

Baltimore City Ethics Board
626 City Hall
Baltimore MD 21202
Tuesday, January 10, 2012

Minutes of the Public Session

The Ethics Board met on January 10, 2012 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 January 10, 2012 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: Minor changes were made to the November minutes. Amendments were approved by a vote of 4-0.
- C. Chair's report: Ms. Pierson reported that she has signed the agreement and consent order on behalf of the Board in the Contractor case. This matter has been concluded. The Board expressed appreciation for the Deputy Director's outstanding assistance in this matter and for the volunteer assistance of Ms. Betsy Dawson, counsel to the Anne Arundel County Ethics Commission, who served as counsel to the Board on a volunteer basis. The Chair reported that she was contacted by Julie Scharper, reporter for the *Baltimore Sun*, requesting information about the resolution of the Contractor matter. Ms. Scharper was advised that she could come to City Hall to view public records related to this matter. Ms. Pierson also reported that Opinion Number 11-003 was issued on November 14, 2011.
- D. Director's Report:
 1. **Resolution of Contractor Matter** -See discussion under Chair's report.
 2. **Request for Report on Bill 11-0003 regarding the posting of elected officials' Financial Disclosures on line.**

The Board agreed to advise the City Council that it has no objections to the Bill as written but suggested including an effective date contingent upon approval by

the State Ethics Commission. The Director will advise the Board when the City Council is scheduled to hold a hearing on this bill.

E. Solicitation Requests

1. **Youth Works**-This request was approved by a vote of 4-0 on the contingency that Board of Estimates approval is received.

The consensus of the Board is that its form and process be changed to require that the BOE first approve future solicitation exemptions. The Board directed the Director to advise the City Solicitor that it plans to make this change in February.

2. **Solicitation Request from the African American Festival**- While the application does not list the date for which an exemption is sought, the Deputy Director was advised by the group seeking the exemption that this was an application for 2012. Approval is for 2012. The request as amended included dates was approved by a vote of 4-0. The Board's standard letter of approval (and contingencies) will be issued.

- F. Discussion of Reporting Methods for Aggregated Contributions in Solicitation Campaigns.** While no concerns were noted about this report, the Deputy Director noted that there is no way to know how many donors contribute to an aggregated donation. The Board agreed that it will rely on the Board's staff to identify potential concerns to the Board. The Board could then decide whether to request additional information regarding a particular aggregated contribution.

- G. Discussion of Possible Regulation to Allow Agencies to Accept Medical Samples Routinely Distributed by Sales Personnel.** Under the Board's statute this would be considered a gift from a person or vendor doing business or seeking to do business with the City and therefore not permitted. The Board agreed to propose an exception to this law-- section 6-28 -- so that the Health Department could accept these samples, which could be used to treat Health department patients. The Director will draft a proposed exception for the Board's consideration.

- H. Discussion of Draft Bill to Broaden Definition of Conflicted Parties Beyond Parties with a Relationship with an Official's Agency.**

The Board reviewed proposed language.

The Board asked the Director to consult with the Solicitor General to see if he is satisfied with the proposed language and whether he would co-sponsor a bill amending 6-11 to include subsection (c).

The Board's next meeting will be February 14, 2012 at 9:30 a.m.

The meeting was adjourned at 11:10 a.m.