

Baltimore City Ethics Board  
635 City Hall  
Baltimore, MD 21202  
October 13, 2021

**Minutes of the Meeting**

The Ethics Board met on October 13, 2021 at 2:30 p.m. by conference call.

**Call to Order:** Chairman Stephan Fogleman called the Ethics Board meeting to order at 2:41 p.m. with all members present.

**Statement Concerning September’s Administrative Session and Potential Administrative Session:** Chair Fogleman read the following statement:

Per the Open Meetings Act, the Board discloses that it adjourned its virtual open meeting on September 8, 2021 to enter into an administrative session at approximately 2:49 pm. Three Board members were present. 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.

**Approval of Written Minutes for September 8, 2021 Public Meeting:** The Board approved the September 8, 2021 minutes with a vote of 4-0.

**Director’s Update:** Director Hochstetler updated the Board on the staff’s recent work:

- Annual Report – The Board published the first annual report since 2014.
- Ethics Training
  - August: 98 people completed training
  - September: 220 people completed training
    - Automated course – 162
    - DGS live training – 58
  - October (194 people enrolled)
    - Deadline – November 1, 2021
  - November (103 people registered so far)
  - December (24 people registered so far)
  - Total FY22 attendees: 318

- Help Desk
  - 89 help desk requests were received and resolved by the Ethics Board Staff in September.
    - 5 help desk requests were from lobbyists.
    - 2 help desk requests were concerning gift solicitations.
    - 6 help desk requests were concerning financial disclosure statements.
    - 37 help desk requests were ethics inquiries.
    - 33 help desk requests were concerning the Ethics Training.
    - 2 help desk requests were administrative (question about deadlines, forms, etc).
    - 4 help desk requests were not within the Board's jurisdiction and were referred elsewhere.
  - 25 help desk requests received so far in October.
  - Total FY22 requests: 283

**Board Discussion:** Vice Chair Davis requested additional information about the training's quiz results. Executive Assistant Ford and Director Hochstetler provided an overview of the training's survey results. Vice Chair Davis requested that an outline/timeline of the training is provided in the online course that indicates how long each section should take.

- Additional Ethics Requirements
  - Since the last Ethics Board meeting, Board staff have received:
    - 0 Pre-Appointment Disclosures
    - 1 Conflicts Affidavit
    - 3 Notices of Ethics Requirements
- Financial Disclosure Statements
  - 8 outstanding filers
    - 6 board members
    - 2 employees

**Board Discussion:** Vice Chair Davis recommended that the Board staff send correspondence to the agency head stating that the filers are not in compliance and recommending appropriate disciplinary action: suspension without pay or removal from a board.

- Gift Solicitation Reports
  - Since the last Ethics Board meeting, Board staff have received:
    - 4 gift solicitation applications submitted to the Ethics Board.
    - 1 gift solicitation campaign filed final report.
    - 1 gift solicitation campaign filed interim report.

**Board Discussion:** Vice Chair Davis requested additional information about the charitable/governmental gift solicitation waiver application process and expressed

concern about the Board of Estimates (“BOE”) clerk signing the applications; Director Hochstetler explained that the waiver application is approved by a vote of BOE members and then signed by the clerk.

**Governmental/Charitable Gift Solicitation Waiver Application – Baltimore Development Corporation Program Funding, BDC:** The Board approved the gift solicitation waiver application with a vote of 4-0.

**Governmental/Charitable Gift Solicitation Waiver Application – Baltimore Guaranteed Income Pilot, Mayor’s Office of Children & Family Success:** The Chief of Policy & Partnerships in the Mayor’s Office of Children & Family Success, Lea Ferguson, provided an overview of the solicitation campaign, which involves the solicitation of both public funds and private donations that would be then distributed as direct, cash payments to select individuals. Vice Chair asked Ferguson how the donations would be solicited and documented, to which Ferguson responded stating that the solicitations would likely target large organizations and would involve sufficient documentation.

Board Member Hengerer requested that Ferguson share any additional parameters around direct solicitations and donations with the Ethics Board staff as the policies are developed.

Ferguson stated that it is likely that the solicitations will be completed and the final report will be prepared prior to the expiration of the campaign. She also stated that the national organization leading the initiative may direct donors to local projects when appropriate.

The Board approved the gift solicitation waiver application with a vote of 4-0.

**Governmental/Charitable Gift Solicitation Waiver Application – Holiday Toy Drive, Office of the Council President:** Director Hochstetler provided an overview of the gift solicitation campaign and explained that the Office of the Council President intends to solicit in-kind and monetary donations. Board Member Hengerer recommended that the fiscal sponsor must use an independent account for the monetary donations, not a “co-mingled” account, as indicated on the application.

The Board agreed to request additional information from the applicant, Aaron DeGraffenreidt, regarding the fiscal sponsor’s ability and willingness to dedicate a separate, independent account for any monetary donations. The Board will reevaluate the application following receipt of DeGraffenreidt’s response. Chair Fogleman suggested the Board could approve the application before the next meeting if it receives the relevant information.

**American Recovery Plan Act Grant Application:** Director Hochstetler provided an overview of the grant and the Ethics Board staff’s application, which was submitted the previous week.

**Governmental/Charitable Gift Solicitation Waiver Application – 2022 Healing City Baltimore Summit, Office of Councilmember Cohen:** The Board approved gift solicitation waiver with a vote of 4-0.

**Move to Administrative Session:** Board members elected to move to an Administrative Session.

The public meeting adjourned at 3:38 pm.