



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Text

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AN AMENDMENT TO CHAPTER 34, ARTICLE II, SECTION 34-40 (PROPOSED ORDINANCE AMENDMENT). Submitting a Proposed Ordinance Amendment sponsored by Larry Suffredin, County Commissioner.

The following is a synopsis of the Proposed Ordinance Amendment.

PROPOSED ORDINANCE AMENDMENT

AN AMENDMENT TO CHAPTER 34, ARTICLE II, SECTION 34-40 TO THE USE OF CONTINGENCY FUNDS BY COMMISSIONERS ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 34, Article II, Section 34-40 of the Cook County Code is hereby amended as follows:

Sec. 34-40. - Use of contingency funds by Commissioners (018-890).

- (a) Contingency funds may be provided to assist Commissioners in the execution of their official duties and responsibilities as Cook County Board Commissioners for their respective districts.

- (b) These funds must be allocated or provided in each Commissioner's annual budget request. The maximum amount that can be allocated in each Commissioner's annual budget is \$12,000, or the equivalent of \$1,000 per month. The allocation for the contingency fund is to be subtracted from the full department budget request of the Commissioner's office. Failure to expend the monthly contingency fund allocation will result in that month's allocation being returned to the County General Fund and the loss of that allocation to the Commissioner.

Any expenses that are reimbursable as contingent expenses as outlined below may only be allocated in the contingency fund line item of the Commissioner's office budget. No separate line items may be created in the Commissioner's budget for expenditures that are reimbursable as contingent expenses, i.e. travel, education, etc.

- (c) The following shall apply to the expenditure and reimbursement of contingency funds by each

Commissioner:

- (1) Contingency funds shall be expended for the following:
 - a. Costs relating to attendance at meetings and events for official County business, including such items as lodging, airfare, and meals, excluding alcoholic beverages in the performance of official duties. If a Commissioner seeks reimbursement for a meal, the Commissioner must provide documentation of the purpose of the meal and any person in attendance;
 - b. Travel and transportation expenses for County functions, meetings and duties. Such expenses may include reimbursement for gas and rental car usage for business and travel. All out of County travel-related expenditures will conform to the IRS guidelines whenever possible and IRS guidelines will be provided by the Board of Ethics on a yearly basis. Where compliance with IRS guidelines cannot be met, a letter must be submitted to the Director of the Board of Ethics with an explanation;

Lease or rental payments for a motor vehicle used by Commissioners in connection with their official duties is covered. If vehicle usage is less than 100 percent for County business then the percentage of vehicle usage attributable to County business must be specified. Commissioners shall provide a mileage log that documents date, location of County activity, and roundtrip miles for the day as a substantiation of the daily portion of County business use being claimed. Mileage logs will be presented to the County Commissioners.

Commissioners shall be reimbursed for gas or mileage, but not both. If Commissioners elect to be reimbursed by mileage then the IRS reimbursement rate applies.

Travel and transportation expenses for County functions, meetings and duties, subject to the following restrictions. All travel-related expenditures will conform to the Internal Revenue Service ("IRS") guidelines and the Cook County Travel and Transportation Expense Reimbursement Policy in accordance with Section 27 of the Resolution and Annual Appropriation Bill for the Fiscal Year 2012. IRS guidelines will be provided by the Board of Ethics on a yearly basis. Where compliance with IRS guidelines cannot be met, a letter must be submitted to the Executive Director of the Cook County Board of Ethics with an explanation

(1) For in-state travel, Commissioners will be reimbursed only for mileage used for official County business. Commissioners shall provide a mileage log that documents date, location of County activity, reason/purpose of travel and roundtrip miles for the day as a substantiation of the daily portion of County business use being claimed. Mileage logs will be presented to the County Commissioners. The Executive Director of the Cook County Board of Ethics will be responsible for the creation of the Mileage Log and may modify it at his or her discretion. Mileage expenditures will be reimbursed at the current IRS rate for business related travel.

(2) For out of state travel, Commissioners may be reimbursed for automobile rental expenses and any gasoline purchased for use while on County business. Commissioners will not receive mileage reimbursement for out of state travel in rental cars. Mileage accrued for out of state travel by personal automobile will only be reimbursed when pre-approved by the Executive Director of the Cook

County Board of Ethics. The Executive Director of the Cook County Board of Ethics may only approve mileage for out of state travel if the projected expense for mileage reimbursement is less than the cost of a commercially available ticket using mass transportation (airplane, bus and/or train) to the projected destination. Commissioners may be reimbursed for any meals, lodging, train, bus or airfare expenses that occur when traveling out of state.

- c. Educational programs related to government, finance, or other topics generally associated with the functions of County government ~~that have been completed prior to the passage of this amendment. Commencing from passage of this amendment, pP~~ re-approved educational expenses, including courses of study, workshops, seminars, informational programs, and training programs, ~~provided that where~~ the subject matter is directly related to a Commissioner's official duties. Reimbursement shall not be made until course completion, verification of attendance, and passage of the course is provided to the ~~Director of Ethics~~ Executive Director of the Cook County Board of Ethics when applicable. Courses begun after the passage of this ordinance used in conjunction with an undergraduate, graduate, or post-graduate degree may not be reimbursed with contingency funds.
 - d. Newspapers, journals, magazines, books, or other printed materials related to official duties;
 - e. Membership fees for community or civic organizations;
 - f. Attendance at civic, social, fraternal, and other events sponsored by community groups and associations, including religious and charitable events, as long as such expenses for attendance are for attendance at such events and not for the general promotion of any particular religious, philanthropic, or charitable mission or objective;
 - g. Any miscellaneous costs directly related to the provision of constituent services must be specifically identified as such and related to duties and responsibilities as County Commissioners.
- (2) Contingency Funds shall not be utilized for political activities, including, but not limited to:
- a. Travel or transportation expenses to political or fundraising events;
 - b. The printing, publishing, or mailing of materials for political or fundraising events;
 - c. Donations to campaign funds.

(3) Contingency funds shall not be expended for or accepted as additional income by either the Commissioner or any Cook County employee.

(4) Contingency funds shall not be expended for property that has both a private and County related use. If a Commissioner is in control of property that has a joint private and County related use at the time of this Amendment, he or she must:

(a) forfeit that item at the expiration of the term of lease or contract for sale;

(b) forfeit that item at the expiration of their term of office; or

(c) reimburse the county for the portion of County funds that were expended for the property. If the County is reimbursed for the funds it spent on the property, the Commissioner may maintain possession of the item.

~~(4)~~(5) Use of contingency funds must be approved by the Executive Director of the Cook County Board of Ethics for compliance with the aforementioned use criteria prior to use, except for Mileage logs to submission and payment by the Office of the Comptroller. All documentation, except Mileage Logs, must be submitted to the Director prior to reimbursement for expenses. Mileage logs must be submitted on a monthly basis. The Director will promptly notify Commissioners of approval, denial, or the need for clarification or further documentation. Commissioners must pay for contingency fund related expenses out of pocket, per Cook County practice and then seek reimbursement after approval by the Executive Director of the Cook County Board of Ethics.

Within 30 days of the end of each quarter of the County's fiscal year, or within each month of said quarter at the option of each Commissioner, Commissioners shall submit an expenditure report and supporting documentation detailing the expenses incurred by his or her office during that defined period to the Secretary to the Board of Commissioners, supported by:

- a. Mileage logs, ~~fuel receipts,~~ parking receipts; and toll charges; routine repair and maintenance receipts, and proof of payment for financing costs associated with a vehicle used in the performance of official duties;
- b. Copies of travel documents, itineraries, accommodation, or travel confirmations;
- c. Copies of cancelled checks, appropriately redacted bank or credit card statements;

- d. Course descriptions, proof of payment, and general detail of relevance to official duties for qualified educational programs;
 - e. Legible receipts for, or any other records related to, expenses specified in this section.
- (5)(6) The Executive Director of the Cook County Board of Ethics will determine compliance with usage criteria set forth herein, and approve prior to payment, requests for expenditures made in accordance with this ordinance. The Director shall promptly notify Commissioners requesting approval in writing of the determination.
- (6)(7) The Secretary to the Board of Commissioners shall post the quarterly expenditure reports described in Subsection (c)(5) to a publicly accessible web page within 15 days of receipt as well as a report from the Board of Ethics or the Executive Director of the Cook County Board of Ethics indicating compliance.
- (7)(8) Requests for reimbursement shall be denied by the Comptroller and future contingency funds may be forfeited, should a Commissioner fail to adhere to the provisions of Subsection (5) providing for approval prior to payment, or failure to provide timely submissions of report or documentation, or failure to respond to compliance requests from the Director. The Director of the Cook County Board of Ethics may refuse reimbursement of contingency fund expenses for one month following any violations of section 34-40 of the Cook County Code. Violations include misspending funds, poor accounting, failure to provide adequate documentation and/or any other violation as determined by the Director of the Cook County Board of Ethics.
- (8)(9) No Commissioner may transfer any portion of his or her contingency fund to another Commissioner or to another Commissioner's contingency fund. Any portion of a Commissioner's contingency fund may be transferred to another budgetary item in the Commissioner's budget pursuant to procedures defined by the Board or may be deposited in the County General Revenue Fund. Commissioners may not transfer funds from an account in their Department budget into their Contingency fund allocation.
- (9)(10) Reimbursement of Commissioner's expenses shall be done on a monthly or quarterly basis dependent on the reporting period chosen by each Commissioner.