REPORT OF THE COMMITTEE ON LEGISLATION AND INTERGOVERNMENTAL RELATIONS

May 14, 2012

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Suffredin, Commissioners Beavers, Butler, Daley, Gainer, Garcia, Gorman, Goslin, Murphy, Reyes, Schneider, Silvestri, Sims and Steele (14)

Absent: Vice Chairman Fritchey, Commissioners Collins and Tobolski (3)

Also Present: Harris King – Chair, Metropolitan Planning Council; Laurence Msall – President, The Civic Federation; Carol Teschky – Supervisor, Maine Township; Barry Nekritz – Citizen Member, Unincorporated Cook County Task Force

Ladies and Gentlemen:

Your Committee on Legislation and Intergovernmental Relations of the Board of Commissioners of Cook County met pursuant to notice on Monday, May 14, 2012 at the hour of 12:00 P.M. in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

Your Committee has considered the following item and, upon adoption of this report, the recommendation is as follows:

317954 UNINCORPORTAED COOK COUNTY TASK FORCE (PROPOSED RESOLUTION). Submitting a Proposed Resolution sponsored by Toni Preckwinkle, President, Cook County Board of Commissioner; Co-sponsored by Timothy O. Schneider, Deborah Sims and Jeffrey R. Tobolski, County Commissioners.

PROPOSED RESOLUTION

UNINCORPORATED COOK COUNTY TASK FORCE

WHEREAS, Cook County Board President Toni Preckwinkle formed the Unincorporated Cook County Task Force in November 2011; and

WHEREAS, the Task Force was asked to investigate the provision of services to unincorporated Cook County, the associated costs, and to provide a list of initial recommendations regarding how the County could approach these areas in the future; and

WHEREAS, the Task Force was comprised of representatives from the Board of Commissioners, municipal government, township government, leading civic institutions, and the private sector; and

Respectfully submitted,
Committee on Legislation and
Intergovernmental Relations

Larry Suffredin, Chairman

Attest:

Matthew B. DeLeon (AS)

Matthew B. DeLeon, Secretary

*A video recording of this meeting is available on the Office of the Secretary to the Board's website on the Video Page at http://blog.cookcountyil.gov/secretarytotheboard/county-board-proceedings/county-board-video-and-audio/.

April 30, 2012

The Honorable Toni Preckwinkle
President
Cook County Board
118 North Clark Street, Room 537
Chicago, Illinois 60602

Dear President Preckwinkle:

Thank you for the opportunity to examine the issue of service provision to unincorporated areas of Cook County. During the last five months, members of the Task Force have had conversations with the relevant County departments, including the Sheriff's Office, the Cook County Highway Department, the Department of Building and Zoning, and the Cook County Forest Preserve District, as well as impacted municipalities. Enclosed you will find our initial analysis and recommendations, which have the aspirational, long-term goal of the ultimate elimination of unincorporated areas within Cook County.

To make progress towards that goal, it is imperative that the County work in a collaborative fashion with municipalities and residents. While some of these conversations have begun, in many cases there is much more to learn about the unique characteristics of each unincorporated parcel. To that effect, the Task Force would like to request that our work be extended for an additional six months to continue those discussions, facilitate additional public engagement, and assist with creating an implementation effort. The Task Force would utilize the additional time to reorganize into two subcommittees focused on the largest components of this report: policing services and infrastructure/housing issues.

In the course of our work, the Task Force came across important issues that did not fall strictly within our scope but that the Task Force believed warrant specific attention and additional investigation. These issues are raised here for your information and possible future action:

- Several sub-regions in the County have moved to a more metro-style policing system by coordinating or consolidating selective policing functions. Sheriff Tom Dart also pointed out to us that major urban areas like Los Angeles have successfully consolidated police services and experienced service improvements and efficiencies in the process. The Sheriff's Office should explore whether it is feasible for the Sheriff's Police to contract with local municipalities, particularly those facing challenging budget situations, to provide police services in place of those provided by the current municipal police, subject to a municipality's interest and approval. Any new contracts negotiated with municipalities must ensure that the municipality fully pays the costs of any service provision by the Sheriff.

Background

Approximately 62 square miles of the total area of Cook County is unincorporated land that is not part of the Cook County Forest Preserve District. This represents 6.5% of the 945 square miles within the entire county. As of the 2010 Census, unincorporated Cook County had 98,200 residents, or roughly 2% of the 5.2 million people living within the entire county.

In addition to standard, county-wide services, Cook County government provides "municipal"-type services to unincorporated residents, most notably building/zoning and police patrol services. While the County receives some general revenues from unincorporated areas, these revenues, in addition to fees from individual unincorporated property owners such as building permit fees, do not fully cover the cost of providing these services.

The financial gap that remains in the unincorporated areas between costs and revenues is covered by general County revenues, which are paid by incorporated and unincorporated residents alike.

Furthermore, any resources that are allocated to continue the provision of municipal-type services by Cook County are not available to fund the County's three primary functions – the hospital system, the jail, and the court system. As the County continues to face budgetary pressures, now is the time to consider what changes, if any, to current service delivery models are the most sustainable over the long term.

For these reasons, Cook County Board President Toni Preckwinkle convened this Task Force in December 2011 and asked us to investigate the provision of services to unincorporated Cook County. President Preckwinkle also asked us to provide a list of recommendations regarding how the County could address this disparity without detrimentally impacting services to unincorporated residents.

Analysis and Conclusions

First and foremost, this Task Force recommends that the County's aspirational, long-term goal should be the elimination of all unincorporated land such that every resident of Cook County is also a resident of a municipality. All the strategies and other actions that follow are designed to help make progress towards that objective. Accomplishing this goal, or even making progress towards it, will lead to a number of benefits for the County and residents alike. These include shifting to more localized service delivery models, partially alleviating the budget pressures facing the County, allowing the County to prioritize its primary functions, and facilitating infrastructure improvements.

The Task Force recognizes that there are many challenges to the short-term attainment of this goal and, in fact, it could continue to be a challenge over many years. However, based on our initial review of the current services provided to unincorporated residents and the associated impediments to immediate annexation of all unincorporated parcels, the County should undertake the following strategies to move closer to the desired outcome. It is important to note that the recommendations put forth here are not directed

- Any annexation process, regardless of the size or population of the parcel in question, should engage the affected residents and property owners.
- It should be possible to spur the annexation of many of these kinds of parcels without a significant expenditure of resources.
- To the extent that annexation occurs, all affected County departments should be required to analyze and quantify as much as feasible how the reduction in the unincorporated parcels to be serviced could lead to efficiencies or cost reductions in each department's operations.

- Improve and increase code enforcement in highly populated areas of unincorporated Cook County to increase the future attractiveness of these areas for municipal annexation.
  - Special focus should be given to older multi-family housing developments. Every effort should be made to bring these developments up to current code standards and to maintain them at that level on a year-to-year basis.
  - The County should also consider expanding current code enforcement activities to include one-to-three family rental properties. An increasing number of smaller units are being rented and neighborhood viability (not to mention increased attractiveness for future annexation) depends on keeping them in good condition.
  - Additional staffing will be required to achieve these objectives. Inspection fees and increased fines for non-compliance should cover the added manpower and other costs involved.

- Require that plans for any new development in unincorporated Cook County must be submitted to the closest contiguous municipality for advisory reviews. The review will inform the County whether a proposed development meets the standards of the nearby municipality or not. While current procedures allow for municipalities to object to zoning variations, that step does not occur until the end of the application process. Taking this additional step will make future annexation of new development more likely. This requirement should be implemented in a way that aligns with the goal of encouraging near-term or eventual annexation while avoiding an undue burden for the developer, property owner, or nearby municipality.

- Properly categorize and streamline police services provided by Cook County.
  - Review the allocation and categorization of Sheriff's Police expenses between incorporated and unincorporated Cook County. The Sheriff's Police provide a variety of services to both incorporated and unincorporated areas of the county. Clearly understanding, from a budget point of view, which services are provided only to unincorporated Cook County and which services are provided County-wide is important. Even if it is possible to eventually eliminate all unincorporated areas, there will still be a need for the Sheriff's Police

Near-Term Recommendations

- Focus on spurring the annexation of unincorporated parcels with more than 100 residents and/or larger than 60 acres.
    - This will involve a more robust and individualized analysis of the existing challenges and, potentially, greater expense than the small parcels recommended for immediate annexation.
    - Each larger unincorporated area is unique and will require inducements and other considerations specific to its circumstances. The role of the implementation team will be critical in terms of identifying and articulating with specifics those circumstances and conditions.
    - In order for large-scale annexation to be possible, all sides must be willing to make concessions and/or offer incentives. Municipalities must be willing to "grandfather" existing infrastructure conditions, and create clear, feasible rules for unincorporated residents as to when non-conforming buildings, developments, or infrastructure are required to be upgraded. Such rules need to appropriately balance public health and safety needs against individual property rights so as to avoid discouraging purchases and new investment in such properties. Uneasy residents in such areas could, perhaps, be offered limited-term property tax abatements which are phased out over a year or two (similar to the phase-out period for the County's commercial and industrial property tax incentives) to help these residents adjust to the higher property tax burden within a municipality.
    - To the extent that annexation occurs, all affected County departments should be required to analyze and quantify as much as feasible how the reduction in the unincorporated parcels to be serviced could lead to efficiencies or cost reductions in each Departmental operation.

- In order to encourage residents in unincorporated areas to agree to the actions recommended above, where such agreement is necessary, and to cover the cost of providing services in the interim, the County should consider creating fee-for-service models where appropriate and otherwise adjusting current revenue models to fully cover the related costs. Other than a tax on property, the County's unincorporated areas have no other robust tax base sufficient for covering existing costs.
    - If the County revisits the concept of Special Service Areas and/or special assessments to provide broad-based support for these services and necessary infrastructure upgrades through additional property tax levies, such additional levies must be approved by a majority of the both the registered voters and property owners within the affected area.

ATTACHMENT 1

Sizeable Population Parcels in Unincorporated Cook County

Parcel	Township	Population	Near	County Board District
1	Maine	24,242	Des Plaines, Park Ridge	17, 9
2	Leyden	9,496	North Lake, Franklin Park	16, 17
3	Northfield	9,035	Glenview (5 parcels)	14
4	Lemont	4,152	Lemont	17
5	Palos	4,047	Palos Park	17
6	Elk Grove	3,918	Elk Grove, Des Plaines	17
7	Lyons	3,227	LaGrange, Indian Head Park	16, 17
8	Stickney	2,928	Forest View	11
9	Palatine	2,827	Palatine, Buffalo Grove	14
10	Northfield	2,251	Northbrook	14
11	Maine	2,020	Glenview, Niles	9
12	Worth	1,703	Palos Heights, Crestwood	6
13	Orland	1,588	Orland Park (2 parcels)	17
14	Lyons	1,503	Justice, Willow Springs	6
15	Lyons	1,503	Bedford Park	16
16	Palos	1,452	Palos Park, Orland Park	17
17	Rich	1,294	Matteson	6
18	Orland	1,282	Orland Park	17
19	Orland	1,281	Orland Park	17
20	Schaumburg	1,263	Schaumburg	15
21	Palatine	1,144	Palatine	14
22	Worth	1,103	Alsip	6
23	Stickney	1,103	Bridgeview	11
24	Norwood Park	1,072	Chicago	9
25	Hanover	1,023	Barrington	15
	Total	86,457		