

BOARD OF ETHICS
Open Session Minutes
September 12, 2007 - 3:00 p.m.
740 North Sedgwick, Suite 500

Board Members Present

Michael F. Quirk
Miguel A. Ruiz
Thomas McCarthy
John L. Wilhelm, M.D.

Mary Beth S. Robinson, Absent

Staff Present

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

Upon Board members being seated (Mary Beth Robinson, absent), staff reminded the Board that the meeting must be chaired; a chair has not yet been appointed; the members had not elected a vice-chair but might wish to now; under Board rules the Board members had the right to elect a chair *pro tem*; and staff recommended that the members elect a vice-chair and, if not, then a chair *pro tem*. The Board then elected Michael Quirk as chair *pro tem* for the September meeting.

I. Approval of Minutes

The Board VOTED 4-0 (Mary Beth S. Robinson, absent) to approve the Open Session minutes of the August 15, 2007 meeting.

II. Chair's Report

None.

III. Acting Executive Director's Report

A. Education-Classes

Since the last Board meeting, there has been 1 regularly scheduled class for persons required to attend ethics training. On September 5, 16 attended.

There are currently 35 scheduled for September 19, and 32 scheduled for October 3.

On September 11, staff made a 1 hour presentation to 65 contractors, vendors and City employees of the O'Hare Modernization Project (OMP), at the request of its Executive Director. This was the 3rd of 4 such presentations.

Earlier today, staff made a 45 minute presentation to 22 representatives from the City of Guangzhou, PRC, at the request of the Mayor's Office of Protocol.

At the request of the Commissioner of Buildings, staff will make 4 to 6 ethics presentations to all building inspectors and senior department staff on dates yet to be determined.

At the request of the Mayor's Office of Protocol, staff will make a 45 minute presentation on October 5 to a visiting delegation from Beijing, PRC.

B. Mandatory Annual Ethics Education

As of today at 2 pm, approximately 31,800 employees and 7 aldermen—approximately 85% of the City's workforce—have completed the 2007 on-line ethics training program. 20 departments have reached 100%; 20 more are in process, and 6 haven't started their schedule training yet.

C. Statements of Financial Interests

Through today, there remain 29 employees and 1 appointed official who, despite having been found in violation of the Ordinance by the Board, have failed to file their 2006 Statements of Financial Interests by May 31, as required by law.

As of today, September 12 @ 2:05 p.m. of the 101 employees found in violation of the Ordinance by the Board at the last meeting, 32 have filed, and we await their department's response as to appropriate discipline taken. In closed session, staff will recommend that 5 cases be vacated, and 64 have not yet filed.

Of the 11 Appointed Officials determined to have violated the Ordinance at the last meeting, 7 have filed, and we await word from the Mayor's Office as to any appropriate action taken, and 5 have not yet filed.

To date, staff has collected \$15,560 in late filing fees for 2007.

Staff continues to work with each department's ethics liaison to achieve 100% compliance with this requirement.

D. Lobbyist Registration

There are currently 560 lobbyists that have registered with the City for this year. Since the last meeting, no lobbyists have terminated their registration. To date, approximately \$122,600.00 in lobbyist registration fees have been deposited with the Department of Revenue.

E. Illinois Freedom of Information Act

Since the last Board meeting, the office has received three requests under the Freedom of Information Act. Two were for Statements of Financial Interests. Eight records were produced in response. The third was for Aldermanic recusals. 177 documents were produced for examination, and two were reproduced.

The first request was for EIGHT forms--for an employee's Statements of Financial Interests from 2000-2007. All records were available and produced. The second request was also for EIGHT forms--for an employee's Statements of Financial Interests from 2000-2007. Two records were found for the years 2003-2004. As the subject of the request was a member of the Fraternal Order of Police for the years when the records were filed with this agency, the agency, per past practice, consulted with the Law Department. The Law Department is determining whether these two records may be produced to the requestor.

IV. Old Business

The chair *pro tem* and members of the Board recognized departing staff member, Michael Haggerty, Deputy Director, for his contributions to the agency, and his professionalism and wished him well in his future endeavors. The Board VOTED 4-0 (Mary Beth Robinson, absent) to make this recognition a resolution and officially part of the minutes of the meeting.

V. New Business

The Acting Executive Director presented a draft of the Board's 2006-2007 Annual Report. The Board approved the text, and asked that the final formatted version be presented for its approval at the next meeting.

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.