

TONI PRECKWINKLE
PRESIDENT, COOK COUNTY
BOARD OF COMMISSIONERS

N. KEITH CHAMBERS
DIRECTOR



BOARD OF ETHICS MEMBERS
PEGGY DALEY
DAVID GROSSMAN
VON MATTHEWS
JULIET SORENSEN
THOMAS SZROMBA

COOK COUNTY BOARD OF ETHICS
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OPEN SESSION MINUTES – REGULAR MEETING
January 23, 2020

OPEN SESSION I:

A. Call to Order: The January 23, 2020 Regular Meeting of the Cook County Board of Ethics (“Board”) was called to order at 2:05 p.m.

Board Members Present: Chair Peggy Daley, Juliet Sorensen, David Grossman, Von Matthews, and Tom Szromba

Board Members Absent: None

Staff Members Present: Director N. Keith Chambers, Deputy Director Gina Smith, Legal Counsel Emily Stewart, Investigator Jason Jones, Investigator Jarrie Brown and Administrative Analyst Kisha Johns

B. Agenda Approval

A motion to approve the agenda was made and adopted by unanimous voice vote.

C. Statement by Chairperson Peggy Daley

Chair Peggy Daley read a prepared statement concerning her departure from the Board. In her statement Daley urged the Department to restart its D-2 Audits. She also urged President Preckwinkle to move forward with the Board’s recommended changes to the Ethics Ordinance. (See attached public statement)

D. Statements by the General Public

Scott Kane Stukel of Cameron and Kane, LLC made a statement on behalf of his client Coco Soodek. Mr. Kane requested the Board investigate alleged campaign finance violations involving Board of Review Commissioner Michael Carbonagi.

E. Nomination of new chair of the Board of Ethics

A motion was made to make Juliet Sorensen the new chair of the Board of Ethics. The motion was seconded and adopted by unanimous voice vote.

F. Approval of Open Session Minutes of the December 11, 2019 Regular Meeting

Chair Sorensen requested that Board staff update the December 11, 2019 Regular Meeting minutes to reflect the fact that the list of Ethics Ordinance sections discussed at the previous meeting was not a comprehensive list and only reflected some of the sections discussed by the Board at its previous meeting. She also requested that the draft ordinances prepared by Mr. Serafini (3rd year law student) be attached to the final meeting minutes. A motion was made to adopt the December 11, 2019 meeting minutes with Chair Sorensen’s requested changes. The motion was seconded and adopted by a

unanimous voice vote.

G. Nomination of Susan Gaffney to Ethics Board

Director Chambers informed the Board that Susan Gaffney had been nominated by the President's office to fill Peggy Daley's seat on the Board.

H. Director's Report

Director N. Keith Chambers also updated the Board on the President's Office's request for additional time to review the draft amendments to the Ethics Ordinance.

I. Update on Changes to the Ethics Ordinance

Chair Sorensen then summarized the Board's process for developing draft amendments to the Ethics Ordinance. She then highlighted some of the Board's recommended changes, including the addition of a section prohibiting sexual harassment in the workplace. Ms. Daley also mentioned that the Board recommended an increase in fines for violations of the Ordinance. Daley then explained that the Board does not have the power to turn such recommendations into law but would like to receive public comment on the Board's recommended changes.

After being questioned, Director Chambers stated that he didn't invite someone from the President's Office to discuss the recommended changes because the Office of the President sent a letter to the Board asking for another 60 days to review the draft document before providing comment. The Deputy Chief of Staff for the Office of the President was also in attendance and stated that he was there to be a witness to the proceedings and not to comment on the substance of the recommended changes.

A motion was made to adopt the Board's recommended changes and it was approved by unanimous voice vote.

At 2:31 p.m., the Board adjourned into Executive Session to review minutes for prior closed sessions, pursuant to sections 2(c)(21) of the Open Meetings Act.

OPEN SESSION II:

At 2:32 p.m., the Board reconvened into open session.

J. Approval of the Closed Session Minutes of the October 31, 2019 Regular Meeting

A motion was made and seconded and the minutes of the Closed Session of the Board's December 11, 2019 regular meeting were approved by unanimous voice vote.

K. Other Items

Director Chambers then clarified that when he arrived in January of 2019 the Department was not conducting any D-2 Audits and therefore he didn't stop the process. He also stated that there were no standard operating procedures for conducting such audits when he arrived. He further stated that such procedures have been developed under his tenure, and he confirmed that the department will be performing an audit of 2019 campaign contributions in the first quarter of 2020.

Mr. Grossman then asked Director Chambers whether he was aware of the decision from the President's Office to replace Chair Daley before she received her letter and why he didn't inform her of that fact. Director Chambers replied that he was aware of the letter, but that he is not responsible for making appointments to the Board. Mr. Grossman then asked Director Chambers whether he knew if any other board members are going to be replaced. He replied that he did not.

M. Adjourn

The Board voted unanimously to adjourn at 2:41 p.m.

Minutes submitted by Board Staff

Statement of Margaret Daley

As the members of the Board are aware, two days ago President Preckwinkle's office emailed a letter to me dismissing me from my position on the Board of Ethics. According to the letter, my term expired on July 1, 2019 and she has identified a replacement candidate that has been forwarded to the Cook County Board of Commissioners for approval. I was surprised to receive this notice of dismissal as I mistakenly believed my term had renewed and I received no phone call in advance of this email from either President Preckwinkle's office or from Keith Chambers, the Executive Director of the Department of Ethics advising me I was to be replaced.

I am sorry to leave the Board as this is an exceptional group of dedicated professionals and there is much left to do, but in the end these positions are filled at the discretion of the President and the Cook County Board and they believe it's time for me to move on. So move on I will.

It has come to my attention that three other members of the current board's terms are up in the next six weeks or so. I want to strongly urge President Preckwinkle to renew their terms and let them continue the important work which we have begun, particularly our initiative to amend the current County Code of Ethics and bring it into line with best practices in other jurisdictions. It would be counter-productive to replace these board members at this crucial juncture.

I first became acquainted with the Board of Ethics when the prior Executive Director, Ranjit Hakim, approached me to lend a hand in training the staff. Ultimately he asked me to join the Board and I was delighted to do so. Ranjit was dedicated to the independence and professionalism of the Department of Ethics and took the lead in assembling the board as it is currently constituted. At the time I started on the Board there were only two other members and both resigned at my first board meeting. The board was unable to meet and conduct business for months due to a lack of a quorum. From that sorry beginning we have built the talented board gathered here today.

It has been a true honor to lead this board and work with each of its members. You were all recruited by Ranjit due to your exceptional qualifications, your independence and passion for good government. You have served tirelessly, spending untold volunteer hours, most recently helping to bring our proposed amendment to the Cook County Code of Ethics to completion and publication. Each one of you is driven only by your desire to serve the citizens of Cook County and their interests. I am proud of the work we have done and can leave this position content in the knowledge that we have not been complacent, or self-interested or pushed any other agenda other than good government.

Before I walk out into the sunset as it were, I want to address one matter in particular. During the tenure of Mr. Chambers, this Department has stopped conducting campaign finance audits. These are the audits that, under Ranjit Hakim's tenure, identified substantial campaign finance violations of Joe Berrios. I believe that these audits are a critical function of the Department of Ethics and the failure to conduct them may result in backsliding and compliance failures at best and the tolerance of corruption at worst. This board has urged Mr. Chambers time and again to renew these audits and I believe that he last indicated they would start them in the beginning of 2020. I urge this Board to confirm that these audits do indeed begin again as promised. And I urge President Preckwinkle to make this a priority.

Finally, we have been told many times over the past year by Mr. Chambers that President Preckwinkle is in favor of ethics reform and that she supports our efforts to enhance the Code of Ethics. We have been told by Mr. Chambers that he had a sponsor for our amendments when they were complete. I certainly hope that this is the case.

I know that President Preckwinkle stated during her campaign for Mayor of the City of Chicago that she supported banning outside employment for alderman and other elected officials. I hope that she supports a similar ban for Cook County Commissioners, as this is what we recommend. Last year President Preckwinkle assembled an anti-harassment panel and requested recommendations to protect Cook County employees from harassment and discrimination. I hope that she supports the inclusion of sexual harassment as a violation of the ethics code, as this is what we recommend. I hope that she will support the revision that removes the State's Attorney alleged ability to settle ethics lawsuits brought against public officials on behalf of the Board of Ethics without its consent and approval, as this is what we recommend.

There are many recommendations in our proposed amendments and certainly there is room for robust public discussion and revision where warranted after all relevant constituencies are consulted, including, most importantly, the public.

Alderman Paddy Bauler famously observed that "Chicago ain't ready for reform." Well, the members of this Board believe that Cook County IS ready for reform and I urge the board to pass the amendments and make them available for a period of public commentary. I also urge President Preckwinkle to embrace these reforms, become their champion and move them over the finish line into law.