



Northeastern Illinois PUBLIC TRANSIT Task Force

Responses from Appointing Authorities

Updated: December 11, 2013

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A. Example Letter to Appointing Authorities (sent Nov. 1)



Northeastern Illinois PUBLIC TRANSIT Task Force

November 1, 2013

Aaron Lawlor, Chairman
18 N. County Street
10th Floor
Waukegan, IL 60085

Dear Chairman Aaron Lawlor:

Governor Patrick Quinn has asked the Northeastern Illinois Public Transit Task Force to provide him and the Illinois General Assembly with recommendations to strengthen and revitalize our region's public transit system. As co-chairs of the Task Force we are writing to ask for your assistance and your advice in completing this task.

As one of the elected officials who appoints one or more members of one or more of the four transit boards, you play a critical role in shaping the character and quality of our region's transit system. With this letter we are asking for information on the process you use in making appointments, and your capacity to remove those you have appointed.

In addition to answering the questions below, we would also like **your advice** on methods for strengthening the region's transit system. As outlined in our October 16 Interim Report, our region faces many challenges that must be overcome to achieve a world-class transit system that is governed and operated in an efficient, effective, ethical and financially sustainable way. Your advice on potential solutions could be helpful as the Task Force develops recommendations to achieve these important goals.

We would appreciate a **written response by Wednesday, November 13.**

We know you understand the critical nature of this work. Thank you for your commitment to the northeastern Illinois public transit system, and for your involvement in this important process.

Sincerely,



Ann L. Schneider
Co-Chair



George Ranney, Jr.
Co-Chair

Enclosure: Questions Regarding Appointment and Removal

CO CHAIRS

Ann L. Schneider
George Ranney Jr.

APPOINTEES

Carole L. Brown
Patrick Fitzgerald
Robert W. Guy
Dr. Adrienne M. Holloway
Dr. Sylvia Jenkins
Nick Palmer
Tony Paulauski
Raul Raymundo
Robert G. Reiter Jr.
Dr. Ashish Sen
Donald Tantillo
Kathryn Tholin
Sonia Walwyn

ADDRESS

2300 S. Dirksen Parkway
Springfield, Illinois 62764

PHONE

(217) 782-6149

Task Force established via
Executive Order 13-06



A. Appointment Process

1. Identify the process by which you select and appoint individuals to the region's transit agency boards.
2. Provide copies of any rules, regulations, legal memoranda, orders or requirements of any kind concerning the transparency of the appointment process.
3. Identify the qualifications and requirements necessary to serve on the transit agency board for which you make appointments. Provide copies of any related rules, regulations, legal memoranda, orders or requirements of any kind concerning the qualifications of appointees.
4. Identify any review or investigation process you conduct on candidates or appointees to the transit boards, or on current Directors, including, but not limited to, an individual's potential criminal record.
5. Describe any review or requirements regarding the disclosure by candidates, appointees, or Directors of conflicts of interest in service to the transit agency board, the timing of such disclosures, and the frequency with which they must be updated.

B. Removal Process

1. If you have removal authority, identify the process by which you consider whether a member of the Board appointed by you or your predecessor has demonstrated incompetency, neglect of duty, or malfeasance in office.
2. Provide copies of any rules, regulations, legal memoranda, orders or requirements concerning the exercise of your removal power over Directors.
3. Do you consider the current statutory process to be an adequate mechanism for removing Directors who have engaged in wrongdoing?

4. Do you consider the current statutory process to be an adequate mechanism for protecting Directors who may take a principled, but unpopular, position on matters affecting a regional transit agency?
5. If you think there is a better removal process, describe what you believe would be a better process and why you believe that to be so.
6. An overwhelming majority of transit agency boards in the U.S. do not compensate board members other than expenses that are directly related to their service (i.e. travel reimbursement, etc.). Many public agency boards in Illinois receive compensation for their participation in board activities. What is your opinion about whether or not transit agency board members should be compensated?

B. Summary Table of Appointing Authorities & Date Response Received.

*The chart below captures each of the Appointing Authorities who received the letter on the previous page and the corresponding date that they submitted the requested response. **By clicking on the "Date Response Received" for each Appointing Authorities response, you will be directed to the applicable response.***

Appointing Authority	County	Date Response Received
Tina Hill	Mchenry	11/13/2013
Dan Cronin	DuPage	11/13/2013
Toni Preckwinkle	Cook	11/14/2013
Larry Walsh	Will	11/18/2023
Mayor Rahm Emanuel	Chicago	11/20/2013
Governor Pat Quinn	State of Illinois	11/20/2013
Aaron Lawlor	Lake	12/11/2013
Suburban Caucus of Cook County Board of Commissioners	Cook	12/11/2013
Chris Lauzen	Kane	
Total		8

Chairwoman Tina Hill Response
McHenry County

Chairwoman Tina Hill
McHenry County Response

A. Appointment Process

1. For the first time, a small committee was appointed by the chair, who conducts interviews of an open application process and then present their recommendation to the full Board.
2. n/a
3. n/a – Informally, it was communicated that a business background, communication skills, and a knowledge of Chicago dynamics were necessary.
4. Informal phone calls made to their references.
5. They will need to fill out the County's Conflict of Interest form

B. Removal Process

1. n/a
2. State Statute
3. No
4. Needs review
5. The appointing authority should have power of removal
6. They should be compensated for their services but no pension or health benefits.

Chairman Daniel Cronin Response
DuPage County

November 13, 2013

Dear Secretary Schneider and Chairman Ranney,

I would like to thank you for the opportunity to offer my thoughts in response to your questions about DuPage County's appointment and removal processes of directors to the transit boards. Selecting the best candidate for board service is vital in the overall health of the transit system in our region as it has a direct effect on two key areas that the Governor's Task Force is studying: governance and funding. A governance structure for the transit system must be equitable and fair. Furthermore, funding for public transit needs to reflect trends in the region's economy.

More and more people are choosing to live and work in the suburbs. Population in the collar counties has increased by 59% since 1985 while four of the five largest job centers in the region are located in the suburbs. In fact, three of these job centers are located directly in DuPage. These trends illustrate the expanding role the suburbs play in the overall economy of the region. As the Task Force works towards its final recommendation, I urge you to continue to invite suburban stakeholders, like the six county executives, to be part of the discussion, especially since we have the responsibility and authority to appoint directors at the transit agencies.

As you already know, the only statutory requirement for appointing individuals to transit agency boards is the residency requirement. Therefore, the director appointed from DuPage County must be a resident of DuPage County. Beyond this, the Illinois state statute does not require any other specific qualifications or prerequisites of a candidate. As a result, the appointment process practiced by DuPage follows the guidelines stated in the DuPage County Board rules. This process is utilized for appointments to 52 boards and commissions that serve the taxpayers of DuPage.

Individuals and residents of DuPage County can submit applications to be considered for board service at any time; even if no vacancy currently exists. This allows the Chairman to always be aware of potential candidates for future considerations. A copy of the application is attached to this document.

When a vacancy for a DuPage County representative on a transit agency board occurs, as we saw recently at Metra, the Chairman initiates the vetting and interview stage of the appointment process. During this stage, the Chairman examines a candidate's qualifications and abilities. Areas such as institutional knowledge, previous relevant experience, professional expertise, and a clear understanding of regional relationships are assessed.

Before any appointment is brought before the County Board for a vote, DuPage County Board rules Section II requires that the Chairman notify the Finance Committee and distribute the candidate's resume at least two weeks in advance of final approval. This advance notice ensures that all board members are aware of the nomination and have time to voice any concerns or questions to the Chairman prior to their vote. A copy of Section II is attached for your consideration.

The final step of the appointment process is the DuPage County Board approval with a simple majority vote. After an appointee has been confirmed by the County Board, they receive a New Appointment Packet. This packet includes the County-Appointed Official's Manual which includes the DuPage County Code of Conduct,

the Statement of Economic Interests, which needs to be filed with the DuPage County Clerk annually, and information regarding Open Meetings Act (OMA) training. While DuPage County understands it is the public body's responsibility to keep all records of OMA training certification, the County does request that the appointee file their OMA training certification with the County Board office. Copies of the Official's Manual and the Statement of Economic Interests are attached with this letter.

Illinois state statute does not give any legal authority for the Chairman to remove any appointed director regardless of whether the individual has demonstrated incompetency, neglect of duty, or malfeasance while serving in office. This means that once an appointment is made, the individual on that agency board will continue to serve until either the term expires or the individual resigns from the board. This current statutory process is not an adequate mechanism. The right to remove an appointment should be granted to the appointing authority with a built in system of checks and balances. This authority would provide better safeguards against unethical practices. Not only will this increase the accountability between appointee and elected official, but it also increases the role of the public since the elected official is directly accountable to the electorate.

The primary goal of the transit agencies should be to serve the public as effectively and efficiently as possible. Steps have been taken to promote fiscally responsible management practices at the transit agencies. In July 2013, Governor Quinn signed into law Public Act 098-0108, which limit compensation practices at the transit agencies, including removal of health and pension benefits offered to future and reappointed board members. These changes assist the transit system to achieve the primary goal of serving the public.

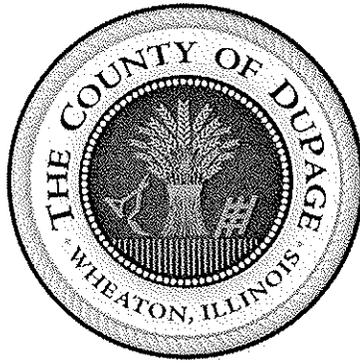
Nevertheless, offering reasonable compensation to board members can help agencies attract the best talent and candidates available. Good directors who serve on transit agency boards do more than attend monthly meetings. They invest their time, resources, and talents to help these agencies provide the best public transit options for the region. Often times, these individuals sacrifice both professional and personal time to ensure the public gets a transit system they deserve. As a result, it is appropriate for directors to receive an equitable level of compensation for their public service.

Finally, as the six county executives from Cook, DuPage, Kane, Lake, McHenry, and Will Counties expressed in a letter addressed to the NEIL Task Force, we have many thoughts on strengthening the region's public transit system. I would still appreciate the opportunity to meet with the Governor's Task Force to discuss the critical issues related to funding and governance.

As Chairman of DuPage County, I will continue to offer my help to you and the Task Force as you continue to shed light on a complicated but critically important issue. Oh behalf of the taxpayers of DuPage, I look forward to speaking with you on how we can improve transit in northeastern Illinois to become a world-class system.

Regards,

Daniel J. Cronin
DuPage County Board Chairman



Boards and Commissions Appointment Application

Boards and Commissions Self-Nomination Instructions

If you are interested in a position on a board or commission, please forward a copy of your completed application and a resume.

- By mail to:
County Board Office
DuPage County
421N. County Farm Road
Wheaton, IL 60187
- By email to CBAppointiveBodiesNominations@dupageco.org
- By fax to 630-407-6001

For questions, please contact the County Board Office at 630-407-6023.



DU PAGE COUNTY APPLICATION FORM FOR APPOINTMENT

Name of Board or Agency you are interested in appointment to:

Have you ever served on this Board or Agency before? If so, how long?

Personal Information

Last Name:	<input style="width: 90%;" type="text"/>	First Name:	<input style="width: 90%;" type="text"/>	Middle Initial:	<input style="width: 90%;" type="text"/>	Date of Birth:	<input style="width: 90%;" type="text"/>			
E-mail Address:	<input style="width: 98%;" type="text"/>									
Present Permanent Address:	<input style="width: 95%;" type="text"/>			City:	<input style="width: 100%;" type="text"/>		State:	<input style="width: 90%;" type="text"/>	Zip Code:	<input style="width: 90%;" type="text"/>
County:	<input style="width: 90%;" type="text"/>	Home Phone:	<input style="width: 150%;" type="text"/>		Alternate Phone:	<input style="width: 250%;" type="text"/>				

Educational Information

Name and Address of High School Attended:	<input style="width: 98%;" type="text"/>		
Date of Graduation:	<input style="width: 98%;" type="text"/>		
College/University	Name and Location of School	Degree Earned	Date of Graduation
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
College/University	Name and Location of School	Degree Earned	Date of Graduation
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Employment & Professional History

Please list current & previous employers.

Employer's Name:	<input style="width: 95%;" type="text"/>	Mailing Address:	<input style="width: 98%;" type="text"/>				
Telephone No.:	<input style="width: 90%;" type="text"/>	Position Held:	<input style="width: 90%;" type="text"/>	Employment Dates: Start:	<input style="width: 90%;" type="text"/>	End:	<input style="width: 90%;" type="text"/>
Employer's Name:	<input style="width: 95%;" type="text"/>	Mailing Address:	<input style="width: 98%;" type="text"/>				
Telephone No.:	<input style="width: 90%;" type="text"/>	Position Held:	<input style="width: 90%;" type="text"/>	Employment Dates: Start:	<input style="width: 90%;" type="text"/>	End:	<input style="width: 90%;" type="text"/>
Employer's Name:	<input style="width: 95%;" type="text"/>	Mailing Address:	<input style="width: 98%;" type="text"/>				
Telephone No.:	<input style="width: 90%;" type="text"/>	Position Held:	<input style="width: 90%;" type="text"/>	Employment Dates: Start:	<input style="width: 90%;" type="text"/>	End:	<input style="width: 90%;" type="text"/>
Please list any professional certifications you hold:							
<input style="width: 98%;" type="text"/>							



DU PAGE COUNTY APPLICATION FORM FOR APPOINTMENT

Additional Information

Please explain why you wish to serve as an appointee and share any unique qualifications or experience you feel you would bring to this agency.

Are you a lobbyist registered with the State of Illinois? Yes No

Are you (or your spouse) an elected official? Yes No

Are you (or your spouse) a government employee? Yes No

If yes, please describe:

If yes, please describe:

Volunteer Board & Community Participation History

Please summarize any community involvement and list any government, non-profit or private sector boards on which you currently or previously served as a board member or volunteer.

Organization Name:	Participation Dates: Start:	End:	
Activities:			
Organization Name:	Participation Dates: Start:	End:	
Activities:			
Organization Name:	Participation Dates: Start:	End:	
Activities:			

Conviction Information

Have you ever been convicted of a criminal offense?:

If so, date and location:

Nature of Conviction:

Disposition:

By checking this box and submitting this application, I hereby certify that the foregoing responses are true, accurate and complete. I agree that any misstatement, misrepresentation, or omission of fact may result in my immediate disqualification for appointment. I authorize DuPage County to review my credit and criminal history, and/or to request more information about my background.

"As a condition of the appointment I will have, at the time of my appointment, or as soon thereafter as possible, filed with the County Clerk a Statement of Economic Interest in accordance with the Illinois Governmental Ethics Act."

Date Signature



DuPage County Board Rules (Section II)

SECTION II.

CHAIRMAN OF THE COUNTY BOARD

- A. Shall be considered the chief executive officer of the County and shall be designated as the representative of the County Board at any convention or meeting where there is not a representative already appointed by the Board or Chairman of the Board.
- B. May request any County Staff, County official and/or Members of the County Board to assist him/her in the transaction of official business at such convention or meeting.
- C. The County Board Chairman and/or his/her designee(s) may travel to Springfield or Washington, D.C. to represent the interests of DuPage County as necessary and shall provide the Board with quarterly reports.
- D. Shall prepare an agenda for all County Board meetings and shall:
 - 1. Post such County Board agenda at designated areas and on the Internet via the DuPage County Website 72 hours in advance of meeting, including all appropriate supporting information.
 - 2. Describe resolutions, ordinances and such other business as is to come before the County Board.
 - 3. Place on the County Board agenda items including all items which have been requested by one-third (1/3) of the County Board.
 - 4. Place on the County Board agenda all items recommended for approval to the County Board by any Committee within 20 days of said Committee's recommendation.
- E. Shall prepare a proposed annual budget, as provided by law, and submit it to the County Board no later than the first regularly scheduled County Board meeting in September of each year.
- F. Shall supervise and implement policies and programs as expressed in the motions, resolutions and ordinances approved and passed by the County Board.
- G. Shall coordinate and direct by executive order or otherwise all administrative and management functions including goals and objectives for those functions of the DuPage County government except the offices of elected county officers.
- H. Shall sign all ordinances, resolutions, or written acts of

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the County Board, provided however, any ordinance passed, adopted or otherwise enacted by the board shall be presented to the chairman before it becomes effective. If the chairman approves such ordinance, resolution or motion, he shall sign it and it shall become law on the date prescribed; if not, he shall return it to the board within 10 business days with his objections and the board shall proceed to reconsider the matter at its next meeting, to be held within 30 business days of the boards' receipt of the chairman's objections. If after such reconsideration a majority of the members of the board pass such ordinance, it shall become effective on the date prescribed but not earlier than the date of passage following reconsideration. If any ordinance is not returned by the chairman to the board within 10 business days after it has been presented to him, it shall become effective at the end of the 10th day.

Each county appropriation ordinance that is passed that includes appropriations for the County Health Department and (ii) each appropriation ordinance that is passed by the DuPage County Airport Authority shall be presented immediately to the County Board Chairman. If the County Board Chairman approves the ordinance, he or she shall sign it and it shall become law. The County Board Chairman may reduce or veto any items of appropriations for the County Health Department or for the DuPage County Airport Authority in the ordinance and shall return the item vetoed or reduced with his or her objections to the County Board. A copy of the veto shall also be delivered to the body for which the appropriation is intended. Portions of an ordinance not reduced or vetoed shall become law. Any ordinance not so returned by the County Board Chairman within 30 calendar days after it is presented to him or her shall become law. If, within 30 calendar days after the veto has been delivered to the County Board and the body for which the appropriation is intended, the County Board restores an item that has been reduced or overrides the veto of an item by a record vote of **three-fifths** (3/5) of the members elected, the item shall become law. If a reduced item is not so restored, it shall become law in the reduced amount. (55ILCS 5/5-1014.5)

- I. Shall prepare and distribute to the Board Members a list indicating the status of appointments, with resumes, quarterly to be filled. The resume of any prospective appointee shall be distributed to the Finance Committee no less than two weeks in advance of final approval by the County Board.
- J. Shall not vote on any question at a County Board meeting except to break a tie vote.
- K. Shall rule, subject to appeal, whether an ordinance or

resolution is a matter of policy. The Chairman's ruling may be overruled by the County Board by a majority vote.

- L. Shall chair all meetings of the County Board at which he/she is present.
- M. Shall be an ex officio member of all committees and, when in attendance, may be counted to make a quorum.
- N. Shall assign staff to each committee.
- O. May, with the advice and consent and upon majority vote of the board, assign any responsibility of any Committee to any other Committee.
- P. Shall ensure that all of the orders, resolutions and regulations of the County Board are faithfully executed.
- Q. Shall make reports to the County Board on the affairs of the county, and shall keep the County Board fully advised as to the financial condition of the county and its future financial needs no less than quarterly.
- R. May appoint, with the advice and consent of and upon a majority vote of the County Board, and within provision of approved headcount for such office or department, such subordinate deputies, employees and appointees for the general administration of county affairs as considered necessary, except those deputies, employees and appointees in the office of an elected county officer. The resume of any prospective subordinate deputy, employee, or appointee shall be sent to the Finance Committee for approval and recommendation no less than two weeks in advance of approval by the County Board. The State's Attorney is the attorney for the County Board, county officers and boards pursuant to 55ILCS 5/3-9005. However, the power of the Chairman to appoint subordinate deputies, employees and appointees shall not preclude the appointment of a person with legal expertise, provided that such person is precluded from performing any of the duties imposed upon the State's Attorney by law. (55ILCS 5/3-9005) Additionally, the Board may petition a court of competent jurisdiction to appoint special counsel where such appointment is appropriate under Illinois statutes, rules and case law. (55ILCS 5/3-9008)
- S. The Chairman may remove or suspend in his discretion, with the advice and consent of and upon a majority vote of the County Board, after due notice and hearing as required by applicable laws, ordinances, and approved County Board policies, anyone whom he has the power to appoint, with advice and consent of and upon a majority vote of the County Board. This grant of power to the Chairman does not diminish the County Board's

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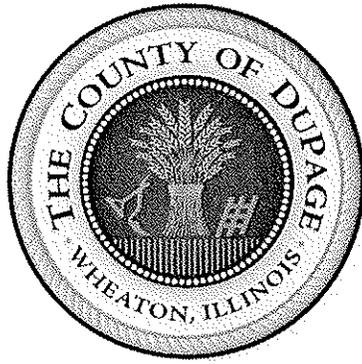
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authority to remove or suspend, upon a majority vote, after due notice and hearing as required by applicable laws, ordinances, and approved County Board policies, anyone whom the Chairman has the power to appoint unless otherwise prohibited by state law. Recommendation for said removal must be made to the Finance Committee for hearing and disposition. Appeal of the Finance Committee ruling may be made to the County Board within 30 days.

- T. May propose bond issuance and other matters of financial or fiscal planning. All costs of issuance, and all parties receiving a fee or payment of any kind, shall be disclosed in advance and receive approval by the County Board.
- U. May require reports and examine accounts, records and operations of all county administrative units.
- V. Shall supervise the care and custody of all county property including institutions and agencies.
- W. May, with the advice and consent of and upon a majority vote of the County Board, enter into intergovernmental agreements with other governmental units.
- X. With the advice and consent of and upon a majority vote of the County Board, may negotiate on behalf of the county with governmental units and the private sector for the purpose of promoting economic growth and development.
- Y. Shall perform performance and merit reviews for all County Board Senior Staff, Department Heads, and Department Senior Staff. Reviews shall be sent to corresponding committee chairs for comment, and any merit increases shall be sent to Finance Committee for concurrence.
- Z. May perform such other duties as shall be required of him/her by the County Board.

SECTION III. VICE CHAIRMAN

- A. The Vice Chairman of the County Board shall be nominated and elected by the County Board. Nominations and election for the position of Vice Chairman of the County Board shall be conducted at the first regularly scheduled County Board meeting following the Inauguration of Members of the County Board, or upon the creation of an opening in the position of Vice Chairman.
- B. In the event of the Chairman's short-term absence (less than 30 days), the Vice Chairman will chair the County Board meeting and exercise the duties of the Chairman as they relate to the



County-Appointed Officials' Manual



The County of DuPage

Wheaton, Illinois



COUNTY-APPOINTED OFFICIALS' MANUAL



CHAIRMAN'S WELCOME TO APPOINTED OFFICIALS



Congratulations on your recent appointment to a public entity serving the residents of DuPage County. As a member of our Citizens Service Team, you have the opportunity to contribute to your local community. Although the purpose of each entity varies, every county appointee shares common responsibilities and objectives. The goal of this publication is to provide you with the information you need to perform your duties in an accountable and transparent manner. This manual is also intended to inform you about pertinent laws and policies that will further assist you in your role as a public official. It is my sincere hope that you find this publication to be both informative and useful. The county is here to serve as a resource to you and your fellow board members. I look forward to working with each of you to deliver efficient government services to the citizens we serve.

Sincerely,

A handwritten signature in cursive script that reads "Dan Cronin".

Daniel J. Cronin
Chairman
DuPage County Board



COUNTY BOARD CHAIRMAN

DANIEL J. CRONIN
421 N. County Farm Rd.
Wheaton, IL 60187
chairman@dupageco.org
630-407-6060

COUNTY BOARD MEMBERS

DISTRICT 1

PAUL FICHTNER, DONALD PUCHALSKI, SAM TORNATORE

DISTRICT 2

ELIZABETH CHAPLIN, PETER DICIANNI, SEAN NOONAN

DISTRICT 3

JOHN CURRAN, GARY GRASSO, BRIAN KRAJEWSKI

DISTRICT 4

GRANT ECKHOFF, ANY GRANT, JR McBRIDE

DISTRICT 5

JAMES HEALY, TONIA KHOURI, TONY MICHELASSI

DISTRICT 6

ROBERT LARSEN, LAUREN NOWAK, JAMES ZAY



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Are you familiar with your... **BOARD?**

Basic expectations

- Ethical Conduct
- Attendance
- Communication
- Procedures and Boardsmanship

Organizational policies

- County Policies and Guidelines
- Entity Specific Policies
- Transparency and Accountability

Applicable laws

- County Reporting Requirements
- Disclosure of Economic Interests Statement
- Freedom of Information Act (FOIA)
- Open Meetings Act (OMA)
- Americans with Disabilities Act (ADA)

Roles and responsibilities

- Of the public body
- Statutory functions and powers

Department resources

- County staff contacts



INTRODUCTION TO LOCAL GOVERNMENT

With over 7,000 governmental entities, Illinois taxpayers support more units of government than any other state. Among these units are special districts which are responsible for many basic services such as fire protection, sanitation, water supply and mosquito abatement to name a few. Although these governmental entities have a variety of roles and responsibilities, each one was created to deliver a service contributing to the public health, safety and wellbeing of our communities.

DuPage County is home to 39 municipalities, 9 townships, 47 school districts, 39 park districts, 31 fire protection districts, 15 public library districts, six sanitary districts, five mosquito abatement districts, three surface water districts, two water reclamation districts, a street lighting district, the Forest Preserve District, an Airport Authority, a Water Commission and the DuPage County Government for a total of 201 local entities with the power to tax DuPage County residents. Though all of these entities are recognized as independent local governments or school districts some are directly responsive to constituents through elected governing bodies while other are governed by boards appointed by elected officials.

The Chairman and the DuPage County Board nominate and appoint over 250 citizens to serve on these independent public entities. Each appointee is statutorily responsible for conducting public business in the county. As one of these public servants on the Citizen Service Team, you are charged with representing your constituents and serving as not only a custodian of public funds, but also as a steward of the reputation of the office. Once you have reviewed this document, it is strongly recommended that you familiarize yourself with the specific roles and responsibilities of your public entity.



SECTION 1- COUNTY EXPECTATIONS

1.1 Ethical Conduct

Whether you are an elected or an appointed county official, you have been entrusted with an important responsibility to represent the residents and interests of your district or service area. County officials are expected to conduct themselves in a fair and impartial manner and to act in the public interest. Section 2.2 provides a link to the County's Ethics Ordinance that public entities are encouraged to adopt.

1.2 Attendance

Each public entity has meeting and attendance requirements. Appointed officials should make every effort to attend as many public meetings of your agency as possible. Attendance is especially essential for smaller governing bodies where nearly full attendance is required just to reach a quorum. If a quorum is not reached, the body cannot conduct its official business. Section 3.4 contains more information on attendance provided through the Illinois Open Meetings Act (5 ILCS 120/).

1.3 Communication

Each public entity should provide regular communication to the public it serves and to the County Board Chairman's Office. Regular communication between public entities provides a greater degree of accountability as information is more readily available to the public. Section 4 provides additional resources and county office support contacts.

1.4 Procedures and Boardmanship

The procedure during public meetings will generally follow Roberts's Rules of Order. There have been several iterations of these rules and each governing body can adapt them to fit its by-laws. The proper respect for the process should be followed at all meetings and professional courtesy should be extended to fellow board members, the public and staff. Once an issue has been decided, board members of a dissenting point of view are expected to act in a courteous manner and to respect the majority opinion. For more information concerning Robert's Rules of Order please visit: <http://www.robertsrules.com/>



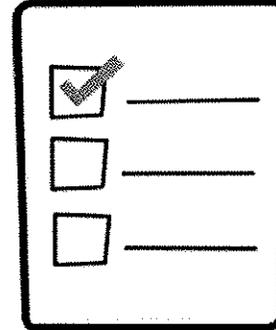
SECTION 2- COUNTY POLICIES AND GUIDELINES

2.1 What is a Policy?

A policy is an agreed upon set of principles and guidelines for a key area of activity within an organization. Policies enable an organization to decentralize decision-making, which fosters transparent and consistent operations.

Furthermore, policies are intended to guide the work of an organization for a reasonable length of time therefore creating reasonable expectations as to how certain circumstances are approached.

Listed below are general policies that are important for all public officials to review.



2.2 What are Important Policies?

- **Ethics Policy:** Outlines restrictions on gifts, conflicts of interest and political activities
- **Personnel Policy:** Outlines interaction between an organization and its employees
- **Financial Policy:** Outlines how are funds are managed, spent and saved
- **Procurement Policy:** Outlines how the organization purchases materials, goods and services
- **Credit Card Policy:** Outlines limitations governing the appropriate use of credit cards

To view DuPage County's model policies please visit:

<http://www.dupageco.org/CountyBoard/Policies/>

2.3 Transparency and Accountability of Public Bodies

All business is to be conducted in an open and transparent manner. A descriptive agenda and accompanying back-up materials should be available for the public and posted at the physical location of the meeting as well as online within 48 hours of a scheduled meeting in accordance with the Open Meetings Act (OMA). Moreover, each public body should post its annual meeting schedule and minutes online to make



them accessible to the public. For those entities without a website, meeting schedules, agendas and minutes may be posted on the county's website. Section 4.5 provides contact information for the County IT Department.

2.4 How do I get more Information on my Entity's Policies?

Each public entity sets its own policies and it is your responsibility to familiarize yourself with the policies of your organization. Policies are generally created by each organization, but in some cases may be derived from either the county's policies or state statutes. As a public official, you should regularly review the policies of your agency to ensure compliance with legal requirements and best practices. Anytime a discrepancy is discovered, an amendment to that policy should be sought by your governing board.



SECTION 3- LOCAL, STATE AND FEDERAL LAWS

3.1 County Board Ordinance: Management Information

(OCB-001-11): *The public governing boards of these local agencies have a responsibility to operate each entity in a transparent, accountable and fiscally efficient manner.*

This Ordinance provides the County Board with the authority to collect various pieces of information, reports and documentation from public entities to which the Chairman and County Board appoint a majority of the members. Under this Ordinance, the county has initially collected audit reports, budgets, personnel rosters, salary information/compensation practices, ethics policies, procurement procedures, by-laws and annual meeting schedules.

Any changes, additions or deletions to these documents should be submitted to the County Board Office within 30 days of adoption. The county should also be notified of any annual updates to salaries, pension benefits, health care benefits, holidays, sick time or other paid time off benefits for officials and employees.

The information provided herein is by no means a complete or full summary of the Ordinance. The full Ordinance may be found at: [http://www.dupageco.org/County Board Meetings/2011/Packet/32888/](http://www.dupageco.org/County_Board_Meetings/2011/Packet/32888/) (p. 221)

Questions or concerns regarding the provision of management information should be directed to the County Board Office:

Policy and Program Administrator

Chad Shaffer

Email: Chad.Shaffer@dupageco.org

Phone: 630-407-6038

Address: Jack T. Knuepfer Bldg.

421 N. County Farm Road

Wheaton, IL 60187



3.2 Disclosure of Economic Interests

As an appointed official, you must file a Statement of Economic Interest with the County Clerk each year by May 1 (and within 30 days of taking office). These Statements of Economic Interest are generally completed by any elected, appointed or employed public servant with approving authority over public funds, licensing or employment status. The Statement requests information regarding professional involvement, services provided, capital assets and financial interests.

What happens if I do not file my Statement by the May 1st deadline?

Persons required to file a Statement of Economic Interest are subject to a \$15 penalty for any form not filed by May 1st – the statutory deadline, and a \$100 per day penalty (in addition to the \$15 fee) after May 16th.

Failure to file by May 31st may result in forfeiture of the position.

I was appointed after May 1- Do I need to complete a Statement?

Yes, the Act states that when appointed an official should file a Statement of Economic Interest with the County Clerk.

The information provided herein is by no means a complete or full summary of the law. Additional information about the Statement of Economic Interest can be found by visiting:

<http://www.dupageco.org/CountyClerk/1814/>

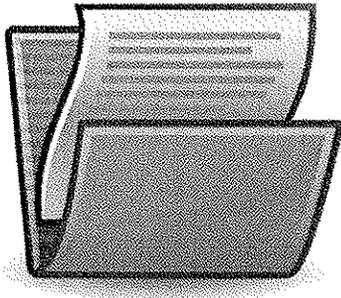
Questions or concerns regarding the Statement of Economic Interest should be directed to the DuPage County Clerk's Office:

<p>DuPage County Clerk Gary A. King Phone: 630-407-5500 Fax: 630-407-5501 Address: Jack T. Knuepfer Admin Bldg. 421 North County Farm Road Wheaton IL 60187 Website: http://www.dupageco.org/countyclerk/</p>



3.3 Illinois Freedom of Information Act

(5 ILCS 140/1): *All persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees.*



The Freedom of Information Act (FOIA) is a state statute that defines the public's right to access government documents and records. The law provides that a person can ask a public body for copies of its records on a specific subject and the public body must provide those records, unless there is an exemption in the statute that protects those records from disclosure. The

Freedom of Information Act addresses a wide variety of topics that cannot fully be addressed in this document. The following information provides general FOIA guidelines that most frequently impact public officials.

Who is subject to FOIA?

The public bodies covered by FOIA include all legislative, executive, administrative or advisory bodies of:

- The State
- Counties
- Townships/cities/towns/villages
- School districts
- All municipal corporations

“Public bodies” also include all committees, subcommittees and subsidiary bodies of public bodies including, but not limited to, any entity that is supported in whole or in part by tax revenue or which expends tax revenue.

Who can file a FOIA request?

Any person, group, association, corporation, firm, partnership or organization has the right to file a FOIA request to any state or local public body, including any city, township or county office.



Is every public body required to have a designated FOIA officer?

Yes. Every public body must designate one or more FOIA officers. In addition, every public body must prominently display certain information, including the name(s) of its FOIA officer(s). Any public body that has a website must also post this information on its website.

How many days does the public body have to respond to a FOIA request?

Five (5) business days from the day after the public body receives the request. However, that due date may be extended for an additional five business days if one of seven criteria are met. If additional time is needed, the public body must notify the requester in writing within five business days.

What are the consequences if the public body does not respond to the FOIA request within five (5) business days (or 10 business days if extended)?

Aside from the possibility that a court ultimately could impose a civil penalty of between \$2,500 and \$5,000 per FOIA violation, public bodies that fail to respond within five (5) business days (or 10 days if the extension was properly requested) cannot charge for reproduction costs or treat the request as unduly burdensome.

The information provided herein is by no means a complete or full summary of the law. Additional information about the Freedom of Information Act can be obtained at:

<http://foia.ilattorneygeneral.net/FreedomofInformationAct.aspx>

Questions or concerns regarding the FOIA should be directed to the Public Access Counsel at the Office of the Attorney General:

Acting Public Access Counselor

Sarah Pratt

FOIA Hotline: 1-877-299-FOIA (1-877-299-3642)

E-mail: SPratt@atg.state.il.us

Address: Public Access Bureau

500 S. 2nd Street

Springfield, Illinois 62706



Website: <http://foia.ilattorneygeneral.net/>

3.4 Illinois Open Meetings Act

(5 ILCS 120/1): *It is the public policy of this State that public bodies exist to aid in the conduct of the people's business and that the people have a right to be informed as to the conduct of their business.*

The Open Meetings Act (OMA) requires that meetings of public bodies be open to the public with specific, limited exceptions authorized by law. OMA also provides that the public must be given advance notice of the time, place and subject matter of meetings. The Open Meetings Act addresses a wide variety of topics that cannot fully be entertained in this document. The following information provides general OMA guidelines that most frequently impact public officials.



What type of “public body” is covered by OMA?

The “public bodies” covered by OMA include all legislative, executive, administrative or advisory bodies of:

- The State
- Counties
- Townships/cities/towns/villages
- School districts
- All municipal corporations

“Public bodies” also include all committees, subcommittees and subsidiary bodies of public bodies including, but not limited to, any entity that is supported in whole or in part by tax revenue or which expends tax revenue.

How many members of the public body have to be present at a “meeting” before OMA requirements apply?

A “meeting” under OMA is a gathering of the majority of a quorum for the purpose of discussing public business. Simply, this means the



minimum number of votes that could ever be needed to pass a motion. To determine the number of members that constitutes a meeting find your public body's size on the left side of the table and match it with the corresponding number on the right side.

Number of public body members	Number to constitute a "meeting"
5 and under	2
6 – 9	3
10 – 13	4
14 – 17	5
18 – 21	6
22 – 25	7

When and how does a notice of a regular meeting have to be provided by a public body?

At the beginning of each calendar or fiscal year, every public body must create and make available to the public the schedule for regular meetings that year, including the dates, times and locations of the meetings. Notice shall be given by posting a copy of the notice at the principal office of the body holding the meeting or, if no such office exists, at the building in which the meeting is to be held. If the public body has a website, then notice of all meetings must also be posted on that website. If the public body changes the regular meeting schedule, it must give 10 calendar days' notice by publicizing the meeting change in the newspaper and by posting information concerning the schedule change at the principal office of the public body.

What is an agenda?

An agenda is a list of the items to be acted upon or discussed during a meeting. A public body must post an agenda for the particular meeting at the principal office of the public body, at the location of the meeting and on the public body's website at least 48 hours in advance of the meeting. A public body cannot change the agenda less than 48 hours before the meeting.

Can the public body take action on items not on the agenda of regular meetings?



No. While the public body can discuss items that are not on the agenda of a regular meeting, the public body cannot take action or make any decision with regard to items or topics not on the agenda. It is important to note that at a special or emergency meeting, unlike a regular meeting, a public body cannot even discuss items that did not appear on the agenda.

Is a public body required to allow a member of the public to speak at an open meeting?

The Open Meetings Act requires that public bodies give members of the public an opportunity to speak at a meeting. Public bodies are authorized to adopt rules regarding the public comment portion of a meeting. Such rules may limit the time allotted for the public to speak.

Is the public body required to take minutes of its open meetings?

Yes. The public meeting minutes must include:

- The date, time and place of the meeting;
- A list of the members present and absent from the meeting, and whether they attended in person, by phone or by video;
- A summary of the discussion of all matters proposed, deliberated or decided; and
- A record of any votes taken.

It is important to note that subsidiary bodies (such as committees and subcommittees) are also required to take minutes of meetings. A public body must make minutes of the meeting available for public inspection and post them on the website (if available) within seven (7) calendar days after the minutes are approved by the public body. Typically, minutes are approved at the next board meeting.

Are there any training requirements?

Members of a public body subject to the Open Meetings Act (OMA) must complete electronic training with the Illinois Attorney General's Office once during your election or appointment tenure in office. *This training must be completed within 90 days of taking the office.* This is a one-time training requirement, unless you are designated by your entity to receive additional training on compliance with the Open Meetings Act on an annual basis. OMA training is available online through the Public



Access Counselor's Office free of charge at:
[http://foia.ilattorneygeneral.net/electronic foia training.aspx](http://foia.ilattorneygeneral.net/electronic%20foia%20training.aspx).

The information provided herein is by no means a complete or full summary of the law. Additional information about the Open Meetings Act can be obtained by visiting: <http://foia.ilattorneygeneral.net/>

Questions or concerns regarding the Open Meetings Act or the Electronic Training requirement should be directed to the Office of the Attorney General:

<p style="text-align: center;">Office of the Attorney General Lisa Madigan</p> <p style="text-align: center;">Phone: 1-877-299-FOIA (1-877-299-3642) Fax: (217) 782-1396 Email: publicaccess@atg.state.il.us Address: 500 S. 2nd Street Springfield, Illinois 62706 Website: http://illinoisattorneygeneral.gov/</p>
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3.5 Americans with Disabilities Act

(42 U.S.C. § 12101): *The Nation's proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living and economic self-sufficiency for such individuals.*

How does the ADA impact public bodies?

- People with disabilities have a right to equal opportunity to participate in the activities of all boards and commissions;
- Meetings and other activities shall be held in wheelchair-accessible locations;
- Upon request, meeting materials shall be provided in accessible formats;
- Reasonable modifications should be made to policies or procedures whenever they create a barrier to the full and equal participation of a person with a disability.



Additional information about the Americans with Disabilities Act can be obtained using the following link:

<http://www.ada.gov/pubs/adastatute08.htm>

Questions or concerns regarding the Americans with Disabilities Act can be directed to the Illinois Human Rights Commission:

<p>Human Rights Commission N. Keith Chambers, Executive Director Phone: 312-814 - 6269 Fax: 312-814 - 6517 E-mail: Keith.Chambers@Illinois.gov Address: James R. Thompson Center 100 W. Randolph Street, Suite 5-100 Chicago, Illinois 60601 Website: https://www2.illinois.gov/ihr/Pages/default.aspx</p>



SECTION 4- COUNTY OFFICE SUPPORT CONTACTS

4.1 County Board Office

The County Board office is your primary general contact within the county. Under the leadership of the County Board Chairman, the County Board staff supports efforts to set policy for each department, hold and dispose of property, make contracts, levy taxes, make appropriations, approve payments and otherwise manage the funds and business of the county.

<p>Policy and Program Administrator Chad Shaffer</p>
<p>Email: Chad.Shaffer@dupageco.org Phone: 630-407-6038 Fax: 630-407-6001</p>

4.2 Ethics Commission

The Ethics Commission has authority under the DuPage County Ethics Ordinance to exercise jurisdiction over all persons subject to the ordinance, and to hold hearings upon petition and complaint issued by the Investigator General. The Ethics Adviser provides guidance and interpretation to persons subject to the DuPage County Ethics Ordinance.

<p>County Ethics Adviser Daniel Hanlon</p>
<p>Email: DanHanlon1303@gmail.com Phone: 630-569-6023</p>

4.3 Finance Department/Procurement Services Division

The DuPage County Finance Department utilizes prudent, professionally recognized management practices to protect the financial condition of the county. Finance provides recommendations regarding budgetary and financial policies and administers those policies within its area of responsibility. The Department helps ensure budget compliance through financial reporting, monitoring, internal controls and cash flow management. The DuPage County Procurement Services Division assists all county departments in purchasing required goods and services



in conformance with Illinois Compiled Statutes, DuPage County Procurement Ordinance, related resolutions of the County Board and administrative policies.

Procurement Officer

John Meneghini

Email: John.Meneghini@dupageco.org

Phone - Finance: 630-407-6100

Phone - Procurement: 630-407-6200

4.4 Human Resources Department

DuPage County's Human Resources Department strives to support the overall mission of the DuPage County Government, its employees and the public by providing high quality, cost effective services. They ensure equitable, professional and legal application of the policies and procedures for county employees and use technology and methods, which enhance services, communication and production.

Director of Human Resources

Margaret Ewing

Email: Margaret.Ewing@dupageco.org

Phone: 630-407-6300

Fax: 630-407-6301

4.5 Information Technology Department

The mission of the Information Technology Department is to deliver efficient, effective and reliable technology solutions and services in a cost effective manner to advance the service objectives of DuPage County staff, elected officials and the business community. The department also safeguards the integrity of information critical to the operation of the county and its partners in public service.

Chief Information Officer

Donald Carlsen

Email: Donald.Carlsen@dupageco.org

Phone: 630-407-5000

Fax: 630-407-5001



DuPage County

Jack T. Knuepfer Administration Building
421 N. County Farm Road
Wheaton, IL 60187

IMPORTANT PHONE NUMBERS

Audit Hotline	630-752-8348
Board of Review	630-407-5888
Children's Advocacy Center	630-407-2750
Community Services	630-407-6500
Convalescent Center	630-665-6400
County Board Offices	630-407-6060
Economic Development	630-407-6670
Emergency Management Office	630-682-7925
Ethics Adviser	630-569-6023
Facilities Management	630-407-5700
Finance Department	630-407-6100
Health Department	630-682-7400
Human Resources Department	630-407-6300
Information Technology Department	630-407-5000
Investigator General	630-205-8221
Judicial Administration	630-407-8904
Procurement Services Division	630-407-6200
Public Information Office	630-407-6022
State's Attorney's Office	630-407-8000
Veterans Assistance Commission	630-407-5655



Statement of Economic Interest

Statement of Economic Interests to be Filed with the County Clerk
 Your Name Was Submitted For Filing by an Entity That You Represent
 (Type or Print)

Name: _____

Each Office or Position of Employment for which this Statement is Filed: _____

Full Post Office Address: _____

GENERAL DIRECTIONS

The interest (if constructively controlled by the person making the statement) of a spouse or any other party shall be considered to be the same as the interest of the person making the statement. Campaign receipts shall not be included in this statement. **If more space is needed, please attach supplemental listing.**

- List the name and instrument of ownership in any entity doing business with a unit of local government in relation to which the person is required to file, in which the ownership interest held by the person at the date of filing is in excess of \$5,000 fair market value, or from which dividends in excess of \$1,200 were received during the preceding calendar year: (In the case of real estate, location thereof shall be listed by the street address, or if none, then by legal description.) No time or demand deposit in a financial institution, nor any debt instrument shall be listed.

Business Entity	Instrument of Ownership	Position of Management
_____	_____	_____
_____	_____	_____
_____	_____	_____

- List the name, address and type of practice of any professional organization in which the person making the statement was an officer, director, associate, partner or proprietor, or served in any advisory capacity, from which income in excess of \$1,200 was derived during the preceding calendar year:

Name	Address	Type of Practice
_____	_____	_____
_____	_____	_____
_____	_____	_____

- List the nature of professional services rendered (other than to the unit or units of local government in relation to which the person is required to file) to each entity from which income exceeding \$5,000 was received for professional services rendered during the preceding calendar year by the person making the statement:

COMPLETE BUT DO NOT DETACH

This section will be returned to you when the Statement is filed with the County Clerk.

Receipt is hereby acknowledged of your Statement of Economic Interests, filed pursuant to the Illinois Governmental Ethics Act. The Statement was filed on this date:

Office or Position of Employment for which this statement is filed _____

(Type or Print)

Name _____

Address _____

City/State/ZIP Code _____

4. List the identity (including address or legal description of real estate) of any capital asset from which a capital gain of \$5,000 or more was realized during the preceding calendar year:

5. List the name of any entity and the nature of the governmental action requested by any entity that has applied to a unit of local government in relation to which the person must file for any license, franchise or permit for annexation, zoning or rezoning of real estate during the preceding calendar year, if the ownership interest of the person filing is in excess of \$5,000 fair market value at the time of filing, or if income or dividends in excess of \$1,200 were received by the person filing from the entity during the preceding calendar year:

6. List the name of any entity doing business with a unit of local government in relation to which the person is required to file, from which income in excess of \$1,200 was derived during the preceding calendar year other than for professional services and the title or description of any position held in that entity: (No time or demand deposit in a financial institution nor any debt instrument need be listed.)

7. List the name of any unit of government that employed the person making the statement during the preceding calendar year, other than the unit or units of government in relation to which the person is required to file:

8. List the name of any entity from which a gift or gifts, or honorarium or honoraria, valued singly or in the aggregate in excess of \$500, was received during the preceding calendar year:

VERIFICATION

I declare that this Statement of Economic Interests (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of my economic interests as required by the Illinois Governmental Ethics Act. I understand that the penalty for willfully filing a false or incomplete statement shall be a fine not to exceed \$1,000, or imprisonment in a penal institution other than the penitentiary not to exceed one year, or both fine and imprisonment.

Signature of Person Making Statement

Date

Printed by authority of the State of Illinois. August 2007 — 80M — I-107.8

**DO NOT DETACH
(WILL BE RETURNED AS YOUR RECEIPT)**

President Toni Preckwinkle Response
Cook County



OFFICE OF THE PRESIDENT
BOARD OF COMMISSIONERS OF COOK COUNTY
118 NORTH CLARK STREET
CHICAGO, ILLINOIS 60602
(312) 603-6400
TDD (312) 603-5255

TONI PRECKWINKLE
PRESIDENT

November 13, 2013

Mr. George Ranney, Jr.
Co-Chair
Northeastern Illinois
Public Transit Task Force
2300 S. Dirksen Parkway
Springfield, Illinois 62764

Dear Mr. Ranney: *George:*

Thank you for your letter regarding the appointment and removal process for members of the region's transit agency boards. I look forward to receiving the Task Force's recommendations on how we can ensure that our transit systems operate in the efficient and effective manner that the residents of Northeastern Illinois expect and deserve. Below please find the answers to your questions:

A. Appointment Process

- 1. Identify the process by which you select and appoint individuals to the region's transit agency boards.*

Upon taking office, I established a website to post information and receive applications for boards and commissions to which the Cook County Board President holds appointment authority. Should a vacancy occur in one of the appointments to the transit agency boards, my office undertakes one or more of the following steps to encourage applicants to apply for this position:

- Conduct outreach via new media (i.e. Twitter and Facebook) to solicit applications;

- Contact applicants who previously applied for the position in question but who were not selected to determine whether any of these applicants warrant additional consideration; and
- Solicit recommendations from individuals with knowledge of Cook County and the relevant subject matter.

Experience among current members and board demographics with the goal of ensuring there is a diversity of opinions and viewpoints on the board is a priority. Each finalist is interviewed and the references provided on their application may be contacted before a candidate is selected for appointment.

Upon selection and after an appropriate criminal background check, the individual's appointment is introduced at the next Cook County Board Meeting for consideration. If this is new appointment, the candidate appears before the Committee on Legislation and Intergovernmental Relations prior to being confirmed by the Cook County Board of Commissioners.

2. *Provide copies of any rules, regulations, legal memoranda, orders or requirements of any kind concerning the transparency of the appointment process.*

Please see answer to Question A1.

3. *Identify the qualifications and requirements necessary to serve on the transit agency board for which you make appointments. Provide copies of any related rules, regulations, legal memoranda, orders or requirements of any kind concerning the qualifications of appointees.*

The qualifications and requirements for the Cook County Board President's appointments to transit agency boards are governed by Illinois State Statutes, specifically, 70 ILCS 3615/3.01(b), 70 ILCS 3615/3.01(f), 70 ILCS 3615/3B.02 (b)(7)(1) and 70 ILCS 3615/3B.02(c). In addition, pursuant to Chapter 2, Article III, Division 2, Section 2-105(k) of the Cook County Code, each candidate for or a board or commission appointed by the President requiring the approval of the County Board of Commissioners is required to submit a notarized and signed affidavit to the Chairman of the Cook County Legislation and Intergovernmental Relations Committee to affirm that the candidate is qualified, fulfills the requirements set forth under the requisite statute creating the appointment, and does not have any conflicts of interest that would prevent him or her from adequately representing the interests of the agency to which he or she is being appointed.

4. *Identify any review or investigation process you conduct on candidates or appointees to the transit boards, or on current Directors, including, but not limited to, an individual's potential criminal record.*

Please see answer to Question A1.

5. *Describe any review or requirements regarding the disclosure by candidates, appointees, or Directors of conflicts of interest in service to the transit agency board, the timing of such disclosures, and the frequency with which they must be updated.*

As noted previously, pursuant to Chapter 2, Article III, Division 2, Section 2-105(k) of the Cook County Code, each candidate is required to submit a signed and notarized affidavit to the Chairman of the Cook County Legislation and Intergovernmental Relations Committee to affirm that the candidate is qualified, fulfills the requirements set forth under the requisite statute creating the appointment, and does not have any conflicts of interest that would prevent him or her from adequately representing the interests of the agency to which he or she is being appointed. Any change in the information contained in the affidavit provided is required to be reported to the President of the Cook County Board of Commissioners and the Chairman of the Legislation and Intergovernmental Relations Committee within seven (7) business days of such a change.

B. Removal Process

1. *If you have removal authority, identify the process by which you consider whether a member of the Board appointed by you or your predecessor has demonstrated incompetency, neglect of duty, or malfeasance in office.*

The process for removal authority is governed by 70 ILCS 3615/3.03 and is not under the authority of the President or the County.

2. *Provide copies of any rules, regulations, legal memoranda, orders or requirements concerning the exercise of your removal power over Directors.*

Not applicable. See answer to question B1.

3. *Do you consider the current statutory process to be an adequate mechanism for removing Directors who have engaged in wrongdoing?*

No. While the current statutory process contains mechanisms to remove Directors who have engaged in wrongdoing, the current process does not give adequate removal powers to the appointing authority.

4. *Do you consider the current statutory process to be an adequate mechanism for protecting Directors who may take a principled, but unpopular, position on matters affecting a regional transit agency?*

Ultimately, the elected officials who hold appointing authority to the transit boards are accountable to the voters for the performance or non-performance of their appointees. There is not currently a mechanism to transfer that accountability to the Directors for justifiable reasons via a removal process by the appointing authority.

5. *If you think there is a better removal process, describe what you believe would be a better process and why you believe that to be so.*

The appointing authority should have the ability to remove a Director upon a determination of incompetence, neglect of duty, or malfeasance in office. To ensure that removal powers are not abused, the appointing authority should be required to make such a determination in writing to the appropriate county board or city council. Following such a determination, the members of the board or council would vote to concur with the removal of an appointee.

6. *An overwhelming majority of transit agency boards in the U.S. do not compensate board members other than expenses that are directly related to their service (i.e. travel reimbursement, etc.). Many public agency boards in Illinois receive compensation for their participation in board activities. What is your opinion about whether or not transit agency board members should be compensated?*

In Cook County, we took action last year to reduce the compensation for two boards to which the Cook County Board President holds appointing authority - the Zoning Board of Appeals and the Employee Appeals Board. Previously, the County Code had allowed for an annual compensation plan that included salary and benefits. The changes put forth removed such benefits and now allow for a \$500 per meeting stipend. Stipends allotted for such participation are capped and may not \$12,000 annually with no additional fringe or pension benefits afforded to these board members

Creating a stipend structure acknowledges and compensates members of public boards for the level of work actually performed (approximated in this case by the number of meetings attended) and strikes an appropriate balance between providing the compensation necessary to attract talented individuals to public service while protecting taxpayers from unnecessarily generous compensation plans. Such a system could serve as a model for future compensation plans for transit boards.

I appreciate the opportunity to respond to your questions.

Sincerely,



Toni Preckwinkle
President



OFFICE OF THE PRESIDENT
BOARD OF COMMISSIONERS OF COOK COUNTY
118 NORTH CLARK STREET
CHICAGO, ILLINOIS 60602
(312) 603-6400
TDD (312) 603-5255

TONI PRECKWINKLE
PRESIDENT

November 13, 2013

Ms. Ann L. Schneider
Co-Chair
Northeastern Illinois
Public Transit Task Force
2300 S. Dirksen Parkway
Springfield, Illinois 62764

Dear Secretary Schneider:

Ann:

Thank you for your letter regarding the appointment and removal process for members of the region's transit agency boards. I look forward to receiving the Task Force's recommendations on how we can ensure that our transit systems operate in the efficient and effective manner that the residents of Northeastern Illinois expect and deserve. Below please find the answers to your questions:

A. Appointment Process

- 1. Identify the process by which you select and appoint individuals to the region's transit agency boards.*

Upon taking office, I established a website to post information and receive applications for boards and commissions to which the Cook County Board President holds appointment authority. Should a vacancy occur in one of the appointments to the transit agency boards, my office undertakes one or more of the following steps to encourage applicants to apply for this position:

- Conduct outreach via new media (i.e. Twitter and Facebook) to solicit applications;

- Contact applicants who previously applied for the position in question but who were not selected to determine whether any of these applicants warrant additional consideration; and
- Solicit recommendations from individuals with knowledge of Cook County and the relevant subject matter.

Experience among current members and board demographics with the goal of ensuring there is a diversity of opinions and viewpoints on the board is a priority. Each finalist is interviewed and the references provided on their application may be contacted before a candidate is selected for appointment.

Upon selection and after an appropriate criminal background check, the individual's appointment is introduced at the next Cook County Board Meeting for consideration. If this is new appointment, the candidate appears before the Committee on Legislation and Intergovernmental Relations prior to being confirmed by the Cook County Board of Commissioners.

2. *Provide copies of any rules, regulations, legal memoranda, orders or requirements of any kind concerning the transparency of the appointment process.*

Please see answer to Question A1.

3. *Identify the qualifications and requirements necessary to serve on the transit agency board for which you make appointments. Provide copies of any related rules, regulations, legal memoranda, orders or requirements of any kind concerning the qualifications of appointees.*

The qualifications and requirements for the Cook County Board President's appointments to transit agency boards are governed by Illinois State Statutes, specifically, 70 ILCS 3615/3.01(b), 70 ILCS 3615/3.01(f), 70 ILCS 3615/3B.02 (b)(7)(1) and 70 ILCS 3615/3B.02(c). In addition, pursuant to Chapter 2, Article III, Division 2, Section 2-105(k) of the Cook County Code, each candidate for or a board or commission appointed by the President requiring the approval of the County Board of Commissioners is required to submit a notarized and signed affidavit to the Chairman of the Cook County Legislation and Intergovernmental Relations Committee to affirm that the candidate is qualified, fulfills the requirements set forth under the requisite statute creating the appointment, and does not have any conflicts of interest that would prevent him or her from adequately representing the interests of the agency to which he or she is being appointed.

4. *Identify any review or investigation process you conduct on candidates or appointees to the transit boards, or on current Directors, including, but not limited to, an individual's potential criminal record.*

Please see answer to Question A1.

5. *Describe any review or requirements regarding the disclosure by candidates, appointees, or Directors of conflicts of interest in service to the transit agency board, the timing of such disclosures, and the frequency with which they must be updated.*

As noted previously, pursuant to Chapter 2, Article III, Division 2, Section 2-105(k) of the Cook County Code, each candidate is required to submit a signed and notarized affidavit to the Chairman of the Cook County Legislation and Intergovernmental Relations Committee to affirm that the candidate is qualified, fulfills the requirements set forth under the requisite statute creating the appointment, and does not have any conflicts of interest that would prevent him or her from adequately representing the interests of the agency to which he or she is being appointed. Any change in the information contained in the affidavit provided is required to be reported to the President of the Cook County Board of Commissioners and the Chairman of the Legislation and Intergovernmental Relations Committee within seven (7) business days of such a change.

B. Removal Process

1. *If you have removal authority, identify the process by which you consider whether a member of the Board appointed by you or your predecessor has demonstrated incompetency, neglect of duty, or malfeasance in office.*

The process for removal authority is governed by 70 ILCS 3615/3.03 and is not under the authority of the President or the County.

2. *Provide copies of any rules, regulations, legal memoranda, orders or requirements concerning the exercise of your removal power over Directors.*

Not applicable. See answer to question B1.

3. *Do you consider the current statutory process to be an adequate mechanism for removing Directors who have engaged in wrongdoing?*

No. While the current statutory process contains mechanisms to remove Directors who have engaged in wrongdoing, the current process does not give adequate removal powers to the appointing authority.

4. *Do you consider the current statutory process to be an adequate mechanism for protecting Directors who may take a principled, but unpopular, position on matters affecting a regional transit agency?*

Ultimately, the elected officials who hold appointing authority to the transit boards are accountable to the voters for the performance or non-performance of their appointees. There is not currently a mechanism to transfer that accountability to the Directors for justifiable reasons via a removal process by the appointing authority.

5. *If you think there is a better removal process, describe what you believe would be a better process and why you believe that to be so.*

The appointing authority should have the ability to remove a Director upon a determination of incompetence, neglect of duty, or malfeasance in office. To ensure that removal powers are not abused, the appointing authority should be required to make such a determination in writing to the appropriate county board or city council. Following such a determination, the members of the board or council would vote to concur with the removal of an appointee.

6. *An overwhelming majority of transit agency boards in the U.S. do not compensate board members other than expenses that are directly related to their service (i.e. travel reimbursement, etc.). Many public agency boards in Illinois receive compensation for their participation in board activities. What is your opinion about whether or not transit agency board members should be compensated?*

In Cook County, we took action last year to reduce the compensation for two boards to which the Cook County Board President holds appointing authority - the Zoning Board of Appeals and the Employee Appeals Board. Previously, the County Code had allowed for an annual compensation plan that included salary and benefits. The changes put forth removed such benefits and now allow for a \$500 per meeting stipend. Stipends allotted for such participation are capped and may not \$12,000 annually with no additional fringe or pension benefits afforded to these board members

Creating a stipend structure acknowledges and compensates members of public boards for the level of work actually performed (approximated in this case by the number of meetings attended) and strikes an appropriate balance between providing the compensation necessary to attract talented individuals to public service while protecting taxpayers from unnecessarily generous compensation plans. Such a system could serve as a model for future compensation plans for transit boards.

I appreciate the opportunity to respond to your questions.

Sincerely,



Toni Preckwinkle
President

Executive Lawrence M. Walsh Response
Will County

302 N. Chicago Street
Joliet, Illinois 60432



(815) 774-7480
Fax (815) 740-4600

Lawrence M. Walsh
Will County Executive

November 18, 2013

Secretary Schneider and Mr. Ranney,

Thank you for the opportunity to provide the Governor's Public Transit Task Force with information on Will County's appointment process as it relates to the transit service boards. As the Will County Executive, I take seriously my authority to make these appointments and strive to follow a transparent process that reflects the interests of Will County residents who pay for and use transit service in northeastern Illinois.

Will County is currently well-represented on the governing boards of Pace, Metra and the RTA by individuals who serve with integrity and have demonstrated leadership during their tenure. I support Governor Quinn's efforts to improve the stability and stature of the regional transit system, including finding ways to clarify and refine the appointment process.

Please find my response to your questions about the appointment and removal process below.

We appreciate the work you have undertaken to recommend positive changes to our regional transit system and welcome the opportunity to be part of the process. As you know, I signed a letter with the other county appointing authorities outlining the principles we jointly support for improving the way we fund and govern transit in northeastern Illinois. I direct your attention to this letter in response to your open-ended question about ways to strengthen our regional transit system.

Sincerely,

Lawrence M. Walsh
Will County Executive

A. Appointment Process

1. Identify the process by which you select and appoint individuals to the region's transit agency boards.

Every Will County resident has the opportunity to nominate him/herself for an appointment using the "Nominate Yourself" page on Will County's website. Nominees must complete an Application Packet which asks for biographical information and a list of references (**Application Packet attached**). The application confirms the nominee's status as a resident of Will County and if they have ever been convicted of a felony. Nominees are asked in the application to disclose if they are an elected official, what office they've been elected to and if there is a potential conflict of interest with the position they're being considered for.

As County Executive, I personally interview candidates and ask them to articulate their personal interest in serving and understanding of key issues. The interviews are an opportunity to communicate my expectations and discuss the big picture issues facing transit. I look for individuals with skills that contribute to managing a transit system and who understand the transportation and transit needs of Will County.

2. Provide copies of any rules, regulations, legal memoranda, orders or requirements of any kind concerning the transparency of the appointment process.

Action to confirm appointments is announced in public meeting notices. Appointments by the Will County Executive are made with the consent and approval of the Will County Board at their monthly public meeting. County Board members receive notice of the next month's appointments a month in advance including the following information: name of position, position criteria, name of appointee, appointee qualifications, completed application packet and letters of recommendation (**County Board Rules Approved 12/1/08, attached**).

Once approved, appointments are signed by the Will County Executive and confirmed by Executive Order. All Appointments appear on the Will County website. At the beginning of each fiscal year the County Executive provides to the Will County Board a listing of all Board and Commission appointment positions to be filled in the coming year (**Checklist for Finalizing Appointments, attached**).

3. Identify the qualifications and requirements necessary to serve on the transit agency board for which you make appointments. Provide copies of any related rules, regulations, legal memoranda, orders or requirements of any kind concerning the qualifications of appointees.

An Appointee must reside in Will County. Appointees should have personal qualities and professional experience applicable to serving capably on a transit board. Candidates should

have a desire to serve and commit the time necessary to fully meet the responsibilities of a governing board member.

Appointments must be ethical and respected in the community. They should have a professional background in public or private sector management, previous experience serving on a governing board and a demonstrated commitment to public or community service.

4. Identify any review or investigation process you conduct on candidates or appointees to the transit boards, or on current Directors, including, but not limited to, an individual's potential criminal record.

Criminal background checks are not performed on appointees, but appointees are asked if they have ever been convicted of a felony in their application packet. Appointees sign the biographical form/questionnaire to acknowledge the information they've provided is true and correct.

Transit Board appointees are required to complete a Statement of Economic Interest annually and file it with the Will County Clerk's office in compliance with the Governmental Ethics Act (**Statement of Economic Interest Form, attached**).

5. Describe any review or requirements regarding the disclosure by candidates, appointees, or Directors of conflicts of interest in service to the transit agency board, the timing of such disclosures, and the frequency with which they must be updated.

The application packet requests information in two places on whether an appointee is an elected official or has held office with any State and Local government. Appointees are directly asked if accepting this position creates a potential conflict of interest. Appointees complete the application packet as a condition of their appointment and reappointment to a transit board.

B. Removal Process

1. If you have removal authority, identify the process by which you consider whether a member of the Board appointed by you or your predecessor has demonstrated incompetency, neglect of duty, or malfeasance in office.

I have no authority to remove an appointment to a transit board. That authority belongs to the transit boards, by a vote of 8 members.

As County Executive, I monitor meeting agendas and meet regularly with Board appointments. Through this contact, I am aware of the Board member's performance and ensure we have adequate representation.

2. Provide copies of any rules, regulations, legal memoranda, orders or requirements concerning the exercise of your removal power over Directors.

n/a

3. Do you consider the current statutory process to be an adequate mechanism for removing Directors who have engaged in wrongdoing?

As is stated in the joint letter, I favor giving the local appointing authorities the ability to remove an appointee from a service board for cause.

4. Do you consider the current statutory process to be an adequate mechanism for protecting Directors who may take a principled, but unpopular, position on matters affecting a regional transit agency?

Directors' need to be able to take principled positions on transit matters and this need should be protected through the statutory process. The current statute would allow the board to remove an appointee by a majority vote. This leaves open the possibility that members could vote together to remove an appointee for political purposes, without cause or consent from the appointing authority. Any change to the statutory process should preserve local representation by establishing a clearly-defined process for sanctioning or removing a local appointee by other board members. An effective process will clearly define why and how an existing Board member can be removed

5. If you think there is a better removal process, describe what you believe would be a better process and why you believe that to be so.

The appointing authority should have the ability to remove an appointee for cause.

6. An overwhelming majority of transit agency boards in the U.S. do not compensate board members other than expenses that are directly related to their service (i.e. travel reimbursement, etc.). Many public agency boards in Illinois receive compensation for their participation in board activities. What is your opinion about whether or not transit agency board members should be compensated?

In my opinion, transit board members do not serve because of the compensation. At the same time, the compensation contributes to recruiting well-qualified appointees who likely have other opportunities to use their time and talents. Compensation is commensurate with the demands of serving as a transit board member.

LAWRENCE M. WALSH

Will County Executive

302 N. Chicago Street

Joliet, IL 60432

(815) 740-4601

Fax (815) 774-7472

Will County Boards and Commissions

Biographical Form - Questionnaire

Please print or type

First

Last

Name

Address

Phone Number

() _____ cell/work/home

Alternate Number

() _____ cell/work/home

Fax Number

() _____

Email: _____

List References & Phone #

1. _____ () _____

2. _____ () _____

3. _____ () _____

4. _____ () _____

Have you ever been convicted of a felony? _____

How long have you been a resident of Will County? _____

Are you an elected Official? Yes _____ No _____ Elected Office: _____

I attest that the information on this form is true & correct to the best of my knowledge.

Signature _____

Date: _____

Please return this completed form to: Office of the Will County Executive c/o Susan Davinger,
302 N. Chicago St. Joliet, IL 60432 or Fax 815-774-7472

Employment:

Business _____
Address _____
Title _____
Duties _____

Date of employment _____

Civic Activities

Current or previous Boards or Commissions

❖ _____	_____
❖ _____	_____
❖ _____	_____

Professional Organizations

❖ _____

❖ _____

❖ _____

❖ _____

Have you ever been employed or held office with any State or Local government? YES ___ NO ___

If yes, explain: _____

Does accepting this position create a potential conflict of interest? YES ___ NO ___

Please return this completed form to: Office of the Will County Executive c/o Susan Davinger,
302 N. Chicago St. Joliet, IL 60432 or Fax 815-7

and keep the board fully advised as to the financial condition of the county and its future financial needs [55 ILCS 5/2-5001];

1. The Will County Board hereby designates the regular September County Board meeting for the making of the County Executive's annual report to the County Board.

2. The Will County Board's Finance Committee shall receive the advice of the County Executive on the financial condition of the County and its future financial needs not less than monthly.

C. Appointments:

1. The County Executive shall:

a. appoint, with the advice and consent of the board, persons to serve on the various boards and commissions to which appointments are provided by law to be made by the board [55 ILCS 5/2-5009 (d)]

b. appoint, with the advice and consent of the board, persons to serve on various special districts within the county except where appointment to serve on such districts is otherwise provided by law [55 ILCS 5/2-5009 (e)]

2. At the beginning of each fiscal year the Executive's Office shall provide to the County Board a listing of all 'Board' and 'Commission' appointment positions to be filled in the coming year.

3. A list of appointments to be approved at the next month's County Board meeting shall be submitted by the County Executive to the County Board administrative office not later than the Tuesday before the current month's County Board meeting.

a. The Board's staff will insure that a copy of the appointment list for approval next month is on the desk of each County Board Member (CBM) at the current month's County Board meeting. (In this way each CBM will have knowledge of next month's appointments a month in advance)

4. The appointment list will contain the following information for each position:

- a. Name of position
- b. Position Criteria
- c. Name of appointee
- d. Appointee qualifications
- e. Will County Board and Commissions form
- f. County Board District, if criteria for appointment
- g. Letters of recommendation, if any

5. The County Executive shall post vacant positions (not including positions where incumbent is to be re-appointed) on the County's website.

D. County Executive Hires

1. *The County Executive shall appoint, with the advice and consent of the board, such subordinate deputies, employees and appointees for the general administration of county affairs as considered necessary, except those deputies, employees and appointees in the office of an elected county officer [55 ILCS 5/2-5009 (g)];*

2. A list of general administration positions, to be filled by appointment under this section, shall be submitted to the County Board administrative office not later than the Tuesday before the first Executive Committee meeting of the month.

3. An **EMPLOYEE ADVICE AND CONSENT REQUEST FORM**, (attached to these rules as "Exhibit A") shall be completed for each general administration appointee and included with the **List of General Administration Positions** submitted to the

Directions for after CB Approval

- ___ After CB meeting, take Appointments out of County Board Agenda.
- ___ Open Website- update web pages with current info.
- ___ Create new Congratulatory Letter, Executive Order & Certificate for each newly appointed member
- ___ Have Larry sign all documents
- ___ Notarize Executive Orders (Marie Barmes)
- ___ Scan all to documents and add G>Executive>Boards.Commissions.Appointments> Current appointments - 2013 Signed Approvals then the appropriate month
- ___ Email signed Executive Orders to:
 - ~ County Board- inner office Karen Burke and Beth Adams
 - ~ County Clerk- inner office – Nancy Voots and Robin Tyda
 - ~ B&C File
 - ~ My files
 - ~ Primary Contact- e-mail
- ___ Type address labels.
- ___ Each appointed member receives:
 - ~ Original Congratulations Letter
 - ~ Original Signed and Notarized Executive Order, and
 - ~ Signed Certificate in 'suitable for framing' cover.
- ___ Update 'Database.Boards+Commissions', 'Executive Orders', 'Members of Boards & Commissions', 'Monthly Coversheet (master sheet and monthly) . Add updates to binders.
- ___ Email updated 'database' to Karen Burke in County Board.

Statement of Economic Interests to be Filed with the County Clerk

Your Name Was Submitted For Filing by an Entity That You Represent
(Type or Print)

Name: _____

Each Office or Position of Employment for which this Statement is Filed: _____

Full Post Office Address: _____

GENERAL DIRECTIONS

The interest (if constructively controlled by the person making the statement) of a spouse or any other party shall be considered to be the same as the interest of the person making the statement. Campaign receipts shall not be included in this statement. **If more space is needed, please attach supplemental listing.**

- 1. List the name and instrument of ownership in any entity doing business with a unit of local government in relation to which the person is required to file, in which the ownership interest held by the person at the date of filing is in excess of \$5,000 fair market value, or from which dividends in excess of \$1,200 were received during the preceding calendar year: (In the case of real estate, location thereof shall be listed by the street address, or if none, then by legal description.) No time or demand deposit in a financial institution, nor any debt instrument shall be listed.

Business Entity	Instrument of Ownership	Position of Management
_____	_____	_____
_____	_____	_____
_____	_____	_____

- 2. List the name, address and type of practice of any professional organization in which the person making the statement was an officer, director, associate, partner or proprietor, or served in any advisory capacity, from which income in excess of \$1,200 was derived during the preceding calendar year:

Name	Address	Type of Practice
_____	_____	_____
_____	_____	_____
_____	_____	_____

- 3. List the nature of professional services rendered (other than to the unit or units of local government in relation to which the person is required to file) to each entity from which income exceeding \$5,000 was received for professional services rendered during the preceding calendar year by the person making the statement:

COMPLETE BUT DO NOT DETACH

This section will be returned to you when the Statement is filed with the County Clerk.

Receipt is hereby acknowledged of your Statement of Economic Interests, filed pursuant to the Illinois Governmental Ethics Act. The Statement was filed on this date:

Office or Position of Employment for which this statement is filed _____

(Type or Print)

Name _____

Address _____

City/State/ZIP Code _____

4. List the identity (including address or legal description of real estate) of any capital asset from which a capital gain of \$5,000 or more was realized during the preceding calendar year:

5. List the name of any entity and the nature of the governmental action requested by any entity that has applied to a unit of local government in relation to which the person must file for any license, franchise or permit for annexation, zoning or rezoning of real estate during the preceding calendar year, if the ownership interest of the person filing is in excess of \$5,000 fair market value at the time of filing, or if income or dividends in excess of \$1,200 were received by the person filing from the entity during the preceding calendar year:

6. List the name of any entity doing business with a unit of local government in relation to which the person is required to file, from which income in excess of \$1,200 was derived during the preceding calendar year other than for professional services and the title or description of any position held in that entity: (No time or demand deposit in a financial institution nor any debt instrument need be listed.)

7. List the name of any unit of government that employed the person making the statement during the preceding calendar year, other than the unit or units of government in relation to which the person is required to file:

8. List the name of any entity from which a gift or gifts, or honorarium or honoraria, valued singly or in the aggregate in excess of \$500, was received during the preceding calendar year:

VERIFICATION

I declare that this Statement of Economic Interests (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of my economic interests as required by the Illinois Governmental Ethics Act. I understand that the penalty for willfully filing a false or incomplete statement shall be a fine not to exceed \$1,000, or imprisonment in a penal institution other than the penitentiary not to exceed one year, or both fine and imprisonment.

Signature of Person Making Statement

Date

Printed by authority of the State of Illinois. August 2007 — 80M — I-107.8

DO NOT DETACH
(WILL BE RETURNED AS YOUR RECEIPT)

Mayor Rahm Emanuel
City of Chicago Response



OFFICE OF MAYOR RAHM EMANUEL
CITY OF CHICAGO

Ann L. Schneider, Co-Chair
Northeastern Illinois Public Transit Task Force
James R. Thompson Center – 100 W. Randolph, 6-600
Chicago, IL 60601

George Ranney, Jr., Co-Chair
Northeastern Illinois Public Transit Task Force
James R. Thompson Center – 100 W. Randolph, 6-600
Chicago, IL 60601

Secretary Schneider and Mr. Ranney:

Thank you for your questions and for your work as co-chairs of the Northeastern Illinois Public Transit Task Force. Below find answers to your questions along with relevant documents attached.

Sincerely,

Michael Negron
Chief of Policy

A. Appointment Process

- 1. Identify the process by which you select and appoint individuals to the region's transit agency boards.**

The Emanuel Administration casts a wide net in considering potential appointments to the transit service boards and has appointed directors with a diverse array of backgrounds in government, business, finance, transit policy, and labor. State statute authorizes the Mayor of the City of Chicago to appoint directors to the service boards for the Chicago Transit Authority, Regional Transit Authority, and Metra.

Specifically, the Mayor appoints four Directors of the Chicago Transit Board, and these appointees are subject to the approval of the Governor and the Chicago City Council. The Governor appoints three Directors, and these appointees are subject to the Mayor's approval and that of the Illinois State Senate. When the appointments are approved, the Governor and the Mayor must certify their respective appointments and approvals to the Secretary of State. Metropolitan Transit Authority Act, 70 ILCS 3605 §20



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CITY OF CHICAGO

Also, the Mayor appoints five Directors to the Regional Transit Authority Board, and these appointees are subject to the approval of the Chicago City Council. Regional Transportation Act, 70 ILCS 3615 § 3.01.

Pursuant to the Regional Transportation Act, 70 ILCS 3615 § 3B.02 the Mayor appoints one Director of the Metra Board, and he or she is subject to the approval of the Chicago City Council.

- 2. Provide copies of any rules, regulations, legal memoranda, orders or requirements of any kind concerning the transparency of the appointment process.**

Attached are (70 ILCS 3605/20) (from Ch. 111 2/3, par. 320) of the Metropolitan Transit Authority Act and (70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01) and (70 ILCS 3615/3B.02) (from Ch. 111 2/3, par. 703B.02) of the Regional Transportation Authority Act.

- 3. Identify the qualifications and requirements necessary to serve on the transit agency board for which you make appointments. Provide copies of any related rules, regulations, legal memoranda, orders or requirements of any kind concerning the qualifications of appointees.**

Overall, the Emanuel Administration looks for director candidates that possess a diverse array of experiences in government, business, finance, transit policy, and labor. Additionally, the qualifications and requirements for the Mayor's appointments to the service boards are set by state statute and vary by service board.

Each member of the Chicago Transit Board must be residents of the metropolitan area and persons of recognized business ability. No member of the Board can hold any other office or employment under the Federal, State, County, or municipal government with the exception of an honorary office without compensation or an office in the National Guard. Additionally, each member of the Chicago Transit Board must take the constitutional oath of office and file it in the office of the Secretary of State within thirty days after certification and approval of his or her appointment. Metropolitan Transit Authority Act, 70 ILCS 3605 §§ 19 to 20

The statutory requirements for the other service boards are less stringent. The Regional Transportation Authority Act only requires that the Director the Mayor appoints to the Metra Board reside in the City of Chicago. Similarly, the Regional Transportation Act requires that the Directors the Mayor appoints to the Regional Transit Authority Board be residents of the City of Chicago and prohibits the Mayor's appointments from also serving as Chairman or a Director of the Chicago Transit Authority.

In these cases, the Emanuel Administration still seeks strong candidates that can serve as stewards for the taxpayers. For example, in October of this year Mayor Emanuel appointed



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CITY OF CHICAGO

Martin Oberman to the Metra board because of his experience as a lawyer, alderman, and reform advocate.

Attached are (70 ILCS 3605/20) (from Ch. 111 2/3, par. 320) and (70 ILCS 3605/19) (from Ch. 111 2/3, par. 319) of the Metropolitan Transit Authority Act and (70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01) of the Regional Transportation Act.

- 4. Identify any review or investigation process you conduct on candidates or appointees to the transit boards, or on current Directors, including, but not limited to, an individual's potential criminal record.**

The Emanuel Administration conducts a debt check and requires ethics and code of conduct pledges of potential candidates for appointment to the service boards.

- 5. Describe any review or requirements regarding the disclosure by candidates, appointees, or Directors of conflicts of interest in service to the transit agency board, the timing of such disclosures, and the frequency with which they must be updated.**

State law and CTA regulations impose a number of restrictions and requirements on appointees to the CTA board. Section 19 of the Metropolitan Transit Authority Act states that no member of the Chicago Transit Board can "have any private financial interest, profit or benefit in any contract, work or business" of the CTA nor in the sale or lease of any property to or from the CTA. Section 3.1(c) of the CTA's Code of Ethics requires that all Chicago Transit Board members file the CTA's Statement of Financial Interest (SFI) at the time he or she files his or her oath of office. In addition, Section 3.1 (e) prohibits a board member from continuing his or her duties unless the SFI is filed. Subsequently, the CTA's SFI must be filed annually if the board member continues to serve. Chicago Transit Board members are also required to file annually a Statement of Economic Interest under the Illinois Governmental Ethics Act. This form is filed with the Office of the Cook County Clerk.

CTA's Code of Ethics also requires board members to disclose certain conflicts of interest that might arise. Section 2.8(c) states that "Any officer who has any economic interest distinguishable from that of the general public in any matter pending before the Board or any Board committees shall publicly disclose the nature and extent of such interest or business relationship on the records of proceedings of the Board, and shall also notify the Ethics Committee of such interest within 72 hours of delivery by the Secretary to the member, of the introduction of any ordinance, resolution, order or other matter in the Board, or as soon thereafter as the officer is or should be aware of such potential conflict of interest. The Ethics Committee shall make such disclosure available for public inspection and copying immediately upon receipt. The officer shall abstain from voting on the matter but shall be counted present



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CITY OF CHICAGO

for purposes of a quorum. The obligation to report a potential conflict of interest under this subsection arises as soon as the officer or should be aware of such potential conflict.”

Section 2.8(d) states that “Any officer or employee who has a financial interest in any matter pending before the CTA shall disclose the nature of such interest to the Ethics Committee...In the case of officers, all disclosures shall be made in writing to the Ethics Committee. The obligation to report under this subsection arises as soon as the officer or employee is or reasonably should be aware of the pendency of the matter.”

Similarly, the RTA Board is governed by internal ethics rules, policies and procedures. Pursuant to the RTA Ethics Policy, each Director is required to complete a Director’s Disclosure Form within 30 days of being appointed to office and thereafter annually.

The State Officials and Employees Ethics Act also requires each RTA and Metra Board member to file a Statement of Economic interest annually.

B. Removal Process

- 1. If you have removal authority, identify the process by which you consider whether a member of the Board appointed by you or your predecessor has demonstrated incompetency, neglect of duty, or malfeasance in office.**

To date, the Mayor has not used his removal authority with respect to the CTA board. State statute provides the Mayor of the City of Chicago with the authority to consider multiple factors in removing a CTA board member. Pursuant to section 21 of the Metropolitan Transit Authority Act, the Mayor can remove any member of the Chicago Transit Board appointed by him in case of incompetency, neglect of duty, or malfeasance in office.

Should the Mayor decide to remove a board member, the statute provides the appointee with due process prior to removal. The appointed member may give the Mayor a copy of the charges against him or her and is entitled to be publicly heard in person or by counsel in his or her own defense with at least 10 days' notice.

- 2. Provide copies of any rules, regulations, legal memoranda, orders or requirements concerning the exercise of your removal power over Directors.**

Attached is (70 ILCS 3605/21) (from Ch. 111 2/3, par. 320) of the Metropolitan Transit Authority Act.



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3. Do you consider the current statutory process to be an adequate mechanism for removing Directors who have engaged in wrongdoing?

The Mayor has sufficient authority to remove CTA board members for cause but lacks the same authority to remove appointees to the other service boards. As laid out in our response to question 1, the current statutory framework allows the Mayor to remove CTA board members in case of incompetency, neglect of duty, or malfeasance in office. The Task Force should recommend that the appointing authorities for the other service boards be given the same authority to remove board members for cause.

4. Do you consider the current statutory process to be an adequate mechanism for protecting Directors who may take a principled, but unpopular, position on matters affecting a regional transit agency?

While the current statutory framework provides no explicit protection for individual board members who take principled stands that place them at odds with other board members or with appointing authorities, the processes for removing board members limit the ability of appointing authorities and service boards to remove board members without cause. With the exception of CTA board members, appointing authorities do not have the authority to remove board members for any purpose. In the case of the CTA, appointing authorities can only remove members for cause. On a formal finding of incompetence, neglect of duty, or malfeasance in office, RTA boards can remove individual members with 11 votes, while the Pace and Metra Boards can remove individual members with eight votes each. The Governor can also remove board members from the RTA, Pace, and Metra boards in response to a summary report from the Executive Inspector General.

5. If you think there is a better removal process, describe what you believe would be a better process and why you believe that to be so.

The Task Force should recommend that all appointing authorities be granted the power to remove directors from service boards for cause. Current law allows for CTA board members to be removed on behalf of the taxpayers in cases of incompetence or corruption. This is not the case for the other service boards. This reform would provide greater accountability for board members to the residents

6. An overwhelming majority of transit agency boards in the U.S. do not compensate board members other than expenses that are directly related to their service (i.e. travel reimbursement, etc.). Many public agency boards in Illinois receive compensation for their participation in board activities. What is your opinion about whether or not transit agency board members should be compensated?



OFFICE OF MAYOR RAHM EMANUEL
CITY OF CHICAGO

We believe that prohibiting compensation for transit board members is a sensible policy and consistent with national best practices. That is why we have established a no compensation policy for new appointees to the CTA board.

(70 ILCS 3605/) Metropolitan Transit Authority Act.

(70 ILCS 3605/19) (from Ch. 111 2/3, par. 319)

Sec. 19. The governing and administrative body of the Authority shall be a board consisting of seven members, to be known as Chicago Transit Board. Members of the Board shall be residents of the metropolitan area and persons of recognized business ability. No member of the Board of the Authority shall hold any other office or employment under the Federal, State or any County or any municipal government except an honorary office without compensation or an office in the National Guard. No employee of the Authority shall hold any other office or employment under the Federal, State or any County or any municipal government except an office with compensation not exceeding \$15,000 annually or a position in the National Guard or the United States military reserves. Provided, however, that the Chairman may be a member of the Board of the Regional Transportation Authority. No member of the Board or employee of the Authority shall have any private financial interest, profit or benefit in any contract, work or business of the Authority nor in the sale or lease of any property to or from the Authority. The salary of each member of the initial Board shall be \$15,000.00 per annum, and such salary shall not be increased or diminished during his or her term of office. The salaries of successor members of the Board shall be fixed by the Board and shall not be increased or diminished during their respective terms of office. No Board member shall be allowed any fees, perquisites or emoluments, reward or compensation for his or her services as a member or officer of the Authority aside from his or her salary or pension, but he or she shall be reimbursed for actual expenses incurred by him or her in the performance of his or her duties.

(Source: P.A. 95-968, eff. 1-1-09.)

(70 ILCS 3605/20) (from Ch. 111 2/3, par. 320)

Sec. 20. Within sixty (60) days after the adoption of this Act by the electors of one or more cities, villages and incorporated towns within the metropolitan area having a population in the aggregate of at least 100,000 according to the Federal census of 1940, the Governor, by and with the advice and consent of the Senate, shall appoint three members of the Board for initial terms expiring September first of the years 1947, 1948 and 1949, respectively, at least one of which members shall be a resident of that portion of the metropolitan area which is outside the corporate limits of the City of Chicago, and the Mayor, with advice and consent of the City Council of the City of Chicago, shall appoint four members of the Board for initial terms expiring September first of the years 1946, 1950, 1951 and 1952, respectively. At the expiration of the term of any member appointed by the Governor his successor shall be appointed by the Governor, and at the expiration of the term of any member appointed by the Mayor his successor shall be appointed by the Mayor in like manner, and with like regard as to the place of residence of the appointee, as appointments for the initial terms. All successors shall hold office for the term of seven years from the first day of September of the year in which they are appointed, except in case of an appointment to fill a vacancy. In case of vacancy in the office of any member appointed by the Governor during the recess of the Senate, the Governor shall make a temporary appointment until the next meeting of the Senate when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the Senate, shall hold his office during the remainder of the term and until his successor shall be appointed and

qualified. If the Senate is not in session at the time this Act takes effect, the Governor shall make temporary appointments as in case of vacancies. Each appointment by the Governor shall be subject to approval by the Mayor, and each appointment by the Mayor shall be subject to approval by the Governor and, when so approved, the Governor and the Mayor shall certify their respective appointments and approvals to the Secretary of State. If the Governor or the Mayor does not approve or disapprove the appointment by the Mayor or the Governor, respectively, within 15 days after receipt thereof, the person is appointed. Within thirty days after certification and approval of his appointment, and before entering upon the duties of his office, each member of the Board shall take and subscribe the constitutional oath of office and file it in the office of the Secretary of State.

(Source: P.A. 79-938.)

(70 ILCS 3605/21) (from Ch. 111 2/3, par. 321)

Sec. 21. Members of the Board shall hold office until their respective successors have been appointed and have qualified. Any member may resign from his or her office, to take effect when his or her successor has been appointed and has qualified. The Governor and the Mayor, respectively, may remove any member of the Board appointed by him or her in case of incompetency, neglect of duty, or malfeasance in office. They may give him or her a copy of the charges against him or her and an opportunity to be publicly heard in person or by counsel in his or her own defense upon not less than 10 days' notice. The Governor may remove any member in response to a summary report received from the Executive Inspector General in accordance with Section 20-50 of the State Officials and Employees Ethics Act, provided he or she has an opportunity to be publicly heard in person or by counsel prior to removal. In case of failure to qualify within the time required, or of abandonment of his or her office, or in case of death, conviction of a crime or removal from office, his or her office shall become vacant. Each vacancy shall be filled for the unexpired term by appointment in like manner, and with like regard as to the place of residence of the appointee, as in case of expiration of the term of a member of the Board.

(Source: P.A. 96-1528, eff. 7-1-11.)

(70 ILCS 3615/) Regional Transportation Authority Act.

(70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)

Sec. 3.01. Board of Directors. The corporate authorities and governing body of the Authority shall be a Board consisting of 13 Directors until April 1, 2008, and 16 Directors thereafter, appointed as follows:

(a) Four Directors appointed by the Mayor of the City of Chicago, with the advice and consent of the City Council of the City of Chicago, and, only until April 1, 2008, a fifth director who shall be the Chairman of the Chicago Transit Authority. After April 1, 2008, the Mayor of the City of Chicago, with the advice and consent of the City Council of the City of Chicago, shall appoint a fifth Director. The Directors appointed by the Mayor of the City of Chicago shall not be the Chairman or a Director of the Chicago Transit Authority. Each such Director shall reside in the City of Chicago.

(b) Four Directors appointed by the votes of a majority of the members of the Cook County Board elected from districts, a majority of the electors of which reside outside Chicago. After April 1, 2008, a fifth Director appointed by the President of the Cook County Board with the advice and consent of the

members of the Cook County Board. Each Director appointed under this subparagraph shall reside in that part of Cook County outside Chicago.

(c) Until April 1, 2008, 3 Directors appointed by the Chairmen of the County Boards of DuPage, Kane, Lake, McHenry, and Will Counties, as follows:

(i) Two Directors appointed by the Chairmen of the county boards of Kane, Lake, McHenry and Will Counties, with the concurrence of not less than a majority of the Chairmen from such counties, from nominees by the Chairmen. Each such Chairman may nominate not more than 2 persons for each position. Each such Director shall reside in a county in the metropolitan region other than Cook or DuPage Counties.

(ii) One Director appointed by the Chairman of the DuPage County Board with the advice and consent of the DuPage County Board. Such Director shall reside in DuPage County.

(d) After April 1, 2008, 5 Directors appointed by the Chairmen of the County Boards of DuPage, Kane, Lake and McHenry Counties and the County Executive of Will County, as follows:

(i) One Director appointed by the Chairman of the Kane County Board with the advice and consent of the Kane County Board. Such Director shall reside in Kane County.

(ii) One Director appointed by the County Executive of Will County with the advice and consent of the Will County Board. Such Director shall reside in Will County.

(iii) One Director appointed by the Chairman of the DuPage County Board with the advice and consent of the DuPage County Board. Such Director shall reside in DuPage County.

(iv) One Director appointed by the Chairman of the Lake County Board with the advice and consent of the Lake County Board. Such Director shall reside in Lake County.

(v) One Director appointed by the Chairman of the McHenry County Board with the advice and consent of the McHenry County Board. Such Director shall reside in McHenry County.

(vi) To implement the changes in appointing authority under this subparagraph (d) the three Directors appointed under subparagraph (c) and residing in Lake County, DuPage County, and Kane County respectively shall each continue to serve as Director until the expiration of their respective term of office and until his or her successor is appointed and qualified or a vacancy occurs in the office. Thereupon, the appointment shall be made by the officials given appointing authority with respect to the Director whose term has expired or office has become vacant.

(e) The Chairman serving on the effective date of this amendatory Act of the 95th General Assembly shall continue to serve as Chairman until the expiration of his or her term of office and until his or her successor is appointed and qualified or a vacancy occurs in the office. Upon the expiration or vacancy of the term of the Chairman then serving upon the effective date of this amendatory Act of the 95th

General Assembly, the Chairman shall be appointed by the other Directors, by the affirmative vote of at least 11 of the then Directors with at least 2 affirmative votes from Directors who reside in the City of Chicago, at least 2 affirmative votes from Directors who reside in Cook County outside the City of Chicago, and at least 2 affirmative votes from Directors who reside in the Counties of DuPage, Lake, Will, Kane, or McHenry. The chairman shall not be appointed from among the other Directors. The chairman shall be a resident of the metropolitan region.

(f) Except as otherwise provided by this Act no Director shall, while serving as such, be an officer, a member of the Board of Directors or Trustees or an employee of any Service Board or transportation agency, or be an employee of the State of Illinois or any department or agency thereof, or of any unit of local government or receive any compensation from any elected or appointed office under the Constitution and laws of Illinois; except that a Director may be a member of a school board.

(g) Each appointment made under this Section and under Section 3.03 shall be certified by the appointing authority to the Board, which shall maintain the certifications as part of the official records of the Authority.

(h) (Blank).

(Source: P.A. 95-708, eff. 1-18-08.)

(70 ILCS 3615/3B.02) (from Ch. 111 2/3, par. 703B.02)

Sec. 3B.02. Commuter Rail Board.

(a) Until April 1, 2008, the governing body of the Commuter Rail Division shall be a board consisting of 7 directors appointed pursuant to Sections 3B.03 and 3B.04, as follows:

(1) One director shall be appointed by the Chairman of the Board of DuPage County with the advice and consent of the County Board of DuPage County and shall reside in DuPage County.

(2) Two directors appointed by the Chairmen of the County Boards of Kane, Lake, McHenry and Will Counties with the concurrence of not less than a majority of the chairmen from such counties, from nominees by the Chairmen. Each such chairman may nominate not more than two persons for each position. Each such director shall reside in a county in the metropolitan region other than Cook or DuPage County.

(3) Three directors appointed by the members of the Cook County Board elected from that part of Cook County outside of Chicago, or, in the event such Board of Commissioners becomes elected from single member districts, by those Commissioners elected from districts, a majority of the residents of which reside outside Chicago. In either case, such appointment shall be with the concurrence of four such Commissioners. Each such director shall reside in that part of Cook County outside Chicago.

(4) One director appointed by the Mayor of the City of Chicago, with the advice and consent of the City

Council of the City of Chicago. Such director shall reside in the City of Chicago.

(5) The chairman shall be appointed by the directors, from the members of the board, with the concurrence of 5 of such directors.

(b) After April 1, 2008 the governing body of the Commuter Rail Division shall be a board consisting of 11 directors appointed, pursuant to Sections 3B.03 and 3B.04, as follows:

(1) One Director shall be appointed by the Chairman of the DuPage County Board with the advice and consent of the DuPage County Board and shall reside in DuPage County. To implement the changes in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under item (1) of subsection (a) of this Section who resides in DuPage County, a Director shall be appointed under this subparagraph.

(2) One Director shall be appointed by the Chairman of the McHenry County Board with the advice and consent of the McHenry County Board and shall reside in McHenry County. To implement the change in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under item (2) of subsection (a) of this Section who resides in McHenry County, a Director shall be appointed under this subparagraph.

(3) One Director shall be appointed by the Will County Executive with the advice and consent of the Will County Board and shall reside in Will County. To implement the change in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under item (2) of subsection (a) of this Section who resides in Will County, a Director shall be appointed under this subparagraph.

(4) One Director shall be appointed by the Chairman of the Lake County Board with the advice and consent of the Lake County Board and shall reside in Lake County.

(5) One Director shall be appointed by the Chairman of the Kane County Board with the advice and consent of the Kane County Board and shall reside in Kane County.

(6) One Director shall be appointed by the Mayor of the City of Chicago with the advice and consent of the City Council of the City of Chicago and shall reside in the City of Chicago. To implement the changes in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under item (4) of subsection (a) of this Section who resides in the City of Chicago, a Director shall be appointed under this subparagraph.

(7) Five Directors residing in Cook County outside of the City of Chicago, as follows:

(i) One Director who resides in Cook County outside of the City of Chicago, appointed by the President of the Cook County Board with the advice and consent of the members of the Cook County Board.

(ii) One Director who resides in the township of Barrington, Palatine, Wheeling, Hanover, Schaumburg, or Elk Grove. To implement the changes in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under paragraph (3) of subsection (a) of this Section who resides in the geographic area described in this subparagraph, a Director shall be appointed under this subparagraph.

(iii) One Director who resides in the township of Northfield, New Trier, Maine, Niles, Evanston, Leyden, Norwood Park, River Forest, or Oak Park.

(iv) One Director who resides in the township of Proviso, Riverside, Berwyn, Cicero, Lyons, Stickney, Lemont, Palos, or Orland. To implement the changes in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under paragraph (3) of subsection (a) of this Section who resides in the geographic area described in this subparagraph and whose term of office had not expired as of August 1, 2007, a Director shall be appointed under this subparagraph.

(v) One Director who resides in the township of Worth, Calumet, Bremen, Thornton, Rich, or Bloom. To implement the changes in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Director appointed under paragraph (3) of subsection (a) of this Section who resides in the geographic area described in this subparagraph and whose term of office had expired as of August 1, 2007, a Director shall be appointed under this subparagraph.

(vi) The Directors identified under the provisions of subparagraphs (ii) through (v) of this paragraph (7) shall be appointed by the members of the Cook County Board. Each individual Director shall be appointed by those members of the Cook County Board whose Board districts overlap in whole or in part with the geographic territory described in the relevant subparagraph. The vote of County Board members eligible to appoint directors under the provisions of subparagraphs (ii) through (v) of this paragraph (7) shall be weighted by the number of electors residing in those portions of their Board districts within the geographic territory described in the relevant subparagraph (ii) through (v) of this paragraph (7).

(8) The Chairman shall be appointed by the Directors, from the members of the Board, with the concurrence of 8 of such Directors. To implement the changes in appointing authority under this Section, upon the expiration of the term of or vacancy in office of the Chairman appointed under item (5) of subsection (a) of this Section, a Chairman shall be appointed under this subparagraph.

(c) No director, while serving as such, shall be an officer, a member of the board of directors or trustee or an

employee of any transportation agency, or be an employee of the State of Illinois or any department or agency thereof, or of any unit of local government or receive any compensation from any elected or appointed office under the Constitution and laws of Illinois.

(d) Each appointment made under subsections (a) and (b) of this Section and under Section 3B.03 shall be certified by the appointing authority to the Commuter Rail Board which shall maintain the certifications as part of the official records of the Commuter Rail Board.

(Source: P.A. 95-708, eff. 1-18-08.)

Governor Pat Quinn Response
State of Illinois



OFFICE OF THE GOVERNOR

JRTC, 100 W. RANDOLPH, SUITE 16-100
CHICAGO, ILLINOIS 60601

PAT QUINN
GOVERNOR

November 20, 2013

Ann L. Schneider- Co-Chair
George Ranney, Jr. - Co-Chair
Northeastern Illinois Public Transit Task Force
2300 S. Dirksen Parkway
Springfield, IL 62764

Dear Co-Chairs Schneider and Ranney,

Below you will find responses to your November 1, 2013 letter. These responses address your questions regarding the appointment and removal process for the Chicago Transit Authority Board ("CTA Board") members appointed by the Governor. I would also like to thank the Task Force members for their hard work and commitment to improving the Northeastern Illinois Public Transit System.

A. Appointment Process

The primary method by which the Office of the Governor identifies appointees for any board or commission is through a public application process available at <http://www.appointments.illinois.gov>. Any Illinois resident can go on the website and fill out an initial application where they list in order of preference the boards or commissions that they would like to be considered for. ("Attachment A") The website also allows candidates to be recommended for consideration. The Office of the Governor then reviews the candidate applications and when there is an opportunity to appoint someone to a board or commission the Office of the Governor submits the names of potential appointees to the Office of Executive Appointments.

The qualifications and requirements for appointees to the CTA Board can be found in the Metropolitan Transit Authority Act in Section 19 (70 ILCS 3605/19). ("Attachment B") Additionally, the Office of the Governor selects appointees with an emphasis on expertise, and

racial/gender/geographic diversity to accurately reflect the citizens who utilize the Chicago Transit System.

When the Office of Executive Appointments receives the names of potential appointees from the Office of the Governor, they send the individuals vetting paperwork to complete. The vetting paperwork asks several background questions of a potential appointee and includes a section for the applicant to disclose any criminal convictions or investigations to which they are a party. There is also a section for applicants to disclose any actual or perceived conflicts of interest they may have with the position to which they want to be appointed. Vetting for appointees to the CTA Board also includes a background check by the Illinois State Police. Candidates sign a waiver authorizing this background check. Candidates must also complete a statement of economic interest that is required for all appointees who are confirmed by the Senate. Members of the Chicago Transit Authority are required under the State Employees and Ethics Act ("Ethics Act")(5 ILCS 430/5-10) to complete annual Ethics Training and have a continuing obligation to report any conflicts of interest or prohibited activity to the Office of the Executive Inspector General ("OEIG").

After vetting paperwork is received, a background interview with the Governor's Office of the General Counsel is scheduled and performed. The Office of the General Counsel also undertakes an electronic vetting of the candidate. If the interview, electronic vetting, and vetting paperwork are satisfactory and the Office of the Governor chooses to go forward with the appointment, the Office of Executive Appointments files an appointment letter with the Secretary of State. By statute when the Governor appoints an individual to the Chicago Transit Authority, our office makes a request for concurrence to the Mayor of Chicago. The Mayor has 15 days to either concur or not. An appointment message is filed with the Secretary of the Senate after it is drafted by the Legislative Reference Bureau, and the Senate has 60 session days to act on the appointment or the appointee is automatically confirmed.

B. Removal process

The Governor takes all allegations of impropriety by gubernatorial appointees very seriously. All allegations of impropriety are reported to the OEIG for further investigation. In cases where the alleged impropriety is clear, the Governor may take action without a completed OEIG investigation. There are two ways in which the Governor can remove members of the Chicago Transit Authority. Under the Metropolitan Transit Authority Act (70 ILCS 3605/21) the Governor can remove a gubernatorial appointed member of the Chicago Transit Authority for "incompetency, neglect of duty, or malfeasance in office." Likewise, Article V, Section 10 of the Illinois Constitution provides the Governor with the ability to remove any officer appointed by the Governor for "incompetence, neglect of duty, or malfeasance in office." (Ill. Const. art. V, §10) The Governor may also remove any member in response to a

summary report received from the OEIG in accordance with Section 20-50 of the Ethics Act, provided the board member has an opportunity to be publicly heard in person or by counsel prior to removal (70 ILCS 3605/21).

The current process for the removal of governor-appointed members to the Chicago Transit Authority is adequate. However, this process is not uniform across the region's transit agency boards and it should be. The recent issues at Metra are the clearest example of why the Governor should have the ability to remove any member of the region's transit agency boards when he or she has engaged in wrongdoing. In the case of Metra, the Governor was not able to take immediate action when it has become clear that board members had engaged in wrongdoing. Currently in order to remove board members from Metra, PACE, and the Regional Transit Authority, the Governor must wait until the OEIG has completed an investigation and the accused member is given the opportunity to be publicly heard before his or her removal. (70 ILCS 3615/3.03, 3A.03, 3B.03) Additionally the Governor needs the ability to make emergency temporary appointments to all of the region's transit agency boards to ensure continuity of operations and so the citizens of Northeastern Illinois do not suffer as a result of a particular board member's wrongdoing.

The current statutory process is adequate to protect those directors who take unpopular positions on matters affecting regional transit agencies—in the absence of an OEIG report, removal is only allowed in cases of incompetence, neglect of duty, or malfeasance in office. However, additional removal authority may be warranted absent an OEIG report but in cases where conduct falls short of incompetence, neglect of duty, or malfeasance.

Sincerely,

A handwritten signature in black ink that reads "Pat Quinn". The signature is written in a cursive, flowing style.

Pat Quinn

Governor of Illinois



Illinois General Assembly

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(70 ILCS 3605/19) (from Ch. 111 2/3, par. 319)

Sec. 19. The governing and administrative body of the Authority shall be a board consisting of seven members, to be known as Chicago Transit Board. Members of the Board shall be residents of the metropolitan area and persons of recognized business ability. No member of the Board of the Authority shall hold any other office or employment under the Federal, State or any County or any municipal government except an honorary office without compensation or an office in the National Guard. No employee of the Authority shall hold any other office or employment under the Federal, State or any County or any municipal government except an office with compensation not exceeding \$15,000 annually or a position in the National Guard or the United States military reserves. Provided, however, that the Chairman may be a member of the Board of the Regional Transportation Authority. No member of the Board or employee of the Authority shall have any private financial interest, profit or benefit in any contract, work or business of the Authority nor in the sale or lease of any property to or from the Authority. The salary of each member of the initial Board shall be \$15,000.00 per annum, and such salary shall not be increased or diminished during his or her term of office. The salaries of successor members of the Board shall be fixed by the Board and shall not be increased or diminished during their respective terms of office. No Board member shall be allowed any fees, perquisites or emoluments, reward or compensation for his or her services as a member or officer of the Authority aside from his or her salary or pension, but he or she shall be reimbursed for actual expenses incurred by him or her in the performance of his or her duties.

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(Source: P.A. 95-968, eff. 1-1-09.)

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Nominate Yourself

**OFFICE OF EXECUTIVE APPOINTMENTS
APPLICATION FOR GUBERNATORIAL APPOINTMENT**

As a citizen of Illinois, you are invited to use the form below to nominate yourself for membership on up to four boards, commissions, councils, or task forces. The information we collect will be used by the Governor's office in considering your interest in an appointment. It will be kept confidential and protected from disclosure to the extent permitted by law. If you have problems completing the form, please email gov.appointments@illinois.gov

***** **Required Fields.** Please provide accurate information in ALL required fields.

PART A: Board or Commission Sought (Choose up to four in order of preference)

1st Choice: ***** ▼

2nd Choice: ▼

3rd Choice: ▼

4th Choice: ▼

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PART B: Basic Information

First Name: *****

Middle Name:

Last Name: *****

Have you ever used or been known by any other legal name?: *****

Yes No

If yes, please give prior name:

Spouse / domestic partner's Name:

Home Address: *****

City: *****

State: ***** ▼

Zip Code: *****

Email Address: *****

Sign me up for a Governor's e-Newsletter Subscription

Home Phone: ***** Ext:

Work Phone: Ext:

Cellular Phone:

Business Address:

City:

State:

Zip Code:

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PART C: Demographic Information

Gender:

Male Female

Ethnicity:

- White** not of Hispanic Origin. A person having origins in any of the original peoples of Europe, North Africa or the Middle East.
- African American** not of Hispanic Origin. A person having origins in any of the black racial groups of Africa.
- Native American.** A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community.
- Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.
- Hispanic.** A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish Culture or origin, regardless of race.
- Other**
- No Response**

Disability:

Yes No

If yes:

Type of Disability:

Veteran:

Yes No

If yes:

Dates of service:

Branch or component:

Date and type of discharge:

Under State law, certain boards and commissions are required to have diversity of membership based on political affiliation. If you are applying for a position on such a board or commission and would like to furnish your political affiliation (if any) to the Office of Executive Appointments for inclusion in your application, please do so here.

Are you a registered voter?

Yes No

If yes:

Identify the county in which you are registered to vote:

Party:

If other Please specify:

Please Note:

If you are unsure as to your party affiliation please visit [Election Authorities](#) page and find your County Clerk. They will be able to provide this information.

Date of Birth: MM/DD/YYYY

Place of Birth:

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PART D: Education

High School Name:

High School Location:

List the last four post-secondary educational institutions attended. List the most recent school first:

	Institution	Location	Dates Attended	Certificates/Degrees Received
1	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
2	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
3	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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PART E: Employment and Professional Qualifications

Please provide your employment history for the last five years. List your most recent employer first.

Work Experience

	Employer	Title or Type of Business	City and State	From	To
1	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
2	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Professional licenses and certificates

	License or Certificate	Date Issued	Jurisdiction
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

1			
2			
3			
4			

[Top](#)

PART F: Government Affiliations and Experience

Are you a public official?:

Yes No

If yes, what office do you hold?:

3000 chars remaining (max. 3000 chars)

Is your spouse / domestic partner a public official?:

Yes No N/A

If yes, what office does your spouse / domestic partner hold?:

3000 chars remaining (max. 3000 chars)

Are you a lobbyist registered with the State of Illinois?:

Yes No

NOTE: The [Illinois Ethics Act](#) restricts registered lobbyists from serving on certain boards. Please review (25 ILCS 170/3.1) to determine your eligibility.

Is your spouse / domestic partner a lobbyist registered with the State of Illinois?:

Yes No N/A

Are you a government employee?:

Yes No

If yes, which unit of government do you work for?:

3000 chars remaining (max. 3000 chars)

Is your spouse / domestic partner a government employee?:

Yes No N/A

If yes, which unit of government does your spouse / domestic partner work for?:

3000 chars remaining (max. 3000 chars)

[Top](#)

PART G: Interest and Qualifications

Why would you like to serve on the board(s) you have selected? **If you are interested in reappointment, serving as Executive Director or any other specific position (e.g. "Chair" or "Treasurer"), please also indicate that here.**

Interest

3000 chars remaining (max. 3000 chars)

What unique characteristics, qualifications and experiences would you bring to a board or commission?:

Unique Characteristics, Qualifications and Experiences

3000 chars remaining (max. 3000 chars)

[Top](#)

PART H: Certification

By clicking the "Submit" button below I hereby certify that the foregoing responses are true, accurate and complete. I agree that any misstatement, misrepresentation, or omission of fact may result in my immediate disqualification for appointment. I authorize the State of Illinois to review my credit and criminal history, and/or to request more information about my background.

I further certify that I have read the [Revolving Door provisions of the Illinois Ethics Act](#) and if appointed, I agree to abide by them. *

[Top](#)

Aaron Lawlor Response
Lake County

TO: Northeastern Illinois Public Transit Taskforce Members
FROM: Aaron Lawlor, Lake County Board Chairman
SUBJECT: Response to Questionnaire on Appointments

A. Appointment Process

1. Identify the process by which you select and appoint individuals to the region's transit agency boards.

Steps for Determining an Appointment:

- Review applications and search for qualified individuals
- Assess needed skill sets and backgrounds
- Interview qualified applicants
- Consult with standing committee chair and local county board member
- Make the appointment with County Board confirmation

Lake County residents who would like to serve on an appointed board or commission can apply through the county's website (<http://www.lakecountyil.gov/Pages/appointments.aspx>). I review those applications and interview qualified applicants.

In the case of my recent appointment of Norm Carlson to the Metra Board, I also factored in the current mix of skill sets and backgrounds present on the commuter rail agency's board. I think it is important that each of the appointing authorities be aware of skills gaps on the transit board and collectively appoint a well-balanced board that includes political leaders, industry professionals, HR experts, etc.

At the time of his appointment, Norm was the only board member with any railroad experience and is still the only director with private rail experience.

Appointments to boards and commissions are also made in consultation with the appropriate standing committee chair (in this case the Public Works and Transportation Committee) as well as the county board member that represents the area in which a prospective appointee resides.

Per statute, appointments are approved by a vote of the full county board.

2. Provide copies of any rules, regulations, legal memoranda, orders or requirements of any kind concerning the transparency of the appointment process.

Appointments are made in accordance with the Illinois Open Meetings Act.

3. Identify the qualifications and requirements necessary to serve on the transit agency board for which you make appointments. Provide copies of any related rules, regulations, legal memoranda, orders or requirements of any kind concerning the qualifications of appointees.

As stated above, I consider the current mix of skill sets and backgrounds present on the commuter rail agency's board. I think it is important that each of the appointing authorities be aware of skills gaps on the transit board and collectively appoint a well-balanced board that includes political leaders, industry professionals, HR experts, etc.

We can't forget that our transit agencies are billion dollar businesses with complex funding, regulatory, labor and operations issues. It is essential that the individuals have the background and skill sets necessary to be competent stewards of the public's trust, money and safety.

4. Identify any review or investigation process you conduct on candidates or appointees to the transit boards, or on current Directors, including, but not limited to, an individual's potential criminal record.

Applicants to transit board positions also undergo a background check administered through the Lake County Human Resources Department.

5. Describe any review or requirements regarding the disclosure by candidates, appointees, or Directors of conflicts of interest in service to the transit agency board, the timing of such disclosures, and the frequency with which they must be updated.

As a part of the interview process, I vet the applicant for potential conflicts of interest and review their statement of economic interest prior to appointment.

Subsequent to their appointment, directors file a statement of economic interest on an annual basis that I review.

B. Removal Process

1. If you have removal authority, identify the process by which you consider whether a member of the Board appointed by you or your predecessor has demonstrated incompetency, neglect of duty, or malfeasance in office.

I do not have authority to remove transit board members. I would hope the task force is aware of the limitations of our authority and/or would have researched it prior to issuing this questionnaire.

2. Provide copies of any rules, regulations, legal memoranda, orders or requirements concerning the exercise of your removal power over Directors.

None exist because I do not have removal powers.

3. Do you consider the current statutory process to be an adequate mechanism for removing Directors who have engaged in wrongdoing?

I do not. Earlier this fall, I developed "Standards of Conduct" for all of Lake County's 300 appointees to various boards and commissions, including transit boards. The standards focus on the following areas: accountability, fiscal responsibility, ethics, transparency and efficiency. The goal of the standards is to make our expectations clear to those who we appoint to positions of public trust. A copy of the Standards of Conduct is attached.

However, while we have the ability to establish cause, we do not have the ability to remove appointees for cause. In order to correct this, Lake County drafted SB2618 which gives counties permissive authority to develop Standards of Conduct and utilize those standards to establish cause for removal. I am proud of this bipartisan legislation and have received strong support from suburban county leaders.

LAKE COUNTY STANDARDS OF CONDUCT FOR APPOINTED OFFICIALS TO BOARDS AND COMMISSIONS

As the appointing authority for over 70 local appointed units of government, the Chairman of the Lake County Board has established Standards of Conduct that our nearly 300 appointees are required to follow.

The Standards fall into five key areas:

- Accountability
- Fiscal Responsibility
- Transparency
- Efficiency
- Ethics

The Standards outlined below establishes criteria for appointees to abide by. Each appointee is required to sign the attached certificate acknowledging they agree to follow the Standards of Conduct in order to serve on a board or commission.

ACCOUNTABILITY

Reporting of Information to the Lake County Board Office

Communicating information to the Lake County Board office is critical to the success of each appointed unit of government.

- 1) Appointees need to notify the Lake County Board Office of major events, expenditures, employment issues and other important decisions so the Lake County Board is well informed on the management of the appointed units of government.
- 2) Appointees will abide by the Lake County Ordinance Implementing the Authority Permitted Pursuant to Illinois Public Act 097-0084 and related statutory provisions by providing the following information annually within 30 days of receipt of a written request from the Lake County Board Chairman:
 - Budget and Reserve Policies
 - Adopted Annual Budget
 - Annual Audit including internal controls and management letters
 - Any required legal filings with State or regulatory agencies
- 3) The following information will be provided upon request of the Lake County Board Chairman and subsequently as the appointed unit of government makes any amendments to the following documents:
 - An organizational chart
 - Employment contracts of the organization administrator or executive director

- Employment policies and procedure including leave and benefit allowances and any other form of compensation including bonuses or vehicles use allowances.
 - Procurement policies detailing methods for soliciting bids and selecting unbid contracts.
 - Ethics policy
 - Proof of insurance bonds for all officeholders (if required)
- 4) Additionally, appointees will further abide by the above statute by immediately disclosing any internal or external findings of non-compliance with any law or regulation involving the unit of local government and its personnel.

Failure to provide this information will result in immediate suspension of all appointments and reappointments.

FISCAL RESPONSIBILITY

Lake County government prides itself on its strong record of fiscal responsibility. It is important that appointed units of government are prudent stewards of public money regardless if it is generated through local taxes, state and/or federal grants or other means.

While each appointed unit of government's scope, responsibilities and budgets are different, the following actions are mandatory for appointees:

- 1) Establish Annual Budget Policies based on the needs of the organization the people it serves
- 2) Budget in a fiscally conservative manner by:
 - a. Utilizing performance-based budgeting
 - b. Maintain and follow a Reserve Policy that allows for appropriate cash reserves and avoids excessive reserve balances
- 3) Adhere to industry standards, comparable and best practices when making decisions on budgeting, contracting, expenditures, employment, compensation, benefits, settlements and other financial standards
- 4) Ensure the use of Generally Accepted Accounting Principles (GAAP) and Generally Accepted Auditing Standards (GAAS) and enact, monitor and update financial policies as necessary. Follow the Government Finance Officers Association (GFOA) recommended policies covering financial planning, revenue and expenditures, at a minimum. See GFOA Best Practices in Appedix A.

TRANSPARENCY

Transparency and responsiveness are important values that foster open government and community engagement.

The following actions are important in order to ensure appointed units of government are accountable to the Lake County Board and the public.

- 1) Respond to constituent inquiries as promptly as possible and maintain an attitude that welcomes and fosters community engagement.
- 2) Publish board member and staff member (if applicable) contact information on the appointed unit of government website.
- 3) Adhere to the Illinois Open Meetings Act including posting of meeting schedules and agendas on the appointed unit of government's website.
- 4) Complete annual Open Meetings Act training through the state's online program.

EFFICIENCY

The Lake County Board strives for more efficient and collaborative government. Whenever possible, appointed units of government should strive to decrease costs and increase efficiency by:

- 1) Promoting shared services and collaboration between other appointed and local units of government.
- 2) Utilize contracting to reduce personnel and project costs.
- 3) Evaluate business practices and procedures to enhance operational efficiency.

ETHICS

Lake County government is a leader in ensuring ethical conduct in government.

- 1) Appointees of the County Board Chairman are now required by Illinois Public Act 98-0457 to "abide by the ethics laws applicable to, and the ethics policies of, that county and, if applicable, shall be subject to the jurisdiction of that county's ethics officer or inspector general."
- 2) In April of 2011, the Lake County Board enhanced its Ethics Ordinance beyond what is required by Illinois Law to prohibit board members from influencing hiring decisions or vendor selection. The ordinance states:

No County Board member or appointed official shall use his or her position to influence or attempt to influence, in any way, hiring officials to employ particular candidates who have applied for position vacancies or to create employment opportunities specifically for a particular individual. No County Board member or appointed official shall use his or her position to influence or attempt to influence, in any way, purchasing officials to select a particular vendor to perform contracted services for the County or to initiate contact with departments regarding matters related to hiring and purchasing selections. County Board members or appointed officials may provide a verbal reference if contacted and requested by a staff member responsible for making the hiring or purchasing selection.

- a) County Board members or appointed officials shall not be eligible to participate on a committee or panel charged with making purchasing recommendations/decisions if the member or official, or his or her spouse or immediate family member, has a financial interest in the purchasing decision.
- b) County Board members or appointed officials shall not be eligible to participate on a committee or panel charged with making hiring recommendations/decisions if the member or official is the spouse or immediate family member of the candidate, has a personal relationship with the candidate or may have a financial interest in the employment decision.

CERTIFICATE OF ACKNOWLEDGEMENT

I, _____ as an appointee to the
(NAME)

_____ acknowledge that I have
(UNIT OF GOVERNMENT)

reviewed the Lake County Standards of Conduct for Appointed Officials to Boards and Commissions and that I agree to comply with the standards set forth while serving the people of Lake County in my stated capacity.

(SIGNATURE)

(DATE)

APPENDIX A

BEST PRACTICE

Adoption of Financial Policies (2001) (BUDGET)

Recommendation. The Government Finance Officers Association (GFOA) recommends that, at a minimum, financial policies in the following areas be developed by professional staff and formally adopted by the jurisdiction's governing board ***as well as the governing boards of those component units; state, provincial and municipal corporations and organizations; and other bodies under their jurisdiction.***

- Financial Planning Policies
- Revenue Policies
- Expenditure Policies

The jurisdiction's adopted financial policies should be used to frame major policy initiatives and be summarized in the budget document.

It is further recommended that these policies, along with any others that may be adopted, be reviewed during the budget process. Professional staff should review the policies to ensure continued relevance and to identify any gaps that should be addressed with new policies. The results of the review should be shared with the governing board during the review of the proposed budget.

Policy categories that should be considered for development, adoption and regular review are as follows:

Financial Planning Policies

These policies address both the need for a long-term view and the fundamental principle of a balanced budget. At a minimum, jurisdictions should have policies that support:

1. **Balanced Budget** - A jurisdiction should adopt a policy(s) that defines a balanced operating budget, encourages commitment to a balanced budget under normal circumstances, and provides for disclosure when a deviation from a balanced operating budget is planned or when it occurs. (NACSLB Practice 4.5)
2. **Long-Range Planning** - A jurisdiction should adopt a policy(s) that supports a financial planning process that assesses the long-term financial implications of current and proposed operating and capital budgets, budget policies, cash management and investment policies, programs and assumptions. (NACSLB Element 9, GFOA Recommended Practice)¹
3. **Asset Inventory** - A jurisdiction should adopt a policy(s) to inventory and assess the condition of all major capital assets. This information should be used to plan for the ongoing financial commitments required to maximize the public's benefit. (NACSLB Practice 2.2)²

Revenue Policies

Understanding the revenue stream is essential to prudent planning. Most of these policies seek stability to avoid potential service disruptions caused by revenue shortfalls. At a minimum jurisdictions should have policies that address:

1. **Revenue Diversification** - A jurisdiction should adopt a policy(s) that encourages a diversity of revenue sources in order to improve the ability to handle fluctuations in individual sources. (NACSLB Practice 4.6)
2. **Fees and Charges** - A jurisdiction should adopt policy(s) that identify the manner in which fees and charges are set and the extent to which they cover the cost of the service provided. (NACSLB Practice 4.2)
3. **Use of One-time Revenues** - A jurisdiction should adopt a policy(s) discouraging the use of one-time revenues for ongoing expenditures. (NACSLB Practice 4.4)
4. **Use of Unpredictable Revenues** - A jurisdiction should adopt a policy(s) on the collection and use of major revenue sources it considers unpredictable. (NACSLB Practice 4.4a)

Expenditure Policies

The expenditures of jurisdictions define the ongoing public service commitment. Prudent expenditure planning and accountability will ensure fiscal stability. At a minimum, jurisdictions should have policies that address:

1. **Debt Capacity, Issuance, and Management** - A jurisdiction should adopt a policy(s) that specifies appropriate uses for debt and identifies the maximum amount of debt and debt service that should be outstanding at any time. (NACSLB Practice 4.3, 4.3a, GFOA Recommend Practices pp.90-92)
2. **Reserve or Stabilization Accounts** - A jurisdiction should adopt a policy(s) to maintain a prudent level of financial resources to protect against the need to reduce service levels or raise taxes and fees due to temporary revenue shortfalls or unpredicted one-time expenditures. (NACSLB Practice 4.1)³⁴
3. **Operating/Capital Expenditure Accountability** - A jurisdiction should adopt a policy(s) to compare actual expenditures to budget periodically (e.g., quarterly) and decide on actions to bring the budget into balance, if necessary. (NACSLB Practice 7.2)

References

- "Developing Formal Debt Policies," *Government Finance Review*, August 1991.
- "Elements of a Comprehensive Local Debt Policy," *Government Finance Review*, October 1994.
- GFOA Best Practice, "Setting of Government Charges and Fees," 1996.
- *Recommended Budget Practices: A Framework for Improved State and Local Government Budgeting* National Advisory Council on State and Local Budgeting, 1998.
- *A Guide for Preparing a Debt Policy*, Patricia Tighe, GFOA, 1998.

- See also GFOA's best practice on *Establishment of Strategic Plans*, 2005.
- See also GFOA's best practice on *Sustainability*, 2002.
- See also GFOA's best practice on *Business Preparedness and Continuity Guidelines*, 2005.
- See also GFOA's best practice on *Appropriate Level of Unreserved Fund Balance in the General Fund*, 2002.

Suburban Caucus of Cook County Board of Commissioners Response

Earlean Collins- 1st District
Jerry Butler- 3rd District
Stanley Moore- 4th District
Deborah Sims- 5th District
Joan Patricia Murphy- 6th District
Jesus "Chuy" Garcia- 7th District
Peter Silvestri- 8th District
John Daley- 11th District
Larry Suffredin- 13th District
Greg Goslin- 14th District
Timothy Schneider- 15th District
Jeffrey Tobolski- 16th District
Liz Doody Gorman- 17th District



**Cook County Board of Commissioners
118 N. Clark Street, Room 567
Chicago, IL 60602**

Ann Schneider and George Raney
Co-Chairman
Northeastern Illinois Public Transit Task Force
2300 S. Dirksen Parkway
Springfield, Illinois 62764

Dear Chairmen Schneider and Raney,

Pursuant to Illinois State Statutes, certain of the members of the Cook County Board of Commissioners have appointment authority to Boards of Directors of the Regional Transportation Authority ("RTA"), the Commuter Rail Division of the Regional Transportation Authority ("METRA") and the Suburban Bus Division of the Regional Transportation Authority ("PACE").

Since 2002, the Cook County Board of Commissioners has worked to ensure that our nominations process has been transparent, effective and efficient. The rules adopted meet the specifications of the Open Meetings Act.

Prior to 2002, certain members of the Board of Commissioners who had appointment authority ignored the Open Meetings Act and had no official process for appointing members to the Boards of Directors of the respective boards. Appointments were done in private by partial groups of Commissioners with no public input or oversight.

In 2002, Cook County Commissioners Gorman, Murphy, Sims and Suffredin called the first publicly held meeting of the appointing authority in compliance with the Open Meetings Act. At the first public meeting the Commissioners adopted rules of conduct to what was renamed "the Suburban Caucus." The rules are attached to this letter. In 2010, when the Illinois General Assembly amended the Regional Transportation Act, 70 ILCS 3615/1 *et. al.* to allow for selection of METRA Board Members from sub-districts within suburban Cook County, the members of each sub-district adopted rules similar to the Suburban Caucus. Those rules are also attached to this letter. Each appointment to METRA made under the sub-districts have been done with the public announcement of vacancies on the Boards, the solicitation of applicants and then the interviewing and selection of candidates in accordance with the Open Meetings Act.

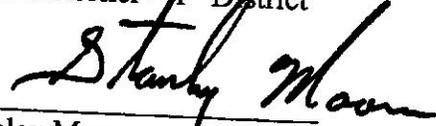
The 13 members of the Cook County board who represent Suburban Cook County Townships are the only regionally elected officials in Suburban Cook County. Currently, the diversity of representation made by the Cook County Board appointments and the appointments of the

County Chairs and the Mayor of the City of Chicago is necessary to make sure all voices are heard on a regional and economic development basis on the RTA, METRA and PACE Boards of Directors.

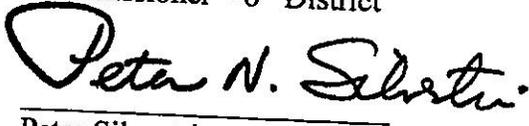
We believe that regional representation is the only way to ensure equal distribution of resources and economic development economic development for all parts of Cook County and the collar counties. We urge the Northeastern Illinois Public Transit Task Force to include regional representation in its transit reform recommendations to the Illinois Governor and General Assembly.

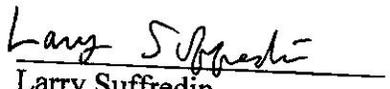
Respectfully,

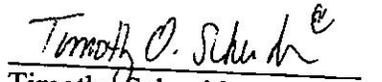

Earlean Collins
Commissioner - 1st District


Stanley Moore
Commissioner - 4th District


Joan Patricia Murphy
Commissioner - 6th District


Peter Silvestri
Commissioner - 8th District

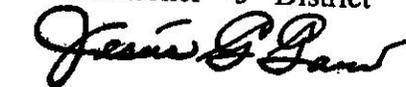

Larry Suffredin
Commissioner - 13th District

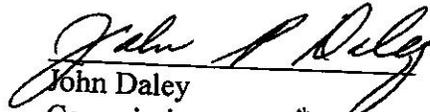

Timothy Schneider
Commissioner - 15th District


Liz Doody Gorman
Commissioner - 17th District

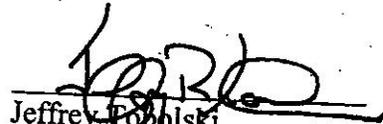

Jerry Butler
Commissioner - 3rd District


Deborah Sims
Commissioner - 5th District


Jesus "Chuy" Garcia
Commissioner - 7th District


John Daley
Commissioner - 11th District


Greg Goslin
Commissioner 14th District


Jeffrey Tobolski
Commissioner - 16th District

**SUBURBAN COOK COUNTY COMMISSIONERS SELECTION COMMITTEE
FOR REGIONAL TRANSPORTATION AUTHORITY ("RTA"), METRA, AND
PACE BOARDS OF DIRECTORS**

RULES OF ORGANIZATION AND PROCEDURE

PREAMBLE

It is the purpose of these Rules:

- (a) to provide appropriate procedures and organization for the Suburban Cook County Commissioners to fulfill their power to appoint RTA, METRA, and PACE Members, pursuant to 70 ILCS 3615/3.01, in an orderly and efficient manner;
- (b) to promote openness and maximize participation in the business and affairs of this selection process and this Committee; and
- (c) all meetings shall be conducted in accordance with the Illinois Open Meetings Act, 5ILCS 120/1 et seq.

ARTICLE I

ORGANIZATION

1.1 Chair

- (a) The Chair of the Selection Committee for the appointment of Director positions for RTA, METRA and PACE Boards ("Committee") shall be appointed by a majority vote of the seven committee members at the first meeting following the general election of Cook County Board Members.
- (b) Committee meetings will be scheduled by the Chair. It shall be the duty of the Chair to preside at all meetings of the Committee and to see that the rules and regulations of the Committee are compiled with and enforced. The Chair shall preserve order and decorum; shall decide all questions of order, subject, however, to an appeal from his or her decision; and shall generally perform the duties of a presiding officer. In the absence of the Chair, the Secretary shall preside at meeting of the Committee.

1.2 Secretary

(a) The Secretary of the Committee shall be appointed by a majority of vote of the seven committee members at the first meeting following the general election of the Cook County Board Members.

(b) It shall be the duty of the Secretary to issue notice of the Committee meetings, in accordance with applicable laws, and to keep written minutes of all the Committee meetings, whether open or closed. Such minutes shall include, but need not be limited to:

- (i) the date, time and place of the meeting;
- (ii) the members of the Committee recorded as either present or absent; and
- (iii) a summary of discussion on all matters proposed, deliberated, or decided and a record of any votes taken.

The Secretary shall make the minutes of meetings open to the public for public inspection within 7 days of the approval of such minutes by the Committee.

It shall be the duty of the Secretary to prepare all agendas for meeting of the Committee.

1-3. Term

The Chair and the Secretary of the Committee shall serve until the Committee appoints a new Chair or Secretary by a majority vote of the Committee.

1-4. Adoption of Rules

The Committee shall adopt rules of organization and procedure setting forth rules. The Rules of Organization and Procedure shall be adopted by a majority of the Committee and may be amended by a majority vote of Committee Members.

ARTICLE II

PARLIAMENTARY RULES

2-1. Meetings

The Committee, at the call of the Chair, shall hold meetings as needed in order to appoint directors to represent suburban Cook County to the RTA, METRA and PACE Boards prior to the end of the designated terms of such board members. Any member of the Committee may call a meeting of the Committee and direct the Secretary to give adequate notice of the meeting to members of the committee and the public.

The purpose of the meetings shall be to review the qualifications of candidates for the respective RTA, METRA or PACE boards and appoint members to the vacant positions on such boards.

2-2. Quorum and Majority of Votes

A majority of the seven committee members (Four (4) committee members) shall constitute a quorum for the transaction of business by the Committee. All questions shall be determined by a majority vote. A vote of "present" shall not be counted in determining the number of members voting on a question.

2-3. Absence of Quorum

Should a quorum not be present at any meeting of the Committee, the meeting shall stand adjourned from day to day, to the same hour of each day, until a quorum shall attend.

2-4. Robert's Rules of Order

The rules of parliamentary practice set forth in the latest edition of "Robert's Rules of Order, Newly Revised" shall govern the Committee in all cases in which they are applicable and not inconsistent with these rules.

ARTICLE III

INTERPRETATION, FORCE AND EFFECT

3-1. Applicability

The meetings and actions of the Committee shall be governed by these rules.

3-2. Effective Date

These rules shall be in full force and effect upon their adoption, and shall remain in full force and effect except as amended in accordance herewith.

3-3. Interpretation

These rules shall be interpreted and applied to foster the goals and purposes set forth in the preamble to these Rules. The rules are to be construed in accordance with the customary American usage and meaning of parliamentary terms and expressions and the plain meaning of the ordinary words appearing herein. In case of ambiguous application, these rules shall be applied in a manner that fosters openness, accountability and fairness in the operation of the Committee.

Approved and adopted this _____ day of ~~June, 2003~~ September, 2005.

Chair of Committee

**NORTH SUBURBAN COOK COUNTY COMMISSIONERS SELECTION
COMMITTEE FOR METRA BOARD OF DIRECTORS**

RULES OF ORGANIZATION AND PROCEDURE

PREAMBLE

It is the purpose of these Rules:

(a) to provide appropriate procedures and organization for the Cook County Commissioners of Northfield, New Trier, Maine, Niles, Evanston, Leyden, Norwood Park, River Forest, and Oak Park townships to fulfill their power to appoint Metra Board Members, pursuant to 70 ILCS 3615/3B.02(b)(7)(iii), in an orderly and efficient manner;

(b) to promote openness and maximize participation in the business and affairs of this selection process and this Committee; and

(c) all meetings shall be conducted in accordance with the Illinois Open Meetings Act, 5 ILCS 120/1 et seq.

ARTICLE I

ORGANIZATION

1-1. Chair

(a) The Chair of the Selection Committee for the appointment of Director positions for the Metra Board of Directors shall be appointed by a weighted vote majority of Cook County Commissioners who are eligible to vote on an appointment to the Commuter Rail Division of the Regional Transportation Authority pursuant to 70 ILCS 3615/3B.02(b)(7)(iii).

(b) It shall be the duty of the Chair to preside at all meetings of the Committee and to see that the rules and regulations of the Committee are complied with and enforced. The Chair shall preserve order and decorum; shall decide all questions of order, subject, however, to an appeal from his or her decision; and shall generally perform the duties of a presiding officer. In the absence of the Chair, the Secretary shall preside at meetings of the Committee.

1-2. Secretary

(a) The Secretary of the Committee shall be appointed by a weighted vote majority of Cook County Commissioners who are eligible to vote on an appointment to the Commuter Rail Division of the Regional Transportation Authority pursuant to 70 ILCS 3615/3B.02(b)(7)(viii).

(b) It shall be the duty of the Secretary to issue notice of the Committee meetings, in accordance with applicable laws, and to keep written minutes of all the Committee meetings, whether open or closed. Such minutes shall include, but need not be limited to:

- (i) the date, time and place of the meeting;
- (ii) the members of the Committee recorded as either present or absent; and
- (iii) a summary of discussion on all matters proposed, deliberated, or decided and a record of any votes taken.

The Secretary shall make the minutes of meetings open to the public for public inspection within 7 days of the approval of such minutes by the Committee.

It shall be the duty of the Secretary to prepare all agendas for meeting of the Committee.

1-3. Term

The Chair and the Secretary of the Committee shall serve until the Committee appoints a new Chair or Secretary by a weighted vote majority of the Committee.

1-4. Adoption of Rules

The Committee shall adopt rules of organization and procedure setting forth rules. The Rules of Organization and Procedure shall be adopted by a weighted vote majority of the Committee, and may be amended by a weighted vote majority of Committee members.

ARTICLE II

PARLIAMENTARY RULES

2-1. Meetings

The Committee shall hold meetings as needed in order to appoint directors to represent suburban Cook County to the Metra Board of Directors prior to the end of the designated terms of such board members. Any member of the Committee may call a meeting of the Committee and direct the Secretary to give adequate notice of the meeting to members of the Committee and the public.

The purpose of the meetings shall be to review the qualifications of candidates for the Metra Board of Directors and appoint members to the vacant positions on such boards.

2-2. Quorum and Majority of Votes

A weighted vote majority of Cook County Commissioners who are eligible to vote on an appointment to the Commuter Rail Division of the Regional Transportation Authority pursuant to 70 ILCS 3615/3B.02(b)(7)(viii) shall constitute a quorum for the transaction of business by the Committee. All questions shall be determined by a majority vote. A vote of “present” shall not be counted in determining the number of members voting on a question.

2-3. Absence of Quorum

Should a quorum not be present at any meeting of the Committee, the meeting shall stand adjourned from day to day, to the same hour of each day, until a quorum shall attend.

2-4. Robert’s Rules of Order

The rules of parliamentary practice set forth in the latest edition of “Robert’s Rules of Order, Newly Revised” shall govern the Committee in all cases in which they are applicable and not inconsistent with these rules.

ARTICLE III

INTERPRETATION, FORCE AND EFFECT

3-1. Applicability

The meetings and actions of the Committee shall be governed by these rules.

3-2. Effective Date

These rules shall be in full force and effect upon their adoption, and shall remain in full force and effect except as amended in accordance herewith.

3-3. Interpretation

These rules shall be interpreted and applied to foster the goals and purposes set forth in the preamble to these Rules. The rules are to be construed in accordance with the customary American usage and meaning of parliamentary terms and expressions and the plain meaning of the ordinary words appearing herein. In case of ambiguous application, these rules shall be applied in a manner that fosters openness, accountability and fairness in the operation of the Committee.

Approved and adopted this __ day of May, 2008.

Chair of Committee

D. Letter from County Executives



October 29, 2013

Dear Secretary Schneider and Chairman Ranney:

Mass transit is a critically important issue for the taxpayers and transit riders of Cook and the Collar Counties. We appreciate the creation of the Northeastern Illinois Public Transit Task Force, and on behalf of the six counties that represent two-thirds of the state's population, we would like to share with you our vision for mass transit reform that benefits the entire region.

We stand ready to assist the task force in accomplishing our shared goals of operating an accountable, efficient, and equitable mass transit system that serves all residents of Northeastern Illinois. In particular, we respectfully ask that the Task Force schedule a hearing to allow us to formally join your dialogue and share the perspective of those taxpayers we represent who actually fund the system you are charged with reviewing. We ask that this occur before any final action is taken by the Task Force.

We trust the Governor's Task Force will issue strong recommendations designed to restore public confidence in the mass transit agencies that service Northeastern Illinois. We respectfully request that any mass transit reform package offered as part of the Task Force's final report include the following guiding principles and proposals:

Ethics

- One clear and transparent ethics standard to which the Regional Transportation Authority (RTA), Chicago Transit Authority (CTA), Metra, and Pace are all held to ensure public confidence and trust in those making decisions affecting our mass transit system. There should be no deviation or the appearance of different standards based upon the board on which an appointee serves.

Expanded Oversight

- While the RTA's statutory duties are numerous, the Illinois General Assembly needs to provide the enforcement mechanisms necessary for the RTA to more effectively discharge the responsibilities assigned to the agency per state statute.
- By strengthening the RTA's financial oversight authority, the Illinois General Assembly would better equip the RTA to deliver true regional coordination and accountability in line with the intent of the 2008 reform legislation that declared the



“powers and duties of the RTA” needed to “be enhanced to improve overall planning and coordination, to achieve an integrated and efficient regional transit system, to advance the mobility of transit users, and to increase financial transparency of the RTA and Service Boards.”

- Greater financial and audit controls would provide the RTA with the tools necessary to address specific issues, thus avoiding the “nuclear option” of either approving or denying funding to an agency that risks the potential shutdown of the transit system. This annual brinkmanship does not serve the region, our riders or the taxpayers.
- The local appointing authorities need the ability to remove an appointee from a service board for cause to ensure appropriate representation of the residents we serve.

Board Membership

- A revised governance structure that is not based on outdated information or tradition, but rather a structure that accurately represents current population and revenue sources.
- Regional cooperation, compromise, and discussion must be retained as part of any governance structure by requiring a supermajority vote for approval of all major actions, including approval of the annual budget, distribution of discretionary transit dollars to our service boards and other related issues as is currently required.

Funding Allocation

- A fair, equitable, and consistent allocation of funding throughout the public transit system. While sales tax revenue is distributed through a set funding formula, funding from the RTA discretionary fund does not follow a formula. Moving forward, the present allocation of discretionary funds and any growth should be distributed through a funding formula.

Consolidation

- We understand there are competing proposals that address potential mergers and consolidations. One such proposal is Senate Bill 1594 which recommends merging the RTA with the Chicago Metropolitan Agency for Planning (CMAP). We believe



this legislation is not the right approach to remedy our mass transit issues. Consolidation should not be considered for the sake of consolidation, but to strengthen and centralize expertise and operations. While we are open to the concept of merging transit planning functions into a single agency, we believe the senate bill does not address enhancing fiscal and audit oversight tools. The importance of maintaining a world class mass transit system would be diluted and marginalized if added to an already full plate of other equally important responsibilities at CMAP.

- Should the Task Force conclude that consolidation is necessary in order to reform our mass transit system, we would urge you to consider a proposal that follows a governance structure similar to the MTA in New York. Under this model, each mode of public transit (rail, bus, ferry) is a separate department under the governance and responsibility of one transit agency. Such a structure could eliminate the three boards currently governing the CTA, Pace and Metra. Again, any such structure would need to adhere to the previously expressed principle that regional consensus be attained through a balanced super majority voting structure.

We believe these guiding principles can serve as the lens through which your Task Force looks to reform and strengthen our mass transit system. We stand ready to assist you in your work and look forward to presenting our initiatives to the members of the Task Force.

Sincerely,

Toni Preckwinkle
President
Cook County Board

Dan Cronin
Chairman
DuPage County Board

Chris Lauzen
Chairman
Kane County Board

Aaron Lawlor
Chairman
Lake County Board

Tina Hill
Chairman
McHenry County Board

Larry Walsh
Executive
Will County