

**REPORT OF THE COMMITTEE ON LEGISLATION AND INTERGOVERNMENTAL  
RELATIONS**

**October 16, 2012**

The Honorable,  
The Board of Commissioners of Cook County

**ATTENDANCE**

Present: Chairman Suffredin, Vice Chairman Fritchey, Commissioners Beavers, Butler, Collins, Garcia, Gorman, Goslin, Murphy, Reyes, Schneider, Silvestri, Sims, Steele and Tobolski (15)

Absent: Commissioners Daley and Gainer (2)

Also Present: Jack Weinrauch – Director of Administrative Hearings, Zara Ali – Director of Revenue; Daniel H. Brennan, Jr., - Assistant State’s Attorney civil Actions Bureau; Thomas Grippando – Administrative Law Judge, Department of Administrative Hearings; Wayne Moran – Case Manager, Department of Administrative Hearings; Deborah Stone – Director of Environmental Control.

Ladies and Gentlemen:

Your Committee on Legislation and Intergovernmental Relations of the Board of Commissioners of Cook County met pursuant to notice on Tuesday, October 16, 2012 at the hour of 9:15 A.M. in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

Your Committee has considered the following items and upon adoption of this report, the recommendations are as follows:

319169 REQUESTING A HEARING OF THE LEGISLATION AND INTERGOVERNMENTAL RELATIONS COMMITTEE TO DISCUSS THE COUNTY’S ADMINISTRATIVE ADJUDICATION PROGRAM (PROPOSED RESOLUTION). Submitting a Proposed Resolution sponsored by Larry Suffredin, County Commissioner.

PROPOSED RESOLUTION

**REQUESTING A HEARING OF THE LEGISLATION AND  
INTERGOVERNMENTAL RELATIONS COMMITTEE TO DISCUSS THE  
COUNTY’S ADMINISTRATIVE ADJUDICATION PROGRAM**

**WHEREAS**, The Cook County Board of Commissioners enacted Ordinance 09-O-03, establishing the Department of Administrative Hearings (“the “Department”) in December 2008; and

**WHEREAS**, Pursuant to such Ordinance, the Department provides an independent central panel of adjudicators authorized to conduct administrative adjudication proceedings for departments, agencies, boards and commissions of the County; and

**WHEREAS**, air pollution is linked to other dangerous diseases such as cancer, diabetes, aggravated asthma and other respiratory illnesses, increased hospitalizations, and premature death; and

**WHEREAS**, air pollution particularly affects the most vulnerable citizens of our city, namely seniors, children and those with compromised health; and

**WHEREAS**, since 1970, the Clean Air Act has protected the air we breathe through a proven, comprehensive, successful system of pollution control that saves lives and creates economic benefits exceeding its costs; and

**WHEREAS**, with the Clean Air Act, air quality in this country has improved significantly, despite major growth both in our economy and industrial production; and

**WHEREAS**, between 1970 and 1990, the six main pollutants covered by the Clean Air Act - particulate matter and ground-level ozone (both of which contribute to smog and asthma), carbon monoxide, lead, sulfur and nitrogen oxides (the acid gases that cause acid rain) - were reduced by between 47 percent and 93 percent, and airborne lead was virtually eliminated; and

**WHEREAS**, the Clean Air Act has produced economic benefits valued at \$2 trillion or 30 times the cost of regulation; and

**WHEREAS**, healthy air will protect public health, save lives, and reduce healthcare costs.

**NOW, THEREFORE, BE IT RESOLVED**, that the Cook County Board of Commissioners supports the Clean Air Act and urges the administrator of the Environmental Protection Agency, Lisa P. Jackson, and President Barack Obama to move swiftly to fully employ and enforce the Clean Air Act to reduce ground-level ozone, particulate matter, and carbon pollution in our atmosphere; and

**BE IT FURTHER RESOLVED**, that a suitable copy of this Resolution be spread upon the official proceedings of this Honorable Body and that an official copy of the same be tendered to Lisa P. Jackson, President Barack Obama and Cook County's Congressional Delegation as a reflection of this Honorable Body's support of the Clean Air Act.

**\*Referred to the Legislation and Intergovernmental Relations Committee on 09-10-12.**

**Vice Chairman Fritchey, seconded by Commissioner Steele, moved the approval of Communication No. 319944. The motion carried. Commissioners Gorman and Schneider voted No on the above item.**

Chairman Suffredin asked the Secretary to the Board to call upon the registered public speaker, in accordance with Cook County Code, Sec. 2-107(dd).

1. George Blakemore, Concerned Citizen

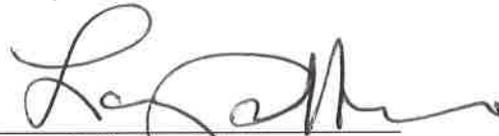
Commissioner Steele moved to adjourn the meeting, seconded by Commissioner Reyes. The motion carried and the meeting was adjourned.

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION  
WITH REGARD TO THE MATTERS NAMED HEREIN:**

Communication Number 319169  
Communication Number 319944

Approved  
Approved

Respectfully submitted,  
Committee on Legislation and  
Intergovernmental Relations

  
Larry Suffredin, Chairman

Attest:

  
Matthew B. DeLeon, Secretary

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

**THE BOARD OF COMMISSIONERS  
TONI PRECKWINKLE, PRESIDENT**



**COUNTY OF COOK  
BUREAU OF FINANCE  
DEPARTMENT OF REVENUE**

**ZAHRA ALI  
DIRECTOR**

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118 North Clark Street, Room 1160  
Chicago, Illinois 60602-1304  
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|--------------------|-----------------------|----------------------------|------------------------|
| Earlean Collins    | 1 <sup>st</sup> Dist. | Bridget Gainer             | 10 <sup>th</sup> Dist. |
| Robert Steele      | 2 <sup>nd</sup> Dist. | John P. Daley              | 11 <sup>th</sup> Dist. |
| Jerry Butler       | 3 <sup>rd</sup> Dist. | John A. Fritchey           | 12 <sup>th</sup> Dist. |
| William M. Beavers | 4 <sup>th</sup> Dist. | Lawrence Suffredin         | 13 <sup>th</sup> Dist. |
| Deborah Sims       | 5 <sup>th</sup> Dist. | Gregg Goslin               | 14 <sup>th</sup> Dist. |
| Joan P. Murphy     | 6 <sup>th</sup> Dist. | Timothy O. Schneider       | 15 <sup>th</sup> Dist. |
| Jesus G. Garcia    | 7 <sup>th</sup> Dist. | Jeffrey R. Tobolski        | 16 <sup>th</sup> Dist. |
| Edwin Reyes        | 8 <sup>th</sup> Dist. | Elizabeth Ann Doody Gorman | 17 <sup>th</sup> Dist. |
| Peter N. Silvestri | 9 <sup>th</sup> Dist. |                            |                        |

September 24, 2012

Honorable Commissioner Larry Suffredin  
Cook County Commissioner  
118 N. Clark Street, Room 567  
Chicago, Illinois 60602

Dear Commissioner Suffredin:

Pursuant to your proposed Resolution from the July 24, 2012 Cook County Board Meeting regarding the progress of the Intergovernmental Agreement between the Cook County and the City of Chicago for joint enforcement and adjudication of Tobacco Tax violations, the Department of Revenue would like to update you regarding the progress made by the City of Chicago ("City") and County of Cook ("County").

As you know, Cook County and the City of Chicago entered into an Intergovernmental Agreement ("Agreement") on January 18, 2012 to allow for the joint enforcement of the County and City ordinances regarding tobacco taxes. Pursuant to the Agreement, the City's Department of Business Affairs and Consumer Protection ("BACP") and the Cook County Department of Revenue ("DOR") have cross-designated personnel who will represent both the City and the County in investigating retailers and issuing citations for violations of these ordinances. Additionally, attorneys, administrative hearing officers and revenue collectors have been assigned by both entities to prosecute citations, adjudicate hearings, and collect fines and penalties resulting for the issuance of citations. Since the Agreement was implemented in April, much progress already has been made.

Through the end of August, the County has issued **284 citations** for violations of the City's tobacco tax ordinance. Simultaneously, the City has issued **226 citations** for violations of the County's ordinance. As a result of this collaboration, both the City and County have collected additional revenues that otherwise may have been lost. Specifically, the County has received **\$45,023** in payment reimbursements for fines collected by the City, while the City has received **\$12,820** in reimbursements from the County.

Going forward, DOR will continue to work with all of the relevant stakeholders, including the State's Attorney's Office, Department of Administrative Hearings, the Sheriff's Office and the Cook County Comptroller, to ensure consistent and best practices. With assistance from the Civic Consulting Alliance, we will seek to obtain additional cross-designations including for the Department of Administrative Hearings. Along with the State's Attorney's Office, we will continue our review of the adjudication of County citations issued by the City and will continue to work with the City to address any questions they may have regarding County prosecutions and adjudications.



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As a result of the innovative collaborations with entities such as the Sheriff's Office in investigative and enforcement efforts and our more recent partnership with the City on enforcement and adjudication, we have seen an improvement in investigation, enforcement and adjudication.

In the months ahead, we are confident that such innovative collaborations will continue to have a positive impact on our County and will keep the Board of Commissioners apprised of any additional improvements made with respect to the operation of this Agreement.

Please feel free to contact me with any questions or concerns you may have regarding the Agreement or other collaborations.

Thank you.

Sincerely,

Zahra Ali  
Director of Revenue

CC: Commissioner John P. Daley, Chairman of Finance Committee  
All Cook County Board of Commissioners  
Kurt Summers, Chief of Staff  
Tariq Malhance, Chief Financial Officer  
Laura Lechowicz-Felicione, General Counsel  
Letty Close, Office of the President  
Patrick Driscoll, Office of the State's Attorney  
Jack Weinrauch, Director of Administrative Hearing  
Joseph Clary, Office of the Chief Financial Officer  
Zelda Whittler, Undersheriff



**Chicago ordinance which incorporated by reference Section 74-435 of the Cook County Code of Ordinances**

**3-42-025 Violations of other laws.**

It shall be unlawful for any retail tobacco dealer to purchase or receive cigarettes from any person unless the package containing the cigarettes bears an un mutilated tax stamp affixed and canceled as required by Section 74-435 of the Cook County Code of Ordinances, as amended. Such unlawful conduct shall be a violation of this section. The penalty schedule for violating this section is set forth in Section 74-435 of the Cook County Code of Ordinances, as amended, and is incorporated by reference into this section. Violation of this section shall be deemed a separate and distinct offense from other tax stamp violations of this chapter.

(Added Coun. J. 2-15-12, p. 20496, § 5)

# County of Cook

## Ticket Summary Report for Tickets Issued 12/1/2011 through 9/30/2012

*Fines, Paid, and Balance are tracked just for the tickets issued during this period.*

*Adjudication and payments for tickets issued during this period may occur after the closing date of the period.*

*Adjudication and payments made during this period for tickets issued prior to the begin date of the period are not included.*

| <i>Department</i>       | <i># of Tickets Issued</i> | <i>Total Adj Fines</i> |
|-------------------------|----------------------------|------------------------|
| Amusement               | 70                         | \$1,008,023.49         |
| Animal Control          | 253                        | \$92,645.00            |
| Building and Zoning     | 538                        | \$81,015.00            |
| CITY OF CHICAGO         | 372                        | \$222,930.00           |
| Department of Revenue   | 1805                       | \$3,527,684.00         |
| Diesel Tax              | 2                          | \$1,420.42             |
| Environmental Control   | 1542                       | \$542,749.00           |
| Forest Preserve         | 1926                       | \$212,945.00           |
| Highway Department      | 10                         | \$40,975.00            |
| Impound Forest Preserve | 144                        | \$38,500.00            |
| Liquor Tax              | 4                          | \$0.00                 |
| New Motor Vehicle       | 37                         | \$565,292.48           |
| Parking Forest Preserve | 500                        | \$15,790.00            |
| Public Health           | 3                          | \$0.00                 |
| Revenue Collection      | 2                          | \$0.00                 |
| Revenue Parking         | 25                         | \$7,062.32             |
| Sheriff                 | 32957                      | \$691,290.00           |
| USE TAX DEALER          | 236                        | \$6,632,653.32         |
| <b>Totals:</b>          | <b>40426</b>               | <b>\$13,680,975.03</b> |