

Board of Ethics

Open Session Minutes

December 14, 2011 - 3:12 p.m.
740 North Sedgwick, Suite 500

Board Members Present

Miguel A. Ruiz, Chair
Tiffany Chappell Ingram
Thomas Mc Carthy
Lisa M. Taylor
John L. Wilhelm, M.D.

Eileen Libby (Absent)

Staff Present

Steven I. Berlin, Executive Director
Richard J. Superfine, Legal Counsel
Pally Casillas, Staff Assistant

Attendee Present

Faisal Khan, Legislative Inspector General

The Executive Director introduced Mr. Faisal Khan, the City's new Legislative Inspector General. Mr. Faisal Khan gave the Board background history of himself.

I. Approval of Minutes

The Board VOTED 4-0 (Lisa M. Taylor and Eileen Libby, absent) to approve the Open Session Minutes of the November 16, 2011 Board meeting.

Lisa M. Taylor joined the meeting in session at 3:17 p.m.

II. Chair's Report

The Chair reported that recently there have been several unfavorable stories in the media. He stated that he wrote and sent a letter to the editor with respect to these stories, and the letter was printed in the December 10, edition of the Tribune.

III. Executive Director's Report

A. Education—Classes

Since the last meeting, staff has conducted 3 classes for those required to attend. A total of 38 persons attended. There are 14 persons scheduled for class tomorrow, December 15. We will post the class schedule for 2012 soon.

At the request of the Chief Procurement Officer, staff conducted two classes for vendors: on November 18 and 30. A total of 86 persons attended.

B. Education–Mandatory Annual Ethics Education

To date, approximately 28,800 employees and 20 aldermen have completed the program, and another 1371 are in process. This is about 90% compliance—the current expected total is 31,860.

The 2011-2012 lobbyist program has been completed and posted. Lobbyists are being informed over the next few days.

C. Statements of Financial Interests

14,839 employees and officials have filed 2011 Statements of Financial Interests. There remains just 1 person required to file by May 31 but who didn't—a 99.99% compliance rate. He was found in violation of the Ordinance by the Board. There are also 149 newly added to the list of those required to file a 2011 form.

We have been meeting with our consultants and will be implementing a series of enhancements to our on-line filing system for Statements of Financial Interests, based on the first year's experience in administering the system. These enhancements will be ready for the 2012 filing year.

D. Lobbyist Registration

There are currently **646** lobbyists that have registered with the City for this year. To date, \$331,700 in lobbyist registration fees have been deposited with the Department of Revenue. There are no lobbyists with deficient filings.

E. E-Lobbying RFP

Responses are due December 15; we have a review meeting on December 16. A vendor conference was held on November 21. This is exciting.

F. Illinois Freedom of Information Act

Since the last regularly scheduled Board meeting, the office received 1 new request under the Freedom of Information Act, for all lobbying records for one lobbyist for 2004-2011. This resulted in production of 2 records and copying of 46 pages from those records.

G. Sister Agency Ethics Officers' Consortium

On December 12 ,we had the first of what will be regular, monthly meeting with our ethics counterparts at the CPS, City Colleges, CTA, and CHA. Our goal is to discuss ongoing legal issues, managerial and technology strategies, and common challenges. The two issues discussed included political activity and use of government property for political purposes, and how best to handle complaints and what standards are used to commence an investigation.

H. Staffing

We also look forward to hiring our Deputy, though we have not been given the final authority to extend to her a formal offer. The posting for the attorney/investigator position closed yesterday, having been open for 14 days. Our DHR recruiter said that there are approximately 50 applicants who meet the posting criteria. She is currently scoring them and will send us a referral list probably by week's end.

I. Legislative Inspector General

It is my pleasure to introduce Faisal Khan, the new Legislative Inspector General. We are working with him on his rules and regulations, and will be amending ours.

J. Incorporation of Law Compliance Functions

We are working with the Mayor's Office in reviewing ongoing Law Compliance projects, so that we understand what is expected and will be able to start them when at full staff. I am in the process of scheduling several meetings prior to our Deputy's start date.

K. Ethics Ordinance/EDS Amendments

We have not yet met with the Mayor's Ethics Task Force, chaired by Cynthia Canary. I have spoken with personnel from the Illinois Campaign for Political Reform (of which she was immediate past Executive Director), and the Better Government Association. We have prepared versions of both Ordinance showing all historical changes: the GEO having been amended 19 times, the CFO 6 times, since 1987.

L. Possible amendments to the Illinois Governmental Ethics Act

At Lt. Gov. Simon's request, I submitted suggestions to her revision committee about the state's ethics form, the "Statement of Economic Interests" (which 3,000 City personnel file every year), which has never been amended. The committee next meets on January 13.

M. COGEL Annual Conference

I attended the 33rd annual COGEL (Council on Government Ethics Laws) Conference in Nashville at the Vanderbilt University Law School from December 2 through 7. I had the opportunity to speak with ethics, lobbying, campaign financing and foia regulators and private counsel from other cities, states and the federal government. I am also going to be on the Members' Consultative Group for the upcoming volume entitled Principles of Government Ethics Law, to be published by the American Law Institute.

IV. Old Business

None.

V. New Business

None.

The Board VOTED 5-0 (Eileen Libby, absent) to adjourn into Executive Session at 3:56 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.