



CITY OF EVANSTON, ILLINOIS

SPECIAL CITY COUNCIL MEETING

**Tuesday, November 29, 2011
7 p.m.**

**Council Chambers
Lorraine H. Morton Civic Center
2100 Ridge Avenue
Evanston, IL**

ORDER OF BUSINESS

- I. Roll Call – Begin with Alderman Grover**
- II. Recess for Evanston Township Meeting**
- III. Reconvene Evanston City Council Meeting**
- IV. Citizen Comment**

Members of the public are welcome to speak at City Council meetings. As part of the Council agenda, a period for citizen comments shall be offered at the commencement of each regular Council meeting. Those wishing to speak should sign their name, address and the agenda item or topic to be addressed on a designated participation sheet. If there are five or fewer speakers, fifteen minutes shall be provided for Citizen Comment. If there are more than five speakers, a period of forty-five minutes shall be provided for all comment, and no individual shall speak longer than three minutes. The Mayor will allocate time among the speakers to ensure that Citizen Comment does not exceed forty-five minutes. The business of the City Council shall commence forty-five minutes after the beginning of Citizen Comment. Aldermen do not respond during Citizen Comment. Citizen Comment is intended to foster dialogue in a respectful and civil manner. Citizen comments are requested to be made with these guidelines in mind.

V. Ordinance 103-O-11: Submission of the Community Choice Electrical Aggregation Question to the Electors of The City of Evanston

Staff recommends passage of Ordinance 103-O-11, providing for the submission to the electors of the City of Evanston, the question whether the City should have the authority under Public Act 096-0176 to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such a program.

For Introduction

VI. FY2012 City Council Priority Goals

It is recommended that the City Council select four of its FY 2012 Goals to be designated as “Priority” goals.

For Action

VII. Executive Session

VIII. Adjournment

Information is available about Evanston City Council meetings at: www.cityofevanston.org/citycouncil. Questions can be directed to the City Manager's Office at 847-866-2936. The city is committed to ensuring accessibility for all citizens. If an accommodation is needed to participate in this meeting, please contact the City Manager's Office 48 hours in advance so that arrangements can be made for the accommodation if possible.



**SPECIAL TOWN MEETING & PUBLIC HEARING
REGARDING TOWNSHIP SERVICES, PUBLIC AID
SERVICE DELIVERY, GOVERNMENT STRUCTURE, AND
DISSOLUTION RESOLUTION**

NOTICE IS HEREBY GIVEN

To the legal voters and residents of the Town of Evanston in the County of Cook and State of Illinois, said meeting having previously been called for by the Town Board in Open Session on October 24, 2011, that a Special Town Meeting of said Town will take place on:

Tuesday, November 29, 2011
During the hour of 7:00 p.m. in
The City Council Chamber – 2nd Floor
2100 Ridge Avenue, Evanston, IL 60201

For the transaction of miscellaneous business of the said Town, will proceed to hear and consider the objects of this special meeting presented below as items two (2) through four (4), and decide on such measures as may, pursuant to law, come before the meeting; and especially to consider and decide the following:

1. Call to Order – Town Clerk, Rodney Greene
2. Discussion and Evaluation Regarding Township Services, Public Aid Service Delivery, and Government Structure, and
3. Consideration of Resolution 3T-R-11, Adoption of a Resolution for a Referendum on a Binding Public Policy Question to Dissolve Evanston Township and Directing the Town Clerk to Certify the Public Question with the Cook County Clerk
4. New Business/Other Business
5. Adjournment

Memorandum

To: Members of the Evanston Town Board
From: Wally Bobkiewicz, Evanston City Manager
Subject: Options Regarding Dissolution of Evanston Township
Date: November 21, 2011

Recommended Action:

It is recommended that the Town Board of Evanston Township approve Resolution T3-R-11 regarding submission of a referendum to the electors of Evanston on March 20, 2012 to determine whether Evanston Township shall be dissolved.

Summary:

Staff has prepared three memorandums regarding the issue of dissolution of Evanston Township which are attached.

First, from the Corporation Counsel, describes the proposed Resolution and legal issues associated with the proposed referendum.

The second memo was prepared by a team of staff members reviewing the existing general assistance services provided by Evanston Township. A third memo details options regarding township assessor services. These memos serve as the beginning of our work on the specifics of how these functions would be assumed by the City of Evanston. This analysis is only meant to be a starting point in a dialogue. It is clear that both of these functions can be assumed by the City at a cost significantly less than provided by the Township. Budget estimates provided in the memo are at a preliminary stage. I believe additional savings and leveraging of existing resources will be identified if the dissolution initiative is approved.

A key question for the Township Board and City Council will be the extent of property assessment and general assistance services that would be provided if the dissolution initiative is approved. Staff will be making presentations at the City Council meeting to discuss these issues further.

Attachments:

Resolution T3-R-11, Regarding Referendum to Determine Whether Evanston Township Shall Be Dissolved

Memo from Town Board Attorney Regarding Dissolution of Evanston Township

Memo Regarding Delivery of Evanston Township General Assistance

Memo Regarding Delivery of Evanston Township Assessor's Services



Memorandum

To: Members of the Evanston Town Board
From: W. Grant Farrar, Town Board Attorney
Subject: Township Dissolution and Referendum
Date: November 29, 2011

I. Executive Summary

The Law Department, in its capacity as legal counsel to the Evanston Town Board, submits the following opinion regarding Township dissolution and referendum. This Department explicitly refrains from commenting upon whether dissolution, which is a public policy issue left to the determination of others, is necessary or appropriate. We reference points regarding representational conflicts set forth in our prior opinions as if fully set forth herein.

We opine that the Town Board may adopt a resolution submitting the public question regarding whether the Township should be dissolved, notwithstanding the unsettled nature of the statutes and case law concerning dissolution of a coterminous Cook County Township. Courts traditionally defer to the principles of ballot access and endorse the concept of letting voters decide upon lawfully submitted questions of public policy.

If dissolution is approved by the voters, an approximate 21 month period to windup and consolidate the affairs of the Township with the City is recommended. This would allow time to work through service transition issues and to permit intergovernmental cooperation efforts to assist the transition. The suggested effective date for Township dissolution is January 1, 2014.

II. Constitutional and Statutory Basis for Referendum

Previous opinions exhaustively discussed the constitutional and statutory basis for a referendum. We restate the key points of those prior opinions here.

Section 5 of Article VII of the Illinois Constitution provides:

Townships may be consolidated or merged, and **one** or more townships may be dissolved or divided, when approved by referendum in **each** township affected. [emphasis added]

This section is not clearly worded, but a careful parsing of this language speaks to a singular township, “one” and “each”. We therefore conclude that a proper reading of this section permits the dissolution of an **individual** township when approved by referendum in **that** township. As the referendum is the operative tool for dissolution, logically such referendum must be binding as opposed to advisory. See also *Lipinski v. Chicago Board of Election Commissioners*, 114 Ill.2d 95, (1986) (Referenda altering manner of selecting governing officers are to be binding, not advisory).

Section 11(a) of Article VII of the Illinois Constitution provides:

Proposals for actions which are authorized by this Article or by law and which require approval by referendum may be initiated and submitted to the electors by resolution of the governing board of a unit of local government or by petition of electors in the manner provided by law.

This section permits referenda authorized in Article VII to reach electors via a resolution of the governing board of a unit of local government. In the case of Evanston Township, the governing board/legislative arm of the Township is the Town Board.

Section 11(b) of Article VII of the Illinois Constitution provides:

Referenda required by this Article shall be held at general elections, except as otherwise provided by law. Questions submitted to referendum shall be adopted if approved by a majority of those voting on the question unless a different requirement is specified in this Article.

This section requires that referenda authorized in Article VII be voted upon in general elections. Thus, the township dissolution referendum in Article VII may be submitted to voters in a general election, and requires a majority of those electors voting on the question to vote for dissolution in order to pass. Sections 5/28-1 and 5/28-7 of the Election Code permit the Town Board to pass a resolution authorizing the submission of the public question concerning dissolution to the voters.

As mentioned, conflict exists between the Constitution/Election Code and the Township Code, rendering Illinois law “unsettled” on this issue. An unpublished federal court opinion in the *Zemaitis v. DuPage County Board of Election Commissioners* case, 1989 WL 69263, 2 (N.D. Ill. 1989), spoke to the discordant statutory provisions. That opinion however did state that the Election Code is narrowly tailored to allow voters in a respective township to decide dissolution for themselves. *Id.* See also *Send Township Officials Packing v. DuPage County Election Commission*, 95 MR 750 (18th Jud. Cir. 1996).

State policy generally favors ballot access. *McGuire v. Nogaj*, 146 Ill.App.3d 280 (1st Dist. 1986), See also *Bloomington Township v. City of Bloomington*, 303 Ill.App.3d 615 (4th Dist. 1999). Principles of ballot access viewed in conjunction with the constitutional and statutory authorities cited herein authorize the matter of Township dissolution to be

ultimately considered and resolved by the corporate authorities of Evanston Township, the registered voters in Evanston (the electors of the Township). We conclude that sufficient constitutional and statutory authority exists for the Town Board to approve a Resolution authorizing the public policy question regarding dissolution to appear on the ballot. Ballot access and the expressed electoral will of the people voting upon a public question is traditionally accorded high deference in Illinois courts.

III. Referendum Logistics & Timing

The Cook County Clerk’s Office administers elections in suburban Cook County. Before a referendum can appear on a ballot in Evanston, the Town Board must adopt a resolution authorizing the submission of the public question. After the Town Board adopts the authorizing legislation, the City Clerk must certify the public question to the Cook County Clerk’s Office by sending to the County Clerk’s office a copy of the signed resolution, such resolution which must set forth the form of the public question. Upon receipt of the resolution, the County Clerk will submit to the City a proof of the public question for verification. Once verified, the County Clerk will submit the referendum for translation and the public question will be printed on the ballot. For a public question to appear on the Tuesday, March 20, 2012 general primary ballot, the Town Board must adopt the resolution the public question no later than Tuesday, January 3, 2012. The Town Clerk must certify the public question to the Cook County Clerk no later than Thursday, January 12, 2012. 10 ILCS 5/28-29(c).

Should the Town Board vote to authorize a resolution on the question of dissolution, the referendum itself will not come at additional expense to Evanston taxpayers. The office of the Cook County Clerk oversees suburban elections, including translating and publishing the public question, and printing ballots. There is no fee to file the referendum with the clerk, and the inclusion of a referendum on the ballot will not change the procedure for casting votes or counting ballots.

It is very important to note that local government officials may not use governmental resources to promote or oppose referenda. 10 ILCS 5/9-25.1. Thus, if the Town Board passed a resolution authorizing a referendum on dissolution, it would be improper for town or city officials to use public funds to urge voters to vote for or against the referendum. *Id.*

IV. Form of the Referendum Question

Following lengthy review and analysis of the Illinois Constitution, the Election Code, the Township Code, the Property Tax Code, and the Public Aid Code, we drafted Resolution 3T-R-11 setting forth the form of the proposed question to be submitted to the voters. The form of the question is:

Shall Evanston Township be dissolved with all the rights, powers, duties, assets, property, liabilities, obligations,	YES	
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and responsibilities being assumed by the City of Evanston?	NO	
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As permitted by the Election Code, we also drafted the following specifications in Resolution 3T-R-11 to be printed on the ballot along with the above proposition:

1. In the event that a majority of the electors voting on such proposition are in favor thereof, then the township shall discontinue operations and be dissolved and abolished by operation of law effective on January 1, 2014. Upon final dissolution of the township, all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of the township shall by operation of law vest in and be assumed by the City of Evanston.

2. On May 20, 2013, the township supervisor shall cease to hold office, such term having been terminated by operation of law resulting from approval of this referendum and the expiration of her term pursuant to 60 ILCS 1/50-15(b). Thereafter, the City shall exercise all duties and responsibilities of the township supervisor as provided in the Township Code and the Public Assistance Code. The City may enter into any intergovernmental agreements with other governmental units in order to discharge these duties and responsibilities.

3. On January 1, 2014, the township assessor of the dissolved township shall cease to hold office, such term having been terminated by operation of law resulting from approval of this referendum and the expiration of her term pursuant to 60 ILCS 1/50-15(c). Thereafter, the City shall exercise all duties and responsibilities of the township assessor as provided in the Township Code and the Property Tax Code. The City may enter into any intergovernmental agreements with other governmental units in order to discharge these duties and responsibilities.

4. The City of Evanston City Council may enter into a contract with Cook County or the State of Illinois to administer general assistance and property assessment duties for services under its jurisdiction. The City of Evanston City Council shall assume all taxing authority of the township dissolved under this section. For purposes of distribution of revenue, the City of Evanston shall assume the powers, duties, and obligations of the township. If township organization is dissolved in Evanston Township, the records of the township shall be deposited in the City of Evanston's City Clerk's office. The City of Evanston City Council may close up all unfinished business of Evanston Township and sell and dispose of any of the property belonging to the township for benefit of the inhabitants of the City of Evanston.

To sum up, if the referendum were approved, the Township would wind up its affairs and be completely dissolved as of January 1, 2014. The terms of Assessor Wilson and Supervisor Vance would terminate in accordance with the Township Code. If the question were approved, there would be 21 months in which the City and the Township could cooperatively wind up the affairs of the Township while ensuring continuity of service. Intergovernmental cooperation in the course of the windup of the Township's affairs is clearly provided for in Article VII(10) of the Illinois Constitution, as well as the Intergovernmental Cooperation Act, 5 ILCS 220 et seq.



Memorandum

To: Honorable Mayor and Members of the City Council
Wally Bobkiewicz, City Manager

From: Adelita Hernandez, Citizen Engagement Coordinator
Sarah Flax, Housing and Grant Administrator
Jonathan Webb, Community Relations Division Manager
Mary Ellen Poole, Housing Planner

Subject: Township Dissolution/ Provision of General Assistance and Emergency Assistance

Date: November 21, 2011

Creating a model for service delivery in the case of dissolution of the Township as a body of government requires a thorough understanding of how it's currently done both in Evanston and other communities. In order to have a more comprehensive idea of a possible system in which the City of Evanston would deliver the services currently provided by the Township we must examine: operating budget, guidelines for assistance, current space and staffing level, comparable communities, legal requirements, ramifications and limitations.

In the event of Township dissolution in the City of Evanston, an alternative method of service delivery would be established to deliver financial assistance to residents qualifying for General Assistance and Emergency Assistance. Ultimately there would be decreased administrative costs and increased direct financial assistance dollars.

General Assistance (GA):

General Assistance is a service mandated by the state which is currently being provided by the Township of Evanston with monies from tax levies. Currently, as outlined in the GA brochure "The General Assistance Program in the township of Evanston is a locally administered program which provides financial assistance (up to \$400.00) to persons who are not eligible for any other local, state, or federal assistance program, and who do not have income or resources to provide for basic needs."

In the case of dissolution of the current system we would recommend establishing a 2 tiered financial assistance cap designed to maximize impact on client's circumstances. A reevaluation of existing landlord restrictions as well as imposed time limits for General Assistance recipients would enable us to emulate a model like that of the township of Springfield/Capital in which the ultimate goal is to assist clients in securing other benefits which they may qualify for and that would enable them to provide for their basic

needs going forward. Other qualifying factors would be kept as is in compliance with the Township guidebook.

Emergency Assistance Services (EAS):

Emergency Assistance as it currently exists only allows clients to receive:

- Up to a maximum of \$1,200 not to exceed one month's rent, mortgage or assessment fees so a person or family may remain in housing.
- First month's rent to relocate to new housing due to fire, foreclosure or other unusual circumstance.
- Delinquent condominium assistance fees (up to \$450.00 as long as it prevents foreclosure.
- Up to a maximum of \$500 per twelve-month period for Evanston residents who have had their gas-heat, electric and/or water service disconnected or who face imminent service shut-off (final shut-off notice).

In order to maximize impact on client's circumstances we would recommend emulating a model like that of Homeless Prevention and Rapid Re-housing Project, HPRP. HPRP assistance required recertification of cases on a monthly basis and would help unemployed or underemployed clients get back on their feet. Along with an extension in allowed assistance it would be imperative to redefine what entails foreclosure prevention, re-assessment of current fund caps and clear guideline for income eligibility.

Provision of Services

Currently, there are 6.5 staff involved in the provision of services we believe staff number can be decreased. In case of township dissolution, GA and EAS services could be delivered in one of two ways:

1) In- house service delivery

If the City of Evanston were to deliver the above services we would have to address the following:

- a) Staffing- 1 supervisor, 3 case managers (1.5 allocated to GA, 1.5 allocated to EAS), 1 PT financial officer to handle payments. (The supervisor position could potentially be absorbed by the department under which the Township function would be placed under.)
- b) Location- it would be recommended to relocate township services to the Lorraine H. Morton Civic Center.
- c) Contract out employment services to local non-profits.
- d) Blanket approval of funds allocated to serve clients to ensure speedy assistance.

2) Contracted services-

If the City of Evanston were to deliver the above services on a contracting basis we would to identify an agency with the capacity to incorporate such services into their existing operations. Additionally, we'd have to address the following:

- a) Staffing- 1 PT GA/EAS Liaison to for the City of Evanston, duties including data monitoring, program assessment and reports to council, 3 case managers (1.5 allocated to GA, 1.5 allocated to EAS)
- b) Consider potential overhead costs incurred by agency.
- c) Contract out employment services to local non-profits.
- d) Establish a satellite office at the Lorraine H. Morton Civic Center for residents to access GA and EAS in-house.

Necessary staffing levels were calculated based on a 10 hour quarterly case management. HPRP clients were reimbursed based on this model. This would allow for a client load of approximately 10-15 active client cases per case manager per month (120-180 cases per year per case manager). Case manager salary range would be \$31,000- \$36,000. Program supervisor salary range would be \$44,000-\$46,000. These numbers were averaged based on proposals from local Mental Health board agency proposals. With these ranges the staffing costs (without fringe benefits would be as follows):

1. In-house- Staffing: Midpoint ~ \$124,000
2. Contracted services- Staffing: Midpoint ~\$125,000

Administrative costs (i.e. HR, payroll, IT, etc...) would be absorbed in both instances by either the City of Evanston staff or contracted agency. Additionally, relocation of township offices would eliminate the need for expenditure on rent. In both scenarios we would recommend an increase in funds available for financial assistance based on cost savings in administrative expenditures.

The following chart was compiled based on figures from the Township Proposed 2011-12 Budget. The Proposed System figures are based on the City of Evanston absorbing costs for certain operational components, relocation, and increased direct assistance for residents.

	Current System	Proposed System
Administrative Costs		
Contract	\$30,000.00	\$0.00*
Data Processing	\$10,000.00	\$0.00*
Storage	\$2,200.00	\$0.00*
Payroll Processing	\$2,500.00	\$0.00*
Membership/Dues/Subs.	\$600.00	\$600.00
Advertising	\$2,000.00	\$0.00
Supplies/Postage/Printing	\$17,500.00	\$8,750.00
Training/Seminars/Conferences	\$6,500.00	\$2,500.00
Equipment Purchase	\$2,000.00	\$0.00
Contingency and Bank Fees	\$1,600.00	\$1,600.00
Rent	\$64,810.00	\$0.00*
General Insurance	\$7,000.00	\$0.00*
Phone	\$10,500.00	\$0.00*
Utilities	\$11,000.00	\$0.00*
Legal Fees	\$5,000.00	\$0.00*
Service Contracts**	\$102,791.00	\$102,791.00
Community Action***	\$42,650.00	\$42,650.00
Staffing	\$270,576.00	\$124,000.00
Fringe Benefits	\$108,000.00	\$42,160.00
	\$697,227.00	\$325,051.00
Supervisor's Office		
Website	\$4,000.00	\$0.00*
Auditing	\$22,250.00	\$0.00*
Accounting Services	\$31,278.00	\$0.00*
	\$57,528.00	\$0.00
Direct Assistance		
Emergency Assistance	\$38,500.00	\$250,000.00
Client Payments GA	\$443,000.00	\$300,000.00
Medical Payment Systems	\$54,750.00	\$54,750.00

Work Opportunity Program	\$9,000.00	\$9,000.00
	\$545,250.00	\$613,750.00
Total Cost	\$1,300,005.00	\$938,801.00

*Absorbed by existing City of Evanston operations

** \$82,791 covering Mental Health Board approved allocations and \$20,000 for support of City of Evanston Employment Initiative for out of school youth.

***\$650.00 for Veteran Services, \$30,000.00 Mayor's Summer Youth Employment Program, \$5,000.00 City of Evanston Back to School Event Summit, \$5,000.00 for West End Market, and \$2,000.00 for other initiatives.



Memorandum

To: Members of the Evanston Township Board

From: Matt Swentkofske, City of Evanston Intergovernmental Affairs Coordinator

Subject: Township Assessor Model

Date: November 22, 2011

Evanston Township Assessor - Model of Service

Evanston Township Assessor offers year round assistance for residents with questions regarding their property tax bills, the assessment appeals process, as well as other general inquiries. Taxpayers can bring their property tax bills into the office with questions regarding various exemptions that they might qualify for including Homeowners, Senior Citizens, Senior Freeze, Home Improvement, Returning or Disabled Veterans and Disabled Persons Exemptions. The Assessor's office will assist in helping filling out the proper exemption forms, helping residents navigate through the Cook County Property Tax appeals process, notarize affidavits when necessary and provide overall educational and practical support for residents. Additionally, the Township Assessor's office has access to a propriety computer program and information from Cook County allowing them to review property assessment history as well as property record history which is critical to the Appeals process. The assessor's current model provides personal, educated and professional service for Evanston Township residents.

Cook County Commissioner Suffredin's office also assists Evanston Township residents in similar ways. The Cook County Commissioner's staff does significant outreach to residents, assists in filling out the proper forms in preparation for the appeals process and helps them wade through the different exemptions that residents may apply to obtain. Cook County Commissioner Larry Suffredin, Cook County Board of Review Commissioners and Evanston Township Assessor sponsor an annual property reassessment appeal seminar for Evanston Township residents.

Evanston Township Assessor Staffing Levels and Budget

	2009-2010	2010-2011
Assessor	\$ 6,501.00	\$8,000.00
Deputy Assessor	0	\$45,000.00
Deputy Assistant	\$31,000.00	\$31,620.00
Part-time Contractual Assistant	0	\$2,500.00

Total Assessor Expenditures \$ 90,703.00 \$148,035.00

City of Chicago Model of Service

The City of Chicago offered year round tax assistance service to residents through its Chicago Tax Assistance Center. Mayor Emmanuel recommended that the Taxpayer Assistance Center to be eliminated in 2012. This recommendation to eliminate it was passed by the full City Council on November 16, 2011.

Headquartered at City Hall, the Center provides residents with the following: filling out the proper exemption forms, claiming additional exemptions from prior years, helping residents navigate through the Cook County Property Tax appeals process and provide overall educational and practical support for residents similar to the Evanston Township Assessor. Additionally, families earning less than \$50,000 or individuals earning less than \$25,000 could obtain free tax preparation assistance through a partnership with the Center for Economic Progress at sites throughout Chicagoland. Also, the Center administered a low interest loan program to assist residents in paying their property taxes.

All services were provided at three dedicated service windows staffed by seven full-time city employees and a director. Chicago employees offered residents personal and informative service at City Hall as well as doing outreach events within the greater City community. Chicago staff indicates that reassessment years are the busiest with an estimated 25 to 30% increase in residents requesting assistance. In the off-years (non-assessment) the months when property tax installments bills are sent out are the busiest with each window handling approximately 10-15 people per day. Research indicates that each session on average last 10-15 minutes for simple cases and more complicated cases being handled by staff after the resident had left the window. Staff then communicates back with the resident and sent forms/information to the proper entity in Cook County or back to the resident when completed. City staff researched all applicable information that will bolster a resident’s appeal or lower their property taxes. Finally, Cook County Commissioners who represent parts of the City of Chicago work with City Alderman through outreach events to educate homeowners how to appeal, where to gather evidence for an appeal with the Board of Review and how to fill out and file the assessment complaint form for the prior assessment year.

Comparison of Staffing Levels and Budget

<u>Oak Park Township</u>	<u>Champaign Township</u>	<u>Capital Township</u>	<u>City of Chicago</u>	<u>City of Evanston</u>
-1 elected Assessor -1 part-time Assessor -1 full-time Deputy Assessor	-1 elected Assessor -1 deputy Assessor -2 Staff Assistants	-1 elected Assessor -5 Full- Time Employees -8 Part time Employees	-1 Executive Director -7 Full-Time Employees	-1 elected Assessor -1 deputy Assessor -1 deputy assistant -Part time

-Part time help as needed				contractual assistant
Total 2009 Budget: \$122,334	Total 2011 Budget: \$177,568	Total 2011 Budget: \$700,174 *Capital Township Clerk and Assessor are budgeted together because the same individual occupies both positions.	Total 2011 Budget: \$1,463,000	Total 2011 Budget: \$148,035

Advent of Online System for Appeals in Cook County

An important advancement for the ease of the property tax assessment appeals process over the past 4-5 years has been the advent of on-line property tax appeals process. Both the Cook County Board of Review and the Cook County Assessor allow resident taxpayers the opportunity to file an appeal on-line as well as the traditional in-person process. All documents necessary to file an appeal are available on-line as well as detailed instructions on how to build a proper case.

Proposed Model of Service for City of Evanston

Staff recommends a proposed model of service for the City of Evanston residents seeking property tax assistance:

- A full-time Evanston Taxpayer Assistance Window housed within the City Collections Department staffed by city employees trained to answer resident’s questions regarding property tax exemptions, help filling out relevant forms to apply, educating residents and assist them through the property tax appeals process;
- Outreach events in concert with Commissioner Larry Suffredin’s office and Cook County Board of Appeals to educate residents on all aspects of their rights regarding property taxes;
- Installation of public computers allowing propriety and non-propriety online technology to make the process easier and speedier for residents; and
- Augmenting city staff at window with additional part-time staff as needed during higher demand times such during a reassessment year.



Memorandum

To: Honorable Mayor and Members of the City Council

From: Wally Bobkiewicz, City Manager
Catherine Hurley, Sustainable Programs Coordinator
Dave Stoneback, Utilities Director
Grant Farrar, Corporation Counsel

Subject: Ordinance 103-O-11, Submission of the Community Choice Aggregation question to the electors of The City of Evanston

Date: November 10, 2011

Recommended Action:

Staff recommends passage of Ordinance 103-O-11, providing for the submission to the electors of the City of Evanston, the question whether the City should arrange for the supply of electricity for its residential and small commercial retail customers who elect not to opt out of such a program.

Funding Source:

N/A

Summary:

On Monday, October 24th, the Administration and Public Works Committee directed staff to develop documents necessary to place a referendum for electric aggregation on the March 20, 2012 General Primary election ballot. This memorandum summarizes electric aggregation and the next steps to develop a program in Evanston. Ordinance 103-O-11, which provides for the submission of the aggregation question onto the March ballot, is provided as Attachment 1.

Overview:

The State of Illinois passed Public Act 96-0176 on August 10, 2009, allowing Illinois municipalities the option to bundle together, or aggregate residential and small commercial retail (small business) electric accounts and seek proposals for cheaper electric power from the open market. This process is known as Community Choice Aggregation (CCA). Large industrial and commercial customers already have this option, which is now available to residential and small business customers under this Act.

Currently, Evanston residents and small businesses receive electricity from ComEd based on a rate published by ComEd in April of every year. ComEd purchases electricity on behalf of these customers and passes the cost to the customers under the supply fee of the monthly bill. Under CCA, the City of Evanston would seek proposals from the wholesale electricity market, which in Illinois includes 14 Alternate Retail Electric Suppliers (ARESSs). The ARESSs are certified by the Illinois Commerce Commission (ICC) and registered with ComEd, as required by the law. Participating accounts would see a change to supply charge on their bill and would still receive electricity and customer service, such as billing and outage response from ComEd.

Residents or small businesses that do not want to participate can request to be removed from the aggregation during an “opt-out” process and continue to receive their energy supply from ComEd purchased energy. According to the ICC, 19 municipalities have selected a lower electric rate from by implementing a CCA program. Attachment 2 provides a summary of the communities and their electric rates. In the next year, industry experts estimate more than 50 more cities are expected to implement CCA.

CCA Process and Timeline:

The voters of the City of Evanston must pass a binding referendum to implement a CCA program. The referendum will ask the question whether the City shall have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such a program. Staff and the Corporation Counsel drafted Ordinance 103-O-11, which would provide for the submission to the electors of the City of Evanston, this question. This ordinance must be adopted by the Evanston City Council by January 3rd, 2010 and the Evanston City Clerk must certify it to the Cook County Clerk’s Office by January 12, 2012 in order to place the referendum on the ballot for the March 20th primary election.

Once the referendum is scheduled to be on the ballot, city staff will make information about CCA available to the public. This will include at least two public information meetings and other means to make information about the aggregation process and timeline available to the voters of Evanston.

If the referendum passes, the city has the authority to go forward with the CCA. Staff will draft and release a Request for Qualifications (RFQ) to the 14 ICC approved ARESSs to narrow down the ones that meet the city’s requirements. Following the RFQ, the city will draft a Request for Proposals (RFP). The RFP will include the City of Evanston Electric Aggregation Plan of Operation and Governance (Aggregation Plan) which is required by Law and acts as a guiding document for the City and the ARESSs. The Aggregation Plan will include cost savings goals, options for green energy and contract duration, criteria for which the City will evaluate the proposals, and minimum terms and conditions for the actual Service Agreement with the ARES.

Other communities have engaged city staff and citizen representatives to help with the development of the RFP and Aggregation Plan and review and evaluate the statement of qualifications and proposals. One of the City’s boards or commissions may be appropriate to serve this function or a separate volunteer group could be convened. The law also requires that the City hold at least two public meetings to solicit input on the Aggregation Plan.

Once the RFP and Aggregation Plan is finalized and approved via ordinance by the Evanston City Council, staff will issue the documents to the pre-qualified ARES to solicit proposals. The City is not required to accept any proposals or enter into an alternative energy supply agreement. If the City determines that the proposals are favorable, an ARES will be selected and will lock in their electricity rate. At this point, residential and small commercial retail accounts will be notified of the rate and will have the chance to opt-out of the program. Those that remain in the program will continue to receive one bill from ComEd, with the new supply rate reflected on their bill. Under the Illinois Power Agency Act, the Illinois Power Agency is required to assist the City in completing the plan and the bidding process.

An overview of the key milestones and preliminary dates for the CCA program is:

November 29, 2011	Adopt ordinance to place aggregation question on ballot
January 3, 2012	Deadline for Evanston City Council to pass ordinance
January 12, 2012	Deadline for Evanston City Clerk to certify binding public question for referenda to the Cook County Clerk's Office
December - March	Staff to make information available to the public about community choice aggregation
March 20, 2012	Public votes on referendum at primary election
If referendum passes:	
April	Release RFQ
April	Develop draft RFP and POG
May	Hold two public hearings to obtain feedback and refine RFP and POG
May - June	Council Approval of POG Adopt resolution authorizing City Manager to execute agreement with selected ARES
Mid June	Seek proposals from pre-qualified ARES
June	Award contract to selected vendor
June - July	Inform residential and small commercial retail customers of their right to opt-out of the aggregation program without penalty
June - July	Work with ComEd and ARES to transfer the participating accounts
August	Electric service begins under the newly negotiated rates

The schedule shown above can be adjusted based on the Councils preferences or interest to accelerate the process to take advantage of the lower energy prices typically observed during April and May of each year.

Staff has been in discussion with a number of surrounding communities which are exploring CCA, including Skokie, Highland Park, Northbrook, Lake Forest, Lake Bluff, and Park Ridge. These communities plan to form a consortium and jointly arrange for the supply of electricity for their residents and small businesses. Staff recommends that

Evanston move forward with CCA individually, based on the City's past success with energy procurement and strength of internal staff resources.

Benefits of CCA:

The most important benefit to the CCA is the opportunity for Evanston residents and small businesses to save money. Communities that completed the CCA process earlier this year saw a savings of approximately 25% from the current ComEd supply rate. Industry experts estimate that savings for the communities that will implement CCA in the spring/early summer of 2012 will see fewer saving but still in the neighborhood of 15 to 20% off of the electric supply portion of their utility bill.

This program also brings savings to residential and small commercial retail customers without substantial financial costs. The cost for the City to implement the CCA process is limited to staff time to develop the CCA documents, inform the community and run the proposal process. There is no cost for the individual customers to be part of a CCA program.

This program also can support the Evanston Climate Action Plan goal to reduce greenhouse gas emissions by 13% by 2012. The Aggregation Plan can specify what percentage of renewable energy Evanston would like to receive from the ARES.

Downside of CCA:

The Illinois legislature, in crafting the Community Choice Aggregation Act, studied lessons learned from other states in order to avoid some of the pitfalls experienced in those programs. As a result, the Act provides an opportunity for people to opt out of the program if they wish to do so and there is no obligation for the City to accept unfavorable proposals. The electricity would still be delivered by ComEd, which would remain responsible for customer service, such as billing and outage response.

CCA also requires using internal or external resources with the skills necessary to analyze electricity usage data, administer the RFP process, negotiate with suppliers, and provide ongoing management and monitoring on behalf of the constituents. Staff believes that a combination of city staff and community volunteers have the right skills and experiences necessary to implement a successful CCA program.

Legislative History:

None

Attachments:

Attachment 1 - Ordinance 103-O-11 - Submission of the question whether the City should arrange for the supply of electricity for its residential and small commercial retail customers

Attachment 2 – Summary of Community Choice Aggregation for Illinois Communities

103-O-11

AN ORDINANCE

Ordinance Providing for the Submission to the Electors of
The City of Evanston, Cook County, the Question Whether
The City Should Have the Authority Under
Public Act 096-0176 to Arrange for the Supply of Electricity
For its Residential and Small Commercial Retail Customers
Who Have Not Opted Out of Such Program

WHEREAS, the Illinois Power Agency Act, 20 ILCS 3855, was recently amended to add Section 1-92 entitled, "Aggregation of Electrical Load by Municipalities and Counties" (hereinafter referred to as the "Act"); and

WHEREAS, the Act allows a municipality to operate an electric aggregation program on behalf of its residents and small commercial retail customers on either an opt-in or an opt-out basis; and

WHEREAS, under the Act, if the City seeks to operate an electric aggregation program as an opt-out program for its residential and small commercial retail electric customers, then prior to the adoption of an ordinance establishing the electric aggregation program, the City must first submit a referendum to its residents to determine whether or not the City should have the authority to arrange for electricity for its residential and small commercial customers on an opt-out basis; and

WHEREAS, if the majority of the electors in the City of Evanston voting on the question vote in the affirmative, then the City Council may implement an opt-out electric aggregation program for residential and small commercial retail customers; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Evanston to operate an electric aggregation program under the Act as an opt-out program and to submit the question to the electors of the City of Evanston via a referendum question pursuant to the Act.

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: The foregoing recitals are found as fact and made a part hereof.

SECTION 2: The City Council further finds and determines that it is in the best interest of the City of Evanston to operate an electric aggregation program for Evanston residential and small commercial retail customers under the Act as an opt-out program.

SECTION 3: That upon passage and approval of this Ordinance, the City Clerk is directed to immediately certify and submit the following question to the Cook County Clerk in order for such question to be placed on the ballot for the general primary election to be held on March 20, 2012:

Shall the City of Evanston have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program?	YES
	NO

SECTION 4: In the event such question is approved by a majority of the electors in the City of Evanston voting on the question at the general primary election on March 20, 2012, the City Council may solicit bids and enter into a service agreement to facilitate, for residential and small commercial retail customers, the sale and purchase of electricity and related services and equipment in accordance with the requirements of

the Illinois Power Agency Act, 20 ILCS 3855/1-92. The aggregation will occur on an opt-out basis, without the prior affirmative consent of each person owning, occupying, controlling, or using and electric load center proposed to be aggregated.

SECTION 5: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: That if any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid application of this ordinance is severable.

SECTION 7: That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 8: That the findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: _____, 2011

Approved:

Adopted: _____, 2011

_____, 2011

Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene, City Clerk

W. Grant Farrar, Corporation Counsel

Attachment 2 - Summary of Community Aggregation Results

Community	Supplier Selected	Energy Supply Rate and Details
Campton Hills	Referendum Passed	Referendum Passed
Crest Hill	Direct Energy	5.89 cents per kWh through September 2013
Elburn	Direct Energy	5.99 cents per kWh through October 2012
Erie	Nordic Energy Services	5.471 cents per kWh, Term - 3 years
Fox River Grove	Direct Energy	5.99 cents per kWh through September 2013
Fulton	FirstEnergy Solutions	6.23 cents per kWh through July 2014
Glenwood	Direct Energy	5.99 cents per kWh through September 2013
Grayslake	IntegrYS	5.52 cents per kWh, Term - 2 years
Harvard	Direct Energy	5.99 cents per kWh through September 2013
Lincolnwood	IntegrYS	5.52 cents per kWh, Term - 2 years
Milledgeville	FirstEnergy Solutions	5.90 cents per kWh, Term - 3 years
Morris	FirstEnergy Solutions	5.43 cents per kWh through September 2013
Mount Morris	FirstEnergy Solutions	5.88 cents per kWh, Term - 32 months
New Lenox	Direct Energy	5.89 cents per kWh through September 2013
North Aurora	IntegrYS	5.75 cents per kWh (residential), Term - 2 years
Oak Brook	IntegrYS	5.52 cents per kWh, Term - 2 years
Oak Park	IntegrYS	5.78 cents per kWh, Term - 2 years
Polo	FirstEnergy Solutions	5.83 cents per kWh, Term - 32 months
Sugar Grove	Direct Energy	5.99 cents per kWh through September 2013
Wood Dale	FirstEnergy Solutions	5.92 cents per kWh, Term - 30 months



Memorandum

To: Honorable Mayor and Members of the City Council
From: Wally Bobkiewicz, City Manager
Subject: FY 2012 City Council Priority Goals
Date: November 9, 2011

Recommended Action:

It is recommended that the City Council select four of its FY 2012 Goals to be designated "Priority" goals.

Summary:

At its September 19, 2011 meeting, the City Council set the following goals for FY 2012 (in alphabetical order):

- Affordable Housing
- Capital Improvement Program Planning
- Climate Action Plan
- Development Services and Design Review
- Economic Development
- Efficiency and Effectiveness of Services
- Innovation
- Northwestern University
- Police and Fire Pension Funding Issues
- Robert Crown Center Improvements
- Safety Issues
- Visual and Performing Arts
- Youth Engagement

The City Council expressed an interest in setting a priority to these goals and I volunteered to help the City Council select four "priority goals."

The Mayor and individual Alderman selected four goals each as "priority goals." A list of these selections are attached. Each selected Economic Development as their number one priority. The choices for the remaining three goals are not as clear. Based on the preferences provided by the City Council, it appears the remaining three come from the following group:

Safety Issues
Efficiency and Effectiveness of Services
Capital Improvement Program Planning
Youth Engagement

Staff recommends that the City Council select four “priority goals” for FY 2012. Staff will then return to the City Council in early 2012 for discussions on specific implementation plans for each of these goals.

Attachment

List of Mayor and City Council Goal Priorities

City Council Goal Prioritization

	Tisdahl	Fiske	Braithwaite	Wynne	Wilson	Holmes	Tendam	Grover	Rainey	Burrus
Affordable Housing			4			4				
Capital Improvement Program Planning	2	3						4		3
Climate Action Plan	3									
Development Services and Design Review										
Economic Development	1	1	1	1		1	1	1	1	1
Efficiency and Effectiveness of Services		2		2			3	2		4
Innovation				4					2	
Northwestern University										
Police and Fire Pension Funding		4								
Robert Crown Center Improvements									4	
Safety Issues			3	3		3	2	3	3	2
Visual and Performing Arts										
Youth Engagement	4		2			2	4			