

Board of Ethics

Open Session Minutes

June 27, 2012 - 3:04 p.m.
740 North Sedgwick, Suite 500

Board Members Present

Eileen Libby
Thomas Mc Carthy
Lisa M. Taylor
John L. Wilhelm, M.D.

Miguel A. Ruiz, Chair (Absent)
Tiffany Chappell Ingram (Absent)

Staff Present

Steven I. Berlin, Executive Director
Lisa S. Eilers, Deputy Director
Richard J. Superfine, Legal Counsel
Ana Collazo, Investigator
Pully Casillas, Staff Assistant

Visitor Present

Debra Daniel Hall, North Park UNI Student: (Government major) and her daughter Sheena Daniel

After a quorum of Board members (Miguel A. Ruiz and Tiffany Chappell Ingram, absent) assembled, the members present elected John L. Wilhelm to act as Chair *Pro Tem* for the June 27, 2012 meeting of the Board of Ethics.

I. Approval of Minutes

The Board VOTED 4-0 (Miguel A. Ruiz and Tiffany Chappell Ingram, absent) to approve the Open Session Minutes of the May 3, 2012 meeting.

II. Chair's Report

None.

III. Executive Director's Report

A. Education—Classes

Since the last board meeting, staff has conducted 4 regularly scheduled classes: on May 9 and 23 and June 6 and 20. A total of 49 City employees and officials attended. On May 21, staff presented a 60 minutes class to the Chairs of 17 of the City's 35 SSAs and the Executive Directors of their service providers—this is at the recommendation of the Board and the request of the Department of Housing and Economic Development. The second and third classes are scheduled for July 21 and 24. On May 23, staff made a presentation to a visiting delegation of 12 officials from Ukraine, and will make another such presentation on June 29. On July 2, staff will make a 60 minute presentation to the 16 Mayoral Fellows, and on July 12, a presentation to HACIA—the Hispanic American Construction Industry Association.

B. Education–Mandatory Annual Ethics Education

As of today, approximately 13,052 City employees have completed the program. We are thus at about 42% compliance.

480 registered lobbyists have completed the 2011-2012 program; we are at 74% compliance. All need to complete it by June 30, 2012. Staff has made a concerted effort to reach all non-complying lobbyists by telephone. Names of all non-complying lobbyists will be brought to the board at its next meeting for a determination that they violated the law.

C. Lobbyists

To date, we have received and processed 652 lobbyist registrations, and have collected \$313,650 in registration fees. All lobbyists have been sent notice via email of the upcoming activity report filing deadline of July 20. Note: this is the last time lobbyists will be filing a semi-annual report; henceforth, beginning October 20, all reports will be filed quarterly.

D. Statements of Financial Interests

To date, 13,135 employees and officials have filed their statements in compliance with the law. We have collected \$14,020 in late filing fees for 2012. There remain 766 who have yet to file. Investigations of all non-filers will be commenced, and their names brought to the Board at its next meeting for a determination that they have violated the law.

E. Sister Agency Ethics Officers' Consortium Working Group

On June 26, we had our regular meeting with the ethics officers from CPS, Park District and CHA regarding issues of common concern.

F. Ethics Ordinance Amendments

We expect that the Mayor's Ethics Reform Task Force will issue Part II of its Report by the end of July. In the meantime, the Mayor submitted his first package of amendments to the Governmental Ethics and Campaign Financing Ordinances on June 6. It is still in committee, and we expect it to be presented to the full Council at the July 25 meeting. Highlights include: mandated creation of departmental and aldermanic ethics officers and our annual training of them; additions of brother- and sister-in-law to the definition of "relative"; a duty to report corrupt or unlawful activity; whistleblower protection; modification of the definitions of "economic" and "financial" interests into one term with an ownership threshold of \$1,000; a prohibition on negotiating future employment with a person with a matter pending before the employee or official; a 2 year reverse revolving door restriction; clarification of the prohibited political activities section; a prohibition on all gifts from any single source of \$50 or more (except gifts from relatives or personal friends); a prohibition on honoraria; approval by and disclosure to

the Board of Ethics of travel expenses relating to a public or educational purpose; codification of the restrictions on employee-to-employee gifts; annual training for all aldermen, their staff, all officials, and employees of non-profit organizations created by the City (such as the Infrastructure Trust); training to all departing employees; changes to the criteria as to who shall file statements of financial interests, leaving it largely within the Board's discretion; disclosure of boards served on; relatives who are lobbyists or City contractors; aldermanic filings with the Board; semi-annual reports from the Board; electronic newsletters; and last, fines: between \$200 and \$750 for failing to complete training, \$250 for failing to file statements of financial interests—and the Board shall make public the names of those who failed to file on time; between \$1000 and the higher of \$5000 or 3 times the amount of the improper contribution for anyone who knowingly solicits or accepts an improper political contribution; and fines for other violations between \$500 and \$2000.

G. Budget

We will submit our budget on July 11. We anticipate no significant changes from our 2012 budget, which is just over \$802,000.

H. Illinois Freedom of Information Act

Since the last regularly scheduled Board meeting, the office has received 34 new requests under the Freedom of Information Act, comprising 33 requests for 467 lobbyist records for 44 lobbyists covering years from 2005-12; and 1 request for 6 statements of financial interests for 6 candidates to elected office. This agency produced 467 lobbyist records and made 3,828 copies; and produced 6 statements of financial interests and made 6 copies.

I. Mission to Tbilisi

The Executive Director returned from Tbilisi on June 23, having traveled there on State Department business. His trip was most interesting, and he met with dozens of governmental officials from the Georgian Federal Government (including their election and campaign financing investigations commission), and officials and mayors from 4 cities: Tbilisi, Rustavi, Kutaisi and Batumi.

IV. Deputy Director's Report

J. Compliance Matters

I have been conducting ongoing training sessions along with staff from the Department of Human Resources regarding the Illinois Identity Protection Act for purposes of training those City employees who have access to Social Security numbers [SSNs] in the course of their work. The Act requires that state and local government agencies develop and implement policies and procedures to ensure the protection of the confidentiality of SSNs.

V. Old Business

None.

VI. New Business

None.

The Board VOTED 4-0 (Miguel A. Ruiz and Tiffany Chappell Ingram, absent) to adjourn into Executive Session at 3:32 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.