

Board of Ethics
Open Session Minutes
Special Meeting

January 25, 2017, 1:05 p.m.
740 North Sedgwick, Suite 500

BOARD MEMBERS PRESENT

William F. Conlon, Chair
Nancy C. Andrade
Mary T. Carr
Frances R. Grossman
Dr. Daisy S. Lezama

STAFF PRESENT

Steven I. Berlin, Executive Director (Teleconferencing in from out-of-town)
Richard J. Superfine, Legal Counsel
Ana Collazo, Attorney Investigator
Pully Casillas, Staff Assistant

BOARD MEMBERS ABSENT

Zaid Abdul-Aleem
Stephen W. Beard

MEMBER OF THE PUBLIC PRESENT

Michael Graham, Project Six
Orlando Ortiz, Project Six

The Board's guests introduced themselves.

I. APPROVAL OF MINUTES

None

II. CHAIR'S REPORT

None

III. EXECUTIVE DIRECTOR'S REPORT

None

Member Nancy C. Andrade joined the meeting at approximately 1:07 p.m.

IV. OLD BUSINESS

None

V. NEW BUSINESS

None

VI. PRIOR BOARD MEETING'S EXECUTIVE SESSION MINUTES

None

VII. CASEWORK

A. LOBBYING

1. Case No. 17005.LOB, Lobbying

This matter was deferred for consideration in consideration in executive session.

At 1:07 p.m., the Board VOTED 5-0 (Zaid Abdul-Aleem and Stephen W. Beard, absent) to adjourn into Executive Session 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; (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 Sections 2-156-385 and -392, and the Board's Rules and Regulations, 4., 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; and (iii) 5 ILCS 120/2(c)(21) to discuss minutes lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

The Board excused its guests until the open session reconvened

At 1:25 p.m., the Board VOTED 5-0 (Zaid Abdul-Aleem and Stephen W. Beard, absent) to reconvene into open session.

The Board invited its guests to join the open session of the meeting.

VI. MATTERS CONSIDERED BY THE BOARD IN EXECUTIVE SESSION

IV. CASEWORK

A. LOBBYING

1. Case No. 17005.LOB, Lobbying

The Chair introduced a motion in which he stated that: (i) Case No. 17005.LOB, currently before the Board, on its face involves unregistered lobbying; (ii) the apparent lobbying first occurred on November 20, 2015, but the individual who performed that activity did not register with the Board as a lobbyist on behalf of this client until April 13, 2016, in apparent violation of §2-156-245 of the Ordinance; (iii) the fines that could be assessed by the Board in the event the Board makes a final determination that there was a violation of the Ordinance, would come to \$90,000 as to lobbyist (because each day in which a lobbyist has failed to register as required constitutes a separate violation, incurring a fine of \$1,000 per day), and, pursuant to §2-156-305, \$2,000 for

the client who retained that unregistered lobbyist; and accordingly (iv) the Board issue separate written probable cause notices to the individual and to the client, providing each of them an opportunity to respond to the Board's finding of probable cause that they violated the Ordinance.

The motion was carried and the Board VOTED 5-0 (Zaid Abdul-Aleem and Stephen W. Beard, absent) to determine that there is probable cause to conclude that both the apparent lobbyist and his client violated the Ordinance, and to issue the probable cause notices. The Chair then read a statement to be posted on the Board's website.

At 1:28 p.m., the Board VOTED 5-0 (Zaid Abdul-Aleem and Stephen W. Beard, absent) to adjourn the meeting.