



**Forest Preserve District of Cook County
Board of Commissioners**

Minutes of the Finance Committee

Tuesday, June 27, 2023

9:30 AM

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

ATTENDANCE

Present: Lowry, Aguilar, Anaya, Britton, Daley, Degnen, Gordon, Gainer, Miller, Moore, Morita, Morrison, Morrison, Quezada, Stamps and Trevor (16)

Absent: Deer (1)

PUBLIC TESTIMONY

Chairman Lowry asked the Secretary to the Board to call upon the registered public speakers, in accordance with Forest Preserves Code of Ordinances, Section 1-5-4.

No public speakers

[23-0432](#)

COMMITTEE MINUTES

Approval of the minutes from the meeting of 5/23/2023

A motion was made by Commissioner Morita, seconded by Commissioner Gordon, to approve 23-0432. The motion carried by the following vote:

Ayes: Lowry, Aguilar, Anaya, Britton, Daley, Degnen, Gordon, Gainer, Miller, Moore, Morita, Morrison, Morrison, Quezada, Stamps and Trevor (16)

Absent: Deer (1)

[23-0331](#)

Sponsored by: BILL LOWRY, FRANK J. AGUILAR, BRIDGET DEGNEN, MONICA GORDON, STANLEY MOORE, JOSINA MORITA, KEVIN B. MORRISON, ALMA E. ANAYA, SCOTT R. BRITTON, JOHN P. DALEY, BRIDGET GAINER, DONNA MILLER, SEAN M. MORRISON, ANTHONY J. QUEZADA and MAGGIE TREVOR, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

DUMPING GARBAGE; LITTERING

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that TITLE 2 - FOREST PRESERVE LANDS AND PROPERTY, CHAPTER 3 - TRESPASS AND USE OF PROPERTY, SECTION 2-3-5 - DUMPING GARBAGE; LITTERING and SECTION 2-3-9 -PENALTY of the Forest Preserve District of Cook County Code of Ordinances are hereby amended as Follows:

2-3-5. DUMPING GARBAGE; LITTERING.

- (a) No person shall deposit, dump, throw, cast, lay or place, nor cause to be deposited, dumped, thrown, cast, laid or placed any ashes, trash, rubbish, paper, garbage, refuse or debris in or upon the property of the Forest Preserve District, nor in any watercourse, lake, pond or slough within the Forest Preserve District. See also Section 2-2-2 of this Code.
- (b) *Penalty.* Any person or entity violating any of the provisions of this Section shall be fined not less than one hundred dollars (\$100.00) nor more than ~~five hundred dollars (\$500.00)~~ seven hundred fifty dollars (\$750.00) for each offense. In addition to the above-referenced fine, any person or entity deemed to be in breach of the provisions of this Section shall be liable for the cost to legally dispose of any deposited, dumped, thrown, cast, laid, or placed ashes, trash, rubbish, paper, garbage, refuse or debris, as well as the cost to repair, replace or restore property damaged as a result of such person's or entity's breach.

2-3-9. PENALTY

(b) *Penalty clause.* Unless another penalty is expressly stated in this chapter of the Forest Preserve District Code, Any any person, firm, or corporation or agents, employees or contractors of such who violate, disobey, omit, neglect or refuse to comply with or who resist enforcement of any of the provisions of this chapter shall be subject to fines of not less than one hundred dollars (\$100.00) but not more than five hundred dollars (\$500.00). A separate and distinct offense shall be regarded as committed each day on which such person continues or permits any such violation to continue, or fails to make a reasonable effort to comply, after notification thereof. In addition to the above, any person deemed to be in breach of the provisions of this Code shall be liable for the cost or expense incurred by the District, ~~as determined by the General Superintendent or his designee,~~ to repair, replace or restore the item or property damaged as a result of such person's breach. ~~The first paragraph of this Section 2-3-9(b) shall not apply for violations of Section 2-3-5 (Dumping Garbage; Littering).~~

In determining the amount of the fine, the following factors shall be taken into consideration:

- 1) The gravity of the offense,
- 2) The respondent's past history with respect to compliance with the provisions of this chapter,
- 3) The respondent's financial situation,
- 4) The extent of respondent's cooperation,
- 5) The likelihood that the respondent will violate the provisions of this chapter in the future, unless deterred from doing so by the imposition of the maximum fine, and
- 6) Any other factors relevant to the circumstances relating to the violation.

This ordinance, as amended, shall be in full force and effect from and after its passage and approval.

Effective date: This ordinance amendment shall be in effect August 1, 2023.

A motion was made by Commissioner Anaya, seconded by Commissioner Miller, to accept a substitute 23-0331. The motion carried by the following vote:

Ayes: Lowry, Aguilar, Anaya, Britton, Daley, Degnen, Gordon, Gainer, Miller, Moore, Morita, Morrison, Morrison, Quezada, Stamps and Trevor (16)

Absent: Deer (1)

A motion was made by Commissioner Anaya, seconded by Commissioner Miller, to recommend for approval as substituted 23-0331. The motion carried by the following vote:

Ayes: Lowry, Aguilar, Anaya, Britton, Daley, Degnen, Gordon, Gainer, Miller, Moore, Morita, Morrison, Morrison, Quezada, Stamps and Trevor (16)

Absent: Deer (1)

[23-0332](#)

Sponsored by: BILL LOWRY, FRANK J. AGUILAR, ALMA E. ANAYA, SCOTT R. BRITTON, JOHN P. DALEY, BRIDGET DEGNEN, BRIDGET GAINER, MONICA GORDON, DONNA MILLER, STANLEY MOORE, JOSINA MORITA, KEVIN B. MORRISON, SEAN M. MORRISON, ANTHONY J. QUEZADA and MAGGIE TREVOR, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

POLLUTING AND LITTERING

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that TITLE 3 - POLICE REGULATIONS, CHAPTER 3 - MISCELLANEOUS MISCONDUCT, SECTION 3-3-19 - POLLUTING AND LITTERING of the Forest Preserve District of Cook County Code of Ordinances is hereby amended as Follows:

3-3-19. POLLUTING AND LITTERING.

- A. *Littering:* No unauthorized person shall bring into, leave behind, or dump any material of any kind, whether waste or otherwise, in the Forest Preserve, except refuse, ashes, garbage and other material arising from the normal use and enjoyment of a picnic or other permitted activity provided such material is deposited in receptacles provided for such purposes.

- B. *Polluting:* No material of any kind shall be left or deposited in the Forest Preserve so as to pollute the land, waters or air coursing through or over the Forest Preserve or otherwise to interfere with proper use and enjoyment of the Forest Preserve. No person shall throw, cast, deposit, damage, lay, place or scatter in the waters adjacent to the Forest Preserve, or on any waterway, harbor or lagoon of the Forest Preserve or upon any bathing beaches of the Forest Preserve any glass, bottles, nails, cans or other sharp or cutting substances of any kind. No person shall throw, cast, lay, drop or discharge into or leave in the bathing beaches or waters in any Forest Preserve or in any storm sewer, or drain flowing into said waters, any substance, matter or thing, liquid or solid, which may or shall result in the pollution of said waters.

- C. *Penalty:* Any person or entity violating any of the provisions of this Section shall be fined not

less than one hundred dollars (\$100.00) nor more than ~~five hundred dollars (\$500.00)~~ seven hundred fifty dollars (\$750.00) for each offense. In addition to the above-referenced fine, any person or entity deemed to be in breach of the provisions of this Section shall be liable for the cost to legally dispose of any prohibited litter or pollutants, as well as the cost to repair, replace, or restore property damaged as a result of such person's or entity's breach.

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Effective date: This ordinance amendment shall be in effect August 1, 2023.

A motion was made by Commissioner Aguilar, seconded by Commissioner Trevor, to accept a substitute 23-0332. The motion carried by the following vote:

Ayes: Lowry, Aguilar, Anaya, Britton, Daley, Degnen, Gordon, Gainer, Miller, Moore, Morita, Morrison, Morrison, Quezada, Stamps and Trevor (16)

Absent: Deer (1)

A motion was made by Commissioner Aguilar, seconded by Commissioner Trevor, to recommend for approval as substituted 23-0332. The motion carried by the following vote:

Ayes: Lowry, Aguilar, Anaya, Britton, Daley, Degnen, Gordon, Gainer, Miller, Moore, Morita, Morrison, Morrison, Quezada, Stamps and Trevor (16)

Absent: Deer (1)

[23-0362](#)

Sponsored by: BILL LOWRY, FRANK J. AGUILAR, ALMA E. ANAYA, SCOTT R. BRITTON, JOHN P. DALEY, BRIDGET DEGNEN, BRIDGET GAINER, MONICA GORDON, DONNA MILLER, STANLEY MOORE, JOSINA MORITA, KEVIN B. MORRISON, SEAN M. MORRISON, ANTHONY J. QUEZADA and MAGGIE TREVOR, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

RESTITUTION

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that TITLE 1- ADMINISTRATIVE, CHAPTER 4- GENERAL PENALTY, Section 1-4-1- GENERAL PENALTY AND LATE FEE of the Forest Preserve District of Cook County Code of Ordinances is hereby amended as Follows:

1-4-1: GENERAL PENALTY AND LATE FEE.

- A. Whenever in any provision of this Code the doing of any act or the omission to do any act or duty is declared to be a breach thereof, and there shall be no specific fine or penalty declared for such

breach or where the penalty provision specifically references this section, any person who shall be convicted of any such breach shall be fined not less than seventy-five dollars (\$75.00) or more than five hundred dollars (\$500.00) for each such breach (excluding any applicable restitution costs as described in Section 1-4-1(D) below).

- B. In determining the amount of the fine, the following factors may be taken into consideration:
1. The gravity of the offense;
 2. The respondent's past history with respect to compliance with the provisions of this chapter;
 3. The respondent's financial situation, if known;
 4. The extent of respondent's cooperation;
 5. The likelihood that the respondent will violate the provisions of this chapter in the future, unless deterred from doing so by the imposition of the maximum fine; and
 6. Any other factors relevant to the circumstances relating to the violation.
- C. A late fee shall be assessed against a respondent who fails to fully pay any fine and costs assessed pursuant to this Code, within thirty-five (35) days after service of the order assessing the fine. Where the respondent appeals an order to the Circuit Court, the thirty-five-day period shall be tolled during pendency of the appeal. The Director of Department of Revenue or the Director's designate may in his or her discretion waive the late fee where the respondent has entered into a payment plan and is in compliance with that plan. The amount of the late fee shall be based on the total amount of the fines and costs assessed against the respondent, using the following formula:
1. Seventy-five dollars (\$75.00) or less: The late fee shall be equal to the total amount of the fine, where the fine is seventy-five dollars (\$75.00) or less.
 2. More than seventy-five dollars (\$75.00): The late fee shall be seventy-five dollars (\$75.00), plus twenty (20) percent of the total amount of the fine in excess of seventy-five dollars (\$75.00), where the amount of the fine is more than seventy-five dollars (\$75.00).
- D. In addition to the above, any person deemed to be in breach of the provisions of this Code shall be liable for the cost or expense incurred by the District, as determined by the General Superintendent or his designee, to repair, replace or restore the item or property damaged as a result of such person's breach.

Effective date: This ordinance amendment shall be in effect August 1, 2023.

A motion was made by Commissioner Quezada, seconded by Commissioner Gordon, to accept a substitute 23-0362. The motion carried by the following vote:

Ayes: Lowry, Aguilar, Anaya, Britton, Daley, Degnen, Gordon, Gainer, Miller, Moore, Morita, Morrison, Morrison, Quezada, Stamps and Trevor (16)

Absent: Deer (1)

A motion was made by Commissioner Quezada, seconded by Commissioner Gordon, to recommend for approval as substituted 23-0362. The motion carried by the following vote:

Ayes: Lowry, Aguilar, Anaya, Britton, Daley, Degnen, Gordon, Gainer, Miller, Moore, Morita, Morrison, Morrison, Quezada, Stamps and Trevor (16)

Absent: Deer (1)

[23-0385](#)

Presented by: ARNOLD RANDALL, General Superintendent

RECOMMENDATION OF THE FINANCE SUBCOMMITTEE (LITIGATION)

Finance Subcommittee Meeting on Litigation - 6/27/2023

The Finance Subcommittee on Litigation met on the above listed date and recommends the following for approval:

Proposed Settlements Approved Fiscal Year 2023 to Present: \$55,000.00

Proposed Settlements to Be Approved: \$0.00

Legal Fees Approved Fiscal Year 2023 to Present: \$494,266.40

Legal Fees for 6/27/2023 to Be Approved: \$47,835.80

A motion was made by Commissioner Britton, seconded by Commissioner Gordon, to approve 23-0385. The motion carried by the following vote:

Ayes: Lowry, Aguilar, Anaya, Britton, Daley, Degnen, Gordon, Gainer, Miller, Moore, Morita, Morrison, Morrison, Quezada, Stamps and Trevor (16)

Absent: Deer (1)

[23-0382](#)

Presented by: ARNOLD RANDALL, General Superintendent

RECOMMENDATION OF THE FINANCE SUBCOMMITTEE (WORKERS' COMPENSATION)

Finance Subcommittee Meeting on Workers' Compensation - 6/27/2023

The Finance Subcommittee on Workers' Compensation met on the above listed date and recommends the following for approval:

Workers' Compensation Claims approved Fiscal Year 2023 to present: \$230,133.46

Workers' Compensation Claims to Be Approved: \$0.00

Workers' Compensation Lien Recovery approved Fiscal Year 2023 to present: \$4,500.00

Workers' Compensation Lien Recovery to be Approved: \$42,500.00

A motion was made by Commissioner S. Morrison, seconded by Commissioner Trevor, to approve 23-0382. The motion carried by the following vote:

Ayes: Lowry, Aguilar, Anaya, Britton, Daley, Degnen, Gordon, Gainer, Miller, Moore, Morita, Morrison, Morrison, Quezada, Stamps and Trevor (16)

Absent: Deer (1)

[23-0390](#)

Presented by: ARNOLD RANDALL, General Superintendent

REPORT

Department: Department of Finance and Administration

Request: Receive and File

Report Title: Corporate Fund Analysis of Revenue and Expenditures

Report Period: 1/1/2023 - 4/30/2023

Summary: Detailed Fund Analysis of Revenue and Expenditures for April 2023.

A motion was made by Commissioner Miller, seconded by Commissioner Quezada, to recommend for receiving and filing 23-0390. The motion carried by the following vote:

Ayes: Lowry, Aguilar, Anaya, Britton, Daley, Degnen, Gordon, Gainer, Miller, Moore, Morita, Morrison, Morrison, Quezada, Stamps and Trevor (16)

Absent: Deer (1)

ADJOURNMENT

A motion was made by Commissioner Gordon, seconded by Commissioner Anaya, to adjourn. The motion carried by the following vote:

Ayes: Lowry, Aguilar, Anaya, Britton, Daley, Degnen, Gordon, Gainer, Miller, Moore, Morita, Morrison, Morrison, Quezada, Stamps and Trevor (16)

Absent: Deer (1)

Respectfully submitted,

Handwritten signature of Bill Lowry, consisting of the word "Bill" followed by a stylized, cursive "L".

Chairman Lowry

Handwritten signature of Lynne M. Turner in a cursive script.

Secretary

A complete record of this meeting is available at <https://fpdcc.legistar.com>.