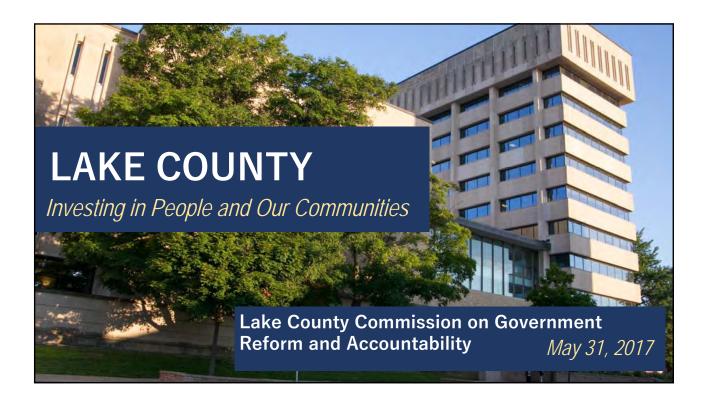
Appendix 2 – Presentations Made to the Commission

The following presentations were made to the Commission during fact-finding and are included in this attachment in chronological order.

- "Overview for the Lake County Commission on Government Reform and Accountability." Presentation by Chair Lawlor and County Administrator Burton, May 31, 2017
- "Redistricting Reform Options for Lake County." Presentation by Ruth Greenwood, Senior Legal Counsel for Voting Rights and Redistricting Campaign at the Campaign Legal Center, July 19, 2017
- 3. "Redistricting Selected Legal Issues." Presentation by George Tzanetopoulos. Partner at BakerHosteler, July 19, 2017
- 4. "Redistricting Principles." Presentation by Cindi Canary, Independent Map Amendment, August 23, 2017
- 5. "Opportunities for Government Efficiency." Presentation by Dr. Norman Walzer. August 23, 2017
- 6. "County Board Structure and the Goals of Institutional Reform." Presentation by Dr. Eric Zeemering, September 13, 2017



Welcome & Introductions

Commission Chair:

Hon. Fred Foreman, Retired U.S. Attorney and Chief Judge

Commission Vice-Chair:

Hon. Kathy Ryg, Retired State Representative

Commission Member Introductions



Commission Purpose

Chairman Aaron Lawlor

- 1. Independent Redistricting
- Analyze state and county governments... evaluate their governance structure, methodology, implementation and outcomes
- 2. Countywide Elected Chairman
- Study similar counties...identify key issues, challenges, opportunities, decisions...Identify best practices and policies to balance authority between the County Board, Chairman and County Administrator...ensure strong accountability, professional standards and high ethical standards and safeguards
- 3. Reduce the size of the board
- Examine, assess and report on similar counties' efforts... Identify positive and negative impacts on efficiency, constituent services, policy decisions and compliance with the federal Voting Rights Act
- 4. Other Reform Proposals
- Share ideas on additional reforms that could be studied in the future

Board Chair Overview

- · Elected every 2 years by County Board
- Presides over County Board meetings
- Appoints standing committee members;
 Establishes Ad Hoc & Special Committees
- May add agenda items deemed time sensitive to the regular CB meeting agenda w/ concurrence of the Committee Chair
- An ex-officio member of all committees; votes only in the case of a tie or to constitute a quorum.

- Executes approved contracts
- Appoints 300 appointees to 70+ local units of government
- Liquor control commissioner for unincorporated area
- Serves on Lake County Partners Board of Directors; leads and provides oversight of economic development strategies
- Serves on regional groups (CMAP)



Lake

- 21 member single district county board; 2 and 4 year staggered terms
- Chair elected by county board members (2 years)
- Presides over meetings; Appoints committee members
- County Board sets rules
- County Administrator prepares proposed budget, prepares agendas (in coordination w/ chairs)

DuPage

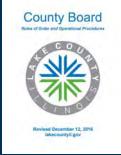
- 18 member county board; 6 districts, 3 per district; 2 and 4 year staggered terms
- Countywide elected chairman (4 years)
- Serves as Chief Executive Officer
- Chair schedules meetings, presides over board meetings, prepares agendas, prepares proposed budget, appoints committee and chair assignments
- County Administrator serves as Chief Operating Officer (reports to Chair)
- Department heads report through the County Administrator to the Chairman/CEO

McHenry

- 24 member county board; 6 districts, 4 per district; 2 and 4 year staggered terms
- 2014 referendum creating countywide chair; 2016 first directly elected chairman (4 year term)
- CB Chair presides over meetings; sets CB agenda; breaks ties; Committee Chairs set committee agendas (in coordination with County Administrator)
- County Administrator prepares proposed budget

County Governance Structure

Collar



Barry Burton

Will

- ullet 25 member county board; 13 districts, 2 from each
- County board appoints committees and sets agenda
- County Executive elected countywide; voters elected to go to a county executive form w/o home rule in 1988; Only County Exec form of government in IL
- Executive responsible for day to day operations; oversight of 26 departments; prepares proposed budget and annual report; breaks ties

Lake County Government Overview

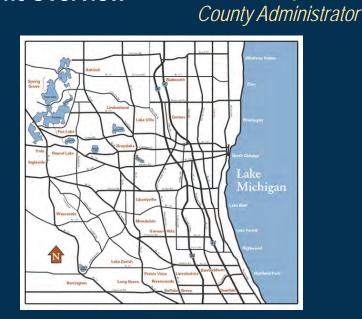
Local Government Structure

- State
- County
- Municipal
- Township

IL local taxing bodies: 6,693 *highest in the nation

Lake County

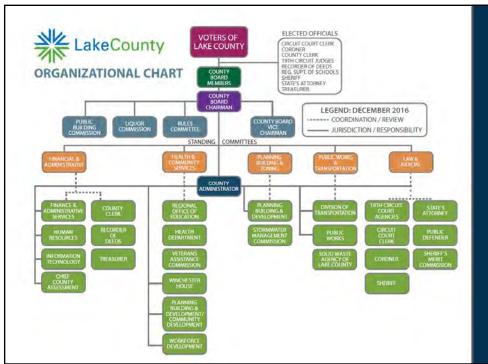
- 1 County Government
- 1 Forest Preserve District
- 52 municipalities
- 18 townships
- 200+ special taxing districts



Lake County Governance Structure

- County Board
 - Authority in Illinois Counties Code (55 ILCS 5/)
 - Lake County does <u>not</u> have Home Rule Authority
 - Members serve 2 or 4 year terms; Staggered terms
 - Approve budget & provide policy direction
 - 5 Standing Committees
 - Establishes County Board Rules
- County Board Chair
 - 2 year term; Elected by peers; Makes CB Committee assignments; Appoints to 300+ to 70 units of gov't
- Administrator
 - Implements policies of the County Board, and goals/strategies in the strategic plan
 - Appointed department heads (that report to the Board) report to the County Administrator
 - Researches and analyzes policy decisions and makes recommendations to the board
 - Develops and oversees the annual budget and capital improvement plan





County
Government
Structure
and
DecisionMaking
Process





Commission Governance

Discussion

- Roles/responsibilities
- What success could like
- Value statements

Commission Facilitator

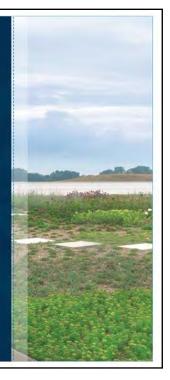
- Jerry Newfarmer, President/CEO of Management Partners, will oversee the project and Kevin Knutson will serve as project manager
- The MP team will develop a proposed plan of work; facilitate Commission meetings, conduct research, and perform other tasks



2017 Meeting Schedule

Meetings will (generally) be the 3rd Wednesday of month in the morning (8:30 a.m. - 10:30 a.m.)

- June 21, Central Permit Facility
- July 19, Central Permit Facility
- Aug. 23, Lake County Health Department, 3010 Grand Ave., Waukegan
- Sept. 13, Lake County Health Department
- Oct. 11, Central Permit Facility
- Nov. 22, Central Permit Facility
- Dec. 20, Lake County Health Department







REDISTRICTING REFORM OPTIONS FOR LAKE COUNTY

Lake County Commission on Government Reform and Accountability Wednesday, July 19, 2017

Ruth Greenwood, Senior Legal Counsel, Voting Rights and Redistricting



OVERVIEW

- 1. Goals of county board representation
- 2. Choosing an electoral system
- 3. Choosing a redistricting process

1. GOALS OF COUNTY BOARD REPRESENTATION

REPRESENTATION



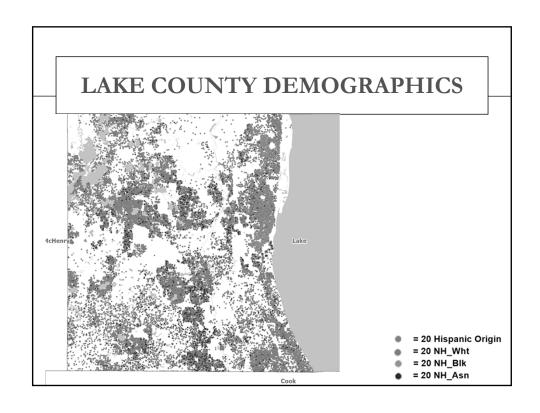
COUNTY BOARD RESPONSIBILITIES

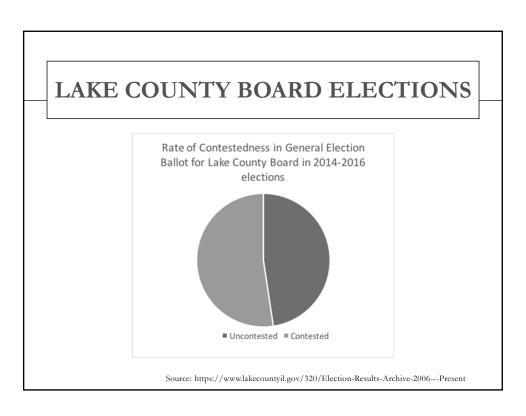


LAKE COUNTY DEMOGRAPHICS

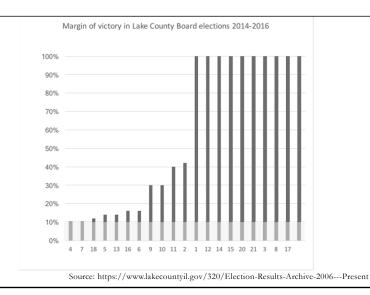
Race / Ethnicity	Percent, 2016
White (Non-Latino)	62.3%
Black (Non-Latino)	7.5%
Asian (Non-Latino)	7.7%
Latino	21.5%

Source: American Community Survey, 2016: https://www.census.gov/quickfacts/fact/table/lakecountyillinois/PST045216







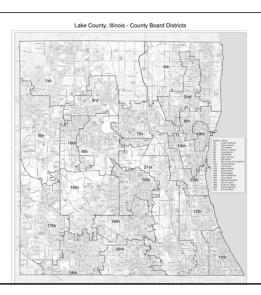


LAKE COUNTY BOARD ELECTIONS

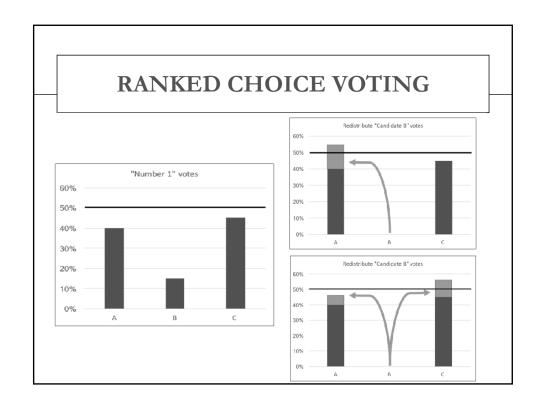
- Total voter turnout in Lake County board elections 2014-2016: 233,455
- Total registered voters in Lake County: 405,000
- Turnout rate = 58%

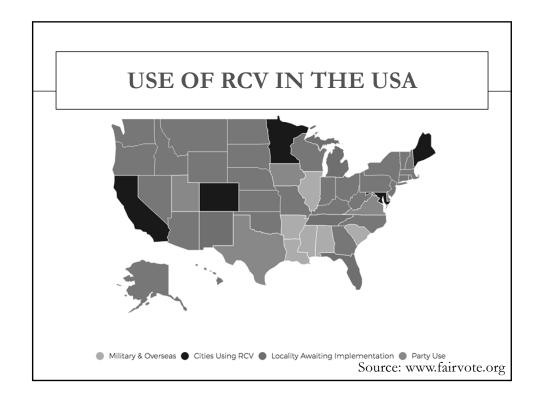
2. CHOOSING AN ELECTORAL SYSTEM

THE CURRENT SYSTEM



Maurer School of Law: Indiana University Digital Repository @ Maurer Law Indiana Journal of Law and Social Equality Volume 5 | Issue 1 Article 9 Winter 3-6-2017 Fair Representation in Local Government Ruth Greenwood Campaign Logal Center, rgreenwood@campaignlegalcenter.org





3. CHOOSING A REDISTRICTING PROCESS

INDEPENDENT REDISTRICTING COMMISSIONS: SETUP

- Size of Commission
- Composition (partisan makeup)
- Selection process
- Eligibility
- Disqualifications
- Diversity
- Public participation / transparency
- Map Approval process

INDEPENDENT REDISTRICTING COMMISSION: POSSIBLE CRITERIA

- Rank the criteria?
- Require contiguity?
- Enhance compactness?
- Maintain geographic boundaries of cities, towns and villages?
- Promote minority representation?
- Protect communities of interest?
- Consider political data?
- Promote competition?

IF YOU DO WELL...

enterprise

Local News

Citizen redistricting commission receives \$100,000 award to help other states replicate work

By Anne Ternus-Bellamy

From page A4 | July 12, 2017



Stan Forbes and Kathay Feng, executive director of California Common Cause, present the work of the California Citizens Redistricting Commission (which Forbes chairs) at the Ash Center for Democratic Governance and Innovation at Harvard University in May. The commission was awarded the center's 2017 Public Engagement in Governance Award. Courtesy photo

QUESTIONS?

www.campaignlegalcenter.org

rgreenwood@campaignlegalcenter.org

REDISTRICTING:

SELECTED LEGAL ISSUES

Presented By: George J. Tzanetopoulos Partner, Baker & Hostetler LLP

TRADITIONAL DISTRICTING PRINCIPLES

BakerHostetler

- 1. Compactness
- 2. Contiguity
- 3. Preservation of counties and other political subdivisions
- 4. Preservation of communities of interest
- 5. Preservation of cores of prior districts
- 6. Protection of incumbents
- 7. Compliance with Section 2 of the Voting Rights Act

Equal Population

- Equal Protection Clause Of 14th Amendment Requires Districts Of Substantially Equal Population
- 10% Standard Prima Facie Case Of Discrimination Not Made Out Where Maximum Population Variance Is 10% Or Less
- Under 10% IS NOTA Safe Harbor Indicia Of Invidious Purpose And Lack Of Consistent Application Of Stated Principles Subject Plan To Attack. But Challenger Bears Initial Burden Of Showing Violation Of The 14th Amendment
- Rational State Policies That Justify Exceeding 10% Political Subdivisions
- · Consistent Application Is Key

BakerHostetler

Racial And Language Minorities

- Section 2 Of The Voting Rights Act
- Equal Protection Clause Of The 14th Amendment

Section 2 Of The VRA

Currently, a violation of Section 2 of the VRA is established if:

[B]ased on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of ... [a racial, color, or language minority class] ... in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. The extent to which members of a protected class have been elected ... is one circumstance which may be considered: Provided, That nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.

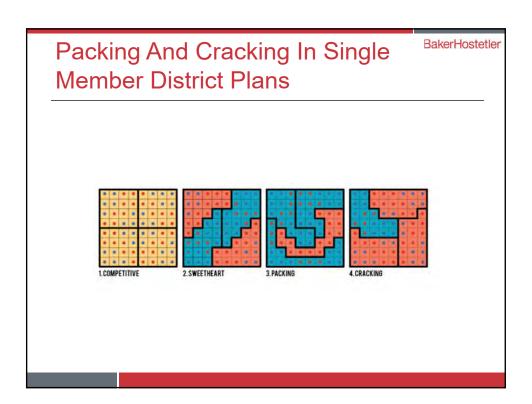
BakerHostetler

Recurring Issues

- Multimember Districts
- Packing and Cracking Particularly In Single Member Districts

Multimember Districts

- A Multimember District Plan Is Not Per Se Unconstitutional Or a Violation Of Section 2
- It Can Be, However, If Under The Totality
 Of The Circumstances, It Denies Equal
 Opportunity To Participate In The
 Electoral Process



Section 2 Vote Dilution Claim Requirements

The Supreme Court In *Thornburg V. Gingles* Developed A New Three-part Test That A Minority Group Must Meet In Order To Establish A Vote Dilution Claim Under Section 2. The Test Requires That A Minority Group Prove That:

- 1. It Is Sufficiently Large And Geographically Compact To Constitute A Majority In A Single-member District;
- 2. It Is Politically Cohesive; And
- 3. In The Absence Of Special Circumstances, Bloc Voting By The White Majority Usually Defeats The Minority's Preferred Candidate.

Once All Three Are Shown, The Decision Is Made Based On The Totality Of The Circumstances.

N.b., There Is No Requirement To Maximize And Proportionality Is No Defense.

14th Amendment Equal Protection Claims

BakerHostetler

- Race-conscious Redistricting Is Not Always Unconstitutional.
- Race-based Districting Is Subject To Strict Scrutiny.
- The Fourteenth Amendment Requires State Legislation That Distinguishes Among Citizens Because Of Their Race To Be Narrowly Tailored To Further A Compelling Governmental Interest.

Passing Strict Scrutiny

- Compelling Government Interests
 - Remedying Past Discrimination
 - Complying With Section 2 Of The VRA
- Narrowly Tailored: To survive strict scrutiny, the challenged plan must: (1) remedy the violation or achieve compliance; and (2) not go further than is reasonably required to do so.

BakerHostetler

Partisan Gerrymandering

- Justiciability
- Standards
- Whitford, et al., v. Gill, et al. (Wisconsin Legislature)

Whitford Case

- Three-Judge Panel (2-1)
- Justiciable
- Equal Protection Violation Established:
 - Legislators' Conduct Showed Discriminatory Intent
 - Disproportionate Election Results Demonstrated Discriminatory Effect That Was Confirmed By The Plan's "Efficiency Gap"
 - Discrimination Not Justified By Narrowly Tailored Action To Further A Compelling Governmental Interest

BakerHostetler

Efficiency Gap

- "Wasted Vote" = All Votes Cast For Losing Candidates + All Votes In Excess Of 50% +1 For Winning Candidates
- EG = R Wasted Votes D Wasted Votes
 Total Votes Cast
 Total Votes Cast

Conclusion & Questions	BakerHostetler

Redistricting Principles

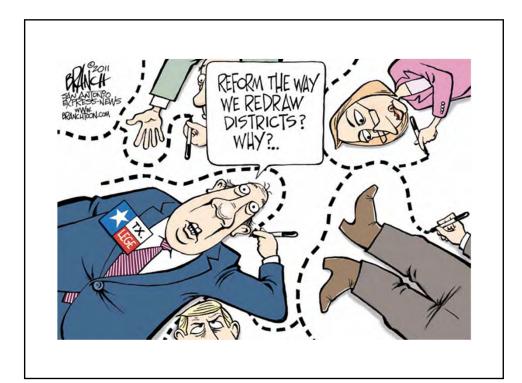
Presentation to the Lake County Commission on Government Reform and Accountability

August 23, 2017



Framing Your Principles

GOAL: Representative democracy works best when the *public actively engages* with policy discussions and elections. Redistricting reform will offer *diverse voices and independent thinkers* an opportunity to serve. *Breaking partisan gridlock* and *restoring functional state government* is essential for Illinois' future and is an especially urgent call to action as we near the *2020 Census*.



HOW: Redistricting plans must be drawn to allow *Illinois residents, including communities of color, to elect candidates of their choice who represent and are held accountable to, the interests of that community.*

WHY: Fundamentally improving Illinois' redistricting process will strengthen our communities, foster a more robust democracy and restore public confidence in government

Values Can Conflict

 Any meaningful redistricting plan must provide transparency and allow true public participation. However, we recognize that principles of voter choice, geographic cohesiveness and competitiveness can at times come into conflict with one another.
 These criteria are presented in priority order to help guide considerations in Illinois' mapmaking.

PRINCIPLE 1

• The process must be in accordance with the requirements of the U.S. Constitution. All persons -- regardless of age, citizenship, immigration status, ability or eligibility to vote – should be accurately counted through the Census. In accordance with the U.S. Constitution, districts should be populated equally, as nearly as is practicable.



 The process must emphasize representation and be fully compliant with both the federal Voting Rights Act (VRA) and all state voting rights laws, including the Illinois Voting Rights Act. The letter and the spirit of the VRA should be reflected in redistricting to protect the rights of voters of color.



 The process should be independent of partisan political considerations. Mapmaking must be independent from political parties and legislative leaders. The process must include diverse decision-makers who reflect a broad range of viewpoints and who prioritize people and communities. Mapping consultants paid for with public resources, should be awarded on merit rather than partisan affiliation.

The Fox shouldn't guard the Henhouse



 The process should result in maximizing voter choice, encouraging electoral candidacy and enhancing electoral competitiveness.



PRINCIPLE 5

 The process should give consideration to true communities of interest. To the extent possible, but secondary to the protection of voting rights, populations with common social, ethnic or economic interests and/or shared political and geographic boundaries should have unified representation.



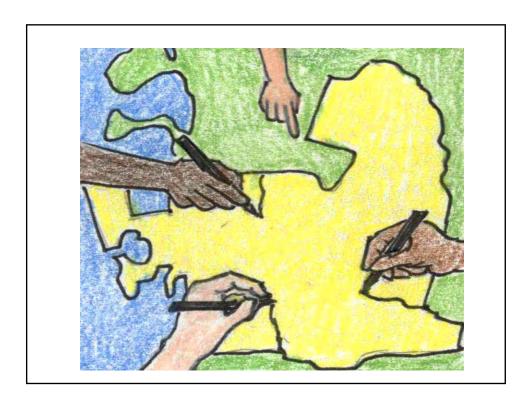
 The process must accurately represent the permanent residence of all Illinoisans. All persons residing away from their permanent residence, such as students, incarcerated individuals, and missionaries, should be counted at their home address regardless of Census counting rules.

PRINCIPLE 7

• The process must be transparent and accountable. Meetings of decision-makers, and their consultants, must be open and accessible to the public to the greatest extent possible. The criteria used to draw maps must be objective, clear and justifiable. Communications related to the redistricting process should be subject to the OMA and FOIA. Clear conflict-of-interest rules must be adopted and applied.



• The process must allow for meaningful public participation and have the confidence of the public. Opportunities for public education and engagement must be provided, including opportunities to offer comment and amend draft maps. Redistricting bodies must provide data, tools and ways for the public to have direct input into and impact on the specific plans under consideration.





Opportunities for Government Efficiency

Norman Walzer, Ph.D.

Senior Research Scholar

Presented to

Lake County Commission on Government Reform and Accountability

Lake County Health Department Waukegan, IL



August 23, 2017

Presentation Overview

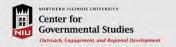
- Background on Task Force
- Local government structure
- TF Recommendations
- Recent additions with SB 203 signed into law
- Main issues to consider in discussions
- Current work at CGS on a template





Task Force on Consolidation and Unfunded Mandates

- Bi-Partisan Membership
- Driven by Local Interest & Discretion in Modernizing Service Delivery
- Interest in Promoting Shared Services to Lower Costs
- Informed by Local Input and Information (> 500 survey responses)
- Focus was on Enabling and Empowering Residents & Local Officials
- Ultimate Aim is to Reduce Duplication & Property Taxes
- Submitted 27 Recommendations Based on Local Input
- Five Recommendations Included in Recently Signed SB-3



Rising Costs of Public Services* 1992 to 2012

Increase in Operating Expenditures/Capita (constant dollars)

Illinois 23.8%
Indiana 12.6%
Wisconsin 17.5%
Iowa 31.6%
Michigan 17.6%
Texas 22.4%



*Census of Governments, Finances Division, respective year.



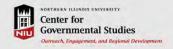
Effective Property Taxes 2015* Residential Property (State Median Value)



Illinois	2.30%	2 nd highes
Indiana	.87%	29 th
Iowa	1.48%	14 th
Wisconsin	1.96%	5 th
Michigan	1.78%	8 th
Missouri	1.00%	26 th
Ohio	1.56%	12 th

^{*}as percent of market value in calendar year 2015.

Source: 2014 American Community Survey; Wallet-Hub; Tax Foundation



-

Governments in Lake County (Population 703,462)

Type of Government	Number
General Purpose	64
County	1
Municipal	45
Township	18
Special Purpose	128
Special Districts (non education)	82
Independent School Districts	46
Total	192





Effective Tax Rates

(Compared with 89 Illinois Municipalities, \$250K House)*

Rank in Year		Municipality	Effective Tax Rate (%FMV)			
2005	2008	<u>2010</u>	2013		2010	<u>2013</u>
5	5	3	1	Zion	4.84%	7.98%
42	13	7	9	North Chicago	3.91%	5.04%
28	12	5	14	Waukegan	4.23%	4.62%
57	67	73	72	Lake Zurich	2.35%	2.64%
72	73	74	68	Libertyville	2.34%	2.72%

(Higher rank means higher taxes compared with other municipalities)

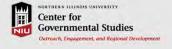
^{*}published by Tax Foundation in *Tax Facts* (Summer 2013 and 2015). 2013 taxes collected in 2014.



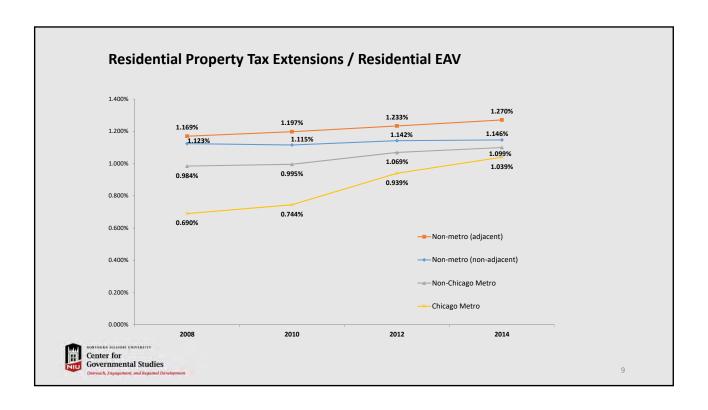


Contributing Factors to Property Taxes

- Changed Technology, Population Distribution, and Services Needed
- Large Number of Governments (well > 7,000) some duplication
- Unfunded Mandates Increase Costs
- Bond and Debt Limits promote new governmental units
- Relative Ease in Creating Governments
- Statutory Obstacles to Removing Existing Governments
 - Citizen Initiatives
- Lack of Organized Approach to Governmental Review
- No "Permission to Act"



3



Task Force Recommendations

(Partial list of 27 recommended actions)

- Create 4-year Moratorium on New Governments (unless merger)
- Referendum Signature-- 5 percent of Votes in the Last General Election
- DuPage County's pilot consolidation program to all 102 counties
- Townships can Consolidate with Coterminous Municipalities via Referendum
- Extend to 19 Coterminous Municipalities/Townships Same Authority Granted Voters in Evanston Township
- Remove 126 Square Miles Limitation on Township Size
- County Form of Government Not Required to Change If Consolidates Townships
- Road/bridge Districts Can Merge if < 25 miles



Issues to Consider

- Types and Levels of Services Needed and Desired
- How does Current Spending/Taxes Compare with Other Agencies
- Which Services are Mandated and Which are Optional
- Current Arrangements for Service Delivery
 - Are known opportunities to reduce costs for same service
- Is the Political Climate Right for Modernization
- Who can Spearhead the Evaluation of Opportunities
- Do the Potential Savings (over the long term) Justify the Effort?
- Current CGS Project to Create a Modernization Template with Governor's Rural Affairs Council (in progress)



Possible Avenues.....

- Form independent group to examine governmental structure & possible changes
 - Identify planning horizon—5 years and beyond?
- Compare current levels, spending, & quality of services delivered with others
- Determine which are mandated & which are elective functions
- Identify legal options and authority for governments
- Look for possible overlaps in service delivery & who has best capacity
- Determine apparent cost-saving measures already under consideration
 - Include options suggested by current employees
 - Alternative approaches
- Study alternative approaches and impacts on level of service
- If changes makes sense, determine procedures to follow (e.g., referendum)



Information on Best Practices

Journal of Local Government Shared Services Best Practices, Office of Lt. Governor Evelyn P. Sanguinetti, 2016. https://www.illinois.gov/ltg/issues/localgovernments/Documents/Journal-of-Local-Government-publication-request.pdf

Local Government Collaboration in Wisconsin, Best Practices. 2012. http://www.localgovinstitute.org/library/publications/id/100/local-government-collaboration-in-wisconsin-case-studies

Counties Matter Challenge: 100 Brilliant Ideas that Work. 2016-17.

http://www.naco.org/resources/counties-matter-challenge-100-brilliant-ideas-work

Service-Sharing: How Counties Do More With Less. NACO County Futures Lab. http://www.naco.org/resources/service-sharing-1

Road Map for Aligning Local Governments in Wisconsin, Local Government Institute, 2010. http://www.localgovinstitute.org/library/publications/id/149

Alternative Service Delivery: A Readiness Check. International City and County Management Association. 2016. e-book.

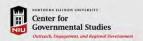


For Further Information, Contact:

Norman Walzer, Ph.D. Senior Research Scholar nwalzer@niu.edu 815-753-0933

Center for Governmental Studies

Northern Illinois University DeKalb, IL 60115 www.cgs.niu.org





Northern Illinois University

County Board Structure and the Goals of Institutional Reform

Eric Zeemering, Ph.D.

Department of Public Administration
School of Public & Global Affairs
September 13, 2017

Three Questions



- First, what evidence do we have about county government reforms?
- Second, what advice have experts in local government provided regarding the work of governing boards?
- Third, by discussing board structure, are we enhancing the accountability of county government?

What evidence do we have about county government reforms?

- Streib and Waugh (1991b) identify that urbanization was positively related with the scope of county service delivery, and many U.S. counties continue to add policy responsibilities. In related research, Streib and Waugh (1991a) suggest county officials have been more focused on financial reforms and negotiation of legal authorities with their states than with internal political reforms.
- Benton (2002) reports a strong association between a variety of county government reforms and service delivery spending.
- In a recent study of counties in Florida, Alejandro Rodriguez (2007) found
 a positive relationship between key institutional reforms, including the
 adoption of home rule and the presence of professional managers, and a
 series of metrics related to the performance of the county road system.
- Few researchers engage the narrow distinction between appointed board chairs and those elected at-large by the electorate and the consequence of this reform for county governance.

What advice do experts have for the work of governing boards?

"Chief elected officials are usually not chosen through a jurisdictionwide electoral mechanism that serves to promote recognition and the generation of a mandate, and even county executives who are elected countywide are probably eclipsed in the public's view by mayors occupying political space in the same jurisdictions. Elected and administrative leaders in counties must necessarily rely more heavily on personal and informal resources than on formal resources in performing their duties."

James Svara (1996)

By discussing board structure, are we enhancing the accountability of county government?



A discussion about accountability might also consider:

- Performance Reporting
- Collaborative Efficiency
- Strategic Planning, Foresight Exercises, and Public Goal Setting