



BOARD OF ETHICS
CITY OF CHICAGO

**FINAL DETERMINATION OF LOBBYING VIOLATIONS
CASE NO. 17011.10.LOB**

This matter involves further action following the Board's determination, made at its meeting of February 15, 2017, that there is probable cause for the Board to conclude that: (i) an individual violated §2-156-245 of the Governmental Ethics Ordinance (the "Ordinance") by engaging in lobbying (as defined in §2-156-010(p) of the Ordinance) on May 21, 2015, but failed to register as a lobbyist. The subject was notified of that determination. On March 13, 2017, the Board received a written response from the subject. The Board then afforded the subject the opportunity to meet to present any supplemental information or arguments, and that meeting was held on May 31, 2017.

At its meeting of June 13, 2017, the Board, having fully considered all of the information presented by the subject, VOTED 6-0 (Mary T. Carr, absent) to determine that the subject violated §2-156-245 of the Ordinance by failing to register as a lobbyist within five (5) days of engaging in lobbying activity. Further, pursuant to §2-156-465(b)(3), the Board hereby names the lobbyist as Alan S. King. The Board recites the following:

1. The evidence before the Board is that Mr. King emailed the Mayor on May 21, 2015 as follows:

"I have a bit of a crisis situation with the Chicago Park District ... relating to our ... Chosen Few House Music Picnic ... on July 4th ... due to some construction work the Park District has allowed on our picnic site (despite permitting the site to us) ... it is a very serious situation for me and my business partners, and I think you might be able to help at least to broker a solution."

2. While the Board concludes that the purpose of this email was ultimately to have a fence removed from a Chicago Park District property – which removal could be effected only by the United Army Corps of Engineers – the email itself constituted an attempt to influence "administrative action," as that term is defined in the Ordinance, namely, to enlist the assistance of a City official acting in and through an official City capacity to broker a solution to the administrative problem he was facing. The Board has previously determined that attempting to influence the Mayor or other City officials or employees to take a position regarding an issue pending in Washington, D.C. or Springfield is considered an "administrative action" as defined in §2-156-010(a) of the Ordinance. Case No. 89124.A.

3. The Board makes clear that its determination is not intended to question the subject's integrity, character or motivations. It represents, rather, the Board's careful examination of all the facts and arguments presented to it, and the Board's conclusion that those facts show that the subject engaged in "lobbying" as defined in the Ordinance, but did not register as a lobbyist as required by the Ordinance.

4. Accordingly, the Board will meet at or before its regularly scheduled July 2017 meeting (currently scheduled for July 19, 2017, at 3 p.m.) to consider and impose an appropriate penalty, pursuant to §2-156-465(b)(3) of the Ordinance.

William F. Conlon / 713

William F. Conlon, Chair
June 16, 2017

Steven I. Berlin, Executive Director

Zaid Abdul-Aleem
Nancy C. Andrade
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Mary Trout Carr
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