

CHICAGO BOARD OF ETHICS

OPEN SESSION MINUTES

June 24, 2015, 3:04 p.m.

740 North Sedgwick, Suite 500
Chicago, IL 60654

BOARD MEMBERS PRESENT

Stephen W. Beard, Chair
Russell F. Carlson
Mary T. Carr
Frances R. Grossman
Dr. Daisy S. Lezama

STAFF PRESENT

Steven I. Berlin, Executive Director
Richard J. Superfine, Legal Counsel
Ana Collazo, Attorney Investigator
Edward Primer, Program Director
Pully Casillas, Staff Assistant

I. APPROVAL OF MINUTES

The Board VOTED 5-0 to approve the Open Session Minutes of the May 27, 2015 meeting, as amended.

II. CHAIR'S REPORT

None

III. EXECUTIVE DIRECTOR'S REPORT

A. Board Members

There are indications from the Mayor's Office that an appointment of two new members is imminent.

I am also pleased to announce that Pastor Mary Carr has been re-appointed for a full 4-year term, expiring July 31, 2019.

B. Education-Classes

Staff continues to work with the Department of Innovation & Technology ("DOIT") to replace the system for scheduling people for 4-year classes. The requirements document was submitted to DOIT in early May, and we met with the programmers on June 8 and

will again meet with them on June 29. We aim to have the new system running by the end of 2015.

Twelve employees attended classes May 28 and June 9; nine (9) are scheduled for class on July 7.

On June 4, the Executive Director participated in a panel discussion on Ethics for Government Attorneys, together with representatives from the Attorney Registration and Disciplinary Commission and the John Marshall Law School.

On June 10, staff conducted a class for the 48th Ward staff, and on June 26 will conduct a class for the 15th Ward.

On June 23, staff conducted a program for senior City Council staff (especially Chiefs of Staff). 50 employees attended.

On July 13, staff will host a delegation of anti-corruption officials from Kyrgyzstan.

The Executive Director was invited to serve as a panelist on organizational ethics at the Annual Meeting and Conference on Teaching and Learning of the American Accounting Association in Chicago. The presentation would be on Sunday, August 9.

Staff is scheduling several classes for all other City Council staff employees and independent contractors.

C. On-line Training

To date, 497 lobbyists have completed the 2014-2015 lobbyist program. Their deadline is June 30. Reminders were sent on June 1 and June 15.

To date, 14,250 employees have completed the 2015 mandatory education program. Their deadline is December 31, 2015. Staff released a DVD version of the training to those departments that have requested it, to enable them to ensure that employees without computer access complete the training by the deadline. The aldermanic version will be released in August.

D. 2015 Statements of Financial Interests

To date, all but one (1) employee and six (6) appointed officials required to file their 2015 Statements of Financial Interests by June 1 have filed. As per the Ordinance, the Executive Director has determined that 31 employees and 34 appointed officials violated the Ordinance by failure to file by that deadline. Of these, 4 were assessed fines of \$250 per day, and the remaining seven (7) non-filers continue to accrue a \$250 daily fine. Staff notified all late filers and will notify their department heads (and the Office of Legislative Counsel and Governmental Affairs) next week. The names of all filers determined to have violated the Ordinance will be posted on the Board's website beginning on July 1.

E. Ongoing Investigative Record

We continue to post, on the Board's website, the ongoing investigative record, showing the status of every completed investigative report brought to the Board by both inspectors general since January 1, 2012, and the status of every petition to commence an investigation brought to the Board by the Legislative Inspector General. The record is consistent with the confidentiality provisions of the Ordinance.

F. Lobbyists-regulation and enforcement

Currently, 575 lobbyists are registered for 2015, and the agency has collected \$297,751 in lobbyists' registration fees. On June 23, we sent notices reminding lobbyists of the upcoming July 20 deadline to file their quarterly reports.

G. Lobbyists—Inspector General Audit

The auditing personnel in the IG's office met with staff on June 11, and are nearing completion of their tentative audit report. They presented their tentative conclusions. Some included helpful suggestions, others would appear to require amendments to the Ordinance, and still others appear to be based on a reading of the Ordinance with which professional staff disagrees.

H. Summer Student Interns

We are pleased that we will be hosting two high school students, one in an unpaid and the other in a paid internship, beginning June 29 and July 6, through August 7. Our paid intern is participating through a program that is managed by ASPIRA, Inc. of Illinois, which is our Board member Daisy Lezama's employer; our unpaid intern is participating through the City's Department of Human Resources.

I. Proposed Amendments to the Ordinance

At last week's City Council meeting, a package of amendments to the Ordinance was submitted to the City Council. If necessary, the Executive Director will appear before the Council's Committee on Rules & Ethics to answer questions about the proposal, prior to the next City Council meeting, scheduled for July 29.

J. Advisory Opinions

Since the May 2015 meeting, the agency has issued 307 confidential informal advisory opinions (in addition to those formal opinions issued or approved by the Board).

- The leading categories in this period (in descending order) were: travel, gifts, the reverse revolving door, post-employment, and lobbying.
- 49% of these were from City employees in administrative or management positions, 13% from non-administrative or managerial employees, 18% from lobbyists, 1% from City other government agencies, 4% from department heads,

7% from City elected officials (or aides calling on their behalf), 6% from City appointed officials, and the remainder from members of the public, vendors, and the media.

- 52% came via email; 47% via telephone; the remainder via walk-ins.
- Employees or officials from nearly every City department (including the City Council) are represented, with the most numerous ones, in descending order, coming from employees or official in: City Council, Office of the Mayor, Chicago Public Library, Public Health, Police, Law, and Buildings.

Staff met with programmers from the Department of Innovation & Technology on June 17 regarding a on a “beta” version of a secure, searchable database for all such informal advisory opinions. This will enable Board staff to receive instantaneous reports of opinions issued by topic, department, title, date, etc. We will test this version beginning in early July. It is being developed without additional cost to the City or the Board.

K. 2016 Budget

The agency’s 2016 budget appropriation request is due on July 10. We anticipate no increases from last year’s budget, and are looking at ways to cut the non-personnel budget by several thousand dollars. The agency’s 2015 appropriation is \$798,000.

L. Freedom of Information Act

Since the last regularly scheduled Board meeting, the office has received one (1) new request under the Freedom of Information Act. It sought seven (7) named FOIA requestors’ FOIA requests on certain dates to the Board, and our responses. We located responsive records, and, after making required redactions (on the advice of the Law Department), sent the responsive records to the requestor.

IV. OLD BUSINESS

None

V. NEW BUSINESS

None

The Board VOTED 5-0 to adjourn into Executive Session at 3:10 p.m. under: (i) 5 ILCS 120/2(c)(1) to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity; and (ii) 5 ILCS 120/2(c)(4) to hear and discuss evidence or testimony in closed hearing as specifically authorized pursuant to Governmental Ethics Ordinance Section 2-156-385 and the Board’s Rules and Regulations, 4-1 and 4-5, as amended, effective October 23, 2014, presented to a quasi-adjudicative body, as defined in the Illinois Open

Meetings Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning.

At 4:50 p.m., the Board VOTED 5-0 to reconvene into open session.

VI. MATTERS CONSIDERED AND ACTED UPON BY THE BOARD IN EXECUTIVE SESSION

I. APPROVAL OF EXECUTIVE SESSION MINUTES IN OPEN SESSION

The Board approved the Executive Session minutes of the May 27, 2015 meeting by a VOTE of 5-0.

II. CASES

Office of Legislative Inspector General

Consideration of a Petition to Initiate an Investigation Pursuant to §2-55-080(b(ii))

Case No. 15036.OLIG [2014OLIG0044]

The Board VOTED 5-0 to grant the Legislative Inspector General's petition to initiate an investigation on the matter presented by him to the Board.

III. OTHER BUSINESS

The Board and staff discussed the Pending Case list.

At 4:43 p.m., the Board VOTED 5-0 to adjourn the meeting.