

# Board of Ethics Open Session Minutes

May 3, 2012 - 3:02 p.m.  
740 North Sedgwick, Suite 500

## **Board Members Present**

Miguel A. Ruiz, Chair  
Eileen Libby  
Thomas Mc Carthy  
Lisa M. Taylor  
John L. Wilhelm, M.D.

Tiffany Chappell Ingram (Absent)

## **Staff Present**

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

## **I. Approval of Minutes**

The Board VOTED 5-0 (Tiffany Chappell Ingram, absent) to approve the Open Session Minutes of the March 20, 2012 meeting. The meeting of April 18, 2012, was rescheduled to May 3, 2012.

## **II. Chair's Report**

None.

## **III. Executive Director's Report**

### **A. Staff Hiring**

Our new staff attorney/investigator, Ana Collazo, joined us on April 2, and we welcome her. She is a 2001 graduate of Loyola University Law School and received her B.A. from Susquehanna University. She served most recently as an Assistant Inspector General at the Office of the Executive Inspector General for the Agencies of the Illinois Governor.

### **B. Education—Classes**

On March 22, staff conducted a public outreach session for 100 members of the Harlem Foster Neighborhood Association (citizens), at the request of its Executive Director, then on March 23, conducted a 90 minute seminar for food sanitarians at the Chicago Department of Public Health, at the request of their Commissioner, then on April 4, conducted a 90 minute class for employees of the DFSS, and then on April 9, hosted a delegation of 15 visiting officials from Pakistan (at the request of the Mayor's Office). 115 City employees attended these sessions. There are 12 employees scheduled for training on May 9, and 18 for May 23. On May 21 and 24, staff will present 60 minute classes to the Chairs of the City's 35 SSAs and the Executive Directors of their service providers—this is at the recommendation of the Board and the request of the DHED.

### **C. Education—Mandatory Annual Ethics Education**

The 2012 annual mandatory ethics training program was posted in late March. As of today,

approximately 6,300 City employees have completed it. We are thus at about 20% compliance. We are collecting departmental training plans from all departments.

129 registered lobbyists have completed the 2011-2012 program. All need to complete it by June 30, 2012. On April 27, staff sent 586 reminders of the upcoming lobbyist training deadline.

**D. Lobbyists**

To date, we have received and processed 648 lobbyist registrations. 6 remain with filing deficiencies, and there remain 2 non-filers, who will be the subject of further discussion in closed session. We have collected \$300,975 in registration fees.

**E. Statements of Financial Interests**

On February 29 and March 1, as required by law, we notified 14,236 employees and officials of their requirement to file 2012 Statements of Financial Interests. This is a decrease of 10.4% in the number of required filers. The salary rate requiring filing is \$80,700 for 2012. To date, 11,960 have filed, and 2,329 have not filed. Non-filers have until May 31 to file, or they are subject to a determination by this agency that they violated the Ordinance. As required by law, staff sent out notices via email or US mail to all nonfilers as of April 16 (and also a reminder that was not required, on April 1). We will send a third reminder by May 15.

**F. E-Lobbying RFP**

I'm pleased to report that, after intensive effort by Rich Superfine, and especially by Jef Johnson, and by our development team at Crowe Horwath, Phase 1 of the ELF (Electronic Lobbyist System) was rolled out on May 1. It enables lobbyists to file registration statements and amendments on-line, and provide enhanced reporting and transparency. The work continues so that when the next reporting period expires (reports are due July 20), lobbyists will be able to file quarterly activity reports on-line, and all the data will be made available to the public in a way not experienced before.

**G. Sister Agency Ethics Officers' Consortium Working Group**

On April 21, we had our regular meeting with the ethics officers from CPS, CTA, CHA and City Colleges regarding issues of common concern.

**H. Ethics Ordinance/EDS Amendments**

The Mayor's Ethics Reform Task Force issued Part I of its Report on Monday, April 30. Staff has reviewed it extensively. Among the substantive legal recommendations it makes is to add a reverse revolving door provision; lower the acceptable gift threshold to \$50/year; include cousin

and siblings-in-law in the definition of relative; lower the number of required filers of Statements of Financial Interests to those who really ought to file them; and increase penalties for violations. The Task Force will issue Part II of its report in late July. It will address the relationship and structure of what it terms the "ethics institutions" in the City—the Board, the IGO and the L-IGO. I met for the third time with the Task Force on April 4. I anticipate meeting with them one more time before Part II is issued.

**I. Possible Amendments to the Illinois Governmental Ethics Act**

The committee convened by Lt. Gov. Simon to propose revisions to the state ethics form, the "Statement of Economic Interests" (which 3,000 City personnel file every year) met again January 13. The committee has completed its work, and the drafters presented their version last week and await comments from various elected officials.

**J. Illinois Freedom of Information Act**

Since the last regularly scheduled Board meeting, the office received sixteen new requests under the Freedom of Information Act, comprising of 13 requests for 209 lobbyist records for 13 lobbyists covering years from 2005-12; 2 requests for 32 Statements of Financial Interests for 13 former aldermen and one current employee covering years 1985-2008 (and an unknown number of one employee's gift disclosures from 2003-2012); and one request for an unknown number of property records dealing with property in Glenview, Illinois. We produced 142 lobbyist records and made 385 copies; produced 6 Statements of Financial Interests and made 6 copies; produced 4 gift disclosures and made 4 copies; and located no real estate property records.

**K. Mission to Tbilisi**

I will be leaving for Tbilisi on May 30, returning to the office on June 25, on State Department business. During my physical absence, I am entrusting the office in the most capable hands of Lisa Eilers, our Deputy, and Rich Superfine, our Legal Counsel. I will have regular access to email (and Skype).

**IV. Deputy Director's Report**

**L. Compliance Matters**

I have prepared a PowerPoint presentation covering the Illinois Identity Protection Act for purposes of training those City employees who have access to Social Security numbers [SSNs] in the course of their work. The Act requires that state and local government agencies develop and implement policies and procedures to ensure the protection of the confidentiality of SSNs.

**V. Old Business**

None.

**VI. New Business**

**M. Confidentiality of Executive Session Minutes**

It was announced that, during the Executive Session, Board members would conduct the semi-annual review of Board Executive Session Minutes as required by the Illinois Open Meetings Act, and would reconvene in open session to confirm the Board's determination in Executive Session.

The Board VOTED 5-0 (Tiffany Chappell Ingram, absent) to adjourn into Executive Session at 3:30 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.

**VII. New Business (Reconvened)**

**N. Semi-annual Review of the Confidentiality of Executive Session Minutes Under the Illinois Open Meetings Act**

At 5:23 p.m. the Board reconvened in open session to confirm its poll in Executive Session on the confidentiality of the Executive Session Minutes. The Board VOTED 5-0 (Tiffany Chappell Ingram, absent) to confirm that the Executive Session Minutes of the Board from August 1987 through March 2012 remain confidential, on the ground that the need for confidentiality still exists as to those minutes, with the exception of those that have already been made publicly available by vote of the Board.

The Board VOTED 5-0 (Tiffany Chappell Ingram, absent) to adjourn.