32 FEES

Sec. 32-1. Fee schedule

The fees or charges provided for or required by the below-listed sections shall be as shown below:

CHAPTER 18, COURTS		
18-34	Document storage fee	15.00 25.00

Effective date: This ordinance shall be in effect on December 1, 2015 in accordance with the effective date of Public Act 098-0606.

15-5801

Sponsored by: ROBERT STEELE, County Commissioner, and TONI PRECKWINKLE, President, Cook County Board of Commissioners

PROPOSED RESOLUTION

ORGAN DONOR LEAVE POLICY

WHEREAS, the need for potentially life-saving organ and bone marrow transplants far exceeds the supply; and

WHEREAS, the State of Illinois has recognized the importance of organ donation by providing the opportunity for paid leave to State employees who donate an organ or bone marrow; and

WHEREAS, like Illinois, many other jurisdictions have attempted to offset the incidental costs associated withtim donation and protect employees from retaliation for taking leave to donate an organ by passing legislation providing job-protected, paid leave to employees who donate organs or bone marrow; and

WHEREAS, Cook County currently does not provide job-protected, paid leave for the purpose of organ or bone marrow donation, necessitating employees to use their accrued sick and vacation leave or take unpaid personal leave, if eligible; and

WHEREAS, in order to offset the incidental costs associated with donation and protect employees from retaliation for taking a leave of absence to donate an organ, all Cook County agencies and offices should afford paid leave to employees who donate organs or bone marrow; and

WHEREAS, the President’s Office and the Bureau of Human Resources have researched various organ donor leave policies and as a result, the Bureau of Human Resources has developed an Organ Donor

Leave Policy that will provide job-protected, paid leave for the purpose of organ or bone marrow donation; and

WHEREAS, the proposed policy would be available to all eligible Cook County employees (employed with the County for at least twelve (12) months) who donate organs or donate bone marrow via surgical aspiration or non-surgical apheresis; and

WHEREAS, the risk of complications and death, as well as the burden to the donor in terms of recovery time, pain, and suffering is lowest for apheresis donation and greatest for organ donation; and

WHEREAS, an eligible employee who donates bone marrow via non-surgical apheresis would receive five (5) days of paid leave within a twelve (12) month period; and

WHEREAS, an eligible employee who donates bone marrow via surgical aspiration would receive fifteen (15) days of paid leave within a twelve (12) month period; and

WHEREAS, an eligible employee who donates an organ would receive thirty (30) days of paid donor leave within a twelve (12) month period; and

WHEREAS, the Bureau of Human Resources shall adopt and circulate the Organ Donor Leave Policy to all Cook County agencies and offices as this policy will not only benefit our employees and their families but also the County's overall mission.

NOW, THEREFORE, BE IT RESOLVED, that the President and Board of Commissioners of Cook County does hereby direct the Chief of the Bureau of Human Resources to implement an Organ Donor Leave Policy with an effective date of September 1, 2015; and

BE IT FURTHER RESOLVED, that all Cook County agencies and offices receive a copy of the Organ Donor Leave Policy issued by the Chief of the Bureau of Human Resources; and

BE IT FURTHER RESOLVED, that all Cook County agencies and offices which shall include but not be limited to the offices under the Cook County Board President, Cook County Board of Commissioners, Cook County State's Attorney, Cook County Sheriff, Clerk of the Circuit Court of Cook County, Cook County Board of Review, Cook County Assessor, Cook County Public Defender, Chief Judge of the Circuit Court, Cook County Public Administrator, Cook County Recorder of Deeds, Cook County Health and Hospitals System, Cook County Treasurer, Cook County Clerk, Cook County, Office of the Independent Inspector General, Public Administrator and Cook County Land Bank shall work with the Chief of the Bureau of Human Resources in order to implement the Organ Donor Leave Policy in a manner as drafted by the Bureau of Human Resources among all Cook County agencies and offices.

15-5804

Sponsored by: GREGG GOSLIN, County Commissioner

PROPOSED RESOLUTION

ADDRESSING INEFFICIENCIES AT DEPARTMENT OF ANIMAL AND RABIES CONTROL

WHEREAS, the Cook County Department of Animal and Rabies Control (Department), is central to providing public health protection to the residents of Cook County and their domestic animals; and

WHEREAS, the Department is unique in its Special/Cooperative Programs with the University of Illinois Pathology Program for disease surveillance and the Max McGraw Wildlife Foundation Surveillance Project which provides data on rabies carrying animals; and

WHEREAS, the Department provides essential services for the protection of the public through: vaccination and registration programs, low-cost rabies clinics, spay and neuter rebate programs and conducting stray patrols for the sheltering and care of stray animals; and

WHEREAS, in the Cook County Inspector General's August, 21, 2015 Report (Report) of the Department a number of deficiencies were noted; and

WHEREAS, the Report cited the Department's outdated software as inefficient and time consuming resulting in habitual overtime and overstaffing due to the manual entry of information; and

WHEREAS, the Report cited the Department's lack of a central repository for the collection and reporting to the public of information concerning the recovery of lost and missing domestic animals; and

WHEREAS, the Report cited the Department's non-compliance with the Animal Control Ordinance regarding the establishment of a second shelter north of I-290; and

WHEREAS, the Report cited the Departments lack of present technology to adequately monitor Animal Control Officers in the field or when setting duty assignments; and

THEREFORE, BE IT RESOLVED, that the President and the Cook County Board of Commissioners directs the Chief Administrative Officer (CAO) and the Department begin to address inefficiencies in FY 2016 by: working with the Bureau of Technology to update its software to a web based program, creating a central repository for the collection and reporting of information on lost and missing animals, utilizing updated technology for scheduling and monitoring staff, and establishing a second shelter north of I-290; and

BE IT FURTHER RESOLVED, that the Chief Administrative Officer and the Department make a plan to address the additional deficiencies outlined in the Report that require additional scrutiny and time to properly address, and report to the President and the Board of Commissioners on their overall progress by June 1, 2016.

15-5810

Sponsored by: RICHARD R. BOYKIN, County Commissioner

PROPOSED ORDINANCE AMENDMENT

COOK COUNTY CODE OF ETHICAL CONDUCT

WHEREAS, the 1970 Illinois Constitution, Article VII, Section 6 designates Cook County as a Home Rule Unit of Government; and

WHEREAS, Cook County may exercise powers and perform functions as they relate to government, including the authority to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, this Board of Commissioners enacted the Cook County Ethics Ordinance in 1993, and applied it, by its own terms, to the conduct of all County Officials, Appointees, and Employees; and

WHEREAS, pursuant to the Home Rule Unit authority, this Board is empowered to make necessary changes to the Laws and Ordinances of Cook County; and

WHEREAS, the Officials, Employees, and Appointees who make up the government of Cook County are entrusted by the people of Cook County with great power; and

WHEREAS, those in government have the duty and great responsibility to ensure that the trust of the people is not misplaced; and

WHEREAS, the Officials, Employees, and Appointees of Cook County are bound by ordinance to serve as fiduciaries of the County and the people of the County; and

WHEREAS, breaches of the fiduciary duty by Officials, Employees, and Appointees damage the reputation of the County and damage the trust that the people of Cook County have placed in their government; and

WHEREAS, the government of Cook County cannot function without the trust and the confidence of the people whom it is charged to serve; and

WHEREAS, it is critically important to ensure that the ethical standards and conduct of the Officials, Employees, and Appointees of Cook County are above reproach and a model of good government among all of the Counties of Illinois; and

WHEREAS, these amendments are intended to strengthen the existing law and to provide the public with assurances that all County Officials, Appointees and Employees act in accordance with the best interest of the people of Cook County;

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, Sections 2-560, 2-561, and 2-579 of the Cook County Code are amended as follows:

ARTICLE VII.- ETHICS

Sec. 2-560. - Short title.

This division shall be known and may be cited as the "Cook County Ethics Ordinance."

Sec. 2-561. - Definitions.

The following words, terms and phrases, when used in this division shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Absolutely necessary means that another means of identification, such as employee identification number, cannot be substituted for the social security number without frustrating the purpose of the request.

Agency means the County Board, any committee or other subdivision thereof, any County department or other administrative unit, commission, board or other division of the government of the County.

Board or Commission Appointee means all individuals appointed by the President to any Boards or Commissions created by State Statute or County Ordinance that require the approval, confirmation or advice and consent of the County Board.

Board or Commission means any Board or Commission created under County Ordinance or State Statute whose members are appointed by the President subject to the approval, confirmation or advice and consent of the County Board.

Board of Ethics means the County Board of Ethics, as defined in Section 2-591.

Campaign for elective office means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any Federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities:

- (1) Relating to the support or opposition of any executive, legislative, or administrative action;
- (2) Relating to collective bargaining; or
- (3) That are otherwise in furtherance of the person's official duties.

Candidate means any person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at either a general primary election or general election or who has raised or expended money in pursuit of elected office.

Collective bargaining has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 5/1-3).

Compensated time means any time worked by or credited to an employee that counts toward any minimum work time requirement imposed as a condition of employment but does not include any designated holidays or any period when the employee is on a leave of absence.

Compensation means money, thing of value or other pecuniary benefit received or to be received in return for, or as reimbursement for, services rendered or to be rendered.

Compensatory time off means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of employment.

Contract management authority means personal involvement in or direct supervisory responsibility for the formation or execution of a County contract, including without limitation the preparation of specifications, evaluation of bids or proposals, negotiation of contract terms or supervision of performance.

Contribution has the same meaning as that term is defined in Section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

County means the County and all government agencies of the County.

Economic interest means any interest valued or capable of valuation in monetary terms; provided that economic interest is subject to the same exclusion as financial interest.

Employee means an individual employed by the County whether part-time or full-time or by a contract of employment. The term "employee" shall include individuals employed by County Officers as referenced in Article VII, Section 4 of the Illinois Constitution. The term "employee" shall not include judges of election.

Financial interest means any of the following:

- (1) Any interest as a result of which the owner currently received or is entitled to receive in the future more than \$2,500.00 per year.
- (2) Any interest with a cost or present value of \$5,000.00 or more.
- (3) Retainers, flat fees, hourly fees, contingent fees or profits earned as a partner in a law firm where such is derived from the representation of other persons as described in Subsection 2-579 (a), (b) and (c).
- (4) Any interest representing more than ten percent of a corporation, partnership, sole

proprietorship, firm, enterprise, franchise, organization, holding company, joint stock company, receivership, trust, or any legal entity organized for profit; provided, however, the term "financial interest" shall not include any of the following:

- a. Any ownership through purchase at fair market value of inheritance of less than one percent of the shares of a corporation, or any value of or dividends of such shares, if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934 (15 U.S.C. § 78a et seq.);
- b. The authorized compensation paid to an official or employee for his or her office or employment, or the authorized compensation paid to a board or commission appointee for his or her office or employment;
- c. Any economic benefit provided equally to all residents of the County;
- d. A time or demand deposit in a financial institution;
- e. An endowment or insurance policy or annuity contract purchased from an insurance company;
- f. Any accrued pension rights in the County fund; or
- g. With respect to a mutual fund, the individual securities of other instruments owned by the mutual fund.

Firm or law firm denotes a lawyer or lawyers in a law partnership, professional corporation, sole proprietorship or other association authorized to practice law; or lawyers employed in a legal services organization or the legal department of a corporation or other organization.

Gift means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an official, board or commission appointee or employee.

Leave of absence means any period during which an employee does not receive compensation for employment, service credit towards pension benefits, and health insurance benefits paid for by the employer.

Legislative action means the introduction, sponsorship, consideration, debate, amendment, passage, defeat, approval, veto or other official action or nonaction on any ordinance, resolution, motion, order, appointment, application or other matter pending or proposed in the County Board or any committee or subcommittee thereof.

Official means any elected County official or appointed official, regardless of whether the official is

compensated.

Person means any individual, entity, corporation, partnership, firm, association, union, trust, estate, as well as any parent or subsidiary of any of the foregoing, and whether or not operated for profit.

Political activity means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities relating to the support or opposition of any executive, legislative or administrative action; relating to collective bargaining; or that are otherwise in furtherance of the person's official duties.

Political fundraising committee means any fund, organization, political action committee or other entity that, for purposes of influencing in any way the outcome of any election, receives or expends money or anything of value or transfers money or anything of value to any other fund, political party, candidate, organization, political action committee, or other entity.

Political organization means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9.3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

Prohibited political activity means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including, but not limited to, the purchase of, selling, distributing, or receiving payment for tickets for any political fund-raiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding any thing of value intended as a campaign contribution.
- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum questions or helping in an effort to get voters to the polls.

- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes.
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.
- (15) Participating in any recount or challenge to the outcome of any election.
Prohibited source means any person or entity who:
 - (1) Is seeking official action:
 - a. By the official, board or commission appointee; or
 - b. In the case of an employee, by the employee or by the official, County agency, board or commission or other employee directing the employee.
 - (2) Does business or seeks to do business:
 - a. With the official, board or commission appointee; or
 - b. In the case of an employee, with the employee or with the official, County agency, board or commission or other employee directing the employee.
 - (3) Conducts activities regulated:
 - a. By the official, board or commission appointee; or
 - b. In the case of an employee, by the official, County agency, board or commission or other employee directing the employee.
 - (4) Has interests that may be substantially affected by the performance or nonperformance of the official duties of the official, board or commission appointee or employee; or

- (5) Is registered or required to be registered with the County pursuant to the Cook County Lobbyist Ordinance, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors.

Publicly post or publicly display means to intentionally communicate or otherwise intentionally make available to the general public.

Single candidacy means the time period during which a candidate is seeking office with primary election and general election being separate candidacies.

Statement means the disclosure of economic interest form required to be filed by the Illinois Governmental Ethics Act (5 ILCS 420/4A-101 et seq.).

Sec. 2-579. - Representation of other persons.

(a) No elected official or employee may represent, or have an economic interest in the representation of any person other than the County in a formal or informal proceeding or transaction before any County agency in which the agency's action or nonaction is of a nonministerial nature and no board or commission appointee may represent, or have an economic interest in the representation of any person other than the board or commission in a formal or informal proceeding or transaction before said board or commission to which the board or commission appointee is a party in which the board or commission's action or nonaction is of a nonministerial nature.

(b) No elected official or employee may have an economic interest in the representation of any person in any judicial or quasi-judicial proceeding before any administrative agency or court in which the County is a party and that person's interest is directly adverse to that of the County and no board or commission appointee may have an economic interest in the representation of any person in any judicial or quasi-judicial proceeding before any administrative agency or court in which ~~board or commission to which the board or commission appointee~~ the County is a party and that person's interest is directly adverse to that of the ~~board or commission~~ County.

(c) No elected official or employee may derive an economic interest through affiliation with or consultation for a law firm representing a person in any judicial or quasi-judicial proceeding before any administrative agency or court in which the County is a party and that person's interest is directly adverse to that of the County and no board or commission appointee may derive an economic interest through consultation for a law firm representing a person in any judicial or quasi-judicial proceeding before any administrative agency or court in which the County is a party and that person's interest is directly adverse to that of the County.

~~(e) No appointed official may represent any person in the circumstances described in Subsection (a) or (b) of this Section unless the matter is wholly unrelated to the appointed official's County duties and responsibilities and no board or commission appointee may represent any person in the circumstances~~

~~described in Subsection (a) or (b) of this Section unless the matter is wholly unrelated to the board or commission appointee's duties and responsibilities.~~

(d) For purposes of this Section, the term "economic interest" shall not include the interest of the spouse, domestic partner or civil union partner of an official, board or commission appointee or employee which interest is related to the independent occupation, profession or employment of the spouse.

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

15-5811

Sponsored by: RICHARD R. BOYKIN, County Commissioner

PROPOSED ORDINANCE

OFFICE FOR PEOPLE WITH DISABILITIES.

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 38, Article VII of the Cook County Code is hereby enacted as follows:

ARTICLE VII. OFFICE FOR PEOPLE WITH DISABILITIES

(a) *Title.* This division shall be known and may be cited as the "Office for People with Disabilities Ordinance" of Cook County, Illinois.

(b) *Purpose and Policy.* Cook County is a place where your future is not limited by your race, ethnicity, gender, sexual orientation, disability, age, income, where you were born or where you live. Equity exists when everyone has access to opportunities necessary to satisfy essential needs, advance their well-being, and achieve their full potential. Equity is both the means to healthy communities and an end that benefits us all.

People who have disabilities are entitled to full inclusion as equal citizens in society and the opportunity to achieve their full economic, social, cultural, civic, and political potential. People who have disabilities are entitled to the freedom to experience environments without discriminatory barriers that prevent people who have disabilities from participating in the decisions that affect them should be eliminated.

It is the policy of Cook County to resist and remove such barriers, to promote the full integration and participation of people with disabilities into all areas of economic, political, and community life, and to make it possible for them to realize their full potential and contribute to the common good.

(c) *Creation.* There is hereby created and established the Office for People with Disabilities. The Office for People with Disabilities will coordinate all activities, plans, and programs including, but not limited to providing assistance to the problems, concerns, and issues of people with disabilities.

(d) *Duties.*

The Office for People with Disabilities shall:

- (1) Provide information to the Board of Commissioners concerning issues of importance to people with disabilities;
- (2) Assist in addressing fairly the concerns of people with disabilities, individually and as a protected class, under Cook County ordinances and other applicable laws;
- (3) Carry on research or otherwise obtain factual data, issue publications, and make recommendations that implement the policy of the Office;
- (4) Recommend policies and practices to all departments and offices of the County in matters affecting concerns of people with disabilities;
- (5) Encourage understanding between the community of people with disabilities and the larger Cook County Community through long-range projects;
- (6) Cooperate with the Board of Commissioners in formulating and executing comprehensive programs that enhance the opportunities for people with disabilities;
- (7) Recommend such legislative action as he or she may deem appropriate to implement the policy of the Office for People with Disabilities;
- (8) Enlist and encourage the cooperation of all public and voluntary agencies, racial, religious, and ethnic groups, community organizations, fraternal and benevolent societies, veteran organizations, professional and technical organizations, and other groups in Cook County working to implement the policy of the Office;
- (9) Report on a semi-annual basis to the Board of Commissioners that shall include an annual or semi-annual work plan, a briefing of the Office's public involvement process for soliciting community and citizen input in framing their annual work plans, and updates on the work plans.

(e) *Composition.* The Office for People with Disabilities shall be staffed with an affairs officer, a permanent position, who shall head the office, and two other personnel. Employees of the department shall receive such compensation as may be fixed by the Board of Commissioners.

(f) *Gifts.* The Office may accept offers of gifts or grants, including equipment, supplies, materials or funds, from the United States, the State of Illinois, their agencies or officers, or from any person, firm, or corporation. The Office may expend such receipts on projects that implement the policy of the Office.

(g) *Funds.* The Office for People with Disabilities shall be annually appropriated a total amount of \$1,147,191 for its administrative and operational requirements on the basis of the approved work and financial plans. The breakdown of the appropriated amount is \$1,042,707 for personnel services, \$82,542 for contractual services, \$12,403 for travel, and \$9,539 for commodities.

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

15-5812

Sponsored by: RICHARD R. BOYKIN, County Commissioner

PROPOSED RESOLUTION

RESOLUTION IN SUPPORT OF “WE DON’T SERVE TEENS,” AN INITIATIVE BY THE FEDERAL TRADE COMMISSION, CONSTELLATION BRANDS BEER DIVISION, AND COOK COUNTY BEER DISTRIBUTORS AND RETAILERS TO ENLIST PARENTS AND OTHER ADULTS TO FIGHT UNDERAGE DRINKING

WHEREAS, thousands of younger residents of Cook County are back in middle schools, high schools, colleges, and universities in September, beginning a year of great promise and opportunity to advance in learning, forge new friendships, and look toward the future; and

WHEREAS, for several years, Cook County has recognized the Federal Trade Commission’s “We Don’t Serve Teens” consumer education campaign as a valuable resource to raise awareness among parents, educators, and other adults of actions they can take to reduce illegal underage drinking and the well-documented hazards caused by underage drinking to teens and to the general public; and

WHEREAS, the Substance Abuse and Mental Health Services Administration (SAMHSA) released its analysis of the most recent National Survey on Drug Use and Health, which shows a sustained decline in alcohol abuse and underage drinking and stressed parental involvement as an effective means of combating illegal underage drinking; and

WHEREAS, SAMHSA also highlighted a new app called “Talk, They Hear You”, designed to help parents talk with younger teens about the dangers of underage drinking and to promote a message consistent with the We Don’t Serve Teens; and

WHEREAS, recently published research conducted by the University of Illinois-Chicago found that adolescents who engage in binge drinking may disrupt gene regulation and brain development in ways that promote anxiety and excessive drinking behaviors; and those findings are consistent with many prior studies showing that persons drinking before the age of 15 are up to four times more likely to meet the criteria for alcohol dependence at some point in their lives than those who delay drinking until age 21; and

WHEREAS, federally-funded surveys find that significant numbers of younger persons between the ages of 12 and 14 drank alcohol in the month before they were surveyed, and that more than 90 percent obtain alcohol from their own home, the home of a friend, or an adult family member. Those findings clearly indicate the importance that family members can play in reducing young adolescents’ access to alcohol and the associated risks of injury and the early onset of serious health problems; and

WHEREAS, Middle school, high school and younger college and university students in Cook County are at significant risk of serious illness, injury, and death if they engage in illegal underage drinking; and

WHEREAS, We Don't Serve Teens provides parents and teens with useful information on the dangers of underage drinking, the manner in which most teens procure alcohol, the costs of violating the law, and strategies to overcome peer pressure and other negative influences; and

WHEREAS, We Don't Serve Teens information is available at a web site established by the Federal Trade Commission, www.dontserveteens.gov <<http://www.dontserveteens.gov>>, and the information will be publicized by Cook Country-based Constellation Brands Beer Division in various media and at retailer during the month of September; and

NOW, THEREFORE, BE IT RESOLVED, Cook County commends the Federal Trade Commission for its efforts to protect our teens and the general public and endorses the basic message: Don't serve alcohol to teens; it's unsafe, illegal, and irresponsible; and

BE IT FURTHER RESOLVED, Resolved, that Cook County calls upon all licensed alcohol beverage retailers to actively participate in We Don't Serve Teens outreach efforts to their customers; and

BE IT FURTHER RESOLVED, Cook County commends Constellation Brands Beer Division, Cook County beer distributors, and Cook County alcohol beverage retailers for their ongoing support for We Don't Serve Teens; and

BE IT FURTHER RESOLVED, the Cook County calls upon all parents, civic leaders, and other adults involved in the lives of teens to post the We Don't Serve Teens logo on their social network pages and to utilize the information available from this initiative to increase awareness of the measures they can take to further reduce underage drinking in Cook County.

15-5825

Sponsored by: ROBERT STEELE, County Commissioner

PROPOSED ORDINANCE

COOK COUNTY RESPONSIBLE BUSINESS ACT

BE IT ORDAINED, by the Cook County Board Of Commissioners that Chapter 21 - Fees, Sections 32-2 - 32- 14 of the Cook County Code is hereby enacted as follows:

Section 32-2. Short Title._

This chapter shall be known and may be cited as the “**Cook County Responsible Business Act.**”

Section 32-3. Definitions.__

The following words and terms shall have the meanings set forth in this section, except where otherwise specifically indicated.

(a) *Person* means a natural person, corporation, limited liability company, partnership or other entity and, in case of an entity, includes any other entity which has a majority interest in such entity or effectively controls such other entity as well as the individual officers, directors and other persons in active control of the activities of such entity.

(b) *Employer* means any individual, partnership, association, corporation, limited liability company, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee, for which one or more persons are gainfully employed.

(c) *Covered employee* means any individual permitted to work by an employer in any occupation in Cook County.

(d) *Covered employer* means (1) any employer, except for religious organizations or local governments, who employs at least 750 employees in Cook County, or (2) any franchisor who employs at least 750 employees in Cook County or whose franchisees, collectively, employ at least 750 employees in Cook County.

(e) *Franchise* has the same meaning as provided in section 3 of the Franchise Disclosure Act of 1987, 815 ILCS §705/3.

(f) *Franchisor* has the same meaning as provided in section 3 of the Franchise Disclosure Act of 1987, 815 ILCS §705/3.

(g) *Franchisee* has the same meaning as provided in section 3 of the Franchise Disclosure Act of 1987, 815 ILCS §705/3.

(h) *Department* shall mean the department or office that the President and Board of Commissioners shall create and/or designate to enforce this ordinance.

(i) *Full-time* means 35 hours or more hours of work in each work week.

(j) *Part-time* means 1 to 34 hours of work in each work week.

Section 32-4. Wage Rate

(a) Wage rate shall be an hourly rate defined as follows:

- (1) Starting December 1, 2015, \$10.00
- (2) Starting December 1, 2016, \$11.25
- (3) Starting December 1, 2017, \$12.50
- (4) Starting December 1, 2018, \$13.75
- (5) Starting December 1, 2019, the wage rate shall be equal to Cook County Living Wage hourly rate as defined under Section 34-160 of the Cook County Code of Ordinances and on December 1 of each successive year, the wage rate shall increase consistent with and equal to Cook County Living Wage hourly rate.

Section 32-5. Disclosure, Annual Fee, and Posting Requirement_

(a) Every covered employer shall submit on or before February 1 of each year to the Department a sworn statement containing the following:

- (1) The total number of employees employed as of November 30 of the previous calendar year;
- (2) The percentage of full-time employees and the percentage of part-time employees employed in the previous calendar year, as a share of the total number of employees employed in the previous calendar year. The breakdown of full-time and part-time employees shall be reported by each quarter in the previous calendar year.
- (3) The average hourly wage rate of full-time and part-time employees as of November 30 of the

previous calendar year. For any salaried employees, their hourly wage rate for purposes of calculating the average hourly shall be their annual salary divided by the number of total hours worked in the previous calendar year.

(4) The total number of employees, regardless of their full-time or part-time status, who are paid less than the wage rate defined in Section 32-4 in the previous calendar year.

(b) At the time of submission of the sworn statement, every covered employer who paid more than 750 employees, regardless of full-time or part-time basis, less than the wage rate defined under Section 32-4 in the previous calendar year, shall pay, for each employee the covered employer paid wages less than the wage rate defined under Section 32-4 in the previous calendar year, an annual fee of \$750 for each dollar of difference between the wage that the employer paid the employee in the previous calendar year and the wage rate defined under Section 32-4, rounding this difference up to the next whole dollar if it is a rate of fifty cents or more over the dollar and rounding down if it is 49 cents or lower.

(c) Any covered employer who directly, or through any officer, agent, employee or franchisee, makes any false statement or representation on the sworn statement shall be fined not less than \$250 nor more than \$1,000.

(d) Based on the sworn statement submitted by every covered employer, the Department shall issue a "Certificate of Good Standing" to all covered employers who were not required to pay the annual fee as required under this section. All covered employers who receive a Certificate of Good Standing are required to post this Certificate of Good Standing in a conspicuous place visible by the public and places where notices to employees are customarily placed. Each covered employer shall take steps to ensure that the Certificate is not altered, defaced, or covered by other material.

(e) The Cook County Department of Revenue shall also post the list of covered employers who were issued the Certificate of Good Standing on the Cook County's website to be made available to the public.

(f) The Cook County Department of Revenue shall prepare templates that comply with the requirements of this section and such templates shall be made available to all employers within the boundaries of the Cook County.

Section 32-6. Recordkeeping.

Every covered employer shall keep accurate records of all pay and full-time or part-time status of their employees for three years. All these records shall be kept in the English language and, at all times during business hours, shall be subject to and available for inspection and copying by the Cook County Department of Revenue.

Section 32-7. Prohibited Acts. __

(a) It shall be unlawful for any covered employer to, directly, or through any officer, agent, employee or franchisee, designate, classify or deem, or cause such covered employer's franchisees to designate, classify or deem, an employee as an independent contractor or temporary employee, reduce an employee's wages or hours of work, or terminate an employee for the purpose of avoiding such covered employer's obligations under this Ordinance. Any action to classify or deem an employee as an independent contractor or temporary employee, reduce an employee's wages, work hours, or terminate an employee within sixty (60) days of November 30 of each calendar year shall raise a rebuttable presumption that such action was taken to avoid such covered employer's obligations under this Ordinance.

(b) It shall be unlawful for any covered employer or any other person to threaten, penalize, punish, restrain, coerce, attempt to coerce, or in any other manner discriminate or retaliate against any person for exercising rights protected under this Ordinance. Rights protected under this Ordinance include, but are not limited to: the right to file a complaint or inform any person about any party's alleged noncompliance with this Ordinance; and the right to inform any person of his or her potential rights under this Ordinance and to assist him or her in asserting such rights. Protection of this section shall apply to any person who mistakenly, but in good faith, alleges violations of any provision of this Ordinance. Taking adverse action against a person within ninety (90) days of such person's exercise of rights protected under this Ordinance shall raise a rebuttable presumption that such action was in retaliation for the exercise of such rights.

Section 32-8. Enforcement and Penalty. __

(a) Any person may file a complaint with Cook County Department of Revenue against any covered employer who makes a false statement or representation on sworn statements as required under Section 32-5 or who otherwise violates, disobeys, omits, neglects, or refuses to comply with the requirements under any provision of this Ordinance.

(b) The Department is authorized to take appropriate steps to enforce and coordinate enforcement of this Ordinance, including the investigation of any possible violations of this Ordinance.

(c) After investigating a possible violation of this Ordinance, and providing any covered employer the opportunity to respond to the allegations:

(1) If the Department determines that the covered employer violated the requirements under Section 32-4, Cook County Department of Revenue shall assess and collect any fee due and

unpaid, together with an interest charge of 1.25 percent per month or fraction thereof. The covered employer shall also pay a penalty of not less than \$250.00 nor more than \$1,000.

(2) If the Department determines that the covered employer violated any provision in Section 32-6, Cook County Department of Revenue may order any appropriate relief including, but not limited to, requiring the covered employer to reclassify a person as an employee, restore work hours, reinstatement, payment of lost wages to the employee, and the payment of an additional sum as an administrative penalty that does not exceed the amount of the award of lost wages.

Section 32-9. License suspension and revocation_

(1) Any license, permit, registration or franchise issued by the County may be suspended or revoked by the issuing authority if it is determined after a hearing that the licensee, or any person controlled by the licensee, has willfully failed to pay or remit any fee, interest or penalty due under the requirements of this Ordinance. No license shall be suspended or revoked under this subsection if, within ten days after the issuance of a license suspension or revocation order, the total fee liability, including interest and penalties, is paid.

Section 32-10. Family Sustainability Commission_

(a) *Established:* There is hereby established a Commission which shall be known as the Family Sustainability Commission.

(b) *Appointment of members:* The Family Sustainability Commission shall consist of (9) members of the Board President appoints as follows:

- (1) One member to represent the President of the County Board;
- (2) One member to represent the Cook County Board;
- (3) One member to represent health care agency;
- (4) One member to represent court system;
- (5) One member to represent housing agency;
- (4) Two members to represent nonprofit community based organizations;
- (5) Two members to represent worker organizations.

(c) *Powers and duties:* The Family Sustainability Commission shall have the authority to advise the Cook County Board of Commissioners on an annual basis in the appropriation of monies in the Fund to address issues affecting residents in Cook County in the area of health care, pre-trial services, the criminal justice system, housing assistance to low-income communities, grants to community-based organizations, to provide assistance to low-income individual and families concerning family care assistance, heating assistance, nutrition assistance, job training and placement assistance, and advocating

for workers' rights.

(d) *Preference for employees of affected employers:* In the provision of services, the Family Sustainability Commission shall give preference to employees who meet the following conditions: they were employed in the previous calendar year by an employer who is required to pay a fee by Section 32-5 Subsection (d); and they were paid less than the wage rate defined under Section 32-4 in the previous calendar year by that employer.

Section 32-11. Family Sustainability Fund

Upon the passage of this Ordinance, the Comptroller shall create a special fund to be entitled the "Family Sustainability Fund." All annual fees collected pursuant to Section 32-5 of this Ordinance must be deposited into the Family Sustainability Fund.

Section 32-12. Administrative rules and regulations._

The Department is authorized to adopt, promulgate and enforce rules and regulations and to administer and enforce this Ordinance.

Section 32-13. Severability.

All portion of this Ordinance are severable, and if any of its provisions or any sentence, clause or paragraph shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Effective date: This ordinance shall be in effect ninety days after its enactment into law