



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

Finance Committee

Tuesday, July 27, 2021

9:30 AM

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

NOTICE AND AGENDA

There will be a meeting of the committee or subcommittee of the Forest Preserve District of Cook County Board of Commissioners at the date, time and location listed above.

PUBLIC TESTIMONY

Authorization as a virtual public speaker shall only be granted to those individuals who have submitted in writing, their name, email address, phone number, subject matter, and organization (if any) to the Secretary 24 hours in advance of the meeting. Duly authorized virtual public speakers may speak live from the Commissioners reception area at 118 N. Clark Street, 5th Floor, Chicago, IL or be sent a link to virtually attend the meeting and will be called upon to deliver testimony at a time specified in the meeting agenda. Authorized public speakers who are not present during the specified time for public testimony will forfeit their allotted time to speak at the meeting. Public testimony must not exceed three minutes; the Secretary will keep track of the time and advise when the time for public testimony has expired. After each speaker has completed their statement, they will be removed from the meeting. Once removed, you will still be able to follow the proceedings for that day at:

<https://www.cookcountyil.gov/service/watch-live-board-proceedings> or in a viewing area at 69 W. Washington Street, 22nd Floor Conference Room C, Chicago, IL. Persons authorized to provide public testimony shall not use vulgar, abusive, or otherwise inappropriate language when addressing the Board; failure to act appropriately; failure to speak to an item that is germane to the meeting, or failure to adhere to the time requirements may result in expulsion from the meeting and/or disqualify the person from providing future testimony. Written comments will not be read aloud at the meeting, but will be posted on the meeting page and made a part of the meeting record.

[21-0378](#)

COMMITTEE MINUTES

Approval of the minutes from the meeting of 02/25/2020

[21-0318](#)

Presented by: ARNOLD RANDALL, General Superintendent

PROPOSED BID RECOMMENDATION

Department: Department of Planning and Development

Request: Authorization for the Forest Preserves of Cook County to enter into a construction contract with AGAE Contractors, Inc., primary place of business Chicago, Illinois, for shelter repairs at Midlothian Meadows and King’s Grove in Southwest Cook County.

Reason: Contract #74000009401 issued under Project #21-80-26 Picnic Shelter Repairs 2021 at Midlothian Meadows Groves #1, 2, 3 and 4, and King’s Grove #1. The work addresses the renovation of five (5) existing picnic shelters. The work includes, but is not limited to, lead-based paint removal, concrete ceiling panel patching, concrete ceiling panel replacement, roof removal and replacement, and other related work as specified in the plans and specifications.

Bid Opening Date: 6/16/2021

Bid Results:

<u>Bidder</u>	<u>Bid Amount</u>
1. AGAE Contractors, Inc.	\$260,035.00
2. Fabex Technologies	\$472,405.00

Estimated Fiscal Impact: \$260,035.00

Contract Period: One hundred fifty (150) days from issuance of notice to proceed

Account Name/Number: Property Maintenance & Operations 51025.560105, 51027.560105, 51028.560105, 51057.560105, 51058.560105, 51051.56010 and 51009.560106

District: 5, 6

Concurrence(s):

The Chief Financial Officer and Chief Attorney have approved this item.

The vendor has met the Minority- and Women-owned Business Enterprise Ordinance provisions via direct

participation.

[21-0319](#)

Presented by: ARNOLD RANDALL, General Superintendent

PROPOSED BID RECOMMENDATION

Department: Department of Planning and Development

Request: Authorization for the Forest Preserves of Cook County to enter into a construction contract with Fabex Technologies LLC, primary place of business Chicago, Illinois, for Masonry Repairs at Salt Creek Resource Management located near Western Springs.

Reason: Contract #74000009402 issued under Project #21-80-14 Masonry Repairs at Salt Creek Resource Management. The work addresses repairs to three (3) existing buildings. The work includes, but is not limited to, masonry repairs, painting, sealant replacement, miscellaneous carpentry repairs and other related work as specified in the plans and specifications.

Bid Opening Date: 6/16/2021

Bid Results:

<u>Bidder</u>	<u>Bid Amount</u>
1. Fabex Technologies, LLC	\$176,460.00
2. Berglund Construction	\$200,000.00
3. Bulley & Andrews Masonry Restoration, LLC	\$243,105.00

Estimated Fiscal Impact: \$176,460.00

Contract Period: Two hundred ten (210) days from issuance of notice to proceed

Account Name/Number: Property Maintenance & Operations 51025.560105, 51028.560105, 51030.560105, 51051.560105, 51057.560105 and 51058.560105

District: 17

Concurrence(s):

The Chief Financial Officer and Chief Attorney have approved this item.

The vendor has met the Minority- and Women-owned Business Enterprise Ordinance provisions via direct participation.

[21-0320](#)

Presented by: ARNOLD RANDALL, General Superintendent

PROPOSED BID RECOMMENDATION

Department: Department of Planning and Development

Request: Authorization for the Forest Preserves of Cook County to enter into a construction contract with L. Marshall, Inc., primary place of business Glenview, Illinois, for roof replacement at southeast police headquarters located near Lansing.

Reason: Contract #74000009458 issued under Project #21-80-10 Roof Replacement at Southeast Police. The work addresses removal and replacement of an existing roof. The work includes, but is not limited to, removing and replacing existing roof, sealant work, miscellaneous carpentry work and other related work as specified in the plans and specifications.

Bid Opening Date: 6/23/2021

Bid Results:

<u>Bidder</u>	<u>Bid Amount</u>
1. O.A.K.K. Construction Co., Inc.	\$199,175.00*
2. L. Marshall, Inc.	\$264,000.00
3. Fabex Technologies LLC	\$297,882.00
4. Tori Construction, LLC	\$300,250.00
5. SMB Contracting Inc.	\$353,000.00

* O.A.K.K. Construction Co., Inc. has withdrawn their bid.

Estimated Fiscal Impact: \$264,000.00

Contract Period: Two hundred ten (210) days from issuance of notice to proceed

Account Name/Number: Property Maintenance & Operations 51025.560105, 51027.560105, 51030.560105, 51057.560105, 51058.560105, 51051.56010 and 51009.560106

District: 6

Concurrence(s):

The Chief Financial Officer and Chief Attorney have approved this item.

The vendor has met the Minority- and Women-owned Business Enterprise Ordinance provisions via direct participation.

[21-0324](#)

Presented by: ARNOLD RANDALL, General Superintendent

PROPOSED BID RECOMMENDATION

Department: Department of Landscape Maintenance

Request: Authorization for the Forest Preserves of Cook County (the “Forest Preserves”) to enter into a three (3) year contract with two (2) one - year renewal options for Region 1 with Allied Waste Transportation, Chicago, Illinois.

Reason: Contract #21-52-101 (R) issued under Solicitation #2152-006223 (R) consists of disposal for refuse generated at locations in Region 1 (South/SouthWest Region) collected by Forest Preserves staff. Allied Waste Transportation was the lowest responsible bidder of the two (2) bidders.

Bid Opening Date: 4/30/2021

Bid Results:

	<u>2021-2022</u>	<u>2022-2023</u>	<u>2023-2024</u>
Allied Waste Transportation	\$54.66 per ton	\$56.30 per ton	\$58.00 per ton
Lakeshore Recycling Systems	\$54.50 per ton	\$57.25 per ton	\$60.10 per ton

Estimated Fiscal Impact: \$92,000.00 for thirty-six (36) months

Contract Period: 9/1/2021 - 8/31/2024

Account Name/Number: Refuse Disposal 29250.520075

District(s): 2, 3, 4, 5, 6, 11, 16, 17

Concurrence(s):

The Chief Financial Officer and Chief Attorney have approved this item.

The contract-specific Minority- and Women-Owned Business Enterprise goal for this contract was set to zero.

[21-0325](#)

Presented by: ARNOLD RANDALL, General Superintendent

PROPOSED BID RECOMMENDATION

Department: Department of Landscape Maintenance

Request: Authorization for the Forest Preserves of Cook County (the “Forest Preserves”) to enter into a three (3) year contract with two (2) one - year renewal options for Region 2 with Lakeshore Recycling Systems, Chicago, Illinois.

Reason: Contract #21-52-102 (R) issued under Solicitation #2152-006224 (R) consists of disposal for refuse generated at locations in Region 2 (Central Region) collected by Forest Preserves staff. Lakeshore Recycling Systems was the only responsible bidder.

Bid Opening Date: 4/30/2021

Bid Results:

	<u>2021-2022</u>	<u>2022-2023</u>	<u>2023-2024</u>
Lakeshore Recycling Systems	\$54.50 per ton	\$57.25 per ton	\$60.10 per ton

Estimated Fiscal Impact: \$92,000.00 for thirty-six (36) months

Contract Period: 9/1/2021 - 8/31/2024

Account Name/Number: Refuse Disposal 29250.520075

District(s): 1, 6, 9, 11, 14, 15, 16, 17

Concurrence(s):

The Chief Financial Officer and Chief Attorney have approved this item.

The contract-specific Minority- and Women-Owned Business Enterprise goal for this contract was set to zero.

[21-0326](#)

Presented by: ARNOLD RANDALL, General Superintendent

PROPOSED BID RECOMMENDATION

Department: Department of Landscape Maintenance

Request: Authorization for the Forest Preserves of Cook County (the “Forest Preserves”) to enter into a three (3) year contract with two (2) one - year renewal options with Allied Waste Transportation, Chicago, Illinois.

Reason: Contract #21-52-104 (R) issued under Solicitation #2152-006226 (R) consists of disposal for refuse generated at locations in Region 4 (Southeast Region), collected by Forest Preserves staff. Allied Waste Transportation was the only responsible bidder.

Bid Opening Date: 4/30/2021

Bid Results:

	<u>2021-2022</u>	<u>2022-2023</u>	<u>2023-2024</u>
Allied Waste Transportation	\$54.66 per ton	\$56.30 per ton	\$58.00 per ton

Estimated Fiscal Impact: \$23,000.00 for thirty-six (36) months

Contract Period: 9/1/2021 - 8/31/2024

Account Name/Number: Refuse Disposal 29250.520075

District(s): 4, 5, 6

Concurrence(s):

The Chief Financial Officer and Chief Attorney have approved this item.

The contract-specific Minority- and Women-Owned Business Enterprise goal for this contract was set to zero.

[21-0351](#)

Presented by: ARNOLD RANDALL, General Superintendent

PROPOSED BID RECOMMENDATION

Department: Department of Planning and Development

Request: Authorization for the Forest Preserves of Cook County (the “Forest Preserves”) to enter into a construction contract with Matthew Paving, Inc., primary place of business Oak Lawn, Illinois, for Districtwide Transportation Improvements at Cherry Hill Woods in Palos, Crawdad Slough in Willow Springs, and McClaughrey Springs Woods in Palos Park.

Reason: Contract #74000009400 issued under Project #19-80-67G-21C4 Districtwide Transportation Improvements at three (3) locations (Cherry Hill Woods, Crawdad Slough, and McClaughrey Springs Woods). The work includes, but is not limited to, parking lot resurfacing, concrete sidewalk and pads, drainage improvements, pavement markings, and other related work as specified in the plans and specifications.

Bid Opening Date: 6/23/2021

Bid Results:

<u>Bidder</u>	<u>Bid Amount</u>
1. Matthew Paving, Inc.	\$369,407.50
2. Enlight Contracting, LLC	\$415,673.90
3. M&J Asphalt Paving Co, Inc.	\$449,951.04

Estimated Fiscal Impact: \$369,407.50

Contract Period: Ninety-three (93) days from issuance of notice to proceed.

Account Name/Number: Land Improvements 51029.560019 and 51009.560019

District: 17

Concurrence(s):

The Chief Financial Officer and Chief Attorney have approved this item.

The vendor has met the Minority- and Women-owned Business Enterprise Ordinance provisions via direct participation.

[21-0352](#)

Presented by: ARNOLD RANDALL, General Superintendent

PROPOSED BID RECOMMENDATION

Department: Department of Planning and Development

Request: Authorization for the Forest Preserves of Cook County (the “Forest Preserves”) to enter into a construction contract with Enlight Contracting, LLC, primary place of business Chicago, Illinois, for the Parking Lot Green Infrastructure Retrofit and Canoe Launch project at Schuth’s Grove in North Riverside.

Reason: Contract #7400009398 issued under Project #19-80-67G-21C5 Parking Lot Green Infrastructure Retrofit and Canoe Launch at Schuth’s Grove. The work includes, but is not limited to, a porous unit paving parking lot and bio-retention retrofit and accessible canoe and kayak launch improvements, and other related work as specified in the plans and specifications. A green infrastructure grant awarded by the Metropolitan Water Reclamation District of Greater Chicago (“MWRD”) will contribute approximately \$203,107.00 and a boat access area development grant awarded by the Illinois Department of Natural Resources (“IDNR”) will contribute approximately \$80,000.00. Motor Fuel Tax (“MFT”) funds from the Cook County Department of Transportation & Highways are anticipated to cover most of the remaining project cost.

Bid Opening Date: 6/23/2021

Bid Results:

<u>Bidder</u>	<u>Bid Amount</u>
1. Enlight Contracting, LLC	\$854,125.50
2. Blinderman Construction Co., Inc.	\$977,891.27
3. Meru Corporation	\$997,681.40

Estimated Fiscal Impact: \$854,125.50

Contract Period: Three hundred thirty-six (336) days from issuance of notice to proceed.

Account Name/Number: Land Improvements 51029.560019, 51057.560019, 51028.560019; and Grant Accounts 51010.560019 and 51010.560060

District: 1

Concurrence(s):

The Chief Financial Officer and Chief Attorney have approved this item.

The vendor has met the Minority- and Women-owned Business Enterprise Ordinance provisions via direct participation.

[21-0353](#)

Presented by: ARNOLD RANDALL, General Superintendent

PROPOSED BID RECOMMENDATION

Department: Department of Planning and Development

Request: Authorization for the Forest Preserves of Cook County (the “Forest Preserves”) to enter into a construction contract with Enlight Contracting, LLC, primary place of business Chicago, Illinois, for Districtwide Transportation Improvements at 165 Algonquin Rd and Crabtree Nature Center in Barrington, Illinois.

Reason: Contract #74000009399 issued under Project #19-80-67G-21C6 Districtwide Transportation Improvements at 165 Algonquin Rd and Crabtree Nature Center. The work includes, but is not limited to, earthwork, asphalt paving, permeable paver construction, drainage and ADA improvements, and other related work as specified in the plans and specifications. A Museum Grant awarded by the Illinois Department of Natural Resources (“IDNR”) will contribute approximately \$105,000.00 for ADA improvements at Crabtree Nature Center. Motor Fuel Tax (“MFT”) funds from the Cook County Department of Transportation & Highways are anticipated to cover most of the remaining project cost.

Bid Opening Date: 6/23/2021

Bid Results:

<u>Bidder</u>	<u>Bid Amount</u>
1. Enlight Contracting, LLC	\$711,787.75

2. Matthew Paving, Inc.	\$769,132.00
3. Meru Corporation	\$968,519.70
4. Foundation Mechanics	\$1,048,249.00

Estimated Fiscal Impact: \$711,787.75

Contract Period: One hundred (100) days from issuance of notice to proceed.

Account Name/Number: Land Improvements 51029.560019, 51057.560019, 51028.560019 and Grant accounts 51010.560019 and 51010.560060

District: 15

Concurrence(s):

The Chief Financial Officer and Chief Attorney have approved this item.

The vendor has met the Minority- and Women-owned Business Enterprise Ordinance provisions via direct participation.

[21-0356](#)

Presented by: ARNOLD RANDALL, General Superintendent

PROPOSED BID RECOMMENDATION

Department: Department of Resource Management

Request: Authorization for the Forest Preserves of Cook County (the "Forest Preserves") to enter into a construction contract with Meru Corporation, primary place of business Niles, Illinois, for a water outlet improvement project at Powderhorn Lake in Chicago.

Reason: Contract #74000009403 issued under Project #21-31-109 Powderhorn Lake Outlet Improvements. The work includes, but is not limited to, a series of storm sewers to create a fish passage system connecting Powderhorn Lake to Wolf Lake, and other related work as specified in the plans and specifications. A majority of the construction will be funded through a grant sub-awarded to the Forest Preserves from Audubon Great Lakes via the National Oceanic and Atmospheric Administration in 2020 (Board Item No. 20-0169) to complete the design, permitting, and construction of a water control structure at Powderhorn Lake.

Bid Opening Date: 6/16/2021

Bid Results:

<u>Bidder</u>	<u>Bid Amount</u>
1. Meru Corporation	\$845,774.50
2. Enlight Contracting, LLC	\$894,398.00
3. V3 Construction Group, Ltd.	\$1,126,900.00

Estimated Fiscal Impact: \$845,774.50, of which approximately \$695,885.00 or 82% will be paid utilizing grant funding received from Audubon Great Lakes via the National Oceanic and Atmospheric Administration.

Contract Period: Two hundred seventeen (217) days from notice to proceed.

Account Name/Number: Professional Services 51030.520840; Grant and Mitigation 51010.521314 and 51010.521444

District: 4

Concurrence(s):

The Chief Financial Officer and Chief Attorney have approved this item.

The vendor has met the Minority- and Women-Owned Business Enterprise Ordinance via direct participation.

[21-0350](#)

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: 1/1/2021 - 5/31/2021

Summary: Detailed Fund Analysis of Revenue and Expenditures for May 2021.

[21-0362](#)

REPORT

Department: Departments of Legal and Finance

Request: Receive and File

Report Title: Workers' Compensation Report - May 2021

Report Period: 5/1/2021 - 5/31/2021

Summary: Per Board Resolution 19-0509 (12/17/2019), the Forest Preserves of Cook County Legal and Finance Departments are submitting Workers' Compensation Claim Payments for the month of May 2021.

[21-0270](#)

Sponsored by: TONI PRECKWINKLE (President), PETER N. SILVESTRI and SCOTT R. BRITTON, Forest Preserve District of Cook County Board of Commissioners

PROPOSED ORDINANCE

OUTSIDE COUNSEL AND LEGAL FEES

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners that Chapter 19 of Title 1 of the Forest Preserve District of Cook County Code of Ordinances is hereby enacted as follows:

A. District Reports to Litigation Subcommittee.

1. **Notice of Monetary Counterclaims and Fee Requests.** If the Forest Preserve District of Cook County is a party to any civil legal action in state or federal court, the District's Chief Attorney shall provide notice to the Litigation Subcommittee (as defined below) prior to a filing for monetary counterclaim, request for monetary sanctions, request for statutory reimbursement and/or request for fees in excess of \$50,000. If the Chief Attorney is unable to provide notice to the Litigation Subcommittee in advance of filing, the Chief Attorney shall inform the Chair of the Litigation Subcommittee in advance

of filing and provide notice to the Litigation Subcommittee at its next scheduled meeting.

2. **Settlement.** The District shall request authority from the Litigation Subcommittee prior to settling any matter in excess of \$30,000. District attorneys shall provide a written settlement analysis and recommendation to the Subcommittee and shall be prepared to present that recommendation at a meeting of the Subcommittee. In addition, District attorneys shall provide the Litigation Subcommittee written information regarding cases anticipated to settle in excess of \$500,000 and shall place that informational item on the Litigation Subcommittee's agenda at least one month in advance of seeking authority to settle.
3. **Permission to Try.** The District shall obtain the approval of the Litigation Subcommittee prior to taking a matter to trial in state or federal court. When the District recommends that a civil matter proceed to trial, it shall provide a revised Case Summary (as defined below) and recommendation to the Litigation Subcommittee. The Chief Attorney shall be prepared to present that recommendation at a meeting of the Subcommittee. Prior to seeking the authority to bring a matter to trial, the District must present a revised Case Budget (as defined below) with the estimated cost of the potential trial to the Litigation Subcommittee for approval.
4. **Appeals.** The Chief Attorney must notify the Chair of any final and appealable ruling having a negative financial impact on the District in excess of \$50,000 in civil matters within 72 hours of the ruling. If an appeal may result in the imposition of accrued interest upon the District, the Chief Attorney must obtain authorization from the Litigation Subcommittee before pursuing the appeal. However, the District shall take all steps necessary to protect the interests and preserve the appeal rights of the District pending a decision to appeal, including the filing of appropriate post-trial motions or a notice of appeal when necessary. The decision to appeal must be approved by the Litigation Subcommittee.
5. **Exceptions.** The provisions of this Section shall not apply to litigation or settlements subject to the Illinois Workers' Compensation Act. (820 ILCS 305/1 *et seq.*)

B. State's Attorneys Forest Preserve District of Cook County Representation

The District may engage Assistant State's Attorneys assigned from the Cook County State's Attorney's Office to represent the District in certain civil litigation matters at rates and terms set forth in the then-applicable intergovernmental agreement.

C. District Guidelines for Outside Counsel

1. **Short title.** This subdivision shall be known and may be cited as the "District Guidelines

for Outside Counsel."

2. **Purpose.** The Forest Preserve District of Cook County may engage Outside Counsel to operate under the direction of the District's Chief Attorney or Responsible Attorney (see defined terms below).
3. **Definitions.** The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:
 - a. *Case Budget* means the estimate of legal fees and expenses through the time of judgment or other completion including costs associated with the use of third-party vendors.
 - b. *Case Summary* means the report prepared by Outside Counsel and submitted to the Litigation Subcommittee that updates the Litigation Subcommittee on the progress and status of the case assigned to Outside Counsel.
 - c. *Chair of the Litigation Subcommittee* or *Chair* means the chairperson of the Finance Subcommittee on Litigation of the Forest Preserve District of Cook County Board of Commissioners.
 - d. *Litigation Subcommittee* or *Subcommittee* means the Finance Subcommittee on Litigation of the Forest Preserve District of Cook County Board of Commissioners.
 - e. *Non-Contested Matter* means any matter that requires legal analysis, but is not adversarial litigation.
 - f. *Outside Counsel* is a law firm or individual attorney engaged by the District to represent it in an assigned legal matter under the direction of a Responsible Attorney.
 - g. *Quarterly Status Reports* means the written reports that update the status of the case, made in writing and submitted to the Chair of the Subcommittee on Litigation at least four times annually.
 - h. *Responsible Attorney* is a designated staff attorney employed by the District.
4. **Applicability.** This Chapter shall apply to all Outside Counsel engaged by the District.

All Outside Counsel who represents the District in multiple litigation matters, must comply fully with the terms of this Chapter for each separate matter of representation. No attorney may file an appearance in a lawsuit on behalf of the District unless they have been authorized by the General Superintendent, Chief Attorney or Responsible Attorney to file an appearance.

D. Case Management.

1. **Case Management.** Each Outside Counsel who has filed an appearance on behalf of the District:
 - a. Shall submit a Case Budget and a Case Summary to the Litigation Subcommittee within thirty (30) days of their engagement or as soon thereafter as the Subcommittee meets, unless there is a conflict of interests in disclosing such information to the Litigation Subcommittee. This information and other communications between Outside Counsel and the Litigation Subcommittee shall constitute privileged and confidential attorney-client communications; and
 - b. Shall include in the Case Summary the major activities anticipated for a successful outcome of the case. The Case Summary shall also include estimates of potential liability, whether the case is appropriate for settlement, and the assessment of the probable outcome of litigation; and
 - c. Shall report any modifications or deviations to the initial Case Summary in Quarterly Status Reports to the Chair.
2. **Review of Case Summary and Budget.** The Subcommittee shall review the Case Summary and Budget. The Responsible Attorney is not prohibited from initiating legal activities reasonably necessary to adequately protect the legal interests of the District prior to the Subcommittee's review of the Case Summary and Budget.
3. **Estimated Case Budget.** The Case Budget shall include an estimate of legal fees and expenses through the time of judgment or other completion and shall allocate the fees and expenses associated with each phase.
4. **Workers' Compensation.** For claims subject to the Illinois Workers' Compensation Act, the Case Summary and Budget shall be submitted to the Finance Subcommittee on Workers' Compensation.

E. Fees, Expenses, and Rates

1. **Fees and Expenses.** Outside Counsel shall be paid reasonable fees and costs based on

the type and nature of the case. Such fees and costs shall conform to the fees and costs authorized under this Section. Outside Counsel must pay for all expenses in advance unless otherwise expressly directed by the court or the Chief Attorney or Responsible Attorney. Reimbursement of expenses shall be requested as part of Outside Counsel's invoices. Expenses shall be reimbursed as follows:

- a. *Photocopying.* Reasonable photocopying at actual cost, not to exceed \$0.10 per page.
 - b. *Messenger service.* The use of messengers when there is a genuine need for expedited delivery at actual charges of a third-party vendor or, when an in-house firm messenger is used, at actual cost (not at the paralegal or legal assistant billing rate).
 - c. *Computerized research.* Actual costs of reasonably necessary computerized research services.
 - d. *Experts.* The reasonable fees of qualified consulting and testifying experts retained to provide opinions necessary to the defense or prosecution of the litigation, except that all expert fees must be pre-approved by the Chief Attorney if they are anticipated to exceed \$500.
 - e. *Travel.* Air travel expenses must not exceed the highest fare coach rate for the flight. Mileage expenses shall be at the Internal Revenue Service deductible rates. Hotels, car rental companies and airlines offering moderate prices and discounted corporate rates shall be used. Outside Counsel shall reduce the hourly rate charged by fifty percent (50%) while an attorney or paraprofessional is traveling, unless legal work is being performed and is documented.
2. **General business costs.** Law firm overhead expenses including, but not limited to, rent, electricity, supplies, secretarial and support services, computer system expenses, overtime expenses, local telephone service and other similar expenses, shall be considered part of the Outside Counsel's hourly rate.
3. **Miscellaneous costs.** Outside Counsel shall not seek reimbursement of fees for:
- a. Preparing an invoice;
 - b. Conducting a conflicts check;
 - c. Entertainment expenses;
 - d. Food and beverages while working and/or hosting meetings;
 - e. Excessive staffing;
 - f. Work resulting from attorney error;

- g. Purely clerical work;
- h. Preparing an estimated Case Budget;
- i. Court filing and appearance fees from which the District is exempt.

Under most circumstances, only one attorney should bill for attending court appearances, depositions, client conferences, and Litigation Subcommittee meetings. Outside Counsel shall seek prior approval from the Chief Attorney if the Outside Counsel seeks to have more than one attorney in appearance.

4. **Invoices.** Unless otherwise expressly directed by the court, Outside Counsel shall submit invoices for work performed on a periodic basis, no more frequently than monthly and no less frequently than quarterly. If the accumulated charges for the period are less than \$500, the charges shall be included in the next periodic invoice. The time spent performing the chargeable services shall be recorded on a daily basis to the nearest 1/10th of an hour and shall be broken down in detail, describing the work performed by each individual during that time period. Invoices shall contain the amount charged for each attorney and paraprofessional, including the time, the hourly rate and summary total for each. Invoices shall itemize expenses according to categories including the following: photocopying, messenger service, computerized research, experts and travel. Invoices shall be paid subject to the approval of the Litigation Subcommittee and the District Board of Commissioners. For Non-Contested Matters, invoices totaling less than \$5,000 per such matter may be approved at the discretion of the Chief Attorney.
5. **Rate structure.** The District expects Outside Counsel to take reasonable steps to minimize the amount of costs and disbursements charged to District matters, consistent with applicable time and responsiveness constraints. Outside Counsel shall bill for their services on an hourly basis in an amount not to exceed rates negotiated with and accepted by the District, but in no event shall rates exceed \$290 per hour per attorney and \$90 per hour per paralegal, without approval of the Litigation Subcommittee. Outside Counsel shall not bill for the use of law clerk(s) without prior authorization from the Chief Attorney. Outside Counsel may propose alternative fee structures such as blended, flat or contingent rate upon approval of the Litigation Subcommittee.
6. The provisions of this Ordinance shall supersede Forest Preserve District of Cook County Resolution 08-R-09.
7. To the fullest extent consistent with this Chapter, Outside Counsel shall adhere to any Billing Guidelines for Outside Counsel issued by the District's Legal Department, as published on its website and as may be amended from time to time.
8. **Conflicts of Interests.**
 - a. *Modification of Guidelines.* There may be circumstances in which the

District Guidelines for Outside Counsel requires modification. The Litigation Subcommittee shall examine these situations on a case-by-case basis and may modify the Guidelines accordingly for the course of that representation.

- b. Conflicts Check.* Before rendering any legal services, Outside Counsel must conduct a conflict of interest review and provide the Responsible Attorney with a written list of all actual or potential conflicts of interest and matters that may present the appearance of a conflict.
- c. Timely Notification.* Outside Counsel must provide the Responsible Attorney a written notice of any actual or potential conflicts or the appearance of a conflict within five (5) days of learning of the conflict.
- d. Waiver.* Outside Counsel must be free of any conflict of interest under the rules of professional conduct unless the conflict is waived by the District.

Effective date: This ordinance shall be in effect September 1, 2021.

Legislative History : 6/22/21 - FPD Board of Commissioners - refer to the Finance Committee

[21-0346](#)

Sponsored by: LARRY SUFFREDIN, FRANK J. AGUILAR, LUIS ARROYO JR., SCOTT R. BRITTON, JOHN P. DALEY, DENNIS DEER, BRIDGET DEGNEN, BRANDON JOHNSON, BILL LOWRY, PETER N. SILVESTRI, DEBORAH SIMS, STANLEY MOORE, BRIDGET GAINER, DONNA MILLER, ALMA E. ANAYA, SEAN M. MORRISON and KEVIN B. MORRISON, Forest Preserve District of Cook County Board of Commissioners

PROPOSED RESOLUTION

A RESOLUTION RELATING TO AND PROVIDING FOR THE SUBMISSION OF AN ELECTION RESOLUTION REQUIRING THE PROPOSITION OF INCREASING THE LIMITING RATE FOR THE FOREST PRESERVE DISTRICT OF COOK COUNTY, ILLINOIS, TO THE VOTERS OF SAID FOREST PRESERVE DISTRICT AT THE GENERAL ELECTION TO BE HELD ON THE 8TH DAY OF NOVEMBER, 2022

WHEREAS, the Forest Preserve District of Cook County, Illinois (the “*District*”), is subject to the Property Tax Extension Limitation Law of the State of Illinois, as amended (“*PTELL*”); and

WHEREAS, the Board of Commissioners of the District (the “*Board*”) does hereby find and determine that the limiting rate for the District is not sufficient to provide funds to pay the cost of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and

maintaining existing forest preserves and trails of said District, and other lawful purposes of the Forest Preserve District of Cook County; and

WHEREAS, it is hereby found and determined by the Board that the need exists for increasing the limiting rate for the District by an additional amount equal to 0.025% above the current limiting rate for the purposes of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the District, and establishing the same at 0.076% of the equalized assessed value of the taxable property beginning in the first levy year after approval; and

WHEREAS, before the District is authorized to increase its limiting rate to 0.076%, a proposition therefor (the "*Proposition*") must be submitted to the voters of the District as provided by PTELL, and be approved by a majority of the voters of the District voting on the Proposition at an election to be held in Cook County and for the District on November 8, 2022; and

WHEREAS, it is deemed advisable, necessary and in the best interests of the District that the Proposition be submitted to the voters of the District at an election to be held and conducted in accordance with the general election law; and

WHEREAS, Section 28-2 of the Election Code of the State of Illinois, as amended (the "*Election Code*") requires that an election resolution shall not be adopted more than one year prior to the election and it is therefore necessary to approve a form of election resolution relating to the Proposition which shall be adopted at a later date in accordance with the Election Code.

WHEREAS, the District has reviewed and approved the form of election resolution as set forth in this Resolution:

Now, Therefore, Be It and It Is Hereby Resolved by the Board of Commissioners of the Forest Preserve District of Cook County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

Section 2. Election Resolution. The Election Resolution set forth in this Section 2 is hereby approved as to form subject to completion with relevant financial details when available as contemplated therein. The Board shall consider the Election Resolution at a meeting held within one year of the election in accordance with the Election Code:

**AN ELECTION RESOLUTION PROVIDING FOR AND REQUIRING THE
SUBMISSION OF THE PROPOSITION OF INCREASING THE LIMITING
RATE FOR THE FOREST PRESERVE DISTRICT OF COOK COUNTY,**

ILLINOIS, TO THE VOTERS OF SAID FOREST PRESERVE DISTRICT AT THE GENERAL ELECTION TO BE HELD ON THE 8TH DAY OF NOVEMBER, 2022

WHEREAS, the Forest Preserve District of Cook County, Illinois (the "*District*"), is subject to the Property Tax Extension Limitation Law of the State of Illinois, as amended ("*PTELL*"); and

WHEREAS, the Board of Commissioners of the District (the "*Board*") does hereby find and determine that the limiting rate for the District is not sufficient to provide funds to pay the cost of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the Forest Preserve District of Cook County; and

WHEREAS, the limiting rate for the District for levy year 2019 was 0.051% of the equalized assessed value of the taxable property therein; and

WHEREAS, it is hereby found and determined by the Board that the need exists for increasing the limiting rate for the District by an additional amount equal to 0.025% above the limiting rate for levy year 2019 for the purposes of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the Forest Preserve District of Cook County, and establishing the same at 0.076% of the equalized assessed value of the taxable property therein for levy year 2022; and

WHEREAS, before the District is authorized to increase its limiting rate to 0.076%, a proposition therefor (the "*Proposition*") must be submitted to the voters of the District as provided by PTELL, and be approved by a majority of the voters of the District voting on the Proposition at an election to be held in Cook County and for the District; and

WHEREAS, it is deemed advisable, necessary and in the best interests of the District that the Proposition be submitted to the voters of the District at an election to be held and conducted in accordance with the general election law; and

WHEREAS, PTELL requires that the ballot for the Proposition shall have printed thereon, but not as a part of the Proposition, certain supplemental information as set forth and described in PTELL; and

WHEREAS, such supplemental information shall be supplied by the District to the election authority; and

WHEREAS, the Board has reviewed and approved the supplemental information appearing on the form of ballot for the Proposition hereinafter set forth in this Resolution:

Now, Therefore, Be It and It Is Hereby Resolved by the Board of Commissioners of the Forest

Preserve District of Cook County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

Section 2. Need to Submit to Voters. It is necessary and in the best interests of the District that the limiting rate for the District be increased by an additional amount equal to 0.025% above the limiting rate for levy year 2019 for the purposes of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the Forest Preserve District of Cook County, and be established at 0.076% of the equalized assessed valuation of the taxable property therein for levy year 2022.

Section 3. Submission to Voters. The Proposition shall be submitted to the voters of the District in accordance with the general election law at the general election to be held on Tuesday, the 8th day of November, 2022, between the hours of 6:00 o'clock A.M. and 7:00 o'clock P.M. on said day (the "Election").

Section 4. Voting Precincts and Polling Places. The Election shall be held in the voting precincts and at the polling places established by the County Board (the "County Board") of the County of Cook, Illinois (the "County"), for voters of the District at the Election.

Section 5. Election Notice. The County Clerk of the County (the "County Clerk") shall give notice of the Election, including the Spanish, Chinese and Asian Indian translations thereof as deemed required by law by the County Clerk (the "Notice"), in accordance with the general election law by (i)

publishing the Notice once not more than 60 nor less than 10 days prior to the date of the Election in a local, community newspaper having general circulation in the District, and (ii) posting a copy of the Notice at least 10 days before the date of the Election at the principal office of the County Clerk.

Section 6. Local Notice. The Secretary of the Board shall post a copy of the Notice at the principal office of the District.

Section 7. Newspaper of General Circulation. It is hereby found and determined that Chicago Sun Times is local, community newspaper having general circulation in the District as required by Section 12-5 of the Election Code of the State of Illinois, as amended (the “*Election Code*”).

Section 8. Form of Notice. The Notice shall appear over the name or title of the County Clerk and shall be substantially in the following form:

Notice is Hereby Given that at the general election to be held on Tuesday, the 8th day of November 2022, the following proposition will be submitted to the voters of the Forest Preserve District of Cook County, Illinois:

Shall the limiting rate under the Property Tax Extension Limitation Law for the Forest Preserve District of Cook County, Illinois, be increased by an additional amount equal to 0.025% above the limiting rate for levy year 2019 for the purposes of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the Forest Preserve District of Cook County, with public disclosure of expenditures, and be equal to 0.076% of the equalized assessed value of the taxable property therein for levy year 2022?

YES ___

NO ___

(1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$85,127,981 and the approximate amount of taxes extendable if the proposition is approved is \$126,857,385.

(2) For the 2022 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$7.29.

(3) If the proposition is approved, the aggregate extension for 2022 will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law).

The polls at the election will be open at 6:00 o'clock A.M. and will continue to be open until 7:00 o'clock P.M. of that day.

Dated this ___ day of _____, 20__.

/s/ Karen A. Yarbrough

County Clerk, The County of Cook, Illinois

Section 9. Form of Ballot. That the ballot to be used at the Election, including the Spanish, Chinese and Asian Indian translations thereof as deemed required by law by the County Clerk, shall be in substantially the following form, with such necessary alterations, changes, deletions and insertions as may be required by Articles 24A, 24B or 24C of the Election Code if an electronic, mechanical or electric voting system is used at the Election:

(Face of Ballot)

Official Ballot

Forest Preserve District of Cook County, Illinois - Clean Air, Clean Water, and Wildlife Habitat
Protection One-Year Limiting Rate Increase

(Instructions to Voters: Mark a cross (X) in
the space opposite the word indicating the way
you desire to vote.)

Shall the limiting rate under the Property Tax Extension Limitation Law for the Forest Preserve District of Cook County, Illinois, be increased by an additional amount equal to 0.025% above the limiting rate for levy year 2019 for the purposes of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the Forest Preserve District of Cook County, with public disclosure of expenditures, and be equal to 0.076% of the equalized assessed value of the taxable property therein for levy year 2022?

YES ___
NO ___

- (1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$85,127,981 and the approximate amount of taxes extendable if the proposition is approved is \$126,857,385.
- (2) For the 2022 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$7.29.
- (3) If the proposition is approved, the aggregate extension for 2022 will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law).

(Back of Paper Ballot)
Official Ballot

Official ballot for voting on the proposition to increase the limiting rate for the Forest Preserve District of Cook County, Illinois, at the general election held on November 8, 2022.

Precinct Number: _____

Polling Place: _____

/s/ Karen A. Yarbrough
County Clerk, The County of Cook, Illinois

Section 10.Election Judges. The Election shall be conducted by the election judges appointed by the County Board to act in the precincts at which the Proposition will be submitted to the voters of the District.

Section 11.Filing of Ordinance. After the adoption hereof and not less than 68 days prior to the date of the Election, the Secretary of the Board shall certify a copy hereof to the County Clerk in order that the Proposition may be submitted to the voters of the District at the Election.

Section 12.Canvass of Election. The Election shall be held and conducted and the returns thereof duly canvassed, all in the manner and time as provided by the general election law.

Section 13.Severability. If any section, paragraph, clause or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 14.Repealer and Effective Date. All ordinances, orders and resolutions and parts thereof in conflict herewith be and the same are hereby repealed, and this Ordinance be in full force and effect forthwith upon its adoption.

Legislative History : 6/22/21 - FPD Board of Commissioners - refer to the Finance Committee

[21-0363](#)**RECOMMENDATION OF THE FINANCE SUBCOMMITTEE (LITIGATION)**

Finance Subcommittee Meeting on Litigation - 6/22/2021

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

Proposed Settlements Approved Fiscal Year 2021 to Present:	\$2,603,912.63
Proposed Settlements to Be Approved:	\$0.00
Legal Fees Approved Fiscal Year 2021 to Present:	\$354,128.54
Legal Fees for 6/22/2021 to Be Approved:	\$80,124.69

[21-0364](#)**RECOMMENDATION OF THE FINANCE SUBCOMMITTEE (WORKERS' COMPENSATION)**

Finance Subcommittee Meeting on Workers' Compensation - 7/22/2021

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

Workers' Compensation Claims approved Fiscal Year 2021 to present:	\$402,841.90
Workers' Compensation Claims to Be Approved:	\$100,000.00



Secretary

Chairman: Arroyo
Vice-Chairman: Deer
Members: Committee of the Whole

Forest Preserve District of Cook County
Corporate Fund Analysis of Revenue and Expense
as of
May 31 , 2021

REVENUES	2020 Budget	2021 Budget	May-20	May-21	Year-to-Year Current Month Difference	Year-to-Date % of Total Budget
			Year-to-Date Actuals	Year-to-Date Actuals		
Property Taxes	50,985,504	51,671,587	27,326,038	28,072,509	746,471	54%
Personal Property Taxes	2,233,500	2,211,165	1,387,601	2,219,673	832,072	100%
Golf	644,000	652,000	-	154,362	154,362	24%
Concessions	435,000	232,888	74,584	164,398	89,815	71%
License Agreements	2,722,300	2,776,746	949,357	1,820,481	871,123	66%
Land Use Fees	60,000	60,000	95,161	70,152	(25,009)	117%
Winter Sports	14,000	10,000	2,750	11,890	9,140	119%
Equestrian Licenses	51,000	45,000	9,816	14,354	4,538	32%
Permit Fees	1,625,500	627,275	116,575	554,610	438,035	88%
Pool Fees	610,000	-	-	-	-	
Fines	403,000	342,595	65,823	42,304	(23,519)	12%
Campgrounds	580,000	482,853	63,339	267,761	204,422	55%
Interest	1,125,000	560,000	294,748	20,042	(274,706)	4%
Other Revenue	240,000	254,500	19,015	43,407	24,391	17%
Intergovernmental Sources	800,500	800,500	492,561	23,565	(468,996)	3%
Transfer In Corporate Fund	1,000,000	1,500,000	-	-	-	0%
TOTALS	63,529,304	62,227,109	30,897,369	33,479,508	2,582,139	54%

Forest Preserve District of Cook County
Corporate Fund Analysis of Revenue and Expense
as of
May 31 , 2021

EXPENDITURES	2020 Budget	2021 Budget	May-20	May-21	Year-to-Year Current Month Difference	Year-to-Date % of Total Budget
			Year-to-Date Actuals	Year-to-Date Actuals		
General Office	3,175,306	3,222,014	1,082,768	1,031,271	(51,497)	32%
Finance & Administration	2,180,098	2,216,474	786,494	743,232	(43,262)	34%
Human Resources	794,497	807,635	269,089	314,109	45,020	39%
Resource Management	4,994,078	5,201,423	1,838,881	1,826,481	(12,399)	35%
Conservation & Experiential Programming	5,585,919	5,841,682	1,884,244	1,684,714	(199,530)	29%
Permits, Rentals&Concessions	1,747,858	1,574,143	512,559	432,396	(80,162)	27%
Landscape Maintenance	11,370,840	11,980,395	3,536,157	3,247,859	(288,298)	27%
Facility & Fleet Maintenance	9,483,422	9,265,232	2,602,011	2,847,024	245,014	31%
Legal Department	1,626,870	1,660,349	482,250	440,312	(41,938)	27%
Law Enforcement	10,814,123	11,524,709	4,093,779	3,892,220	(201,560)	34%
Planning & Development	2,061,640	2,121,425	605,942	553,584	(52,357)	26%
District-Wide Services	9,694,653	6,811,628	1,411,702	1,242,748	(168,953)	18%
Transfer Out of Corporate Fund	-	-	-	-	-	
TOTALS	63,529,304	62,227,109	19,105,875	18,255,951	(849,924)	29%