***Attachment 1***

**Daniel J. McLaughlin**

Mayor, Village of Orland Park

Executive Board Chairman

**Rahm Emanuel**

Mayor, City of Chicago

Executive Board Vice Chairman

**Jim Holland**

Mayor, Village of Frankfort

Executive Board Secretary

**MINUTES**

**Executive Board Meeting**

**May 11, 2015**

1. **Call to Order and Welcome**

Orland Park Mayor and Executive Board Chair Daniel J. McLaughlin, representing the Southwest

Conference of Mayors, called the meeting to order at 9:00 a.m. at the DuPage Mayors and Managers

Conference, 1220 Oakbrook Road, Oak Brook, IL. Others in attendance included:

Mayor Thomas Weisner, Aurora (representing the Metro West Council of Governments)

Mayor Gerald R. Bennett, Palos Hills (representing the Southwest Conference of Mayors)

President Deborah M. Bullwinkel, Villa Park (representing the DuPage Mayors and Managers Conference)

President Sandra E. Frum, Northbrook (representing the Northwest Municipal Conference)

President Karen Darch, Barrington (representing the Northwest Municipal Conference) (via speaker phone)

Mayor Jeffery D. Schielke, Batavia (representing the Metro West Council of Governments)

Mayor Paul Braun, Flossmoor (representing the South Suburban Mayors and Managers Association)

Mayor Gayle Smolinski, Roselle (representing the DuPage Mayors and Managers Conference)

Mayor John Ostenburg, Park Forest (representing the South Suburban Mayors and Managers Association)

Mayor Jeffrey Sherwin, Northlake (representing the West Central Municipal Conference)

Claudia Chavez, Assistant to the Mayor, City of Chicago

*Others*

Mark A. Baloga, Executive Director, DuPage Mayors and Managers Conference

Steve Beitler, Chief Executive Officer, Chicago Infrastructure Trust

Larry Bury, Deputy Director, Northwest Municipal Conference

John Dunn, Partner, McGuire Woods LLP

Mark L. Fowler, Executive Director, Northwest Municipal Conference

Hugh O’Hara, Executive Director, Will County Governmental League

Edward Paesel, Executive Director, South Suburban Mayors and Managers Association

Vicky Smith, Executive Director, Southwest Conference of Mayors

Thomas Vander Woude, Deputy Executive Director of Transportation and Infrastructure, South Suburban

Mayors and Managers Association

David E. Bennett, Executive Director, Metropolitan Mayors Caucus

Allison Clements, Director of Housing Initiatives, Metropolitan Mayors Caucus

Charles Dabah, Program Assistant, Housing Initiatives, Metropolitan Mayors Caucus

Edith Makra, Director of Environmental Initiatives, Metropolitan Mayors Caucus

Jeffrey Walter, Project Coordinator, Environmental Initiatives, Metropolitan Mayors Caucus

1. **Approval of Minutes**

Mayor Jeffrey T. Sherwin of Northlake made a motion to approve the minutes from the March 9, 2015. Mayor Jeffery D. Schielke seconded and the motion was unanimously adopted.

**City of Chicago ∙ DuPage Mayors and Managers Conference ∙ Lake County Municipal League ∙ McHenry County Council of Governments**

**Metro West Council of Governments ∙ Northwest Municipal Conference ∙ South Suburban Mayors and Managers Association**

**Southwest Conference of Mayors ∙ West Central Municipal Conference ∙ Will County Governmental League**

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**MINUTES**

**May 11, 2015**

**Page 2**

**III. Presentation: Introduction and Invitation to Collaborate in the Chicago Infrastructure Trust**

Edith Makra opened up the discussion by talking about opportunities for compressed natural gas

infrastructure projects. She is currently in conversation with the COGs about their level of interest in infrastructure projects of this kind and there has been some interest.

Ms. Makra passed the conversation to Steve Beitler, CEO of the Chicago Infrastructure Trust. Mayor Rahm

Emanuel announced the creation of the Trust in 2012. The trust was established by executive order of the

Mayor and by resolution of the City Council. The Trust employs 8 people and focuses on four different work areas: energy, transportation, development and communications. The Trust operates through a process known

as ‘unsolicited proposal’. Using unsolicited proposals, companies or individuals can approach the Trust with potential projects and attached resources. The Trust can then competitively bid desirable proposals.

The Trust has completed 2 projects to date, which have resulted in about a 400% IRR on both projects.

The general approach the Trust takes to complete projects includes: 1) a transfer of service and project completion from the public to private sector; 2) off-sheet transactions; 3) projects are budget neutral and

self-funding; and 4) projects use underutilized assets.

The Trust is currently involved in several initiatives. It is renovating 60 buildings in Chicago to promote

energy savings. They are estimated to be completed in June 2015. It owns the assets in the building, but will

eventually cede control to the City. The Trust is also in the process of installing compressed natural gas infrastructure in Chicago. A dozen private fleets as well as the City of Chicago fleet will convert to natural gas, which is a cheaper and more stable alternative to gasoline. They expect 6-8 more competitive bids to build

10 to 20 stations in the City. Corporations that are interested in participating want to do as big of a project as possible, which makes collaboration attractive; from a transactional perspective, the more communities that are

a part of this, the cheaper it would be for all municipalities.

Mayor Tom Weisner of Aurora asked Mr. Beitler if projects will all be exclusive to the City of Chicago. Mr. Beitler responded that the Trust is seeking to take on projects with as many collaborators as possible, and suggested that there are mutual benefits for both suburban municipalities and Chicago when expanding

projects beyond the scope of the City. Mr. Beitler also said the Trust is interested in pursuing projects in the

area of waste management. Mr. Beitler concluded that the Trust takes a very methodological approach to

analysis for potential projects, and that this is why a lot of the projects that come to the Trust do not end up coming to fruition.

**IV. Policy Area: Legislative**

**A. Turnaround Resolution**

Mayor Gerald Bennett of Palos Hills briefly reviewed Attachment 2 which provided a summary of the actions municipalities and counties have taken on Governor Rauner’s proposed turnaround agenda resolution. He then turned his attention to the discussions the Illinois Municipal League’s Board of Directors

on the resolution at its meeting during the League’s Annual Legislative Days. He stated that the Governor had

put pressure on the IML to pass the resolution. However, there were enough Board members who strongly believed that the League should not take a position one way or another. The board subsequently voted to table

the resolution.

Mayor Weisner stated that he was relieved the IML Board voted to table the turnaround resolution. Going into

that meeting, he had the sense that there were many downstate Mayors who were willing to appease the

Governor. In fact, the IML’s Officers were called to a meeting at the Governor’s office right before the League

Board meeting to discuss changes to the resolution which would possibly make it more palatable and easier

to pass. Mayor Sherwin said that he is pleased to hear that the IML Board tabled the resolution. He believes

that if they had passed it, they would have lost a lot of membership. Mayor Deb Bullwinkel of Villa Park

stated that she thinks the Governor put way too much out there at one time with the turnaround agenda to try

**MINUTES**

**May 11, 2015**

**Page 3**

**A. Turnaround Resolution (cont.)**

and build support across local governments.

Mayor Bennett indicated that the IML has left the door open to a possible special meeting on the turnaround resolution in the future. Given the strong sentiments expressed at the April Board meeting, however, he does not think it will ever take place. Chairman McLaughlin thanked Mayor Bennett for his

report and asked him to inform the Caucus if any new developments occur.

Mayor Bennett then introduced John Dunn of McGuireWoods Consulting, the Mayors Caucus’ new

lobbying firm. He asked Mr. Dunn if he had any additional insights on the turnaround agenda. Mr. Dunn advised that the safest course of action would be to wait. He believes it is too early in the legislative process

for towns to consider the Governor’s proposed resolution. He recommended that towns should wait to see

what happens in the weeks ahead before making a decision on whether to consider it. Mayor Paul Braun of Flossmoor added that he agrees with Mr. Dunn. He said that the does not see any benefit right now to

municipalities getting in the middle of a fight between the Governor and the General Assembly.

**B. Spring Session Update**

**1. FY 2016 Budget**

Mr. Dunn reported that even though the FY 2016 budget is to theoretically be passed by May 31, very little progress has been made so far this session. The budget working groups Governor Rauner created were

suspended last week. Despite having five appropriations committees, House Speaker Michael Madigan has

decided to form a separate budget oversight committee which is supposed to first start holding hearings this

week. On the Senate side, there has not been a whole lot of movement on the budget yet, other than Senate President Cullerton recently released a memo detailing how the Governor's proposed budget is $2.2 billion

out of balance and contains another $4 billion in spending cuts which are not real. Given all of this, Mr. Dunn

stated that unless something significant happens within the next two weeks, all signs are pointing to the

the legislative session going into overtime this summer.

Mr. Dunn reported that if there is no budget by May 31, a 3/5ths vote will be required to pass one in overtime.

This means the number of affirmative votes go up from 30 to 36 votes in the Senate and 60 to 71 in the House.   
 Mayor Weisner asked Mr. Dunn if Democrats would act alone. Mr. Dunn responded that politically, he doesn’t

see Speaker Madigan or Senate President Cullerton coming out in favor of a tax increase without the Governor and a good number of Republicans in the Legislature getting behind it as well. They want to see bipartisan

support. If that doesn’t happen, Mr. Dunn believes that the other alternative is that the Democrats will cobble

together a junk budget and put it in front of the Governor on May 31.

Mr. Dunn said that the big question that will come into play with the budget is, what are the Governor's priorities within his turnaround agenda? Workers Comp has been done in the past (2005 and 2010-2011), but there might be some wiggle room there. Other elements of the agenda sort of fly in the face of the tenets of the Democrat

Party.

Mayor Schielke pointed out that he thinks there is anticipation on the Republican side of the aisle that the tax increase needs to happen, but they are waiting for cues from the Governor. He said he also has been told there

are a number of Governor appointees that have been held up which will be used as part of a grand bargain on

the budget and a tax increase.

**2. Proposed Cut to LGDF**

Mark Baloga, Executive Director of the DuPage Mayors and Managers Conference, reported that DMMC has

had a lot of success with ‘Protect My Town’ website. It is an interactive site through which municipal officials and, more importantly, local residents can ask the Governor and their legislators to protect the local share of

**MINUTES**

**May 11, 2015**

**Page 4**

**2. Proposed Cut to LGDF (cont.**

the State income tax. Municipalities are using newsletters to market the website to their residents. Mr. Baloga stated that over 1200 residents have visited the site in the short time it has been running. Mayor Gayle

Smolinski of Roselle said she has had 200 responses from her residents alone.

Mr. Baloga stated that the DMMC is looking into some media options to increase attention on the LGDF

Issue and promote the ‘Protect My Town” website. They are also putting together a plan to have

mayoral presence in Springfield between now and May 31. As part of this, DMMC will ask the other COGs to solicit their mayors to participate. The intent is to cover as many days as possible until the scheduled

adjournment.

**3. Impressions of IDOT Listening Sessions**

Mayor Schielke reported that IDOT Secretary Randy Blankenhorn has been holding listening sessions on

the State’s capital needs over the last few weeks. Mayor Schielke attended one in Kane County last Friday.

He came away from it with the clear impression that the State needs a major capital plan. Mayor Bennett said

that Secretary Blankenhorn has indicated that he would like to use GoTo2040 principles to prioritize projects. Mayor Schielke said the State is also looking to tie in things to economic development on the local

component.

**4. PSEBA Report Extension – HB 2916**

Revising the definition of catastrophic injury in the State’s Public Safety Employee Benefits Act has been

a priority legislative issue for municipal organizations for many years. Two years ago, Senate Republican

Leader Christine Radogno offered to work with municipal groups on the issue. She suggested that they

consider an interim step whereby municipalities would file reports with COGFA on injury benefits paid by

local government employers. The intent being that the data collected would provide justification for revising

the catastrophic injury definition.

That legislation did indeed pass two years ago. The required employer reports were to be filed every three

years beginning in 2015. SB 2916 delays the initial filing until 2016. Mr. Bennett reported that the bill passed

the Illinois House two weeks ago on a unanimous vote. It was heard in the Senate Executive Committee last week and passed 15-0.

**5. Other**

No other legislative issues were raised.

**C. Pension Reform Update**

Mayor Weisner reported on the recent Illinois Supreme Court decision which ruled the benefit reforms

made to the State pension systems to be unconstitutional. The decisions means that any hopes to achieve

significant benefit reforms for the current downstate police and fire systems are pretty much dashed.

Mayor Weisner indicated that the Mayors Pension Reform Working Group which is comprised of Mayors

from across the State will meet soon to affirm the “Plan B” strategy described in Attachment 4. It includes

technical reforms that would likely pass a constitutionality test like amortization modifications and

codifying a 90% funding target. Mayor Weisner also talked about the fund consolidation idea and how it

might now be more attractive given the Supreme Court ruling. However, he noted that legislative support

for it might be weak because of the influence of the police and fire unions which control the makeup of

the current local pension boards.

Claudia Chavez from City of Chicago said that there are clear distinctions between the pension reforms

**MINUTES**

**May 11, 2015**

**Page 5**

**C. Pension Reform Update (cont.)**

The City has pursued and the one the state passed which has been ruled unconstitutional. For example, the

City has increased the employer share as part of the bills it has pursued, something not included in State

legislation. Ms. Chavez also stated that the City would like to move forward with police/fire bill in

conjunction with a revenue option, possibly from a new casino. They hope to do something before May 31.

Mr. Dunn reported that Senate President Cullerton will likely come out with some sort of consideration plan

due to the Supreme Court ruling. The plan may indeed be constitutional, but Mr. Dunn is concerned that the

Senate President cannot get it passed by the scheduled May 31 adjournment date. And even if such a bill

did pass, Mr. Dunn speculated that a lawsuit will be filed challenging its constitutionality.

**D. Local Government & Unfunded Mandates Task Force Update**

Mayor Karen Darch of Barrington provided a report on the work to-date of the Governor’s Local Government

& Unfunded Mandates Task Force. Meetings so far have focused on broad topics and educating members on the structure and function of local governments. Mayor Darch said that the Task Force will likely continue

to meet during the summer.

**V. Policy Area: Housing and Economic Development**

**A. Housing and Community Development Committee 2015 Policy Agenda**

Ms.Allison Clements explained that at the last Executive Board meeting it was noted that the Caucus’

Housing and Community Development Committee approved its “2015 Policy Agenda”. The document

guides the Committee’s future work and priorities. In order for the Caucus to officially adopt the document, all

9 COGs and the City of Chicago must approve it. Thus far, 7 of the 9 COGs and the City have approved it. The remaining COGs have it on their agendas for the coming months and we hope to consider approval at our next Executive Board meeting in July.

**B. Pilot Administrative Hub for Code Enforcement**

Mayor John Ostenburg of Park Forest stated that the Caucus received a National Foreclosure Settlement Fund grant from the Illinois Attorney General’s Office to assist south suburban communities with strategies to

improve the capacity of municipal building departments to stabilize a deteriorating housing stock. As a result

of this work, Chicago Heights, Park Forest, South Chicago Heights and Richton Park have formed a partnership with the South Suburban Mayors and Managers Association (SSMMA) and the South Suburban Land Bank and Development Authority (SSLBDA) to create a regional administrative support center (“Administrative Hub”). The Hub will streamline the enforcement of residential property maintenance codes and increase administrative efficiency across the communities. Ms. Clements noted that there is a potential that other municipalities from different parts of the region could participate in the Hub, and that the Caucus will be exploring this possibility as the project progresses.

Chairman McLaughlin brought up the issue of squatters in his community and how to deal with it. Ms.

Clements said that there hasn’t been too much discussion in Hub meetings, but that she can talk to Ancel Glink

about how to address those issues. Mayor Ostenburg said that the big issue is that the property is not

maintained. The municipality cannot evict squatters. Only the owner of the property can do that.

**VI. Policy Area: Environment**

**A. PJM Capacity Market Rights**

Jeffrey Walter, the Caucus’ Project Coordinator of Environmental Initiatives, explained that the Caucus is

eligible to collect revenue by selling credits associated with the 400 energy efficiency projects funded since

2011 through the Caucus’ Public Sector Energy Efficiency grant program. PJM, the Regional Transmission Cooperative for our region, has created several programs to reduce electrical load during peak hours,

including Demand-Response and the Energy Efficiency Resource (EER) program. PJM is offering EER

**MINUTES**

**May 11, 2015**

**Page 6**

**A. PJM Capacity Market Rights (cont.)**

credits for certain types of energy efficiency projects. The credits can be traded in PJM’s Capacity Market for cash value. Most of the projects funded by the Mayors Caucus are too small to qualify, but can be aggregated together and traded as a collective.

Revenue generated from the credits is not substantial enough to reimburse individual public agencies.

The Caucus would like to use it instead to cover future administrative costs of Caucus grant programs, which

will be of benefit to the entire region. The Caucus has contracted with Encentive, a third party, who will handle the measurement and verification of all project data and sell the credits on behalf of the Caucus. 81 of 96 qualifying public agencies have agreed to participate in this program. The first revenue check is expected this November.

**B. ICC Adopts Final Electric Aggregation Rules**

Mr. Bennett reported that the Illinois Commerce Commission has finally adopted the electric aggregation

Rules after nearly two years of discussions. He indicated that the rules are much improved since the first

Draft and, thus, much more favorable to municipal interests.

**VII. ADA 25 Chicago Task Force**

Jeffrey Walter updated the board on the works of the Mayors Caucus ADA 25 Task Force which is chaired

by Village President Erin Smith of Lakewood. He noted that the Task Force will be distributing a survey to collect Best Practices in Community Inclusion for Persons with Disabilities. Mr. Walter also distributed a handout of upcoming events organized by ADA 25 Chicago, a broad coalition organized by the Chicago Community Trust. A full listing of events can be found at [www.ada25chicago.org](http://www.ada25chicago.org).

**VIII.****Scheduling Next Quarterly Business Meeting**

Chairman McLaughlin talked about scheduling next quarterly business meeting between the end of June and mid-July.

**IX. Other Business**

None.

**X. Next Executive Board Meeting**

Mayor McLaughlin announced that the next Executive Board meeting will be held on Monday, July 13, 2015

at 9:30 a.m. at CMAP’s Offices in the Willis Tower in downtown Chicago.

**XI. Reminder: Horton Group Workshop – Neil Howe on How Demographics Influence Government**

Mayor McLaughlin also reminded members of the Board about the special workshop sponsored by

the Horton Group which will be held this afternoon at McDonald’s Hamburger University in Oak Brook. He encouraged all to attend.to be conducted this

**XII. Adjournment**

Mayor Bennett made a motion to adjourn the meeting and Mayor Schielke seconded. The motion passed unanimously and the meeting adjourned at 10:58 a.m.

Respectfully submitted,

David E. Bennett

Executive Director

***Attachment 2***



**Metropolitan Mayors Caucus**

**Housing and Community Development Committee Policy Agenda**

In 2001, the Housing Task Force of the Metropolitan Mayors Caucus developed its first “Housing Action Agenda” which outlined proactive steps toward the full range of quality housing options for the diversity of households that call this region home. The document was approved by the entire Caucus in 2002 and updated by the new Housing and Community Development Committee in 2011. The Committee’s “Policy Agenda” has been updated again to reflect our current work and priorities.

**Planning for the Future**

The recent housing and economic crisis underscored the importance of housing planning as a tool to address or prevent a serious mismatch between housing supply and demand for people at every stage of the life cycle. Through its *Homes for a Changing Region* project, the Caucus will help communities interested in creating long-term housing policy plans which aim to create a balanced housing stock and serve the needs of all future residents. It will encourage and help identify additional resources to enable municipal leaders to plan for the appropriate mix of housing in their community. The region’s demographics are projected to change substantially through 2040, particularly the senior and immigrant populations. The Caucus will work to create and promote innovative municipal strategies to ensure that all future residents have appropriate housing options across our region.

**Addressing Community Stabilization**

Many municipalities across the Chicago region are still struggling with the aftermath of the foreclosure crisis. Long-term vacancy of residential properties continues to put a growing strain on municipal building departments and threatens the appeal and safety of neighborhoods. In many municipalities, investors are buying up multiple properties in bulk and renting them without making the necessary improvements to the building or responsibly maintaining the property. The Caucus will work with its members to develop training programs and model policies for municipalities that are struggling to stabilize a deteriorating housing stock, and will continue to collaborate with partner organizations on a coordinated regional response to address the full range of issues stemming from the foreclosure crisis.

**Promoting Housing Preservation**

The Caucus encourages municipalities to implement policies to preserve and improve the quality of the local housing stock. Recognizing that much of the affordable housing stock in our region is in older, private sector properties, municipalities are encouraged to focus on code enforcement and rehabilitation. Demand for rental housing has increased since the economic crisis, and the region’s mayors must ensure that the rental stock in local neighborhoods is of good quality and a safe and healthy place for residents to live. The Caucus will work with partners to develop model policies for municipalities that will incentivize responsible landlord behavior and property maintenance. Strategies for both home rule and non-home rule municipalities will be pursued.

**Increasing Capacity through Interjurisdictional Coordination**

Recognizing that housing and community development challenges rarely adhere to municipal boundaries and that municipalities face resource constraints, mayors can also show tremendous leadership by working with their neighboring municipal leaders to collaborate jointly on housing and community development issues. The alignment of housing, transportation and workforce development can often be more efficiently and effectively dealt with on an interjurisdictional basis. The Mayors Caucus will support communities that want to work together on housing and community development issues, investing in needed capacity building and policy incentives. As a part of this work, the Caucus will explore innovative shared staffing strategies to increase municipalities’ capacity to address local housing challenges.

**Demonstrating Leadership**

Metropolitan mayors can show leadership on housing and community development issues beyond the local level in a variety of ways. The Mayors Caucus encourages municipalities to adhere to the principles outlined in *Go To* *2040*, the comprehensive regional plan developed by the Chicago Metropolitan Agency for Planning (CMAP). *Go To 2040* supports investment in existing communities to create opportunities for more compact, walkable, and mixed-use development, with a range of housing options. It provides principles that municipalities can apply when they decide how and where development should happen or which infrastructure investments to make in their communities. The Caucus can encourage state and federal policy makers to support policies that adhere to these principles.

**Education**

Many municipalities across our region are implementing their own innovative strategies to address local housing challenges. The Caucus will share information about regional and national housing best practices with its members through a variety of resources including publications, in-person trainings and online tools. The Caucus will also partake in a broader community education effort through its participation in region-wide networking activities to promote housing that meets the Mayors Caucus Housing Endorsement Criteria.

*The Metropolitan Mayors Caucus’ Housing and Community Development Committee is chaired by Mayor Jeffrey Sherwin of Northlake. Questions about this Policy Agenda should be directed to the Caucus’ Director of Housing Initiatives, Allison Milld Clements at* [*amilld@mayorscaucus.org*](mailto:amilld@mayorscaucus.org) *or (312) 201-4507.*

***Attachment 3***



July 6, 2015

Dear Mayor:

The Metropolitan Mayors Caucus’ Diversity Issues Task Force creates opportunities for elected officials and municipal staff to discuss issues related to cultural and racial diversity across our region. The Task Force recently partnered with the Chicago Metropolitan Agency for Planning (CMAP) and the [Latino Policy Forum](http://www.latinopolicyforum.org/) to create an [Immigrant Integration Toolkit](http://mayorscaucus.org/wp-content/uploads/2014/10/FY14-0100-IMMIGRATION-INTEGRATION-TOOLKIT.pdf). Immigration across our region is increasingly affecting suburban communities and many municipalities are struggling with how to best address the needs of a changing population. The Toolkit is meant to serve as a resource for municipalities that want to be active in immigrant integration activities.

Our Task Force recently met to discuss President Obama’s executive actions on immigration. As a result of that meeting, we have attached three memos in response to the executive actions and other related immigration issues and opportunities to better prepare local municipalities to be more responsive to their constituents. We thought you might find the information helpful to disseminate to your staff.

In November 2014, President Obama announced a series of executive actions on immigration to “*make our immigration system more fair and more just*.” These actions made changes to the enforcement of immigration laws, processing of immigration benefits, and provide temporary protection for certain immigrants. A [summary of the immigration accountability executive actions](https://www.whitehouse.gov/the-press-office/2014/11/20/fact-sheet-immigration-accountability-executive-action) and [the memos issued](http://www.dhs.gov/immigration-action) can be found by clicking these links.

The attached memos provide detailed guidance for local municipalities in three key areas related to the executive action on immigration:

1. Increasing public safety through community policing efforts and the U Visa program
2. Municipalities’ roles in providing documentation and potential support for Deferred Action for Childhood Arrivals (DACA 2012) and preparing for Deferred Action for Parents of Americans (DAPA) and DACA expansion
3. Addressing consumer protections through referral services and fraud prevention

If you are interested in participating in a regular dialogue on these issues with fellow elected

officials, we encourage you or a designated staff member to become a member of the Caucus’ Diversity Issues Task Force. If you have any questions about the materials provided or are interested in joining the Diversity Issues Task Force please contact Allison Milld Clements at [amilld@mayorscaucus.org](mailto:amilld@mayorscaucus.org) or (312) 201-4507.

Sincerely,



President Rodney S. Craig

Village of Hanover Park

Co-chair, Diversity Issues Task Force



Mayor William D. McLeod

Village of Hoffman Estates

Co-chair, Diversity Issues Task Force

**MEMO**

**RE:** Increasing Public Safety by Increasing Community Cooperation and the U Visa Program

**DATE:** July 6, 2015

**TARGET AUDIENCE:** Police Departments, Sheriff Departments, Chiefs of Police

**BRIEF SUMMARY**

Two memos, released as part of the President’s November 2014 executive actions which focused on changes in how the Department of Homeland Security (DHS) pursues immigration enforcement, are titled: *Policies for the Apprehension, Detention and Removal of Undocumented Immigrants* and *Secure Communities.* The changes are reflected in DHS priority categories for detention and deportation of undocumented individuals. The memos also end the Secure Communities program, replacing it with the Priorities Enforcement Program (PEP). PEP continues to rely on fingerprint data submitted during bookings by state and local law enforcement agencies in order to identify those whom DHS wishes to pursue for deportation. Immigration and Customs Enforcement (ICE) has the discretion to pursue deportation of dangerous criminals or national security threats however, traffic-related offenses and other minor criminal offenses that used to produce “ICE Detainers” aka “ICE Hold Orders” by ICE may no longer occur.

The U Visa program was established in the 2000 Victims of Trafficking and Violence Prevention Act. This program was established in order to support law enforcement in investigating crimes as well as providing a mechanism for individuals without proper U.S. legal status who witness or are victims of crime to assist with the investigation of criminal investigations. Applying for a U Visa requires a victim to provide a certification (I-918 Supplement B) from law enforcement that attests to the victim’s assistance with a criminal investigation.

**OPPORTUNITIES FOR MUNICIPALITIES**

Municipalities and law enforcement can lead with efforts to increase community policing strategies and implement policies to build trust and strong relationships between police and the community.

Complexity over immigration law requires extensive training and continuing education. Municipal leaders should use this opportunity to revisit current policies and provide relevant trainings to local law enforcement officers that reflect the new enforcement priorities. In addition, regular testing and auditing of practice will ensure system fidelity. Some municipalities and localities have enacted policies that explicitly limit the interaction between police departments and federal immigration authorities with the express purpose of increasing public safety.

A Police Department’s willingness to review and certify appropriate U Visa I-918B forms provides cooperating crime victims and witnesses a chance to apply for federal immigration relief. Granting of the U Visa does not confer citizenship for the applicant. The I-918B certification is just one element of many that the federal government considers when determining whether or not to grant the visa to an applicant.

Studies[[1]](#footnote-1) have found that there is great variation across localities in the provision of certifications by law enforcement for individuals seeking a U Visa. Moreover, agencies who utilize the U Visa tool regularly have found that it supports public safety and aids in community policing.

**ADDITIONAL INFORMATION**

* Department of Homeland Security Memos: [Policies for the Apprehension, Detention and Removal of Undocumented Immigrants](http://www.dhs.gov/sites/default/files/publications/14_1120_memo_prosecutorial_discretion.pdf) and [Secure Communities](http://www.dhs.gov/sites/default/files/publications/14_1120_memo_secure_communities.pdf)
* [Department of Homeland Security U Visa Law Enforcement Certification Resource Guide](http://www.dhs.gov/xlibrary/assets/dhs_u_visa_certification_guide.pdf)
* [Form I-918 Supplement B, U Nonimmigrant Status Certification](http://www.uscis.gov/sites/default/files/files/form/i-918supb.pdf)
* USCIS: [U-Visa list of qualifying criminal activities](http://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status#Qualifying Criminal Activities)
* USCIS: Training for police departments on the use of U Visa is available to all police departments or designees by the Chief of Police. Contact 312-239-5914 and request a Community Relations Officer assistance for more information on trainings available.

**MUNICIPAL BEST PRACTICES**

Since 2009, the Bensenville Police Department has utilized the U Visa Program through its Community Oriented Police Division in order to increase community collaboration and cooperation with immigrant communities in Bensenville. During this timeframe there was a drop of over 70% in overall crime and over 90% in four buildings that normally experienced the highest police calls. Since 2009, 60% of the calls to the police department are “Crime Prevention” related.

[Village of Bensenville, Community Oriented Police Division](http://www.bensenville.il.us/index.aspx?nid=311)

**MEMO**

**RE:** Deferred Action for Childhood Arrivals (DACA) application documentation and preparation for Deferred Action for Parents of U.S. Citizens and Lawful Permanent Residents (DAPA)/DACA Expansion

**DATE:** July 6, 2015

**TARGET AUDIENCE:** Village/County Clerks, Police Departments, Human Services

**BRIEF SUMMARY of DACA and DAPA/DACA Expansion**

In 2012, President Obama, through the Department of Homeland Security, initiated policy to protect from deportation certain immigrants that arrived in the U.S. as children. Those applicants who qualify are granted a temporary deferment in deportation, are allowed to reside legally in the U.S., can obtain work authorization and, in most states, can be issued a driver’s license. In Illinois, there are 81,000 individuals potentially eligible for DACA, with the largest share of eligible applicants residing in Cook, Lake, Kane, DuPage and Will counties.

As part of the November 2014 executive actions, the pre-existing DACA program was expanded and a new deferred action program, known as DAPA, was created for parents with children who are U.S. Citizens or legal permanent residents. A court injunction in mid-February 2015 blocked the expansion of DACA and implementation of DAPA and both programs continue to be on hold. However, the 2012 DACA program continues to accept applications.

**OPPORTUNITIES FOR MUNICIPALITIES**

Municipalities can play a role in the continued implementation of DACA as well as preparation for the possibility of future DAPA/DACA expansion through four primary ways: 1) Outreach 2) Documentation 3) Education 4) Protection from Fraud

1. **Outreach**. The State of Illinois has hosted meetings with stakeholders to coordinate efforts, share concerns and best practices, prevent misinformation and increase efficiency for DACA implementation. Through active publicity, information dissemination, and hosting events, municipalities can support constituents in finding help for immigration-related questions. Some municipalities have built strong relationships with their local public libraries to host DACA clinics and to train staff to assist with questions and referrals for individuals applying for DACA.
2. **Documentation**. Municipalities play a role in providing DACA applicants with the required documentation needed to apply for the program. This includes items such as proof of continuous residency, utility bills and school transcripts. Applicants have also requested “clearance checks” from municipal governments that assure a clear arrest record for constituents.
3. **Educational Requirements**. Localities can support efforts to ensure applicants are able to meet the DACA program’s education requirements. DACA applicants must be over 15 years of age, have graduated from a U.S. high school, earned a GED or be enrolled in school on the date of application. ESL classes and vocational programs are examples of the types of programs that would enable a person to apply for DACA.
4. **Protection from Fraud**. Immigrants and limited English populations are often the target of fraudulent practices particularly when changes occur in immigration law and practice. Municipalities can provide protection and services to individuals who have witnessed or been a victim of these crimes. Additional resources on how to increase public safety through additional support to immigrant communities can be found in the following “Consumer Protections” memo.

**ADDITIONAL RESOURCES**

* USCIS: [Consideration of Deferred Action for Childhood Arrivals (DACA](http://www.uscis.gov/humanitarian/consideration-deferred-action-childhood-arrivals-daca))
* USCIS: [FAQs on DACA](http://www.uscis.gov/humanitarian/consideration-deferred-action-childhood-arrivals-process/frequently-asked-questions)
* Immigrant Legal Resource Center: [What documentation is required of applicants](http://www.ilrc.org/resources/what-documents-will-i-need-to-apply-for-daca)
* Own the Dream:[**Qualifying Alternative Education Programs (PDF)**](http://www.weownthedream.org/library/attachment.234896)
* iAmerica: Fact Sheet on [Criminal Records](http://iamerica.org/wp-content/uploads/2014/11/Criminal-Record-Request-FINAL.pdf)
* Second Federal: [DACA loan program](https://www.self-helpfcu.org/second-federal/loans/dreamer-loans)
* County Resource Guide:
  + [Kane County](http://www.latinopolicyforum.org/pdfs/Kane-County-Resource-Guide.pdf)
  + [Lake County](http://www.latinopolicyforum.org/pdfs/LAKE-COUNTY-Resource-Guide.pdf)
  + [McHenry County](http://www.latinopolicyforum.org/resources/McHenry-County-Resource-Guide.pdf)
  + [Will County](http://www.latinopolicyforum.org/pdfs/Will-County-Resource-Guide.pdf)

**MUNICIPAL BEST PRACTICES**

Centro de Información in Elgin hosts workshops at Elgin’s Gail Borden Public Library and the Elgin Community College Education & Work Center in Hanover Park that seek to educate the community on DACA information and preparation. In addition, Centro has partnered with Congresswoman Tammy Duckworth, the Village of Hanover Park, Chicago Field Office of USCIS and other local community organizations to provide information on best practices for immigration services including U Visa certification, notario fraud, community policing, etc.

**MEMO**

**RE:** Consumer Protections: Referral Services and Fraud Prevention

**DATE:** July 6, 2015

**TARGET AUDIENCE:** Village/County Clerks, Consumer Protection Divisions/Departments

**BRIEF SUMMARY**

Due to the complexity of immigration law and a lack of high-quality, affordable immigration-related legal services, immigrants and limited English proficient populations are often targets and victims of fraudulent practices when they seek help with immigration matters. When federal or state governments announce a change in immigration benefits (such as the temporary visitor’s driver’s license in Illinois (TVDL) or the DACA program) unscrupulous practitioners have additional opportunities to take advantage of immigrants seeking to understand and apply for potential protections.

Municipalities can support their constituents by providing referrals to credible and reputable legal service providers. In addition, municipal staff can support and encourage witnesses or victims of fraudulent practice to anonymously report these crimes through the appropriate channels.

**IMPLICATIONS FOR MUNICIPALITIES**

Municipalities can provide information and referral services to constituents who need assistance in immigration-related matters such as DACA, state-based initiatives and any future legislation.

1. **Stay Informed.** For up-to-date information on the Immigrant Accountability Executive Action visit: [www.adminrelief.org](http://www.adminrelief.org). This website also provides a search engine to locate free or low-cost nonprofit immigration legal service providers by zip code: <http://www.adminrelief.org/legalhelp/>
2. **Preventing Fraud**. Provide general information to constituents on how to avoid immigration fraud by seeking adequate and reputable legal support. The National Immigrant Justice Center provides tips on how to avoid becoming a victim of this crime: <https://www.immigrantjustice.org/how-avoid-immigration-fraud>
3. **Report Malpractice.** Encourage constituents who have witnessed or been a victim of immigration and/or notario fraud to report it to appropriate agencies. Through its Consumer Protection Division the [Illinois Attorney General](http://www.illinoisattorneygeneral.gov/index.html) accepts consumer complaints from those who have been victimized. In addition, the IL AG office hosts the [Immigrant Assistance Program](http://www.illinoisattorneygeneral.gov/rights/immigrant.html) that aims to “*ensure state government is aware of the needs of Illinois’ immigrant populations*.”

**ADDITIONAL INFORMATION**

* Illinois law regulating the unauthorized practice of immigration law and notary public advertising: [815 Ill. Comp. Stat. 2A](http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2356&ChapterID=67)

**MUNICIPAL BEST PRACTICES**

In 2012, the City of Chicago updated and expanded its municipal code on immigrant services which requires those providing assistance for immigration matters to obtain a regulated business license with the City of Chicago. On March 6, 2013, the City established rules and regulations for immigration assistance providers:

[City of Chicago Business Affairs and Consumer Protection Immigration Assistance Providers Rules and Regulations - March 6, 2013](http://www.cityofchicago.org/content/dam/city/depts/bacp/Rules%20and%20Regulations/immigrationassistanceprovidersrulesregs20130306.pdf)

1. DePaul University Asylum & Immigration Law Clinic. *Unequal Protection:* Disparate Treatment of Immigrant Crime Victims in Cook, the collar counties & beyond. 2015 [↑](#footnote-ref-1)