

Baltimore City Ethics Board  
635 City Hall  
Baltimore, MD 21202  
August 10, 2022

## **Minutes of the Meeting**

The Ethics Board met on August 10, 2022 at 2:30 pm by conference call.

**Call to Order:** Chairman Stephan Fogleman called the Ethics Board meeting to order at 2:32 pm with three board members, a quorum, present. Member Sampson was absent.

**Statement Concerning July'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 July 13, 2022 to enter into an administrative session at approximately 3:22 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 July 13, 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:

- Annual Report – The Ethics Board's 2021 Annual Report was published on September 27, 2021. Board staff intend to publish the 2022 Annual Report in September and will provide the final draft to the Ethics Board for input.
- Ethics Training
  - Ethics Board's Website: 15 people completed the training on the Ethics Board's website in July and August.
  - 70 people registered for Ethics Training courses in July - October. The training will be available on Workday on August 29, 2022.
  - **FY23 attendees: 15**
- Help Desk
  - 61 help desk requests were received and resolved by the Ethics Board Staff in July.
    - 4 help desk requests were from lobbyists.
    - 4 help desk requests were concerning gift solicitations.
    - 27 help desk requests were concerning financial disclosure statements.

- 16 help desk requests were ethics inquiries.
    - 4 help desk requests were concerning the Ethics Training.
    - 1 help desk request was administrative (question about deadlines, forms, etc).
    - 5 help desk requests were not within the Board’s jurisdiction and were referred elsewhere.
  - **FY23 requests: 61**
- Complaints
  - Since last Ethics Board meeting:
    - New Complaints: 0
    - Open Complaints: 2
    - **FY23 Complaints: 0 (2 pending from FY22)**
- Advisory Opinions
  - Requests: 0
  - Pending: 2 (Initiated by the Ethics Board)
  - **FY23 Issued Opinions: 0**
- Secondary Employment Waivers
  - Pending: 0
  - **FY23 Granted Waivers: 0**
- Financial Disclosure Statements
  - 21 outstanding filers
    - 11 employees have not filed annual statements.
    - 10 board members/commissioners have not filed annual statements.
  - 13 required filers on leave have not filed.
- Gift Solicitation Reports (since last Ethics Board meeting)
  - 1 gift solicitation application was resubmitted to the Ethics Board.
  - 0 gift solicitation campaigns expired.
  - 1 gift solicitation campaign filed a final report.
    - Board staff requested updated final reports from three campaigns.
  - 2 gift solicitation campaigns filed interim reports.
    - Board staff requested additional information for one report.
- Lobbying
  - All semi-annual lobbying activity reports were filed by the deadline, Monday, August 1, 2022 (Ethics Law deadline – July 31).

**Board Discussion – Ethics Training:** Vice Chair Davis requested that Ethics Officer Ford identify groups of individuals that would benefit from a live or hybrid training. Davis opined that the hybrid model is the most effective training option. Davis proposed that Board staff provide annual trainings for executive and leadership teams in the City, especially the Mayor’s leadership team.

Ethics Officer Ford stated that Workday will provide a hybrid training option that permits a live module as part of the Ethics Training course. Ford stated that in the past, she and the former Ethics Director had compiled a list of individuals who qualify as “officials” under the Ethics Law. Ford agreed to update that list and to provide additional information at the following Ethics Board meeting.

**Healing City Baltimore – Office of Councilmember Cohen – Gift Solicitation Waiver Applications:** Ethics Officer Ford explained that three waiver applications, 2023 Healing City Baltimore Summit and 2022 Events, Healing City Baltimore Staffing, and Peer Recovery Specialists in City Agencies, had been approved by the Ethics Board contingent on endorsement by the Board of Estimates (BOE). Ford then explained that these three campaigns’ applications endorsed by the Board of Estimates were different than those submitted and contingently approved by the Ethics Board.

Ethics Officer Ford further explained that the Peer Recovery Specialists in City Agencies waiver application submitted to the Ethics Board proposed fundraising \$500,000 for the Peer Recovery Specialists and that the application that was submitted to the Board of Estimates for endorsement proposed fundraising \$1.5 million for trainings in the City and the community.

Vice Chair Davis requested that Councilmember Cohen’s Office clarify the difference in the applications. In agreement, Member Hengerer suggested that Ethics Officer Ford contact Councilmember Cohen’s Office, stating that the Ethics Board approves what was submitted to the Board and that Councilmember Cohen’s Office will need to resubmit the modified application endorsed by the BOE to the Ethics Board for review and possible approval.

Vice Chair expressed concern about the Healing City Baltimore waivers’ fiscal sponsor, the Maryland Philanthropy Network, which provides the trauma informed care trainings and also manages the campaigns’ funds. Member Hengerer requested that Councilmember Cohen’s Office clarify how the funds are managed by the Maryland Philanthropy Network.

Ethics Officer Ford stated that the Healing City Baltimore Staffing waiver application endorsed by the Board of Estimates is relatively consistent with the application that was submitted to the Ethics Board; however, the application excludes some information that was provided to the Ethics Board. Ford stated that she will remind Councilmember Cohen’s Office to ensure that the full application was endorsed by the Board of Estimates. Ford also agreed to request that Councilmember Cohen’s Office resubmit the Peer Specialists in City Agencies and 2022 Healing City Baltimore and 2023 Events waiver applications either to the Ethics Board or to the Board of Estimates, depending on which applications were accurate. Ford stated that she will request clarification about the Maryland Philanthropy Network.

**Baltimore Immigrant Community Fund – Mayor’s Office of Immigrant Affairs (MIMA) – Waiver Application:** Ethics Officer Ford explained that the Ethics Board had reviewed the Baltimore Immigrant Community Fund’s gift solicitation waiver application in July 2021 and had decided to revisit the application once the Director of the Mayor’s Office of Immigrant Affairs (MIMA), Catalina Rodriguez, provided additional information about the previous campaign’s donations and expenditures. Ford stated that Director Rodriguez provided a report with the requested information, which the Ethics Board reviewed in March 2022. Ford stated that the Director Rodriguez requested that the Board revisit the application, which proposes fundraising until December 31, 2022, and that the Director Rodriguez confirmed that she is drafting a new waiver application for solicitation efforts in 2023.

The Board approved the waiver with a vote of 3-0.

### **Bill Reports**

**City Council Bill 22-0254 (“Office of Aging – Independent Agency”):** Director Amberger provided an overview of the bill, which would require public servants who hold positions within the Office of Aging to file financial disclosure statements. Amberger explained his draft response for the Board, which favors the bill. Member Hengerer requested that the letter is sent to Member Sampson for his approval since the Board specifically lists each Board member by name. Later, Member Hengerer proposed not listing each Board member separately on bill responses, to which Director Amberger agreed. Vice Chair Davis requested that Director Amberger not sign bill reports until approved by the Board. The Board approved the draft response.

**City Council Bill 22-0255 (“Arson Offender Registration”):** Director Amberger provided an overview of the bill and stated that the bill does not appear to apply to the Ethics Board or fall within the Ethics Law’s jurisdiction unless it implicitly expands the jurisdiction of the Ethics Board. Accordingly, Director Amberger proposed that the Ethics Board oppose the bill. Vice Chair inquired about the bill’s referral to the Ethics Board. Director Amberger agreed to follow up with City Council about this inquiry and suggested that the Ethics Board was mistakenly identified instead of the Board of Estimates. Vice Chair Davis suggested that the bill was mistakenly referred to the Ethics Board since the Board was previously housed in the Department of Legislative Reference.

The Board approved the draft response.

The public meeting adjourned at 3:00 pm.