



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

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

New Items Agenda

Wednesday, June 6, 2018, 11:00 AM

Fifth Set

18-4207

Sponsored by: BRIDGET GAINER, RICHARD R. BOYKIN, JOHN A. FRITCHEY, LARRY SUFFREDIN and JESÚS G. GARCÍA, Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT**AN ORDINANCE REQUIRING A FISCAL IMPACT NOTE FOR PENDING LEGISLATION**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 - Administration, Article III. - County Board, Division I. -- Generally, Section 2-77 is hereby amended as follows:

Section 2-77 Fiscal impact review.

(a) *Short title.* This Section shall be known and may be cited as the Fiscal Impact Review Ordinance.

(b) *Impact note required.*

(1) Every measure before the County Board including, but not limited to, any ordinance, resolution, motion, contract approval, or any amendment thereto (collectively and individually "measure"), except those measures making a direct appropriation or approving a contract for a specified amount to be expended within one fiscal year, the purpose or effect of which is to expend any County funds or to increase or decrease the revenues of the County, or to require the expenditure of their own funds either directly or indirectly, shall have prepared for it a brief explanatory statement or note ("fiscal note") which shall include a reliable estimate of the probable impact of such measure upon the County's annual budget. The Cook County Chief Financial Officer shall prepare a fiscal impact statement for all ordinances or resolutions that propose to or would otherwise:

- i) expend any funds or increase or decrease the revenues of the County, either directly or indirectly; or
- ii) appropriate funds; or
- iii) increase or decrease existing appropriations; or
- iv) increase or decrease the fiscal liability of the County; or
- v) sell or lease any County asset, including revenue streams from that asset, if the anticipated revenue from the sale or lease of the asset is greater than \$5,000,000.00.

(2) If an ordinance authorizes capital expenditures or appropriates funds for capital expenditures, a fiscal note shall specify by year any principal and interest payments required to finance such capital expenditures. In addition, increased operational costs, by year, shall be specified. In no event shall a fiscal note be required to estimate out-year costs for more than five years.

(c) *Responsibility and deadline for furnishing the fiscal note.*

1. ~~The Secretary of the Board~~ chief sponsor of the item under consideration shall request, promptly after the introduction of the measure before the County Board, the Chief Financial Officer of the County to prepare a fiscal note impact statement promptly after the introduction of the measure before the County Board setting forth the information specified in this Section regarding any

measure.

2. The fiscal impact statement shall be provided to all Commissioners at least 72 hours prior to the consideration of the ordinance or resolution by the Board of Commissioners; provided a request by a Commissioner to prepare the fiscal impact statement is made earlier, the Chief Financial Officer shall prepare the fiscal impact statement and provide it to the Commissioner within 48 hours of such request.

~~(2)~~ (3) No measure may be called for a final vote by the County Board until delivery of the fiscal note according to the provisions of this Section, except that whenever, because of the complexity of the measure, additional time is required for the preparation of the fiscal note the Chief Financial Officer shall provide each member of the County Board and the President of the County Board with a statement of reasons why the fiscal note cannot be supplied in seven business days, and request an extension of time not to exceed five additional business days within which such fiscal note is to be furnished. Such extension shall be granted only with the consent of the majority of the members of the County Board and shall not extend beyond the end of the fiscal year in which the request was made. In no event may such extensions be used to unduly delay or hinder the consideration of the measure by the County Board. The County Board shall authorize the drafting of any rules of regulations which shall be subject to County Board approval, to ensure compliance with this Section.

~~(3)~~(4) In connection with the preparation of the fiscal note, all County officials and employees shall upon request cooperate with the Chief Fiscal Officer in providing information.

(d) *Form and content.*

1. The fiscal note shall be factual in nature, as brief and concise as may be, and shall provide as reliable an estimate, in dollars, as is possible under the circumstances. The fiscal note shall include both the immediate effect, and if determinable or reasonably foreseeable, the long-range effect of the measure.
2. If, after careful investigation it is determined that no dollar estimate is possible, the fiscal note shall contain a statement to that effect, setting forth the reasons why no such estimate can be given. A brief summary or work sheet of computations used in arriving at the fiscal note figures shall be included.

(e) *Preparation of fiscal note.*

1. No comment or opinion shall be included in the fiscal note with regard to the merits of the measure for which the fiscal note is prepared; however, technical or mechanical defects may be noted.
2. The work sheet shall include, insofar as practicable, a breakdown of the costs upon which the fiscal note is based. Such breakdown shall include, but need not be limited to, costs of personnel, materials and supplies, and capital outlay. The fiscal note shall also include such other information as is required by the rules and regulations which may be promulgated by the County Board with respect to the preparation of such fiscal notes. The fiscal impact statement shall, to the degree possible, consist of an estimate in dollars of the anticipated change in revenue, expenditures, or

fiscal liability under the provisions of the ordinance or resolution. It shall also include a statement as to the immediate effect and, if determinable or reasonably foreseeable, the long-range effect of the measure. If after investigation, it is determined that no dollar estimate is possible, the fiscal impact statement shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. The fiscal impact statement shall include an explanation of the basis or reasoning on which the estimate is founded, including all assumptions involved. A copy of the fiscal note shall be delivered to each member of the Board and the President of the County Board, according to the provisions of subsection (b) of this Section.

3. The original of the fiscal note and the work sheet shall be signed by the Chief Financial Officer or such person as the Chief Financial Officer may designate.

(f) *No restrictions on committee testimony.* The fact that a fiscal note is prepared for any measure shall not preclude or restrict the appearance before any committee of the County Board, of any official or authorized employee of any County commission, department, agency or other entity who desires to be heard in support of or in opposition to the measure.

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

18-4210

Sponsored by: BRIDGET GAINER and LARRY SUFFREDIN, Cook County Board of Commissioners

PROPOSED RESOLUTION

A RESOLUTION TO EVALUATE THE FEASIBILITY OF SHERIFF'S OFFICE CONDUCTING COOK COUNTY SCHOOL DISTRICT'S BACKGROUND CHECKS

PROPOSED RESOLUTION

WHEREAS, An investigative report recently exposed multiple counts of sexual abuse of Chicago Public School (CPS) students at the hands of staff and teachers; and,

WHEREAS, Ineffective background checks or the disregard of negative background checks exposed students to educators and staff with criminal convictions and arrests for sex crimes against children; and,

WHEREAS, Although all school districts require potential school staff, volunteers and contract workers to pass a background check before they work with students, the report cited a lack of control over commissioning, receipt, and action of information received from background checks; and,

WHEREAS, Currently the Chicago Police Department, like CPS a department of the City of Chicago, conducts criminal background checks on all CPS potential staff; and,

WHEREAS, The background check function could be directed to an outside vendor, however, such a contract would still be under the management and control of a department of the City of Chicago; and,

WHEREAS, As is best practice in law enforcement, currently the city and the county operate a separation of powers in law enforcement functions; and,

WHEREAS, It is imperative to have separation of power to ensure all units of government are performing its core functions to the highest standard; and,

WHEREAS, The Cook County Sheriff's Office has the ability to conduct in depth criminal background checks, including criminal records, educational credentials, and prior employment on potential staff and conduct random checks to catch the arrests of current staff; and,

WHEREAS, It is the first duty of any unit of government to ensure the protection of children, especially those entrusted in the care of such government.

NOW, THEREFORE BE IT RESOLVED, that the Cook County Board of Commissioners shall direct the Cook County Sheriff's Office to explore the feasibility of conducting background checks for school districts in the County of Cook; and,

NOW, THEREFORE BE IT RESOLVED, that the Cook County Board of Commissioners directs the Cook County Sheriff's Office and all other various stakeholders to work together to suggest any necessary public policy determinations or procedural changes necessary to allow the Cook County Sheriff's Office to conduct such background checks.