

**ETHICS BOARD MEETING
MINUTES OF THE PUBLIC SESSION**

The Ethics Board (“Board”) met on Wednesday, November 13, 2024, at 2:35PM by conference call via Microsoft Teams.

Call to Order & Statement Concerning the Recording of the Public Session: Chair Stephan Fogleman called the Board meeting to order at 2:35PM, with three Board members present, forming the required quorum. Board member Newman was absent.

Chair Stephan Fogleman read the following statement:

All participants in the Public Session of the Board meeting acknowledge and consent to the video and audio recording of the Public Session and the publication of the recording on the Board’s website and social media accounts.

Statement Concerning the Administrative Session of the November 13 , 2024 Board Meeting: Chair Fogleman read the following statement:

Per the Open Meetings Act, the Board discloses that it adjourned its virtual open meeting on October 9, 2024, to enter the Administrative Session at approximately 2:38PM. Three Board members were present. One was absent. 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.

Review of Schedules and Agenda: Chairman Fogleman

Approval of Written Minutes for the Administrative Session of the October 9th Board Meeting: With the vote of 3-0, the Board moved to approve the written minutes

Charitable/Governmental Gift Solicitation Waiver Application-“Holiday on Holliday” Mayor Annual Tree Lighting; Mayor’s Office: Executive Maya Gilmore, Marva Williams, and Eboni Throne presented the waiver application for "Holiday on Holliday". The event retains the same characteristics as in previous years. Specifically, the annual tree lighting, hosted by the Mayor, doubles as a charitable event, collecting donations for Toys for Tots to benefit families in need. Remaining funds will be directed toward a coat drive, to run concurrently with the Toys for Tots campaign.

Chairman Fogleman inquired whether all donations would be in-kind. The organizers also plan to solicit monetary donations from individuals or sponsors. No monetary donations had been solicited in previous years. Any funds would be deposited in a Civic Fund account, from which purchases for additional toys and coats would be made. Ms. Gilmore asked if it would be permissible to send an “E-blast”, i.e., an email directed at the City’s aggregate email list of employees and public officials, to solicit donations. Director Amberger stated that the Ethics Law does not regulate the mode of communication

used for fundraising. The Board voted unanimously, with a 3-0 vote, to approve the waiver for the "Holiday on Holliday" Mayor's Annual Tree Lighting event.

Charitable/Governmental Gift Solicitation Waiver Application- Business Resource and Development Program- Small Minority Business Advocacy and Development (SMBA&D):

Vanessa Freund presented on behalf of SMBA&D, stating that, if approved, the office wants to solicit funds to support the growth and development of local small minority businesses. SMBA&D is currently working with seven businesses that either wish to relocate or require financial assistance to expand to larger spaces, in addition to needing support with marketing and bookkeeping services. Funds raised would be used to support these businesses.

Chairman Fogleman observed that, in essence, SMBA&D's proposal requires businesses to fund other businesses. Freund responded that SMBA&D runs programs aimed at facilitating larger firms assisting assist smaller businesses to enhance their skills and grow. Board member John McCauley expressed concerns regarding how SMBA&D would ensure that donors would not receive preferential treatment, and how non-donors would be assured they would not face any negative consequences or be viewed unfavorably by the Mayor's Office. Freund explained that SMBA&D plans to broadly solicit donations and will include a disclaimer in all communication to make it clear that donors and non-donors would be treated equally.

McCauley further questioned whether a recipient of the program might feel pressured to donate after receiving a request from the Mayor's Office, and whether they would face any negative consequences for choosing not to contribute. Freund reassured him that additional language could be added to the communications to clearly state that there would be no negative or preferential treatment and that the goal is to broadly reach those in need of support.

McCauley suggested that, moving forward, the Board may want to consider requiring clear language in similar requests to ensure transparency. Neither SMBA&D nor the Board objected. The Board moved to approve the waiver, subject to the inclusion of the additional language, and with a vote of 3-0, the waiver was approved

Charitable/Governmental Gift Solicitation Waiver Application- SHINE- Mayor's Office of African American Male Engagement- Pending BOE Approval:

No representative from the Office of AAME was present to present the waiver application. However, the Board reviewed the application and determined that it was sufficiently detailed. Following deliberation, the Board voted unanimously, with a 3-0 vote, to approve the waiver.

Staff Update: Officer Bond provided the following metrics for October on the Board staff's recent work:

- Help Desk
 - 49 help desk requests were received and resolved by Board staff in October.
 - 6 help desk requests were from lobbyists.

- 1 help desk requests were concerning gift solicitation waivers.
 - 24 help desk requests were concerning financial disclosure statements.
 - 12 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).
 - 1help desk requests were not within the Board’s jurisdiction and were referred elsewhere.
- FY25 requests:210
- Ethics Training
 - 28 people completed the Ethics Training in October.
 - FY25 attendees: 128
- Complaints
 - FY25 Complaints: 6
 - Open: 1
 - Dismissed: 4
- Secondary Employment Waivers
 - Waiver Requests: 0
 - FY25 Granted Waivers: 0
- Gift Solicitation Waivers
 - 3 gift solicitation waiver applications were submitted to the Board for the meeting.
 - 0 gift solicitation waivers expired since the last Board meeting.
 - FY25 Active Waivers: 25
 - FY25 Expired/Rescinded Waivers: 0
- Lobbying
 - 159 Registered Lobbyist

Director Amberger reported that a previously granted waiver application request was primarily for an extension of time due to unforeseen complications. As the core principles outlined in the application had already been approved by the board. Subsequently, Director Amberger inquired whether the board wished to vote on the proposed extension. The Board cast an unanimous vote of 3-0 to approve the extension.

The Public Session adjourned at 3:05PM