

14-5643
ORDINANCE

Sponsored by

THE HONORABLE TONI PRECKWINKLE
PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

ASSET MARKETING PROGRAM

BE IT ORDAINED, by the Cook County Board of Commissioners that Part I, General Ordinances, Chapter 2 Administration, Article IV Officers and Employees, Division 8 Internet, of the Cook County Code shall be amended as follows:

Division 8. Internet Advertising and Asset Marketing.

Sec. 2-320. Internet advertising.

(a) Definitions. The following terms used in this section shall have the meanings as set forth below:

Advertising means Internet advertising, which may include, but is not limited to, banners and icons that may include links to commercial and/or noncommercial Internet sites. Internet advertising shall not include "spy-ware", "mal-ware" and/or any "viruses" and/or programs considered to be malicious.

Websites means any current or subsequent sites, websites, Internet pages, and/or web pages of the Offices of the Cook County Assessor, Clerk of the Circuit Court of Cook County and the Cook County Recorder of Deeds, with the respective Internet addresses and/or subdomains of:

www.cookcountyassessor.com;
www.cookcountyclerkofcourt.org; and
www.ccrd.info;

these websites are meant to provide the public with information pertaining to the services offered by each of these offices, including relevant forms and searchable data.

(b) The Cook County Assessor, the Clerk of the Circuit Court of Cook County and the Cook County Recorder of Deeds are herein authorized to place commercial and noncommercial advertising on their respective websites, at their discretion. Each Office may make requests for proposals for the purpose of identifying potential advertisers.

(c) Each Office will identify qualified advertisers and qualified advertising material by reviewing the submissions pursuant to the policy considerations as stated in Exhibit A (the Internet Advertising Guidelines), as amended [initially attached to Ordinance No. 07-O-10]. The guidelines are for the purpose of establishing standards for the acceptance of advertisements for the websites.

(d) Each Office is authorized to enter into agreements with qualified advertisers for the purpose of providing advertising space on their websites and charge a fee for that service. The fee charged shall be based on the contract for services between the respective office and the advertiser.

(e) The websites shall be used exclusively to provide information from the Offices of the Cook County Assessor, Clerk of the Circuit Court of Cook County and the Cook County Recorder of Deeds to the public and shall not be used as a public forum.

Sec. 2-321. Asset Marketing.

(a) Purpose. The purpose of this section is to derive additional revenue or value from assets that are under the authority and control of the President and, in the event that a separately elected official opts to take part in the program, one (1) or more assets under the authority and control of said separately elected official, through commercially and legally available means. This Section establishes minimum standards for asset marketing programs, and will apply to County property, including its website, provided that the proposed use is consistent with the character of County-owned property, serves the public interest, and takes into account the possibility that potential revenue opportunities may increase through the collective or bundled use of particular assets.

(b) Definitions. The following terms used in this section shall have the meanings set forth below:

Asset means tangible and intangible property, information, data, name, mark, space, slogan or other thing which the County owns or has a property interest in and which is legally and commercially capable of being utilized, marketed, or leveraged to yield additional revenue or value for the County.

Advertising Restrictions means the Inappropriate Advertising Examples set forth in the Internet Advertising Guidelines attached to Ordinance No. 07-O-10.

Asset Marketing Committee means a committee comprised of (1) the Chief Financial Officer; (2) a representative of the Cook County Health and Hospitals System (CCHHS) appointed by the Cook County Health and Hospitals System (CCHHS) Chief Executive Officer; (3) no less than two (2) other persons appointed by the Cook County Board President of the County Board; (4) in the event another separately elected official chooses through a Memorandum of Understanding with the Office of the President to participate in the Asset Marketing Program, one (1) person shall be appointed by said separately elected official; and (5) in the event the Forest Preserve District chooses to participate through an intergovernmental agreement with the County accordingly, a person designated by the Superintendent of the Forest Preserve District shall participate on the committee. The Chief Financial Officer or designee shall serve as Chair of the committee.

Asset marketing program means a program through which the County, without relinquishing its ownership interest in any asset, directly or pursuant to a written contract with one (1) or more Program Managers as approved by the County Board, derives additional revenue or value from assets that are under the authority and control of the County and/or President, offices of the separately elected officials or Forest Preserve District, through commercially and legally available means, including affinity programs, product or service tie-ins, points of purchase, franchises, concessions, signage, advertising, corporate sponsorship and the like.

Chief Financial Officer or CFO means the Chief Financial Officer of the County.

Person means any natural or legal person, or any combination thereof.

Program Manager means a person selected under the provisions of the Cook County Procurement Code and which, pursuant to contract approved by the County Board, develops, implements, and manages one (1) or more asset marketing programs developed pursuant to this Section.

Program Participant means a County entity or agency that participates by agreement in any aspect of an asset marketing program and receives revenue or other value as a result participation in the asset marketing program.

(c) The Chief Financial Officer may directly or with the support of a Program Manager, develop and implement one (1) or more Asset Marketing Programs, provided that each program:

- (i) Is developed, implemented, and managed at no or *de minimus* cost and financial risk to the County;
- (ii) Ensures that the County derives the greatest possible financial and reputational benefit from the program;
- (iii) Complies with Advertising Restrictions, relevant legal requirements, and such written rules, guidelines, principles, policies, procedures, and additional restrictions on advertising as are promulgated by the Asset Marketing Committee, in accord with best practices.
- (iv) With respect to an asset under the control or authority of the County or President or another separately elected official, is subject to the approval of the Asset Marketing Committee as to assets utilized, messaging, content, form, location, materials and such other requirements as are established in written policies and procedures promulgated by the Asset Marketing Committee;
- (v) Is subject to certain and strict controls and oversight regarding timely disbursement of proceeds to the County, auditing and accounting, quality assurance, customer service, public relations, programmatic reporting, and such other controls as are identified by the Chief Financial Officer; and
- (vi) Is subject to procedures established by the Director of Contract Compliance to ensure, to the fullest extent possible, the participation of MBEs, WBEs and VBEs as program participants.

(d) Any proposal to utilize an asset to gain revenue or value for the County outside of the Asset Marketing Program shall be presented to the Asset Marketing Committee for review and recommendation no less than 90 days prior to submission to the County Board or the relevant official for approval.

(e) The Asset Marketing Committee is authorized to promulgate rules, policies, procedures, restrictions and guidelines relating to the administration of this Section.

(f) The Chief Financial Officer shall file with the County Board a report on the status and results of the corresponding asset marketing programs, which report shall include detailed information regarding revenue receipts and disbursements, audits, customer and taxpayer response and the participation of MBEs, WBEs, and VBEs/SDVBEs on an annual basis.

Secs.2-3212-2.329.Reserved.

Effective date: This Ordinance Amendment shall be in effect Immediately upon adoption.

Approved and adopted this 19th of November 2014.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk