

Board of Ethics

Open Session Minutes

August 24, 2011 - 3:02 p.m.
740 North Sedgwick, Suite 500

Board Members Present

Miguel A. Ruiz, Chair
Tiffany Chappell Ingram
Eileen Libby
Lisa M. Taylor
John L. Wilhelm, M.D.

Thomas Mc Carthy (Absent)

Staff Present

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

I. Approval of Minutes

The Board VOTED 5-0 (Thomas Mc Carthy, absent) to approve the Open Session Minutes of the July 20, 2011 meeting.

II. Chair's Report

III. Executive Director's Report

A. Education—Classes

Since the last meeting, staff has conducted 2 classes for those required to attend. On July 28, 14 attended, and on August 11, 2 attended. There are currently 16 scheduled for class on August 25 and 19 on September 8.

At the request of the Mayor's Office, staff made a 60 minute presentation to a delegation of 13 officials from Vietnam, on July 22. On August 29, staff will make a presentation to a visiting delegation of 8 officials from Thailand, and on September 23, to a visiting delegation from Ukraine.

On July 22, we conducted a class for the alderman and 9 staff members from the 43rd Ward; and on August 25 and 26, will conduct classes for the 45th, 1st and 46th Wards.

On August 1, at the request of the Commissioner, staff conducted a 30 minute presentation to all 54 employees of the Department of Cultural Affairs and Special Events.

On August 30, staff will conduct a 90 minute training class for the staff and directors of HACIA, the Hispanic American Construction Industry Association, at the request of its Executive Director and General Counsel.

On September 7, the staff will conduct a 90 minute training session for the staff of a delegate agency that was the subject of a report by the Inspector General's Office, at the request of the Chief Procurement Officer.

Also, I'm pleased to report that, at the request of the Mayor's Office, World Chicago, and the U.S. Department of State, the Board of Ethics will be hosting, as part of the State Department's Legislative Fellows Program, an official from the Republic of Georgia, Georgi Bolkvadzhe, serving as a Chief Specialist for Public Integrity for the City of Tbilisi. He will be working with us from September 20 through October 13. There is the possibility that one of us from the Board of Ethics will be allowed reciprocal travel to Tbilisi, to spend several weeks there and bring our practices back to Georgia.

B. Education–Mandatory Annual Ethics Education

To date, approximately 7,615 employees have completed the program, and another 191 are in process. No aldermen have yet begun their program.

To date, 550 lobbyists have completed the program (a 99% completion rate), and there remain 4 outstanding. Staff continues with its blitz to reach 100% compliance.

C. Statements of Financial Interests

To date, 14,665 employees and officials have filed 2011 Statements of Financial Interests. There remain just **44** employees and appointed officials who were required to file by May 31 but who didn't; they will be the subject of an agenda item in closed session. We have collected approximately \$9,780 in late filing fees. We are thus at 99.7% compliance. Despite the media reports that appeared on August 10, I am pleased to inform you that there remain a tiny fraction of CPD non-filers (4 out of more than 1,200). We will now send out reminders on the 25th of each month to all persons required to file but who have not. Because of the confusion surrounding the emails that many, many CPD filers claimed they never received, I made the decision to waive late fees for those who said they did not receive our emails. I estimate that this means a waiver of about \$24,000 in late fees. City-wide, there remain an additional 125 individuals who have been recently notified of their requirement to file but who have not yet filed.

D. Lobbyist Registration

There are currently **568** lobbyists registered with the City (including 14 who have registered since July 1). To date, \$287,875 in lobbyist registration fees have been deposited with the Department of Revenue. The semi-annual lobbyist activity report filings were due July 20; as required by law, on August 5, 48 lobbyists were notified by certified mail of their failure to file activity reports as required. To date, there remain 9 non-filers and 10 lobbyists whose filing remain deficient and incomplete.

E. Lobbying and Other Ethics Ordinance Amendments

After two days of hearing my testimony before the City Council's Rules Committee, the City Council on July 28 passed the Mayor's ethics reform package. In general, it changes the definition of lobbyist to include paid employees lobbying on behalf of non-profits with for-profit members, changes the frequency of the required filing of lobbyist activity reports from semi-annual to quarterly, adds lobbyists to those subject to the \$50/\$100 gift limits, and codifies the 2-year lobbying bans that the Mayor had enacted in Executive Order 2011-1 (it explicitly excludes City Council members and staff). A copy of these amendments is available and has been posted on our website, with an explanation.

F. Ethics Pledges

I am pleased to report that we are now 100% compliant with the requirement that Shakman-exempt employees and Mayoral appointees file Ethics Pledges, as required by Executive Order 2011-1 (and, as of September 8, 2011, by new § 2-156-015 of the Ordinance). It is a total of 579 documents. We are making arrangements to post a searchable list of all filers on our website.

G. Illinois Freedom of Information Act

Since the last regularly scheduled Board meeting, the office has received 21 new requests. Fourteen were for lobbying records between the years 2001-2011, 3 for statements of financial interests varying between 2004-2011, 1 for aldermanic disclosures, 1 for property code violations, 1 for records dealing with "Zionist dominance over America," and 1 for complaints and their dispositions filed against aldermen between 2007 and the present. The property code, aldermanic disclosure, Zionist dominance and one lobbyist filing requestors were advised that this agency had no responsive records. The other requests resulted in the production of 228 records and copying of 88 pages from 8 of those records. Staff is preparing a response with respect to a request for digital statements of financial interests filed by all CPD personnel.

IV. Old Business

None.

V. New Business

None.

The Board VOTED 5-0 (Thomas Mc Carthy, absent) to adjourn into Executive Session at 3:19 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.