

Baltimore City Ethics Board
626 City Hall
Baltimore MD 21202
Tuesday, October 11, 2011

Minutes of the Public Session

The Ethics Board met on October 11, 2011 in the Conference Room of the Office of Department of Legislative Reference, 626 City Hall, Baltimore, Maryland.

- A. Call to Order: Chairwoman Linda Pierson call to order the meeting of the Baltimore City Ethics Board at 9:35 a.m. on October 11, 2011 with a quorum present. Present were Board members Linda Pierson, Jennifer Burdick, Guy Flynn and Dawna Cobb. Also present was Director Avery Aisenstark and Deputy Director Thaddeus Watulak.
- B. Approval of the minutes: August minutes were approved by a vote of 4-0, September minutes as amended were approved by a vote of 4-0.
- C. Chair's report: Ms. Pierson reported that she called Comptroller Pratt to discuss replacing recently resigned Ethics Board member, Peggy Walls, but was not able to reach Ms. Pratt.
- D. Director's Report:

Preliminary report from audit on financial disclosure process- This report indicates that the process for acquiring financial disclosure statements from City employees required is not adequate. Mr. Aisenstark will advise the City auditor, Deborah Brandes, that at the Board's request, he will send a copy of the draft audit to the City's Human Resources Department along with a request for a meeting to discuss resolving the auditor's concerns.

Security Contractor matter-A hearing on the Board Complaint regarding a Security Contractor is December 7 and will continue. Betsy Dodson, counsel to the Anne Arundel County Ethics Board, will serve as Board's legal advisor in the case. The Chair will issue subpoenas as necessary.

MPIA (Maryland Public Information Act) suit- Mr. Flynn recused himself from this discussion. Ms. Pierson and other City officials are defendants a lawsuit brought by Mr. Ancel alleging that the City violated the Maryland Public Information Act when it denied Mr. Ancel's request for certain documents related to R.S. and the Environmental Control Board's consideration of his complaint.

Complaint by H.H. against L.G.- Ms. Cobb recused herself from the discussion. Mr. Aisenstark met with LG. His investigation continues.

Receipt of notice under Ethics Code 6-28(3)(ii) of travel expense acceptance. A city employee (Department of Finance) has been asked to serve on a customer feedback panel, which opportunity involved travel. This request was made in advance as required by the notice requirement. No follow up is required by the Board. Ms. Burdick will keep a spreadsheet of those who have notified the Board pursuant to this provision of the Ethics Code.

Resignation of Rev. Dr. Peggy Wall from the Board and Discussion of Board Member Terms- Ms. Pierson received a letter dated September 27, 2011 from Dr. Walls indicating that she was resigning from the Board due to demands of her work-related responsibilities. Ms. Cobb's term on the Board expires on December 21, 2011. Ms. Pierson will write to the Mayor after the election to recommend that she reappoint Ms. Cobb.

Ratification of Solicitation Applications approved between meetings.

1. Department of General Services, Energy Contest-this was approved by e-mail vote on September 27.
2. Baltimore Calvin Chin Dim Sum Brunch- This group was asked to resubmit its request along with the documentation on last year's event.

Board of Estimates approvals-Mr. Aisenstark followed up on our inquiry about how the order of approvals has become reversed. The regulations state that the endorsement by Board of Estimates is supposed to come before the Ethics Board's approval. The Board discussed whether the process should be amended. No action was taken.

Discussion of proposed changes to broaden definition of conflicted parties beyond parties with a relationship with an official's agency. The Inspector General will be invited to the November meeting to discuss this issue.

Draft regulations to bring the City into compliance with State Ethics Law- The Board is awaiting final approval of the City Council Bill 11-701. Motion to adopted proposed regulations was made, seconded and approved by 4-0 vote.

At 11:10 a.m. a motion to go into closed session was approved by a 4-0 for the purpose of responding to a request for an opinion from BY.

The Board's next meeting will be November 10, 2011 at 9:30 a.m.

The meeting adjourned at 11:40 a.m.