

BOARD OF ETHICS

OPEN SESSION MINUTES **DECEMBER 14, 2018, 12:09 P.M.** 740 North Sedgwick, Suite 500

BOARD MEMBERS PRESENT

William F. Conlon, Chair
Zaid Abdul-Aleem
Nancy C. Andrade
Dr. Stephanie Cox-Batson
David L. Daskal
Dr. Daisy S. Lezama

STAFF PRESENT

Steven I. Berlin, Executive Director
Lisa S. Eilers, Deputy Director
Richard Superfine, Legal Counsel
Ana Collazo, Attorney/Investigator
Pally Casillas, Staff Administrator

GUESTS PRESENT

Cordell Longstreath, City Bureau
Daniel Wolk, City Bureau

The guests, Board and staff introduced themselves.

I. APPROVAL OF MINUTES

The Board VOTED 5-0 (Nancy C. Andrade, absent) to approve the open session minutes of the Board's meeting of November 16, 2018.

II. CHAIR'S REPORT

III. EXECUTIVE DIRECTOR'S REPORT

A. Education

Classes and Other Presentations

Since the Board's last regularly scheduled meeting, 108 employees and three aldermen (3) have attended classes here on November 20 and 29 and December 4 and 13.

There are 75 scheduled for classes here on December 18, and January 8 and 17.

All Board classes cover sexual harassment.

On January 7, 2019, staff will make a 60 minute presentation to all employees in the Civilian Office of Police Accountability (COPA), at the request of its Director.

On January 14, 2019, staff will make a 90 minute presentation for staff of the Office on Inspector General, at his request.

On-line Training

For City employees

To date, 31,545 employees have completed the annual 2018 on-line training program, 942 haven't yet begun, and 27 are in progress. This represents a 97% completion rate, with a little more than two (2) weeks left in the year. This training includes a unit on sexual harassment (drafted by our colleagues in the City's Department of Human Resources). Please note that Board staff is in weekly contact with ethics officers and training administrators from every ward office, City Council committee, and executive department that has not yet achieved 100% compliance. It is our goal to have zero training violations this year. The deadline is 11:59:59 p.m. on December 31, 2018.

For aldermen

To date, 32 aldermen have completed their training. Please note that, on June 29, two reporters viewed the training, with particular attention to the unit on sexual harassment.

For appointed officials

We are finalizing a PowerPoint for all appointed officials, including members of this Board. Currently, the sexual harassment section is being reviewed by the Department of Human Resources, which is revising the City's EEO Policy, and may include appointed officials within its ambit. When the program is completed, we will email it to all appointed officials, and have them complete it, with the Assistance of the Office of Legislative Counsel and Government Affairs (which is responsible for coordinating the appointments of all Mayoral appointees/appointed officials). An Ordinance was submitted to City Council at our request, and at the request of the Mayor's Office, that would provide that all appointed officials are subject to the Ordinance's prohibition against sexual harassment. The proposed amendment is attached.

For lobbyists

While the 2017-2018 lobbyist training cycle was completed on July 1, 2018, we are working on the 2018-2019 training program, and I'm pleased to report that several lobbyists requested and were provided with soft copies of the last training, because they said it was so helpful.

B. City Council Educational Initiative/Handbook

In conjunction with the Law and Finance Departments, Inspector General ("IG"), and members and staff of the City Council, including representatives from its various caucuses, the Board met January 16 and February 27, March 27, April 16, and May 21, and attended briefings with aldermen on December 4, 2018 to finalize a "handbook" that will address and provide guidance on certain issues common to aldermen and their staff; these include some ethics ordinance issues. The Board, Law Department, and IG are acting under the guidance of the City Council on this project, in an effort to identify and promote various best practices. The Board submitted its extensive comments and entries, covering topics from political activity to social media to recusals.

C. Council on Governmental Ethics Laws (“COGEL”)

The 2018 annual conference was in Philadelphia in December, and the 2019 annual conference will be here in Chicago, at the Michigan Avenue Marriott on December 15-18, 2019. We will work closely with the Mayor’s Office, City Council, and Budget Office to ensure a successful conference. We expect about 450 ethics, campaign financing, lobbying, freedom of information, and election administration officials from across the U.S. and Canada to attend, plus private practitioners and academics. We will serve on the conference’s program committee, and will be reaching out to various elected and appointed officials, attorneys, public figures, watchdog organizations, and media personnel to speak and /or serve on panel discussions.

We will co-host the Conference with our colleagues at the Cook County Board of Ethics, Chicago Board of Election Commissioners, Illinois State Board of Elections, and Illinois State Executive Ethics Commissions, as well as possibly other local agencies involved in ethics or freedom of information administration.

I am pleased to announce that I was elected President of COGEL, for a one-year term that will begin on the last day of the Chicago conference, December 18, 2019. I will also serve on the Program and Host committees, and continue to Chair the Publications committee. The 2019 Conference is an opportunity to showcase our agency, our work, and our ethics, campaign financing, lobbying, and election administration colleagues at the City, County, and State levels. And, I am hoping that our Board members will lend support to make the 41st Conference nonpareil.

Deputy Lisa Eilers and I attended the Philadelphia conference, and I served as a presenter on three (3) panels and a moderator on a fourth. (The panels on which I was a presenter were: (i) the Ethics Updates I and II, which covered developments across North America in the area of conflicts of interests, revolving door, sexual harassment, gifts, etc., including legislative changes, advisory opinions, significant enforcement actions, and organizational or budgetary changes, (ii) the Lobbying Update II, which covered statutory and case law developments in the big cities; and (iii) I moderated a panel on best practices for preventing sexual harassment within government agencies.

D. Executive Editorship – Public Integrity/Guardian Issue

I am a member of the Executive Editorial Board of the journal Public Integrity, which is affiliated with the American Society for Public Administration. It is published by Taylor & Francis six (6) times a year. We are in the midst of a joint project between this journal and the COGEL Guardian to bridge gaps between academics and practitioners.

The third edition of the 2018 COGEL Guardian was published on November 15. I am its editor, and head of COGEL’s Publications Committee. 2019 editions of the Guardian will be published around April 15, July 31, and November 15.

E. Sister Agency Ethics Officers

We will meet again on December 18 with our ethics counterparts at other local governmental agencies: the Cook County Board of Ethics and the Ethics Officers from the Chicago Public Schools, City Colleges of Chicago, and Chicago Housing Authority.

F. 2018 Statements of Financial Interests

On March 1, notices to 3,727 City employees and officials went out via email and U.S. first class mail advising them of the requirement to file 2018 Statements of Financial Interests before June 1. This includes 47 identified individuals who fall into the definition in the Ordinance of "City Council employee" even though they are paid as independent contractors. To date, all have filed. However, we determined that 30 employees and officials failed to file by the deadline, after they were notified of their apparent violation and afforded them an opportunity to explain why they were late. We posted the names of all 30 violators on our website, and imposed fines as appropriate.

G. 2019 Statements

We are beginning work on the 2019 forms, and identifying 2019 filers. Notices to file will be sent to all identified filers on or about March 1, 2019.

H. Candidates' Statements of Financial Interests

Pursuant to §2-156-150(d)(iii), each person who qualifies as a candidate for elected City office must file a Statement of Financial Interests with the Board within five (5) days after so qualifying. By following media reports – particularly those by thedailyline.com – Board staff tracks and notifies each candidate in writing of the filing requirement. To date, 180 known qualified candidates (not including incumbents) for the February 2019 Consolidated Municipal Election have been notified to file, and 176 have done so. In addition, there are 41 individuals that announced their candidacy, but because they have not filed their D-1 forms with the State Board of Elections ("ISBE"), we have not yet sent them notice. We routinely check ISBE's website for those updates. We post all filed Statements on our website. Two (2) candidates were found in violation of the Ordinance for failure to file by their deadline, and were fined \$250 and \$500, respectively. Their names and violations were posted on our website.

I again want to acknowledge here the fine work of the reporters at thedailyline.com, who enable us to contact newly declared candidates as they are reported, thereby enabling us to make candidates' information publicly available to the electorate.

Note: incumbents also must file, but their forms are posted and searchable through a different page, and their deadline was before June 1, 2018.

I. Advisory Opinions

Since the Board's last meeting on November 16, we have issued 349 informal advisory opinions. The leading categories were, in descending order: travel; gifts; campaign financing; outside employment; use of City-owned property; post-employment; and outside volunteer service. The leading City departments from which requesters came in this period were (in descending order): Chicago Police Department; Mayor's Office; City Council; Department of Public Health; Chicago Public Library; and Fire Department

There are three (3) formal opinions on the agenda for today's meeting.

Informal opinions are not made public but are logged, kept, and used for training and future advisory purposes. (This is the same practice that occurs with our colleagues at the New York City Conflicts of Interest Board and Philadelphia Board of Ethics, which issue roughly the same number of informal opinions.) They form the basis for much of our annual and periodic educational programs. Formal opinions are made public, in full text, with names and other identifying information redacted out.

J. Department Consultation

At the request of the department's Commissioner, the Board continues to work with the Department of Buildings to revise its internal conflicts of interests and gifts policy. Parts of that policy were revised several years ago as a result of an IG investigation, with input from the IG, but the department has noticed problems, is considering further revisions, and has asked us to provide expert advice.

K. Summary Index of Formal Advisory Opinions/Text of all Formal Advisory Opinions

Every formal Board opinion issued since 1986 is posted on the Board's website (902 of them), redacted in accordance with the Ordinance's confidentiality provisions. Redacted opinions are posted once issued by or reported to the Board. Further, summaries and keywords for each of these opinions are available on the Board's searchable index of opinions. Only a handful of other ethics agencies have comparable research tools.

We are unaware of jurisdictions that make their informal opinions public—though others issue them confidentially and enable requesters to rely on them in the event of an investigation or enforcement.

L. Summary Index of Board-Initiated Regulatory Actions/Adjudications/pre-2013 Investigations

We post the summary index of all investigations, and self-initiated enforcement and regulatory actions undertaken by the Board since its inception in 1986 (other than those for violations of filing or training requirements or campaign financing matters). It includes an

ongoing summary of all enforcement actions the Board undertook without an IG investigation.

The Board makes public the names of all violators and penalties it assesses where authorized by law to do so. There have been, to date, 114 such matters – including one (1) on today’s agenda – but only in those that occurred after July 1, 2013 can the Board release the names of those found to have violated the Governmental Ethics Ordinance.

The document makes clear that, despite comments made in the media over the last decade, the Board has been a robust enforcement agency, hardly a “do-nothing” agency. This continues through the Board’s ongoing self-initiated enforcement actions, described above, and with respect to lobbying and campaign financing, even though the Board no longer has investigative authority.

M. Summary Index of Ongoing IG/LIG Investigations/Adjudications

We post and continually update, on our website, an ongoing investigative record showing the status of every completed investigative report brought to the Board by both the IG (a total of eight (8) since July 1, 2013) and the former Office of the Legislative Inspector General (“LIG”), since January 1, 2012, and the status of all 50 petitions to commence investigations presented to the Board by the LIG. It is updated as appropriate, consistent with the Ordinance’s confidentiality provisions.

Whenever the IG presents the Board with a completed ethics investigation in which the IG believes there have been any violations of the Governmental Ethics Ordinance, the procedure that follows is governed by §2-156-385(3) and (4) of the Ordinance: the Board reviews the IG’s report, recommendations, and the entirety of evidence submitted in its completed ethics investigation, including a review to ensure that the IG conformed with the requirement that it complete ethics investigations within two (2) years of commencing them (unless there is evidence that the subject took affirmative action to conceal evidence or delay the investigation), and that investigations are commenced within two (2) of the last alleged act of misconduct.

Then, if the Board finds that the evidence presented warrants a *prima facie* finding of probable cause to believe the subject violated the Ordinance, it notifies the subject of the allegations and affords the subject the opportunity to present written submissions and meet with the Board, together with an attorney or other representative present. The Ordinance provides that this meeting is *ex parte* – no one from the City’s Law Department or IG is present. Note that the Board may request clarification from the IG as to any evidence adduced in its investigation before making a probable cause finding (and indeed has done so). The Board cannot administer oaths at this meeting, but can and does assess the subject’s credibility and the validity and weight of any evidence the subject provides.

If the subject is unable to rebut the Board’s *prima facie* probable cause finding, the Board may enter into a settlement agreement – all settlement agreements are made public – or the Board or subject may decide to proceed to a merits hearing that is not open to the public. That hearing would be held before an administrative law judge (ALJ) appointed by the Department of Administrative Hearings. The City would be represented by the Law Department (or a specially hired Assistant Corporation Counsel for that purpose), and the

subject by his or her attorney. At the conclusion of the hearing, the ALJ submits his or her findings of fact and law to the Board, which can accept or reject them, based solely on the record of the hearing. The Board will then issue a public opinion in which it finds one or more violations of the Governmental Ethics Ordinance (or finds none) and impose appropriate fines.

While this process may appear cumbersome, it was added to the Ordinance and became effective on July 1, 2013, based on the specific recommendations of the Mayor's Ethics Reform Task Force in Part II of its 2012 Report. Its primary purpose is to balance due process for those investigated by the IG with an accurate and precise adjudication by the Board of Ethics and the public's right to know of ethics violations.

Four (4) of these eight (8) IG matters remain pending:

Case No. 18012.IG (corresponding to IG Case #16-0240). On April 16, 2018, the IG presented the Board with its fifth completed investigation and petition for probable cause. At the Board's May 2018 meeting, it dismissed one part of the IG's petition but made a *prima facie* finding of probable cause in the other. The matter involves potential violations of the Ordinance's post-employment provisions by a former alderman (the Ordinance's post-employment provisions prohibit former aldermen from engaging in lobbying the City for one year after leaving office). The part of the case dismissed by the Board pertained to the alderman's job interviews with a potential post-City employer while that potential employer had matters pending. The Board found that there was no evidence in the IG's investigative record to show that the alderman acted on any matters involving the potential employer and that the then potential employer had no matters pending before the alderman while he was in office. The former alderman's attorneys were present at the July meeting. The Board is in settlement talks with him and his counsel.

Case No. 18018.IG (corresponding to IG Case #16-0222, as reported in the IG's latest Quarterly Report), was presented to the Board by the IG on May 25, 2018. It involves a petition for probable cause based on an IG investigation into whether a City employee (the IG identified this employee as employed by the Chicago Police Department) had a prohibited financial interest in a City contract by virtue of owning 100% of a company that was named and paid as a subcontractor on a City contract for 6 years. At its June meeting, the Board considered the case, but could not find probable cause without a formal request for clarification as to when the IG commenced and completed its investigation. The Board sent its request on June 18, and also requested that, on all future investigations, the IG clearly indicate the dates on which the instant investigations were commenced and concluded. The IG responded on June 27 and agreed to state the relevant investigation dates in its summary reports sent to the Board in future cases. The IG also explained that the date of a "Case Initiation Report" is the date it opens a case for investigation (in this case, that was May 23, 2016), and the date the investigation concludes is the date the IG "formally designates a case as closed in its case management system." In this case, that was the date it sent its notice to the subject: April 25, 2018. The Board made a *prima facie* finding of probable cause at its July 2018 meeting, and the subject and the subject's attorneys met with the Board at its October 2018 meeting, after which the Board sustained its probable cause finding. It is currently discussing settlement terms with the subject, and the approved settlement agreement is on today's agenda.

In the seventh IG matter, Case No. 18023.IG (corresponds to IG Case #17-0148, as reported in the IG's latest Quarterly Report), the IG presented its completed investigative report and

corroborating evidence on June 20, 2018. The case involves a now-former employee who, the IG concluded (and identified as a former Water Management employee), violated the Ordinance by accepting gifts to a Cubs' post-season game from the president of a business over which he had official authority, in excess of the Ordinance's \$50 per source/per year limit, failed to report the gift on his annual Statement of Financial Interests, and provided advice or assistance on matters concerning City business that were not wholly unrelated to his City job. The Board made a *prima facie* probable cause finding at its July 2018 meeting. The subject and the subject's attorney will meet with the Board at today's meeting.

The last case, 18039.IG (corresponding to IG Case # 17-0082), was sent to our office on November 30, 2018, and involves prohibited gifts offered to a current and a now-former City employee from a City subcontractor. The case is on today's agenda for a status report, but staff's analysis and recommendations as to a probable cause finding will be presented at the next practicable Board meeting.

Please note finally that, in all matters adjudicated or settled on or after July 1, 2013, the Board makes public the names of all violators and penalties assessed, or a complete copy of the settlement agreement.

N. Disclosures of Past Violations

July 2013 amendments to the Ordinance provide that, when a person seeks advice from the Board about past conduct, and discloses to the Board facts leading it to conclude that he or she committed a past violation of the Ordinance, the Board must determine whether that violation was minor or non-minor. If it was minor, the Board, by law, sends the person a confidential letter of admonition. If it was non-minor, then, under current law, the person is advised that he or she may self-report to the IG or, if he or she fails to do so within two (2) weeks, the Board must make that report.

Since the time this provision (§2-156-070(b)) became effective on July 1, 2013, the Board has advised three (3) aldermen, two (2) aldermanic staffers, one (1) mid-level City employee in an operating department, one (1) department head and one (1) former department head that their past conduct violated the Ordinance. In three (3) of these cases, one (1) involving an alderman, the second an aldermanic staffer, and the third a former department head, the Board concluded that the apparent violations were not minor or technical, and the aldermen and aldermanic staff self-reported to the former Legislative Inspector General ("LIG"), and the former department head self-reported to the IG. Since the time that all matters involving the former LIG were consolidated with the IG, the IG has informed us that it has no record that the LIG ever commenced an investigation in the matter involving the alderman, and that the matter involving the aldermanic staff was closed, apparently without further investigation by the LIG.

As noted above, the Board received a completed investigative report from the IG on May 26, 2017, with a petition for a probable cause finding. The case was based on the Board's earlier conclusion that the subject appeared to have committed a past violation of the Ordinance that was not minor, and then advised the subject of the self-reporting-to-the-IG provisions in the Ordinance. After the IG investigated and confirmed the Board's earlier conclusion, the matter was settled for a \$1,500 fine. The agreement is posted on our website.

In the three (3) cases in which the Board determined that minor violations had occurred, the Board sent confidential letters of admonition, as required by Ordinance.

There is no legal requirement imposed on the IG to report back to the Board on any actions it takes on matters or persons referred to it by the Board, unless the IG completes an investigation and submits a petition for a finding of probable cause to the Board based on that investigation. This is unlike the arrangement in New York City between its Conflicts of Interests Board and Department of Investigation.

O. Lobbyists-Regulation and Enforcement

There is currently an all-time record number of 829 lobbyists registered with the Board. We have collected \$472,550 in fees for 2018.

Third quarter activity reports were due October 22 (the statutory deadline, October 20, fell on a Saturday, thus, per Board Rule, the deadline was extended to the end of the next business day). As of the last meeting, all but six (6) had filed. On November 14, 2018, staff informed these six (6) of their past deadline, via certified and first class mail, as required by Ordinance. Four (4) filed (or otherwise were excused) by November 26, 2018; two (2) have not and were determined to have violated the Ordinance and are subject to continuing fines of \$1,000 per day. Their names and violations were made public.

P. Freedom of Information Act

Since the last regularly scheduled Board meeting, the office has received two (2) new requests under the Freedom of Information Act.

The first was for copies of records pertaining to the requestor, and records related to complaints on public safety. After consulting the Law Department, we advised the requestor that the request was too burdensome and required the requestor's clear identification of requested records.

The second was a request for an alderman's Statements of Financial Interests for two (2) years, 2009 and 2010. We produced the 2010 form, but the 2009 form had already been disposed of pursuant to the Board's Document Retention Schedule on file with the Local Records Commission.

IV. OLD BUSINESS

Consideration by the Board of the 2019 Schedule of Board Meetings.

The Board deferred consideration of this matter until later in the meeting.

V. NEW BUSINESS

None

At 12:15 p.m., the Board VOTED 5-0 (Nancy C. Andrade, 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. However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with this Act; (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 January 5, 2017, 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 of meetings 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 guests were excused.

At 12:24 p.m., Nancy C. Andrade joined the meeting.

At 2:15 p.m., the Board VOTED 4-0 (Zaid Abdul-Aleem and Nancy C. Andrade, absent) to reconvene into open session, and the guests were invited to return.

MATTER CONSIDERED BY THE BOARD IN EXECUTIVE SESSION

VI. APPROVAL OF THE EXECUTIVE SESSION MINUTES

The Board confirmed its discussion in executive session, VOTING 4-0 (Zaid Abdul-Aleem and Nancy C. Andrade, absent) in open session, to approve the executive session minutes, of the November 16, 2018 meeting.

VII. CASEWORK

A. Meeting between the Board and the Respondent Pursuant to §2-156-385(3) of the Governmental Ethics Ordinance

1. Case No. 18023.IG, Gifts

The Board VOTED 5-0 (Zaid Abdul-Aleem, absent), after meeting with respondent and his attorney, to sustain a finding of probable cause against the respondent. The Board determined that at this stage in the proceeding, the evidence showed that the respondent violated the Ordinance's Gift and Other Favors provision, §2-156-142, by

accepting a prohibited gift, and the Statement of Financial Interests (“FIS”) provision, §2-156-150, for failing to report a gift in excess of \$250. The Board voted to seek to settle this matter by imposing a \$500 fine, pursuant to §2-156-385(4) and Board Rule 4-1(d).

B. Meeting between the Board and Respondent After Its Issuance of a Probable Cause Finding

2. Case No. 18036.C, City-owned Property, Prohibited Political Activity

The Board VOTED 4-0 (Zaid Abdul-Aleem and Nancy C. Andrade, absent), after meeting with respondent and his attorney, to sustain a finding of probable cause against the respondent, determine the respondent had committed a minor violation of the City-owned Property provision of the Ordinance for use of the City seal in campaign materials, and to issue a confidential letter of admonition to the respondent, and to make a redacted version of the letter public, as an educational tool. The respondent is a City employee and candidate for City office. Without respondent’s knowledge, one of his political volunteers placed a campaign sign on his own car, showing the City seal. Upon learning this, the respondent required the volunteer to remove the sign and seal. Since then, the campaign sign has not been used in the respondent’s political campaign. The Board also explicitly referred to its recent advisory opinion clarifying that the City seal cannot be used for political or campaign purposes, Case No. 18036.A.1:

https://www.cityofchicago.org/content/dam/city/depts/ethics/general/AO_PolActvt/18036.A.1.pdf

C. Consideration of Settlement Agreement Following Subject Matter Meeting between the Board and Respondent Pursuant to §2-156-385(3) of the Governmental Ethics Ordinance

3. Case No. 18018.IG, Financial Interest in City Business

The Board VOTED 4-0 (Zaid Abdul-Aleem and Nancy C. Andrade, absent), to approve and make public a Settlement Agreement imposing an \$8,000 fine against the respondent, and an admission that the respondent had violated the financial interest in City business provision in §2-156-110(a) of the Ordinance.

D. Advisory Opinions

4. Case No. 18038.A-1, City-owned Property; Prohibited Political Activity, Use of Social Media

The Board discussed the draft advisory opinion in this matter and suggested revisions and additional language. Staff will edit the opinion accordingly.

5. Case No. 18038.A-2, City-owned Property; Prohibited Political Activity, Constituent Services

The Board discussed the draft advisory opinion in this matter and VOTED 4-0 (Zaid Abdul-Aleem and Nancy C. Andrade, absent) to issue the opinion. The Board opinion addresses whether aldermen may provide government-related or constituent services from a “political” or campaign office, and reflects staff’s research and a “best practices” approach.

6. Case No. 18040.A, Gift; Prohibited Conduct

The Board VOTED 4-0 (Zaid Abdul-Aleem and Nancy C. Andrade, absent) to issue an advisory opinion, applying principles of fundamental fairness found in Board case law in order not to impair job searches by City employees and officials. The opinion states that City employees or officials interviewing out-of-town with prospective post-City employers may accept travel reimbursement without treating it as a prohibited gift, provided also, however, that: (i) the City-employee must recuse from City matters involving the prospective employer from the time travel is booked; and (ii) should the interview and negotiation process end without an offer of employment, the City employee may only again participate in handling City matters involving that (former) prospective employer after: (a) considering discussing his or her involvement for the City with that prospective employer with department or agency superiors, and (b) only if, as provided for under Board case law, the City employee or official is sure that he or she can be involved in City matters with that former prospective employer without any bias.

VIII. OLD BUSNIES

Consideration by the Board of the 2019 Schedule of Board Meetings

The Board VOTED 4-0 (Zaid Abdul-Aleem and Nancy C. Andrade, absent) to approve and post the proposed 2019 schedule of Board Meetings.

IX. OTHER BUSINESS

None

At 2:40 p.m., the Board voted 4-0 (Zaid Abdul-Aleem and Nancy C. Andrade, absent) to adjourn the meeting.