

BOARD OF ETHICS
Open Session Minutes
May 2, 2007 - 3:07 p.m.
740 North Sedgwick, Suite 500

Board Members Present

Darryl L. DePriest, Chair
Michael F. Quirk
Miguel A. Ruiz
John L. Wihelm, M.D.

Mary Beth S. Robinson (Absent)

Staff Present

Steven I. Berlin, Acting Executive Director
Michael Haggerty, Deputy Director
Richard J. Superfine, Legal Counsel
Briana Billingslea, Attorney-Investigator
Edward Primer, Program Director
Pally Casillas, Staff Assistant

I. Approval of Minutes

The Board VOTED 4-0 (Mary Beth S. Robinson, absent) to approve the Open Session minutes of the January 17, 2007 meeting and the special March 21, 2007 meeting. Due to lack of a quorum, there were no meetings held as scheduled in February, March or April 2007.

II. Chair's Report

None.

III. Acting Executive Director's Report

A. Education-Classes

Since the last Board meeting, there have been 8 regularly scheduled classes for persons required to attend ethics training, on January 24, February 7, February 21, March 7, March 21, April 4, April 18, and May 2. A total of 160 persons attended.

There are 27 persons scheduled to attend on May 16.

Staff is in the process of scheduling a 90 minute session for the newly elected aldermen. The session will be held as part of an all-day orientation for them organized by the Committee on Finance. It is tentatively scheduled for May 17.

At the request of the Director of the O'Hare Modernization Program office, staff presented a class to 68 of its contractors and employees on March 13. There are 3 more classes scheduled throughout the year. The number of attendees is expected to be about 350 in total.

At the request of the Commissioner of Environment, on May 9, staff will present a 30 minute class to department employees, focusing on the relevant responsibilities and obligations when interacting with City-sponsored 501 (c) (3) organizations.

On April 2 and May 1, at the request of the Acting Commissioner of Transportation, staff made a number of 40 minute presentations to 625 departmental employees.

B. Mandatory Annual Ethics Education

As of January 30, 2007, this office and the City reached 100% compliance with the requirement that all 37,643 scheduled and eligible full-time City employees complete ethics training for 2006. On March 23, 2007, the new 2007 on-line ethics training program for City employees “went live.” Through today at 2 p.m., 12,122 employees had completed the 2007 program.

Staff is in the process of creating the 2007 program for aldermen, and hopes to have that program “go-live” in mid-June.

C. Statements of Financial Interests

Through today, there remain 46 employees and 2 appointed officials who, despite having been found in violation of the Ordinance by the Board in September, have failed to file their 2006 Statements of Financial Interests by May 31, as required by law.

On February 28, 14,551 2007 Statements of Financial Interests were, as required by Ordinance, mailed to those employees and officials who must file them with this office by May 31, 2007. As of now, staff has received and processed approximately 13,200 forms. As required by Ordinance, staff will, on May 15, send notice via certified mail to those employees and officials who have not filed by then.

Staff is working with each department’s ethics liaison to achieve 100% compliance with this requirement.

D. Lobbyists

There are currently 543 lobbyists that have registered with the City for this year. Since the last meeting, 10 lobbyists terminated their registration. To date, approximately \$104,400.00 in lobbyist registration fees have been deposited with the Department of Revenue.

Staff continues to work with BIS in completing an online registration program. However, this agency has been stalled in its work, and awaits BIS notice for staff to move into either “Phase II” of the project or to begin an alternate design for a portion of the new program.

E. Illinois Freedom of Information Act

Since the last regularly scheduled Board meeting, the office received three requests for confidential agency materials dealing with four employees, one elected official, seven

Statements of Financial Interests, seven for lobbyists' filings and four for other documents. Fifty-six documents were produced in response.

Since the last meeting the following requests for review of documents were received:

1. This request was by subpoena from the Inspector General's Office for confidential information respecting an employee. In accordance with prior practice, this agency researched appropriate records; found none; and advised the Inspector General's Office as required by the subpoena.
2. This request was by subpoena from the Inspector General's Office for confidential information respecting an employee. In accordance with prior practice, this agency researched appropriate records; found none; and advised the Inspector General's Office as required by the subpoena.
3. This request was for TWO forms. It was a request for two candidates' Statements of Financial Interests; two records were available, produced and copied.
4. This request was for ONE form. It was a request for a list of all candidates who had filed with this agency Statements of Financial Interests; the record was available, produced and copied.
5. This request was for ONE form. It was a request for a certification of previously-produced redacted advisory opinions pursuant to a FOIA request. The certificate was provided under the State Freedom on Information Act.
6. This request was for FORTY TWO forms. It was a request for all lobbyist filings from and including 2000-2006 for two lobbyists. No records were available.
7. This request was for FOUR forms. It was a request for the complete Record Disposal Certificates (dated December 1, 2005 and December 1, 2006). Records were available, produced and copied, as well as certified.
8. This request was for SEVEN forms. It was a request for an employee's Statements of Financial Interests from 1996-2001 (pursuant to document destruction this agency has records after 1999). No records were available for 2000-2001.
9. This request was by subpoena from the Inspector General's Office for confidential information respecting an employee. In accordance with prior practice, this agency researched appropriate records; found none; and advised the Inspector General's Office as required by the subpoena.
10. This request was for TEN forms. It was a request for two employees' Statements of Financial Interests from 2002-2006. All records were available, produced and copied.
11. This request was for FIVE forms. It was a request for one employee's Statements of Financial Interests from 2002-2006. All records were available, produced and copied.

12. This request was for FIVE forms. It was a request for one employee's Statements of Financial Interests from 2002-2006. All records were available, produced and copied.

13. This request was by subpoena from the Inspector General's Office for confidential information respecting an employee. In accordance with prior practice, this agency researched appropriate records; found one; and advised the Inspector General's Office as required by the subpoena. All records were available, produced and copied.

14. This request was for SEVEN forms. It was a request for one employee's Statements of Financial Interests from 2000-2006. Records for 2000-2005 were available, produced and copied.

15. This request was by subpoena from the Inspector General's Office for information respecting a lobbyist. In accordance with prior practice, this agency researched appropriate records; found three; and advised the Inspector General's Office as required by the subpoena. All records were available, produced and copied.

16. This request was for EIGHTEEN forms. It was a request for all lobbyist filings from and including 2004-2006 for four lobbyists. All records were available, produce and copied.

17. This request was for SIX forms. It was a request for all lobbyist filings from and including 2005-2006 for one lobbyist. Three records were available, produced and copied.

18. This request was for SIX forms. It was a request for all lobbyist filings from and including 2005-2006 for one lobbyist. Three records were available, produced and copied..

19. This request was for several documents. It was a request for redacted advisory opinions; the records were available, produced and none were copied.

20. This request was by subpoena from the U.S. Attorney's Office for information respecting an elected official. In accordance with prior practice, this agency researched appropriate records; found several documents; and advised the U.S. Attorney as required by the subpoena. All records that were applicable were produced, copied and forwarded.

21. This request was by subpoena from the Inspector General's Office for confidential information respecting an employee. In accordance with prior practice, this agency researched appropriate records; found none; and advised the Inspector General's Office as required by the subpoena.

IV. Old Business

None.

V. **New Business**

Communication Between Board Members by Email

Staff suggested to the Board that members and staff append to email among Board members, and between members and staff, a notice demonstrating that the Board and its staff are attempting to ensure that no inadvertent triggering of the Open Meetings Act arises out of email communications. Staff will send verbiage for members to review/use.

The Board VOTED 4-0 (Mary Beth S. Robinson, Absent) to adjourn into Executive Session at 3:21 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.