

12-O-52
ORDINANCE

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, JOHN P. DALEY,
JOHN A. FRITCHEY, JESUS G. GARCIA, ELIZABETH “LIZ” DOODY GORMAN,
GREGG GOSLIN, JOAN PATRICIA MURPHY, EDWIN REYES, TIMOTHY O. SCHNEIDER,
LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

AN AMENDMENT TO THE TAXING DISTRICT DEBT DISCLOSURE ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 2 Administration, Article IV Officers and Employees, Division 4 Treasurer, Subdivision 1 In General, Section 2-243 of the Cook County Code is hereby amended as follows:

Sec. 2-243. Taxing district debt disclosure.

(a) *Definitions.*

Actuarial Accrued Liability (AAL), Other Postemployment Benefits (OPEB), Unfunded Actuarial Accrued Liability (UAAL), and healthcare cost trend rate shall have the same meanings ascribed to such terms under the generally accepted accounting principles for governmental accounting promulgated from time to time by the Governmental Accounting Standards Board.

Actuarial cost method, amortization method, asset valuation method, investment rate of return, and any other actuarial terms used and not defined herein shall have the same meanings as defined by Actuarial Standards of Practice, as promulgated from time to time by the Actuarial Standards Board.

Audited financial statements, current debt, current liabilities, long term debt, long term liabilities and any other accounting terms used and not defined herein shall have the same meanings as defined by Generally Accepted Accounting Principles, as promulgated from time to time by the American Institute of Certified Public Accountants, and shall conform with the accounting principles and auditing standards generally accepted in the United States, including without limitation those generally accepted accounting principles for governmental accounting as are set forth in publications of the Governmental Accounting Standards Board.

Taxing District shall have the same meaning as defined by 35 ILCS 200/1-150.

Total Pension Liability shall mean the sum total of all liabilities of a Taxing District in respect of the pension and retirement obligations of such Taxing District. Total Pension Liability includes both AAL for pension benefits and AAL for OPEB benefits.

Total Unfunded Pension Liability shall mean the sum total of all unfunded liabilities of a Taxing District in respect of the pension and retirement obligations of such Taxing District. Total Unfunded Pension Liability includes UAAL for pension benefits and UAAL for OPEB benefits.

(b) *Duty of Taxing Districts to disclose all debt.* Each Taxing District shall, on or before the last Tuesday in December, provide to the Office of the Cook County Treasurer, in the electronic format required by Office of the Cook County Treasurer, a full, complete, unabridged and unedited copy of such Taxing District's most recent audited financial statement (along with any and all auditor's notes and comments on such audited financial statements), accompanied by such Taxing District's written disclosure of the following information:

- (1) Sum total of all debts and liabilities from such financial statement(s); and
- (2) Sum total of gross tax levy for the most recent tax year; and
- (3) Gross operating budget revenue for the most recent fiscal year; and
- (4) Total Pension Liability; and
- (5) Total Unfunded Pension Liability, which shall be denoted as a separate line item below Total Pension Liability; and
- (6) Actuarial cost method utilized by the Taxing District in its calculations of Total Pension Liability and Total Unfunded Pension Liability; and
- (7) Asset valuation method utilized by the Taxing District in its calculation of Total Unfunded Pension Liability; and
- (8) Each of the following actuarial assumptions underlying the Taxing District's calculations of Total Pension Liability and Total Unfunded Pension Liability:
 - a. Investment rate of return; and
 - b. Annual rate of salary increases; and
 - c. Participant mortality rate; and
 - d. Healthcare cost trend rate for OPEB benefits; and
- (9) Total agency employees or full time equivalents (FTE), as of the most recent fiscal year; and
- (10) Total pension fund retirees and the beneficiaries of said retirees receiving pension benefits, as of the most recent fiscal year; and
- (11) Name and contact information (including telephone number, fax number, and email address, if available) for the chief elected official of the Taxing District and for the chief finance official of the Taxing District; and
- (12) If the Taxing District is a county, city, village, or incorporated town, the current total population of such Taxing District.

(c) In the event that a Taxing District does not have an audited financial statement for the most recent fiscal year, such Taxing District shall in lieu thereof provide to the Office of the Cook County Treasurer the most recent unaudited financial statement of such Taxing District, provided in all events that such unaudited financial statement shall include disclosures of the subject Taxing District's actual or contingent current debt, current liabilities, long term debt and long term liabilities. A Taxing District, whose financial statements are included or consolidated in the financial statements of another Taxing District, is not required to separately provide the required financial statements in the event said other Taxing District is in compliance with the requirements of this Ordinance.

(d) Independent of the duty of Taxing Districts to make annual disclosures pursuant to Subsection (b) above, within 60 days following notification by the Office of the Cook County Treasurer, via United States Postal Service first class prepaid mail, each Taxing District shall provide to the Office of the Cook County Treasurer, in the electronic format required by the Office of the Cook County Treasurer, a written disclosure containing the information required under Subsections (b)(6), (b)(7), (b)(8), and (b)(9) above.

(e) *Duty of Treasurer to make available disclosure of debt.* The Office of the Cook County Treasurer shall:

- (1) Create an electronic repository for the storage of all financial disclosures made by such Taxing Districts; and
- (2) Cause to be published on each regularly issued real estate tax bill the website address which provides, to taxpayers and other interested parties, electronic access to such financial disclosures by such Taxing Districts.

(f) *Publication of disclosures.* The Office of the Cook County Treasurer may, in the sole discretion of the Cook County Treasurer:

- (1) Publish on the Cook County Treasurer's official website the names of any Taxing Districts that have failed to comply fully with the requirements of this Ordinance; and
- (2) Publish from time to time (but in no event more frequently than twice per calendar year) in one or more newspapers having a circulation within Cook County (i) any disclosures provided by Taxing Districts pursuant to this Ordinance or otherwise and/or (ii) the names of any Taxing Districts that have failed to comply fully with the requirements of this Ordinance.

(g) *Duty of Taxing District to provide and maintain contact information.* In the event of any change to the contact information provided by a Taxing District pursuant to Subsection (b)(11), the Taxing District shall forthwith provide revised and up-to-date contact information to the Office of the Cook County Treasurer.

Approved and adopted this 1st day of November 2012.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk