

# BOARD OF ETHICS

## Open Session Minutes

November 17, 2010 - 3:06 p.m.  
740 North Sedgwick, Suite 500

### **Board Members Present**

Tiffany Chappell Ingram  
Eileen Libby  
Thomas McCarthy  
Michael F. Quirk  
Lisa M. Taylor  
John L. Wilhelm, M.D.

Miguel A. Ruiz, Chair (Absent)

### **Staff Present**

Steven I. Berlin, Executive Director  
Richard J. Superfine, Legal Counsel  
Courtney L.D. Kimble, Attorney/Investigator  
Pully Casillas, Staff Assistant

After a quorum of Board members (Miguel A. Ruiz, absent) assembled, the members present elected Michael Quirk to act as Chair *Pro Tem* for the November meeting of the Board of Ethics.

### **I. Approval of Minutes**

The Board VOTED 6-0 (Miguel A. Ruiz, absent) to approve the Open Session Minutes of the September 15, 2010 meeting. The October 27, 2010 meeting was canceled due to a lack of a quorum.

### **II. Chair's Report**

None.

### **III. Executive Director's Report**

#### **A. New Board Member Nominees**

On behalf of all of the staff members, I am pleased to announce and welcome our two newest Board members, who were appointed by the Mayor and confirmed by the City Council on November 3: Tiffany Chappell Ingram and Eileen Libby, both attorneys. We look forward to working with them.

#### **B. Education—Classes**

Since the last meeting, staff has conducted 4 classes for those required to attend, on September 23, October 7, October 21 and November 4. A total of 112 employees attended. There are currently 85 scheduled for classes on November 18, and December 2 and 16. The schedule for 2011 classes has also been set and made available on the web.

On September 20, October 18 and November 15, our Attorney/Investigator made presentations at New Employee Orientation. About 100 employees attended these sessions.

On September 24, staff presented the third of four classes to about 235 Department of Aviation contractors at O'Hare, at the request of the Commissioner of Aviation. The last of these sessions will be held at O'Hare on December 10.

On October 15, at the request of the Mayor's Office, staff made a 60 minute presentation to a delegation of anti-corruption attorneys from the Republic of Pakistan.

On October 25, at the request of the Department of Community Development, Legal Counsel served as a panelist at a 2 ½ hour seminar for delegate agencies, speaking on lobbying, gifts and conflicts of interests.

On November 12, at the request of the Committee's Chair, the Executive Director made a 45 minute presentation as the featured speaker at the CBA's Election Law Committee's monthly meeting.

Tomorrow, November 18, staff will make a 1 hour presentation to employees of the law firm of Linebarger, Goggan, Blair & Samson, a City contractor (a collections law firm).

**C. Education—Mandatory Annual Ethics Education**

I'm pleased to announce that, to date there are 33,540 employees scheduled for 2010, and approximately 31,913—or 95%—have completed their requirement. To date, 14 aldermen have completed the 2010 program.

As to annual required lobbyist training, to date, 75 lobbyists have completed the program—about 13% of the expected total.

On November 4, staff sent out the Board's annual guide to gift-giving and acceptance, aka the "Scrooge's Guide to an Ethical holiday season." It was sent to all City employees and officials with City email addresses.

**D. Statements of Financial Interests**

To date, there remain 3 employees and 7 appointed officials who have yet to file their 2010 forms as required by law. We are at 99.98 % compliance. There will be more on these individuals in closed session.

To date in 2010, the office has collected \$12,060 late filing fees.

I am pleased to report that 10,571 2010 Statements of Financial Interests have been posted on our website, with a search engine, as with the 2009 forms.

Staff is working diligently on the on-line filing, retrieval, and data processing system for Statements of Financial Interests. The project is now well into the user testing phase.

**E. Candidates**

Given the large number of candidates who have declared and are likely to declare their candidacy for elected City Office, staff has posted detailed information regarding the Campaign Financing Ordinance on our website, and delivered 550 Candidate's packets to the Chicago Board of Election Commissioners, whose personnel are distributing them to candidates and their representatives as they file their petitions.

To date, we have received 129 candidates' forms, plus one request for an extension. All these forms are open for public inspection as well, and will be posted on our website, according to the protocol to be discussed later in Open Session.

Next week, staff will receive from the Chicago Board of Election Commissioners a list of all candidates who filed petitions for elected City office, and will send written notification to those who haven't filed their Statements of Financial Interests of the requirement to file.

**F. Lobbyist Registration**

There are currently 555 lobbyists that have registered with the City for this year. To date, \$285,425 in lobbyist registration fees have been deposited with the Department of Revenue.

On or around December 20, staff will send email reminders to all registered lobbyists about the 2011 registration year, and links to the forms. All lobbyists must register annually by January 20, or within 5 days of engaging in lobbying activity.

**G. Illinois Freedom of Information Act**

Since the last regularly scheduled Board meeting, the office has received 11 new requests under the Freedom of Information Act. These comprised 2 requests for 48 lobbyists' filings for the years from 2003-2010, and 9 requests for 329 statements of

financial interests for employees or officials and 445 candidates for City office. This all resulted in the production of 247 filed records and copying of 487 of the pages from those records, including 158 complete records.

**H. 2011 Budget**

The Board's hearing before the City Council's Committee on Budget and Government Operations was held on October 21, and approved today. A copy of the Mayor's recommendation for our office is available for your review.

**I. 2010 COGEL (Council on Governmental Ethics Laws)**

From December 5 through 8, the Executive Director will be attending the 32<sup>nd</sup> annual COGEL Conference in Washington DC.

**IV. Old Business**

None.

**V. New Business**

**J. Posting Candidates Statement of Financial Interests Forms**

At the September meeting, Board and staff discussed the possibility of posting on the agency's website copies of all Statements of Financial Interests filed with it by candidates for elected City office in the February 2011 election, and that staff would develop a protocol for posting these forms. Staff reported that it is able to post forms on the 30<sup>th</sup> of November, and then again on the 15<sup>th</sup> and 31<sup>st</sup> of December, with language on the search engine explaining the filing requirements. Staff recommended that the Board direct that the agency post already-filed forms as soon as possible. The Board VOTED 6-0 (Miguel A. Ruiz, absent) to approve staff's recommendation, and directed staff to begin posting filed forms accordingly.

The Board VOTED 6-0 (Miguel A. Ruiz, absent) to adjourn into Executive Session at 3:29 p.m. to review matters concerning the conduct of employees and officials of the City that could result in their discipline or dismissal, to review questions concerning matters of professional ethics and performance, to review matters in which litigation is ongoing, and/or to review matters in which the Board finds that litigation against or affecting the Board is probable or imminent.