



BOARD OF ETHICS

CITY OF CHICAGO

FINAL DETERMINATION OF LOBBYING VIOLATION CASE NO. 17011.15.LOB

This matter involves further action following the Board's determination, made at its meeting of April 19, 2017, that there is probable cause for the Board to conclude that: (i) an individual violated §2-156-245 of the Governmental Ethics Ordinance (the "Ordinance") by engaging in lobbying (as defined in §2-156-010(p) of the Ordinance) on October 31, 2016, but failed to register as a lobbyist. The subject was notified of that determination. On May 8, 2017, the Board received a written response from the subject. The Board then afforded the subject the opportunity to meet to present any supplemental information or arguments, and that meeting was held on July 17, 2017.

At its meeting of July 19, 2017, the Board, having fully considered all of the information presented by the subject, VOTED 5-0 (William F. Conlon, recusing, and Nancy C. Andrade, absent) to determine that the subject violated §2-156-245 of the Ordinance by failing to register as a lobbyist within five (5) days of engaging in lobbying activity. Further, pursuant to §2-156-465(b)(3), the Board hereby names the lobbyist as Greg Prather.

The Board recites the following:


1. The evidence before the Board is that Mr. Prather emailed 25th Ward Alderman Daniel Solis, on October 31, 2016, as follows:

"Alderman Solis, I understand that you met with ... late last week and briefly spoke about our ongoing issues with Amtrak. There is quite a bit of work we need to do beneath our building at track level ... Amtrak has some very restrictive and onerous language in the license agreement they impose on neighbors when they are required to perform work at track level. We are seeking your assistance with Amtrak to be more flexible in their scheduling protocol and to waive the exorbitant fees they impose ... I am asking for assistance in establishing a protocol whereby 1 ... 2... 3... 4... 5... I believe their added costs and lack of flexibility in scheduling the work is a major reason why this maintenance and repair work is continually deferred up and down the track near the train station. Your assistance with this issue is greatly appreciated."

2. The Board determined that, by sending this email on October 31, 2016, the subject engaged in "lobbying," as defined in §2-156-010(p) of the Ordinance, and did not file a statement of registration as a lobbyist within five (5) business days of this email, as required under §2-156-230 of the Ordinance, nor has the subject ever filed a lobbyist registration statement with the Board.

3. Having considered the arguments and facts raised by the subject, including the subject's statement that this communication was sent on behalf of a client in relation to an Agreed Order of Injunction and Judgment in a matter pending in the Circuit Court of Cook County, the Board has assessed a fine of \$2,500.

4. The Board makes clear that its determination is not intended to question the subject's integrity, character or motivations. It represents, rather, the Board's careful examination of all the facts and arguments presented to it, and the Board's conclusion that those facts show that the subject engaged in "lobbying" as defined in the Ordinance, but did not register as a lobbyist as required by the Ordinance.



Stephen W. Beard, Chair Pro-Tem

Steven I. Berlin, Executive Director

William F. Conlon, Chair
Zaid Abdul-Aleem
Nancy C. Andrade
Mary Trout Carr
Frances Grossman
Dr. Daisy S. Lezama