

# BOARD OF ETHICS

## Open Session Minutes

September 16, 2009 - 3:06 p.m.

740 North Sedgwick, Suite 500

### Board Members Present

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

### Staff Present

Steven I. Berlin, Executive Director  
Richard J. Superfine, Legal Counsel  
Courtney L.D. Kimble, Attorney/Investigator  
Edward Primer, Program Director  
Pully Casillas, Staff Assistant

### I. Approval of Minutes

The Board VOTED 4-0 to approve the Open Session Minutes of the August 24, 2009 meeting.

### II. Chair's Report

None.

### III. Executive Director's Report

#### A. Education-Classes

Since the last Board meeting, staff has conducted 1 regularly scheduled class for persons required to attend ethics training. On September 3, 20 attended. There are currently 18 scheduled for September 17, 21 for October 1, 34 for October 15, 7 for October 22 and 33 for October 29.

On September 22, staff will make a 30 minute presentation to about 90 new employees at a new employee orientation.

On September 11, staff presented the third of four classes to 225 contractors and employees from the Department of Aviation and O'Hare Management Project.

#### B. Mandatory Annual Ethics Education

To date, 26,112 employees and 7 aldermen have completed the 2009 annual mandatory ethics training program. This is approximately 77% of the total expected number for the year.

The new educational video will be shown in classes beginning in mid-October.

**C. Statements of Financial Interests**

As of this afternoon, there remain 9 employees and 3 appointed officials who have still not filed their forms by May 31, as required by law.

To date in 2009, the office has collected \$7,660 in late filing fees.

I am pleased and excited to report that the Board has now embarked on a project to implement electronic internet-based filing and retrieval of all Statements of Financial Interests on a going forward basis. Staff has now had two meetings, with a third scheduled tomorrow and a fourth on September 30. A Project Manager from DOIT has been assigned and has begun to gather requirements.

**D. Lobbyist Registration**

There are currently **608** lobbyists that have registered with the City for this year. To date, approximately **\$130,200.00** in lobbyist registration fees have been deposited with the Department of Revenue.

All registered lobbyists have now filed their semi-annual activity reports.

**E. Illinois Freedom of Information Act**

Since the last regularly scheduled Board meeting, the office has received 2 new requests under the Freedom of Information Act. One was for an Excel-formatted list of all current registered lobbyists, which was produced in that format. The second was a request for 165 lobbyists' records, comprising the filings of 55 lobbyists, and all available records were produced.

**IV. Old Business**

None.

**V. New Business**

**F. Employee Compensation Level for Requirement to File Statement of Financial Interests in 2010**

The Board reviewed staff's recommendation regarding the Governmental Ethics Ordinance-mandated increase in the rate requiring employee filing of a Statement of Financial Interests with the Board. The Board VOTED 4-0 to approve the staff recommendation: the 2010 rate is \$76,750.00.

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

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.

**H. Public Notice of 2010 Board of Ethics Meeting Schedule**

The Board considered staff's proposed 2010 schedule of regularly-scheduled Board of Ethics meetings. The Board then VOTED 4-0 to approve the staff recommendation as follows:

Wednesday, January 20	Wednesday, July 14
Wednesday, February 17	Wednesday, August 18
Wednesday, March 17	Wednesday, September 15
Wednesday, April 14	Wednesday, October 20
Wednesday, May 19	Wednesday, November 17
Wednesday, June 16	Wednesday, December 15

All meetings will be held at 3:00 p.m. at the Board of Ethics, 740 North Sedgwick, Suite 500, Chicago, Illinois 60654.

The Board VOTED 4-0 to adjourn into Executive Session at 3:19 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.

**VI. New Business (Reconvened)**

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

At 3:43 p.m. the Board reconvened in open session to confirm its vote in Executive Session on the confidentiality of the Executive Session Minutes. The Board VOTED 4-0 to confirm that the Executive Session Minutes of the Board from August 1987 to August 2009 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.