

Baltimore City Ethics Board  
635 City Hall  
Baltimore, MD 21202  
December 14, 2022

### **Minutes of the Meeting**

The Ethics Board met on December 14, 2022 at 2:00 pm in Room 635 of City Hall and by conference call.

**Call to Order:** Chairman Stephan Fogleman called the Ethics Board meeting to order at 2:12 pm with three board members, a quorum, present. Vice Chair Davis was absent.

**Ropes & Gray, LLP, Pro-Bono Services Gift Solicitation Waiver Request:** Deputy Solicitor Ebony Thompson with the Law Department was present at the Public Session and explained the request for the Law Department to solicit pro-bono services from Ropes & Gray, LLP, (“R&P”) to determine whether and how the City could best use blockchain technology for property recordation. Thompson stated that R&P represents a private asset management client in negotiations with the Baltimore City Fire & Police Employees’ Retirement System (BCFPERS). Thompson then clarified that BCFPERS has its own in-house counsel, although the City Code tasks the Solicitor to represent BCFPERS, and that neither she nor other attorneys within the Law Department intend to participate in its negotiations. Thompson, on behalf of the Law Department, requested approval from the Ethics Board to solicit pro-bono services from R&P.

Member Hengerer asked the other Board members and Board staff if the Law Department is required to submit a charitable/governmental gift solicitation waiver application for this request. Ethics Officer Ford responded, explaining that the request does not qualify for a gift solicitation waiver under Board Regulation R 06.26.1. Ford clarified that the Board may exempt solicitation of a gift restricted by the Ethics Law upon advanced, written request (City Code, Art. 8, Section 6-26(b)(2)(ii)). Ford then referred to a relevant past exemption approved by the Ethics Board for the Department of Recreation and Parks (BCRP).

With a vote of 3-0, the Board moved to approve the request.

**Mayor Scott’s Happy Thanksgiving Dinner Giveaway and Mayor’s Toys for Tots Collection/City Hall Tree Lighting Charitable/Governmental Gift Solicitation Waiver Approvals:** Marva Williams, the coordinator of the relevant gift solicitation waiver campaigns, was present at the Public Session. Ethics Officer Ford clarified that the Board had approved both Mayor Scott’s Happy Thanksgiving Dinner Giveaway waiver and the Mayor’s Toys for Tots Collection/City Hall Tree Lighting waiver prior to the Public Session and that Williams attended the Public Session to provide an overview of the programs.

Marva Williams stated that the Thanksgiving Dinner Giveaway was held on November 19, 2022 and that the Mayor and his cabinet members delivered dinners to 100 families, who then provided positive feedback to the Mayor’s Office. Williams then stated that the City Hall Tree Lighting was held on December 7, 2022 with the U.S. Marines present. Williams provided an overview of the festivities and noted that the Mayor’s Office accepted donations to the Toys for Tots Collection at the event.

**Review of Schedules and Agenda:** Chair Fogleman specified that the Ethics Board meeting would end at 3 pm.

**Statement Concerning November’s Administrative Session:** Chair Fogleman read the following statement:

Per the Open Meetings Act, the Board discloses that it adjourned its virtual open meeting on November 9, 2022 to enter into an administrative session at approximately 3:09 pm. Three Board members were present.<sup>1</sup> Members discussed administrative matters including complaints.

The Board may need to close some or all of this meeting to preserve the confidentiality mandated by the Ethics Code or as otherwise authorized by the State Open Meetings Act. Likewise, upon adjournment of the Open Session, the Board may reconvene for an Administrative Session to discuss non-public, administrative functions of the Board.<sup>2</sup>

**Approval of Written Minutes for November 9, 2022 Public Meeting:** The Board approved the minutes with a vote of 3-0.

**Ethics Officer’s Update:** Ethics Officer Ford updated the Board on the Board staff’s recent work:

- Ethics Training
  - 17 people completed the training in October.
  - 38 people completed the training in November.
  - **FY23 attendees: 174**
- Help Desk
  - 48 help desk requests were received and resolved by the Ethics Board Staff in November<sup>3</sup>.
    - 2 help desk requests were from lobbyists.
    - 5 help desk requests were concerning gift solicitations.
    - 1 help desk requests was concerning financial disclosure statements.
    - 30 help desk requests were ethics inquiries.
    - 0 help desk requests were concerning the Ethics Training.
    - 5 help desk requests were administrative (question about deadlines, forms, etc).
    - 5 help desk requests were not within the Board’s jurisdiction and were referred elsewhere.
  - **FY23 requests: 291**
- Complaints (since last Ethics Board meeting)
  - New Complaints: 4
  - **FY23 Total Complaints: 8**

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<sup>1</sup> Ethics Officer Ford corrected Chair Fogleman’s original statement that all Board members were present at the November 9, 2022 Board meeting; Three members had been present.

<sup>2</sup> Chair Fogleman did not provide the statement concerning the potential Administrative Session during the Public Session, although the statement is included in the written minutes.

<sup>3</sup> Ethics Officer Ford incorrectly stated that Board staff received the help desk requests in “September,” instead of in “November.”

- Advisory Opinions
  - New Requests: 1
  - **FY23 Issued Opinions: 1**
  
- Gift Solicitation Reports (since last Ethics Board meeting)
  - 2 gift solicitation applications were submitted to the Ethics Board and approved.
    - 1 gift solicitation request for an exception pursuant to Section 6-28(b)(2)(ii) was submitted to the Ethics Board.
  - 2 gift solicitation campaigns expired.
  - 2 gift solicitation campaigns filed a final report.
  - 7 gift solicitation campaigns filed an interim report.
  - **FY23 Active Waivers: 20**
  - **FY23 Expired Waivers: 6**
  
- Financial Disclosures
  - Ethics Board staff requested lists of 2023 required financial disclosure filers from 55 City entities. The deadline to provide the list to the Ethics Board is Tuesday, January 3, 2023.
  
- Lobbying
  - Annual lobbying activity reports are due by January 31, 2023.

**Director's Update:** Director Amberger stated that the Board sent a letter to the Mayor on City Council Bill 22-0292.

**Sustainability Plan Charitable/Governmental Gift Solicitation Waiver Application:** Ethics Officer Ford stated that the Board approved the waiver at the previous Board meeting, and that the application had since received endorsement by the Board of Estimates (BOE).

The public meeting adjourned at 2:24 pm.