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Meeting
March 1, 2023

Cook County Board of Review

COOK COUNTY BOARD OF REVIEW

MEETING

118 NORTH CLARK STREET

Sixth Floor Hearing Room

CHICAGO, ILLINOIS 60602

Wednesday, March 1, 2023 at 10:00 a.m.

REPORT OF PROCEEDINGS before COMMISSIONER
GEORGE A. CARDENAS, upon the meeting of the
above-entitled cause taken at the Cook County Board of
Review, 118 North Clark Street, Room 601 held on the
1st day of March, 2023 at the hour of 10:00 a.m.

APPEARANCES:

MR. GEORGE A. CARDENAS, Commissioner

MS. SAMANTHA STEELE, Commissioner

MR. LARRY ROGERS, JR., Commissioner

1 P R O C E E D I N G S

2 CHAIRMAN CARDENAS: All right. The Cook
3 County Board of Review is called to order. I will now
4 call the roll. Commissioner Rogers?

5 COMMISSIONER ROGERS: Here.

6 CHAIRMAN CARDENAS: Commissioner Steele?

7 COMMISSIONER STEELE: Here.

8 CHAIRMAN CARDENAS: George Cardenas here and
9 also present. We have a quorum. For the record this
10 is a regular meeting. And we have now scheduled on a
11 quarterly basis. We will now proceed with the Pledge
12 of Allegiance. Commissioner Steele, would you like to
13 take the lead?

14 (Pledge of Allegiance)

15 CHAIRMAN CARDENAS: We'll now move to public
16 comment. I would like to remind everyone that public
17 comment policy -- copies are included in each of the
18 Commissioners' packet. The hard copies sit at the back
19 of the room with the public comment official forms.
20 Public comment is two minutes and short. And policy
21 limits of public speakers are two minutes. It gives
22 each speaker two prompts when one minute has elapsed
23 and when their time is up. Prohibits profanity and
24 abusive language. Please note the time limits will be

1 tightly enforced. With that said, Madam Secretary, do
2 we have any public speakers?

3 COMMISSION SECRETARY: Yes, we have one
4 public speaker, Mr. Todd Thielman. Mr. Thielman, the
5 floor is yours.

6 MR. THIELMAN: Thank you. As Commissioner
7 constituted a regularly quarterly meeting.
8 Unfortunately the Board of Review does not publish
9 their meetings prior to the beginning of the year like
10 they are required to by OMA. So this is not a regular
11 meeting. This is what's called a special meeting.

12 I'm protesting this meeting because it was
13 noticed on February 21st which is eight days ago. You
14 need a ten-day notice to be a regular meeting, to be a
15 special meeting. So this is an illegal meeting. Just
16 letting you know. I want to protest this with the
17 Attorney General's Office.

18 CHAIRMAN CARDENAS: Duly noted.

19 MR. THIELMAN: I'm not finished yet.

20 COMMISSION SECRETARY: One minute. Let me
21 get back to my notes. Your public comment procedures
22 or policy is also illegal. You can't require an agenda
23 item for a public speaker to speak. Otherwise, you can
24 construe an agenda to prevent anyone from speaking by

1 constricting the agenda. So by logic, you can't do
2 that. If you check with the other bodies within the
3 county they have already realized that and don't
4 restrict anyone to agenda items only. Just as you guys
5 and gal can discuss anything, it doesn't have to be an
6 agenda item.

7 COMMISSIONER STEELE: I'm not a gal.

8 MR. THIELMAN: It doesn't have to be an
9 agenda item. It can be anything. You just can't take
10 action on it. So I just want to make you aware of OMA.
11 I think Commissioner Rogers, you have taken OMA
12 training in the past. I don't know about the other two
13 Commissioners. But I think you should be aware of
14 that. So I will protest your public policy procedures
15 as well. Two minutes is also very restrictive. So
16 I'll protest that as well. That is all I have today.
17 Thank you.

18 CHAIRMAN CARDENAS: Thank you. Madam
19 Secretary, are there any other public speakers who wish
20 to be heard?

21 COMMISSION SECRETARY: There are not.

22 CHAIRMAN CARDENAS: This ends the public
23 period. Now we move on to approval of the minutes.
24 The next item of the agenda is approval of the minutes

1 from December 5, 2022 public meeting. Are there any
2 corrections or additions to the minutes?

3 COMMISSIONER ROGERS: None.

4 CHAIRMAN CARDENAS: Commissioner Steele.

5 COMMISSIONER STEELE: No. If there are no
6 corrections or additions, is there a motion to approve
7 the minutes of December 5, 2022?

8 COMMISSIONER ROGERS: So moved.

9 COMMISSIONER STEELE: Second.

10 CHAIRMAN CARDENAS: Commissioner Rogers
11 motions. Commissioner Steele second. The motion is
12 approved.

13 COMMISSIONER ROGERS: All in favor?

14 CHAIRMAN CARDENAS: All in favor of approving
15 the minutes?

16 COMMISSIONER ROGERS: Aye.

17 COMMISSIONER STEELE: Aye.

18 CHAIRMAN CARDENAS: Aye. All those opposing
19 indicating nay.

20 (NO RESPONSE)

21 CHAIRMAN CARDENAS: So let the record reflect
22 that the motion to approve the minutes of December 5,
23 2022 passes.

24 Moving on to Old Business. Is there any Old

1 Business? Commissioner Steele, any Old Business?

2 COMMISSIONER STEELE: No.

3 CHAIRMAN CARDENAS: Commissioner Rogers?

4 COMMISSIONER ROGERS: No.

5 CHAIRMAN CARDENAS: Hearing none, we'll move
6 on to New Business. First item on the agenda for
7 today's meeting is the adoption of the Cook County
8 Board of Review Travel Business Expense Policy. And
9 I'll say in a nutshell, this policy spells out the
10 process for proper authorization of reimbursements of
11 expenses while it is -- official business on behalf of
12 the Board.

13 Number 2, it addresses the need for fairness
14 and uniformity through transparency and accountability.

15 And Number 3, and it insures that all
16 Commissioners are regularly updated by all expenditures
17 and the budgetary impact. Is there a motion to adopt
18 the Board's Travel and Business Expense Policy?

19 COMMISSIONER STEELE: So move.

20 CHAIRMAN CARDENAS: Commissioner Steele, so
21 moves.

22 COMMISSIONER ROGERS: Second.

23 CHAIRMAN CARDENAS: Commissioner Rogers
24 second. I move the adoption of the Travel Business

1 Expense Policy.

2 COMMISSIONER ROGERS: All in favor?

3 CHAIRMAN CARDENAS: All in favor?

4 (A CHORUS OF "AYES")

5 CHAIRMAN CARDENAS: The ayes have it. Thank
6 you. The motion passes.

7 The next item on the agenda is amendments to
8 the Overtime Policy. These amendments set up a process
9 for events of approval of overtime as number one.
10 Number 2, requires the use of recording overtime to the
11 CC system. And the amendment addresses the need for
12 fairness and uniformity and realtime accountability of
13 the budgetary impact.

14 Is there a motion to amend the Cook County
15 Board of Review Overtime Policy?

16 COMMISSIONER ROGERS: So moves.

17 CHAIRMAN CARDENAS: Commissioner Rogers moves
18 to amend the Overtime Policy. Is the motion seconded.

19 COMMISSIONER STEELE: Seconded.

20 CHAIRMAN CARDENAS: Commissioner Steele
21 seconds the motion. All those in favor indicate by
22 saying "aye"

23 (A chorus of ayes)

24

1 CHAIRMAN CARDENAS: All those opposed
2 indicate by saying "nay".

3 (NO RESPONSE)

4 CHAIRMAN CARDENAS: The motion passes. The
5 motion for the adoption of the Social Media Policy is
6 next. The next item on the agenda is, as I mentioned,
7 is Social Media Policy. This policy is one, sets up
8 the process for who can post on behalf of the Board of
9 Review. And second, it requires the standards and
10 guidance of how to best use social media on behalf of
11 the Board. Is there a motion for adoption of the
12 Social Media Policy?

13 COMMISSIONER ROGERS: So move.

14 CHAIRMAN CARDENAS: Commissioner Rogers moves
15 to adopt the Cook County Board of Review Social Media
16 Policy. Is the motion seconded?

17 COMMISSIONER STEELE: Second.

18 CHAIRMAN CARDENAS: The motion is seconded by
19 Commissioner Steele. All those in favor indicate by
20 saying "aye".

21 (A chorus of ayes)

22 CHAIRMAN CARDENAS: All those opposed
23 indicate by saying "nay".

24 (NO RESPONSE)

1 CHAIRMAN CARDENAS: The motion passes. The
2 next item on the agenda is the amendments to the IT
3 Policy. These amendments -- change the existing policy
4 from IT Policy to internal data requests. It finds the
5 work Committee and then prioritizes and authorizes long
6 term of data. The Committee will consist of all three
7 assistants, one member of the IT Team, the Chief Deputy
8 and Commissioner and Secretary.

9 Is there a motion to amend the IT policy.

10 COMMISSIONER ROGERS: So moved.

11 COMMISSIONER STEELE: I would like a motion
12 to table this in Executive Session.

13 CHAIRMAN CARDENAS: There is a move to amend
14 the IT Policy by Commissioner Rogers. I second the
15 motion. All those in favor indicate by saying "aye".

16 COMMISSIONER ROGERS: Aye.

17 CHAIRMAN CARDENAS: Those opposed by saying
18 "nay"

19 COMMISSIONER STEELE: Nay. I would like to
20 bring --

21 CHAIRMAN CARDENAS: The motion passes.

22 COMMISSIONER STEELE: I have some
23 discrepancies within the IT Policy. I, as the
24 Commissioner, have requested data, quality control data

1 since the beginning of December and have yet to receive
2 that. On January 24th I had a meeting with the IT
3 Department explicitly outlining the requested data
4 points. This is a matter of concern given the
5 Board's previous history with the FBI investigations
6 and I view that the Board should be requesting which
7 analysts are settling values and what they are -- and
8 yet to receive it.

9 For the record, I disagree with the IT Policy
10 as outlined and I would like to have that amended.

11 COMMISSIONER ROGERS: Just for clarification,
12 since the motion was seconded, I think we are in a
13 discussion component on the motion.

14 CHAIRMAN CARDENAS: There's latitude in terms
15 of Commissioner's speaking out on items.

16 COMMISSIONER ROGERS: Absolutely. I just had
17 a question. Is there a specific amendment that you are
18 proposing to the policy?

19 COMMISSIONER STEELE: Yes. My amendment is
20 that we, the Commissioners should receive data as
21 requested.

22 CHAIRMAN CARDENAS: Madam Secretary, could
23 this item and the motion by Commissioner Steele and her
24 comments from the record, I recommend a meeting to be

1 held by the Chiefs and the IT personnel to review the
2 comments and proposed solutions to Commissioner
3 Steele's request.

4 COMMISSIONER ROGERS: For discussion
5 purposes, I would say I think that the policy as
6 drafted is acceptable and I concur with Commissioner
7 Cardenas that the issues that are raised by
8 Commissioner Steele to be discussed further.

9 CHAIRMAN CARDENAS: Agree.

10 Motion for adoption of the resolution of
11 honoring the life of Larry Rogers --

12 COMMISSIONER ROGERS: We need to vote on the
13 IT motion.

14 CHAIRMAN CARDENAS: I think our motion
15 passes.

16 COMMISSION SECRETARY: All indicated by
17 saying "aye".

18 CHAIRMAN CARDENAS: All those in favor
19 indicate by saying "aye".

20 COMMISSIONER ROGERS: Aye.

21 CHAIRMAN CARDENAS: I second that. Those
22 opposed indicate by saying "nay".

23 COMMISSIONER STEELE: Nay.

24 CHAIRMAN CARDENAS: The motion passes. Moves

1 adoption of the Resolution honoring the life of Larry
2 Rogers, Sr. We are considering honoring the life and
3 legacy of Larry Rogers, Sr. as Chairman of the Board.
4 I would like to once again express my sincere
5 condolences to the Rogers family and I yield the floor
6 to Commissioner Rogers to say a few words.

7 COMMISSIONER ROGERS: I just want to thank my
8 colleagues and all the staff and employees of the Board
9 that were very -- that expressed their condolences and
10 expressions of love and support. My father passed on
11 January 20th of 2023. While he had been ill, it was
12 rather unexpected. And outpouring of love and support
13 meant a lot to my family. So I want to thank my
14 colleagues and thank the members of the Board and
15 members of the public. The resolution I sincerely
16 appreciate and we'll cherish that within my family.

17 CHAIRMAN CARDENAS: I move to adopt the
18 Resolution of Honoring the life of Mr. Larry Rogers,
19 Sr. Is the motion seconded?

20 COMMISSIONER STEELE: Second. Commissioner
21 Steele seconds the motion. All in favor indicate by
22 saying "aye".

23 (A chorus of ayes)

24 COMMISSIONER CARDENAS: All those opposed

1 indicate by saying "nay".

2 (NO RESPONSE)

3 CHAIRMAN CARDENAS: It passes. We will be
4 moving on to Motion 6. Call for the Office of the
5 Secretary to conduct an analysis of separating the
6 FY2024 budget by district. If adopted, this call will
7 one, evaluate the visibility of the three-parts
8 condition of the budget. Is there a motion to call on
9 the Secretary of The Board to conduct an analysis on
10 separating the FY2024 budget by district?

11 COMMISSIONER STEELE: Moves.

12 COMMISSIONER ROGERS: Second.

13 CHAIRMAN CARDENAS: Commissioner Rogers
14 seconds that. To call on the Secretary of the Board to
15 conduct an analysis of separating the FY 2024 budget by
16 district. Is the motion seconded? I believe --

17 COMMISSIONER ROGERS: Seconded.

18 CHAIRMAN CARDENAS: Commissioner Rogers
19 seconded. All those in favor of the motion indicate by
20 saying "aye.

21 (A chorus of ayes)

22 COMMISSIONER CARDENAS: All those opposed
23 indicate by saying "nay".

24 (NO RESPONSE)

1 CHAIRMAN CARDENAS: The motion passes. In
2 the eyes of the Chair the ayes have it. Those opposed
3 indicate by saying "nay". I apologize. That is for
4 the next motion.

5 We are going to move to Executive Session
6 now.

7 COMMISSIONER STEELE: One, we have a birth.
8 So Yesenia Hernandez has given birth this morning to a
9 new life. So we would like to honor that. She is a
10 long time employee of the Board of Review and
11 congratulate her. And then we have a, you know, life
12 is a circle and we have a retirement today. So I would
13 like to honor Michelle Jordan for her tenure at the
14 County and thank you for your service and everything
15 that you extended to our office, the Secretary's
16 office. Thank you.

17 COMMISSIONER ROGERS: Congratulations on your
18 retirement.

19 I move that we proceed into Executive
20 Session.

21 COMMISSIONER STEELE: So moved.

22 CHAIRMAN CARDENAS: Commissioner Rogers has
23 moved to be in Executive Session. Commissioner Steele
24 has seconded. I too move to Executive Session. In the

1 eyes of the Chair, it's approved.

2 Another housekeeping item. I don't know
3 if there is a motion to be had, but we would like the
4 chiefs to be part of the Executive Session.

5 UNKNOWN DEPUTY: Let's clear the room.

6 COMMISSIONER ROGERS: I know this is one of
7 the initial meetings that my colleagues have
8 participated in with Mr. Theilman. Just to give you
9 some background. He was the former Chief of Staff for
10 Commissioner Wendt. And it came to light that he was
11 her first cousin in violation of the Ethics Policy and
12 the Inspector General's Office investigated it and she
13 refused to terminate him. It was required that she
14 terminate him. And since that time, we have been
15 inundated with Mr. Thielman with FOIA requests and
16 allegations, what I would call -- what some would call
17 harassment.

18 COMMISSIONER STEELE: Is there a lawsuit for
19 him to recoup --

20 COMMISSIONER ROGERS: Yes, there was a
21 lawsuit that he repay the amounts he had been paid. So
22 I apologize to the extent that that is a holdover issue
23 from my colleagues. It is what it is. We tried to
24 deal with it the best way we can.

1 (The following was held in Executive
2 Session outside of the public)

3 CHAIRMAN CARDENAS: Let's go into Executive
4 Session. I will let the record reflect that we have
5 moved to Executive Session. And I will now take the
6 roll. Commissioner Rogers?

7 COMMISSIONER ROGERS: Here.

8 CHAIRMAN CARDENAS: Commissioner Steele?

9 COMMISSIONER STEELE: Here.

10 CHAIRMAN CARDENAS: Chairman Cardenas is
11 present. We have a quorum. We have Secretary -- first
12 Chief Juan -- and Burris are present. The Court
13 Reporter is also present.

14 So the first item for discussion is the
15 position. I'm glad we're in Executive Session. Is the
16 rescission of the bifurcation of the Chief Deputy
17 Commissioner position. At the December 5, 2022 we
18 voted to bifurcate the Chief Deputy Commissioner
19 position and we nominated Dan Balanoff and William
20 O'Shields. Since then, Mr. William O'Shields declined
21 the appointment and Mr. Dan Balanoff has assumed the
22 position of Chief Deputy Commissioner. We neglected to
23 define the duties and responsibilities for these
24 12-point positions. I believe we need to have a

1 conversation to move forward. Who will term action the
2 Chief Deputy Commissioner. If we decide to rescind the
3 bifurcation, the floor is open for discussion. Before
4 we move on that, the second item to discuss are the
5 appointments of FOIA Officer, and the Ethics Officer
6 the OMA Officer in the absence of the General Counsel.
7 The floor is open for discussion.

8 COMMISSIONER STEELE: I don't have the same
9 notes that you guys have.

10 COMMISSIONER ROGERS: I asked for it.

11 CHAIRMAN CARDENAS: It's just to run the
12 meeting. Discussions?

13 COMMISSIONER ROGERS: So the position of
14 Chief Deputy Commissioner is one that is delineated by
15 statute. At our first meeting in December when we went
16 into Executive Session, there was some discussions
17 about it. And we decided that we would bifurcate the
18 positions with the expectation that William O'Shields,
19 who had over a decade of experience, continue in the
20 role to assist Mr. Balanoff. We have not had an
21 opportunity to approach Mr. O'Shields or Mr. Balanoff
22 about the co-appointments. We proceeded in what we
23 thought was the best interest of the agency.

24 Subsequent to bifurcating their roles by

1 appointing as co-chiefs, William O'Shields declined the
2 appointment. And in looking at the definition of what
3 the position requires, it becomes pretty apparent that
4 Mr. Balanoff does not have the experience for the role
5 at this point.

6 So I would suggest that we rescind the
7 decision made in December to appoint co-Chiefs and that
8 we post the position for a Chief and open it up for
9 applications to include Dan Balanoff or anyone
10 externally who wants to apply.

11 COMMISSIONER STEELE: I do have
12 Mr. Balanoff's resignation letter from this morning. I
13 would motion that we open the Chief Deputy position to
14 applicants and to revisit writing the job description
15 for that position.

16 COMMISSIONER ROGERS: I'm open to any
17 suggestions that will be in the best interest of the
18 agency in terms of defining the role.

19 CHAIRMAN CARDENAS: The first one, we need a
20 fresh approach to the Board coming in with the two new
21 Commissioners. And I think that is what is happening.
22 We have obviously some changes within the Board. And
23 my approach is to basically to professionalize the
24 Board to the best of our ability. I'm open to all

1 those suggestions. If bifurcation does not work, I
2 think as Commissioners and as professionals we need to
3 look at what works and move in that direction. I don't
4 think we limit anybody. I think that looking at rules
5 and responsibilities and also experience, I think it is
6 important. But I think it's also important for us to
7 base ourselves on statutes and the legal definitions
8 because, as you know, there is a gentleman who is
9 keenly interested in what we do. So I think that all
10 of us play a role in that. To me, building a consensus
11 as to who could be that person is very important. And
12 you guys are in this Executive Session for that reason
13 because you work day-to-day with the ebb and flow of
14 this agency, of this Board. And people on the outside
15 are looking for us for relief. They are looking for us
16 for leadership. And so we've got to take all that into
17 consideration from now on. I think that certainly we
18 have and can -- the agency to have different roles and
19 potentially train and move people to be able to
20 demonstrate their different abilities. I think we
21 should do that. But the Commission's mission is so
22 important for us to deliver a fair evaluation that
23 people expect from us. I hope that we come to a
24 consensus because I will not move to do anything that

1 is not a consensus among the chiefs and the
2 Commissioners.

3 COMMISSIONER ROGERS: The only other
4 comment -- I just wanted to say, you know, our first
5 meeting involved two new electeds to the office.
6 Things were a bit hurried. And I neglected to approach
7 William O'Shields. I do on the record to apologize to
8 him. He has been an amazing employee in terms of his
9 loyalty to the agency, his dedication. A simple review
10 of the number of files he handled and the hours that he
11 worked will reflect his commitment to the agency. So
12 to not have approached him before we made that move was
13 something I regret and do want the record to reflect
14 that I do apologize to him for that. It was not
15 intended by anyone. I think it was, you know, there
16 were two new electeds and we were trying to make
17 decisions that we thought were in the best interest of
18 the agency and that was sort of the outcome.

19 I do also want to acknowledge the letter I
20 was just handed by Commissioner Steele on behalf of Dan
21 Balanoff resigning from the position. I think Dan did
22 his best in the position. I appreciate his expressions
23 of gratitude to the Board for having the opportunity to
24 serve in that capacity and his commitment to work

1 diligently to ensure that any transition was -- as
2 possible. That speaks to his professionalism and his
3 commitment to the agency. I want to publicly express
4 that too.

5 CHAIRMAN CARDENAS: I agree. I think to
6 William O'Shields, I think again our intention was a
7 fresh start. That was my intentions and mindset. I
8 respect everybody's abilities. And I echo your
9 sentiments. And I wish Dan Balanoff well. He is
10 highly regarded by Commissioner Steele and I think we
11 owe it to say something on behalf of somebody that
12 values that person.

13 COMMISSIONER ROGERS: Coming out of Executive
14 Session, I will formally move to rescind our actions on
15 splitting the chief position into co. Are we in the
16 agreement?

17 COMMISSIONER STEELE: I agree.

18 CHAIRMAN CARDENAS: Sure.

19 COMMISSIONER STEELE: For the record, as far
20 as the job description for Chief Deputy, I am adamant
21 that the individual should have the -- credentials. So
22 the International Association of -- I made no
23 on-the-job description that the individual that applies
24 should have successfully completed IAO 101 which is

1 intro to assessments. 102 was Commercial, 300 which is
2 mass -- to the tax policy.

3 COMMISSIONER ROGERS: Would you be open to us
4 moving to rescind a decision from dissimilating and
5 then --

6 COMMISSIONER STEELE: Revisiting the job
7 description.

8 COMMISSIONER ROGERS: Revisiting the job
9 description.

10 COMMISSIONER STEELE: For the record, I'm
11 publicly advocating that the individual that applies
12 should have successfully --

13 CHAIRMAN CARDENAS: I think we, especially if
14 we are on the record, we have to be careful to be
15 adding the requirements on the fly.

16 COMMISSIONER STEELE: Not on the fly.
17 Fifteen years of experience.

18 COMMISSION SECRETARY: Point of information.
19 So we did include that initial -- in the draft. I
20 think there was a consensus to have these were
21 required.

22 CHAIRMAN CARDENAS: Move to the consensus and
23 lets you know, socialize as you say.

24 COMMISSION SECRETARY: Those are the

1 outstanding expenses for the Ethics Officer.

2 COMMISSIONER ROGERS: The issue of FOIA
3 Officer and appointment. Dan Balanoff as an
4 Attorney --

5 COMMISSIONER STEELE: Volunteered.

6 COMMISSIONER ROGERS: -- volunteered to act
7 as the FOIA Officer. Our current budget does not have
8 a pool slot.

9 COMMISSIONER STEELE: FOIA allocation period.

10 COMMISSIONER ROGERS: Do you have an
11 understanding as to whether he is open to that
12 appointment that we can have a designated --

13 COMMISSIONER STEELE: He is.

14 COMMISSIONER STEELE: The issues that we have
15 with the Grade 24s are not allocated and full-time
16 employees --

17 COMMISSIONER ROGERS: I think that
18 legitimately Commissioner Steele is concerned that her
19 staff position would be allocated for the FOIA role
20 which would deprive her of a staff position.

21 COMMISSIONER STEELE: Yes.

22 COMMISSIONER ROGERS: And I understand that.
23 I think we should work with the Budget Office to
24 designate an independent General Pool 24, 24 for that

1 position and/or make sure that she has the opportunity
2 to retain someone in a position, comparable position on
3 her staff so that she is not losing a staff person is
4 the point.

5 COMMISSION SECRETARY: We processed that
6 request for the record creating a new Grade 24 or
7 making any amendments to a budgeted salary for a Grade
8 24 requires market -- analysis --. I think we are
9 aware of that. That is all that's needed to process
10 that creation of a new Grade 24, maybe for a full
11 position or someone on your respective staff. We did
12 put in that request to Budget, because I think there
13 was a consensus to do so. Debra made that request
14 yesterday and we're following up. That is a Grade 24
15 position that is based salary 140.

16 CHAIRMAN CARDENAS: I didn't know that we
17 were going to get into payroll discussions, but for the
18 record, District 1 is understaffed, needs to be in
19 parity with the other two districts. So that request
20 can be formally made to the Commissioner of District 1.

21 COMMISSION SECRETARY: We will work on that
22 analysis.

23 COMMISSIONER ROGERS: My Chief of Staff
24 Burrus brought to my attention that -- reminded me I

1 should say that historically the agency has been
2 underfunded. And historically the role of both the
3 FOIA Officer and the Ethics Officer has been assigned
4 to a staff person on a Commissioner's respective staff.
5 I don't think given the number of FOIA requests that we
6 have been getting from Mr. Thielman and others and the
7 complaints that have been lodged, which they are
8 entitled to do, which we have to address, our current
9 structure that allows for that dual role on the
10 Commissioner's staff is no longer feasible. So both in
11 the Ethics Department as well as the FOIA Officer, we
12 need to look as an independent position.

13 COMMISSIONER STEELE: Absolutely. I agree
14 with that. Thank you.

15 COMMISSION SECRETARY: Before we adjourn to
16 discussion the FOIA, the position that will be obtained
17 by Mr. Dan Balanoff, what other roles and
18 responsibilities are we going to include in that
19 description? So if we motion to appoint Mr. Balanoff
20 as the FOIA Officer, I would appreciate a motion to
21 also -- make a determination on his role.

22 COMMISSIONER ROGERS: So we need a FOIA
23 officer to respond so we can have the resignation of
24 our General Counsel. And we need someone to respond to

1 the FOIAs. Currently, the person responding to Ethics
2 is on my staff. I do think they do a good job in that
3 capacity. I am committed to making sure you don't lose
4 the ability to have a staff person in place either.

5 COMMISSIONER ROGERS: I would like to appoint
6 him once we go back into Executive session for FOIA
7 responsibility.

8 COMMISSIONER STEELE: There is no job
9 description. We did this with the co-chiefs that we
10 created, a job that didn't exist.

11 COMMISSIONER ROGERS: The difference with the
12 chief as with the Secretary and the clerk is that those
13 are statutory appointments. I don't believe the other
14 appointments even require formality, but I'm not
15 against formality.

16 COMMISSIONER STEELE: I'm also concerned this
17 chief position, we don't have a job open. We don't
18 have a line item for it.

19 COMMISSIONER ROGERS: For this chief?

20 COMMISSIONER STEELE: We don't.

21 CHAIRMAN CARDENAS: Chief Deputy is still
22 there vacant.

23 COMMISSIONER STEELE: It doesn't exist. My
24 concern is that we go to the president's office and we

1 say, hey, we have a chief. We don't have a budget line
2 item. William works on -- that position is your staff.
3 As you, you know, as District 3 had graciously done
4 historically, you volunteered staff members to pool.
5 But that is not beneficial. Then you lose a staff
6 member. I don't want that. I want clear parity within
7 the three districts and the pool staff. We need to go
8 to Human Resource and say this is the Org Chart. These
9 are the needs of our agency. This is how we propose
10 meeting those needs. Please provide us with the, you
11 know --

12 COMMISSIONER ROGERS: Two things. I agree
13 that we need to approach HR and Budget about the
14 structure with respect to a number of positions and I
15 commit to doing that. But we also have to get things
16 done in the interim.

17 COMMISSIONER STEELE: I'm happy to let Dan
18 take -- but I don't want to appoint publicly that we
19 don't have. I just, off the record, feel it makes us
20 look not professional to be appointing and then to go
21 to Human Resources and say oh, well, we did this. Can
22 you please let us?

23 COMMISSIONER ROGERS: Well, we have to have
24 someone responsible for responding to FOIA.

1 CHAIRMAN CARDENAS: I think that she's saying
2 that if Dan will do it, we --

3 COMMISSIONER STEELE: Yeah. Appointing
4 positions that we don't have the authority makes us
5 look --

6 CHAIRMAN CARDENAS: She will talk to Dan and
7 they will do a FOIA for now.

8 COMMISSION SECRETARY: For the record, I want
9 to say there is a description for a FOIA officer. My
10 question was if in fact we are going to include other
11 roles, we visit that description for Mr. Balanoff.

12 CHAIRMAN CARDENAS: The interim we'll say
13 while we seek remedies to be able to fill that.

14 COMMISSIONER ROGERS: Okay.

15 CHAIRMAN CARDENAS: Anything else?

16 COMMISSION SECRETARY: We are not going to
17 motion to motion to appoint anyone?

18 CHAIRMAN CARDENAS: No. We'll motion to
19 create --

20 COMMISSIONER ROGERS: I'll address it.

21 CHAIRMAN CARDENAS: -- the FOIA officer slot.

22 COMMISSIONER STEELE: We can thank Dan for
23 volunteer to --

24 CHAIRMAN CARDENAS: Let Commissioner Steele

1 deal with that. Saying Dan -- or the staff is going
2 to -- interim volunteer to do that. That's fine. I
3 think that closes the gap on that.

4 COMMISSION SECRETARY: So the Ethics Officer
5 or the GC would serve as the Ethics Officer in the
6 absence of a GC. Josiah Harris, who has been
7 appointed as others have filled that role. We don't
8 need to reappoint her because of course we are going to
9 go to market and look for a GC and et cetera. So we
10 can disregard that.

11 COMMISSIONER STEELE: I just want to ask
12 Commissioner Rogers, who it was, so that we could thank
13 her for volunteering to do that.

14 CHAIRMAN CARDENAS: There is no issue on
15 rescinding the application. I'll ask for a motion,
16 okay.

17 COMMISSIONER ROGERS: They are not going to
18 be motions.

19 COMMISSIONER STEELE: To rescind the
20 bifurcation.

21 COMMISSIONER ROGERS: We are going to move
22 that be allowed without appointment.

23 COMMISSIONER STEELE: He's already on my
24 staff. There was no definite Chief Deputy.

1 CHAIRMAN CARDENAS: We'll rescind it.

2 COMMISSIONER ROGERS: Talking about the FOIA?

3 COMMISSIONER STEELE: I'll volunteer, yes.

4 But I accept that Dan volunteered to act as the FOIA
5 officer.

6 COMMISSIONER ROGERS: So that way it is not
7 an appointment.

8 CHAIRMAN CARDENAS: Motion at the time,
9 appointment FOIA Officer is to be reconsidered.

10 COMMISSION SECRETARY: Table Motion 7.

11 COMMISSIONER STEELE: No, no. We motion that
12 we ask the County of Human Resources to approve --

13 CHAIRMAN CARDENAS: Motion 7. There is a
14 motion to create a FOIA Officer thereby putting in
15 your -- approval, and then I'm going to pass it on to
16 Commissioner Steele to say in the interim -- then we
17 will that role. And then you second the motion.

18 COMMISSIONER STEELE: Who is the Ethics
19 Officer?

20 COMMISSION SECRETARY: Josiah Harris.

21 COMMISSIONER ROGERS: She is appointed.

22 CHAIRMAN CARDENAS: Once we end the
23 application, we move to adjourn, because it is going to
24 be real fast.

1 COMMISSIONER ROGERS: Do you want to do --

2 CHAIRMAN CARDENAS: Why don't we create a
3 FOIA --

4 COMMISSION SECRETARY: Could be delegated to
5 someone on the staff.

6 CHAIRMAN CARDENAS: I'm going to go back into
7 Executive Session.

8 COMMISSION SECRETARY: So for the record,
9 there was no action taken during the Executive Session?

10 CHAIRMAN CARDENAS: I am going to ask for a
11 motion to end the Executive Session. Commissioner
12 Rogers moves to regular session? Commissioner Steele?

13 COMMISSIONER STEELE: Second.

14 CHAIRMAN CARDENAS: Commissioner Cardenas
15 also motions approves. All in favor, please say "aye".

16 COMMISSIONER STEELE: Aye.

17 COMMISSIONER ROGERS: Aye.

18 CHAIRMAN CARDENAS: The ayes and the Chair
19 have it. Is there a reconsideration?

20 COMMISSIONER STEELE: Yeah.

21 CHAIRMAN CARDENAS: Motion approved.

22 COMMISSIONER ROGERS: Let's get back to the
23 full meeting.

24

1 (WHEREUPON the following was heard
2 in front of the regular meeting)

3 CHAIRMAN CARDENAS: I'll restart. Is there a
4 motion to return to the regular business?

5 COMMISSIONER ROGERS: So moved.

6 CHAIRMAN CARDENAS: Commissioner Rogers
7 motions to return to regular business. Is there a
8 second?

9 COMMISSIONER STEELE: Second.

10 CHAIRMAN CARDENAS: Commissioner Steele
11 seconds the motion to return to the regular order of
12 business. Let the record reflect the motion carries.
13 We'll now resume our regular meeting.

14 COMMISSIONER ROGERS: We had some discussions
15 about the actions taken at our first December meeting
16 wherein acting in what we believed to be the best
17 interest of the agency, we determined to make a
18 co-chief appointment of Dan Balanoff and William
19 O'Shields. That was an action taken in discussion with
20 the Commissioners based upon a motion brought in open
21 session and again everyone acting in what they believed
22 to be the best interest of the agency.

23 William O'Shield declined the co-chief
24 position. He had been the Chief Deputy Commissioner

1 for well over a decade leaving just Dan Balanoff in the
2 position. Having considered our action we have
3 determined that it is in the best interest of the
4 agency to rescind the appointment of co-chief deputies,
5 and go to -- and to put forth an open position for one
6 Chief Deputy as defined by statute and as considered
7 further in terms of a job description by the
8 Commissioners and staff going forward.

9 For those reasons, I formally move that we
10 rescind our action from December 5th appointing the
11 co-chief deputies and post a position for one Chief
12 Deputy Commissioner of the agency.

13 CHAIRMAN CARDENAS: Commissioner Rogers
14 motions to rescind the application of the Chief Deputy
15 Commissioner position, is there a motion to second it?

16 COMMISSIONER STEELE: Motion to second. As a
17 caveat, I would like to say on the record that
18 Mr. Balanoff did resign his appointment this morning as
19 Chief Deputy.

20 CHAIRMAN CARDENAS: Commissioner Steele
21 seconds the motion.

22 COMMISSIONER ROGERS: With discussion.

23 CHAIRMAN CARDENAS: With discussion, with the
24 comments. Chairman Cardenas approves the motion.

1 COMMISSIONER ROGERS: I have some discussion.

2 CHAIRMAN CARDENAS: Commissioner Rogers.

3 COMMISSIONER ROGERS: I was handed today a
4 resignation letter from Dan Balanoff resigning from the
5 position of in essence co-Chief Deputy of The Board of
6 Review. And in the letter he expressed his gratitude
7 to the board for the appointment. And importantly as
8 committed to working diligently and making every effort
9 to ensure that the transition to a Chief is seamless.
10 I want to thank him for his professionalism. I want to
11 thank him for his service since December 5th and what
12 was a new position to him facing challenges. And I
13 want to thank him for his commitment to work going
14 forward to assure that we get someone into the position
15 who seamlessly transitions and acts in the best
16 interest of the agency.

17 I also want to publicly apologize to William
18 O'Shields for not having had the opportunity to
19 approach him about a co-chief position. William served
20 tirelessly for this agency for over a decade, working
21 during most sessions, if not all, more commercial
22 sizeable files than any other analyst. Putting in more
23 hours during the week, on weekends and over holidays.
24 Sacrificing time with his children and family all to

1 make sure that the agency that he served as Chief
2 Deputy Commissioner of, got the job done and got the
3 job done well. So I want to apologize that I didn't
4 talk to him personally about the co-chief position.
5 Time didn't permit it. But I also want to publicly
6 thank him. To the extent that he is interested in
7 applying for the Chief Deputy going forward, he is
8 welcomed to, to the interest that he is enjoying the
9 time with his family that he neglected for over a
10 decade, I fully understand. And thank him again for
11 his service.

12 CHAIRMAN CARDENAS: Thank you, Commissioner
13 Rogers.

14 COMMISSIONER STEELE: Thank you.

15 CHAIRMAN CARDENAS: I, Chairman Cardenas,
16 also joins on moving of the motion. In the eyes of the
17 Chair the motion passes.

18 COMMISSIONER ROGERS: For the record, all in
19 favor.

20 CHAIRMAN CARDENAS: I'm sorry. All in favor
21 of the motion?

22 COMMISSIONER STEELE: Aye.

23 COMMISSIONER ROGERS: Aye.

24 CHAIRMAN CARDENAS: Aye, as well. In the

1 eyes of the Chair, the ayes have it. Any
2 reconsideration? None. Motion passes.

3 We also have another motion, Motion 7. And
4 that is to motion to the Secretary on the creation of
5 the position to handle FOIA and OMA. And for Secretary
6 to submit the proper requests to the Budget Office and
7 report back to the Board. Can I get a motion to
8 approve the motion?

9 COMMISSIONER STEELE: I would like to, if we
10 could discuss.

11 COMMISSIONER ROGERS: Motion second.

12 CHAIRMAN CARDENAS: I motion and then we'll
13 discuss it.

14 COMMISSIONER ROGERS: I'll second the motion.

15 CHAIRMAN CARDENAS: Commissioner Rogers,
16 seconds the motion. For discussion I also join in the
17 motion. And we'll move on to the discussion before we
18 approve.

19 COMMISSIONER STEELE: So the FOIA Officer,
20 Dan Balanoff has graciously volunteered to act as an
21 interim while we await approval from the Bureau of
22 Human Resources for an actual full-time FOIA and OMA
23 Officer.

24 And then I would like to thank Josiah Harris,

1 who has been acting as the appointed Ethics Officer,
2 who sits on Commissioner Rogers' staff. For the
3 record, the agency has historically been running on a
4 very lean staff and is not able to meet the demands
5 required by the agency to fulfill our obligations. And
6 so we are actively seeking out full-time positions to
7 accommodate the agency.

8 COMMISSIONER ROGERS: Just in further
9 discussion, again historically the agency has assigned
10 staff persons from each Commissioner's respective
11 staffs to also in addition to working files and having
12 other obligations to act as the OMA Officer, act as
13 FOIA Officer and act as Ethics Officer. Given the fact
14 that we have been inundated with FOIA requests and OMA
15 allegations from a former employee, Mr. Thielman, as
16 well as other demands, it has become very apparent to
17 all of us that we need to designate a person to deal
18 with Mr. Thielman and other requests. That is a
19 general pool person as opposed to a staff person. We
20 need every staff person to be able to analyze files
21 given the excess of the -- increase in the assessments
22 that we have seen and the number of appeals that have
23 been filed that have been ever increasing.

24 So I fully support identifying pool staff to

1 handle those responsibilities. And I think Dan
2 Balanoff and Josiah Harris for serving in those interim
3 roles until we have designated positions set forth by
4 budget.

5 CHAIRMAN CARDENAS: Thank you, Commissioner
6 Rogers. Now for the record, Commissioner Steele did
7 motion. Commissioner Rogers seconded. The Chair joins
8 the motion. I'll motion. All in favor signify by
9 saying "aye".

10 COMMISSIONER ROGERS: Aye.

11 COMMISSIONER STEELE: Aye.

12 CHAIRMAN CARDENAS: Not hearing any
13 reconsideration, in the eyes of the Chair the ayes have
14 it and the motion passes.

15 COMMISSIONER ROGERS: I would move that we
16 call for adjournment of the meeting with the Board
17 remaining in session for the purposes of adjudicating
18 the appeals code.

19 COMMISSIONER STEELE: Second.

20 CHAIRMAN CARDENAS: Commissioner Rogers moves
21 to adjourn. Any considerations? Commissioner Steele
22 seconds that motion. And the Chair joins the motion.
23 The Chair calls a vote on the motion. Signify by
24 saying "aye".

1 COMMISSIONER ROGERS: Aye.

2 COMMISSIONER STEELE: Aye.

3 CHAIRMAN CARDENAS: Any reconsideration by
4 saying "nay". I did not hear any nays. The motion
5 passes.

6 Before I move to adjourn, I want to thank you
7 and my colleagues to establish our rules, our Standard
8 Operating Procedures so the Board of Review can run
9 successfully and effectively. These policies will
10 decrease our risk and liability and additionally
11 promote consistency for our employees, which I think is
12 critical. Consistency builds a healthy reputation for
13 the agency and these internal policies, and approves
14 compliance and aids in the management and facilitate
15 processes and structures. With that said, we stand in
16 adjournment until next session.

17

18

19 (WHEREUPON the meeting was
20 adjourned at 11:11 a.m)

21

22

23

24

1 STATE OF ILLINOIS)

2)

3 COUNTY OF C O O K)

4

5 C E R T I F I C A T E

6

7 The within and foregoing meeting was taken
8 before GWENDOLYN BEDFORD, Certified Shorthand Reporter
9 and Notary Public, in the City of Chicago, County of
10 Cook and State of Illinois.

11 The undersigned is not interested in the
12 within meeting, nor of kin or counsel to any of the
13 members.

14 IN TESTIMONY WHEREOF, I have hereunto set my
15 hand this 28th of March, 2023.

16

17



GWENDOLYN BEDFORD, C.S.R.
No. 084-003700

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