

BOARD OF ETHICS

Open Session Minutes

September 15, 2010 - 3:10 p.m.
740 North Sedgwick, Suite 500

Board Members Present

Miguel A. Ruiz, Chair
Thomas McCarthy
Lisa M. Taylor
John L. Wilhelm, M.D.

Michael F. Quirk (Absent)

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 (Michael F. Quirk, absent) to approve the Open Session Minutes of the August 18, 2010 meeting.

II. Chair's Report

None.

III. Executive Director's Report

A. Education—Classes

We have resolved the glitches in the mandatory 4 year education notification system. There are currently 25 persons scheduled for class on September 23, 32 on October 7, 34 on October 21, and 39 on November 4.

On September 1, staff presented a 90 minute session to all 21 employees of the Office of Compliance, at the request of its Acting Executive Director.

On September 13, staff presented a 45 minute session to the 9 Commissioners of the Old Town Park SSA, and 2 employees of its Service Provider, at the request of the Chair of that Commission.

On September 20, staff will again make a 25 minute presentation at New Employee Orientation. About 60 employees are scheduled to attend.

On September 24, staff will present the third of 4 classes to about 225 Department of Aviation contractors at O'Hare, at the request of the Commissioner of Aviation.

B. Education–Mandatory Annual Ethics Education

I'm pleased to announce that, to date, we are at 71% compliance City-wide with the 2010 all-employee online training: 33,673 employees scheduled, and 23,844 completions. 6 of 50 aldermen have completed their training to date.

As to lobbyist training, to date, 75 lobbyists have completed the program—about 13% of the expected total.

C. Statements of Financial Interests

To date, there remain 17 employees and 8 appointed officials who have yet to file their 2010 forms as required by law. We are at 99% compliance. There will be more on these individuals in closed session.

To date in 2010, the office has collected \$11,680 late filing fees.

Staff is working diligently on the on-line filing, retrieval, and data processing system for Statements of Financial Interests. The project is now well into the user testing phase.

We are making arrangements to post on our website the filed 2010 Statements as well, and expect this to be accomplished in the next month.

D. Lobbyist Registration

There are currently **547** lobbyists that have registered with the City for this year. To date, **\$272,775.00** in lobbyist registration fees have been deposited with the Department of Revenue.

July 20, was the deadline for lobbyists to file their semi-annual activity reports. To date, we have received approximately 85% of these reports. In accordance with the Ordinance, staff will send out any and all required delinquency notices to lobbyists.

E. Illinois Freedom of Information Act

Since the last regularly scheduled Board meeting, the office has received 1 new request under the Freedom of Information Act: for 6 lobbyists' filings for years varying within ranges from 2003-2010, resulting in production of 36 records and copying of 2 of the pages from those records.

F. 2011 Budget

The Board submitted its budget request in early August, and met with officials from the Budget Office on August 25. There will be more on this in closed session.

G. Candidates

Given the large number of candidates who have declared and are likely to declare their candidacy for elected City Office, staff has posted detailed information regarding the Campaign Financing Ordinance on the Board's website, and delivered 550 Candidate's packets to the Chicago Board of Election Commissioners, whose personnel distribute them to candidates and their representatives.

To date, we have received only 3 filed forms, plus one request for an extension. All these forms are open for public inspection as well.

IV. Old Business

None.

V. New Business

H. 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 (Michael F. Quirk, absent) to approve the staff recommendation: the 2011 rate is \$79,300.00.

I. 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.

J. Public Notice of 2011 Board of Ethics Meeting Schedule

The Board considered staff's proposed 2011 schedule of regularly-scheduled Board of Ethics meetings. The Board then VOTED 4-0 (Michael F. Quirk, absent) to approve the staff recommendation as follows:

Wednesday, January 19	Wednesday, July 20
Wednesday, February 16	Wednesday, August 17
Wednesday, March 16	Wednesday, September 14
Wednesday, April 13	Wednesday, October 19
Wednesday, May 18	Wednesday, November 16
Wednesday, June 15	Wednesday, December 14

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

K. Posting Candidates Statement of Financial Interests Forms

The Executive Director discussed the idea of posting on the Board's web site all Candidates' Statements of Financial Interests filed with the Board, in the interest of greater transparency (and given that the agency can do this itself). After brief discussion, the Board's consensus is that this is a good idea, but would like to discuss the idea in greater detail at the October meeting to set protocols for posting.

The Board VOTED 4-0 (Michael F. Quirk, 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.

VI. New Business (Reconvened)

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

At 4:49 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 4-0 (Michael F. Quirk, absent) to confirm that the Executive Session Minutes of the Board from August 1987 to September 2010 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 4-0 (Michael F. Quirk, absent) to adjourn.