

Baltimore City Ethics Board  
635 City Hall  
Baltimore, MD 21202  
June 14, 2023

### **Minutes of the Meeting**

The Ethics Board (“Board”) met on June 14, 2023 at 2:30 pm by conference call.

**Call to Order:** Chairman Stephan Fogleman called the Board meeting to order at 2:34 pm with three board members, a quorum, present. Member Sampson was absent.

**Statement Concerning May’s Administrative Session:** Chair Fogleman read the following statement:

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.

Per the Open Meetings Act, the Board discloses that it adjourned its virtual open meeting on May 10, 2023 to enter into an administrative session at approximately 3:42 pm. Three Board members, a quorum, were present. Members discussed administrative matters including complaints.

**Review of Schedules and Agenda:** Chair Fogleman inquired about any commitments that would conflict with the Board meeting. None of the attendees at the meeting had a conflicting commitment.

**Approval of Written Minutes for April 12, 2023 Public Meeting:** Officer Romo stated that Member McCauley was absent at the April 12, 2023 Board meeting and, with Member Sampson’s absence, the Board did not have a quorum to make a motion on the matter. Chair Fogleman agreed to revisit the matter after Member Sampson joined the meeting.

**United Negro College Fund Charitable/Governmental Gift Solicitation Waiver Application, Mayor’s Office of Cable and Communications (MOCC) – Pending BOE Endorsement:** The Executive Director of the Mayor’s Office of Cable and Communications (MOCC), Maya Gilmore, was present at the Public Session. Gilmore explained that the United Negro College Fund (UNCF) invited the staff in the Mayor’s Office to the UNCF Mayor’s Masked Ball, at which the Mayor would be a “special guest.” Gilmore stated that the Mayor’s Office established a host committee to solicit donations on behalf of the Mayor’s Office for the event. Gilmore confirmed that UNCF had hosted the event for many years, that UNCF will serve as the fiscal sponsor for the program, and that UNCF will provide a report to the Mayor’s Office on the donations.

Member McCauley expressed concern about the Mayor’s participation in the solicitation efforts, which appears to raise a conflict or appearance of conflict. Gilmore stated that the Mayor will not solicit donations, but will share information about the event on social media. Gilmore clarified that a host committee will solicit donations.

Member Hengerer requested that Director Gilmore amend the application to clarify which individuals will solicit donations for the event, such as the host committee. Gilmore agreed to amend the application and explained that the members of the host committee are not City officials.

In response to Member McCauley's concerns, Gilmore explained that, to prevent a conflict, the Mayor will be a "special guest" at the event and will not host the event.

With a vote of 3-0, the Board moved to approve a Charitable/Governmental Gift Solicitation Waiver for the United Negro College Fund program contingent on the Mayor's Office amending the application to sufficiently disclose the individuals that will solicit donations for the program.

Member Hengerer cautioned against the Mayor's solicitation of donations via social media and Hengerer recommended that the Mayor share via social media that he will be a special guest at the event and not solicit donations.

Officer Romo explained that a condition of the waiver's approval is that the sponsoring agency provide a disclaimer in solicitation materials that states that donations to the program do not guarantee special treatment by the agency. Romo recommended to Gilmore that such a disclaimer be provided in solicitation materials and in social media posts.

**Ethics Officer's Update:** Officer Romo updated the Board on staff's recent work:

- Help Desk
  - Officer Romo corrected the metrics presented at the Public Session of the April Board meeting and stated that that Board staff had received two additional ethics inquires in March, for a total of 199.
  - 296 help desk requests were received and resolved by Board staff in April.
    - 2 help desk requests were from lobbyists.
    - 3 help desk requests were concerning gift solicitation waivers.
    - 266 help desk requests were concerning financial disclosure statements.
    - 19 help desk requests were ethics inquiries.
    - 4 help desk requests were concerning the Ethics Training.
    - 0 help desk requests were administrative (question about deadlines, forms, etc).
    - 2 help desk requests were not within the Board's jurisdiction and were referred elsewhere.
  - 207 help desk requests were received and resolved by Board staff in May.<sup>1</sup>
    - 7 help desk requests were from lobbyists.
    - 6 help desk requests were concerning gift solicitation waivers.
    - 145 help desk requests were concerning financial disclosure statements.
    - 34 help desk requests were ethics inquiries.
    - 5 help desk requests were concerning the Ethics Training.
    - 2 help desk requests were administrative (question about deadlines, forms, etc).
    - 8 help desk requests were not within the Board's jurisdiction and were referred elsewhere.

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<sup>1</sup> Board staff received three additional help desk requests concerning financial disclosure statements than what was reported during the June 14, 2023 Public Session, for a total of 207 help desk requests in May.

- **FY23 requests: 1,232**
- Ethics Training
  - Officer Romo corrected the metrics presented at the Public Session of the April Board meeting and stated that three additional individuals took the Ethics Training in March, for a total of 86.
  - 83 people completed the Ethics Training in April.
  - 34 people completed the Ethics Training in May.
  - **FY23 attendees: 447**
- Complaints
  - **FY23 Complaints: 13**
- Gift Solicitation Waivers (since last Board meeting)
  - 1 gift solicitation waiver application was submitted to the Board.
  - 2 gift solicitation waivers expired prior to the April Board meeting.
  - 1 gift solicitation waiver expired prior to the May Board meeting.
  - **FY23 Active Waivers: 20**
  - **FY23 Expired Waivers: 17**
- Financial Disclosures
  - In CY 2023, the Ethics Board, Department of Human Resources, agencies, and boards identified approximately 3,150+ positions with a financial disclosure filing requirement.
    - At the beginning of 2023, nearly 400 positions with a filing requirement were vacant.
    - Approximately, 2,700+ public servants, of which some held multiple qualifying positions, were required to file an annual financial disclosure statement.
  - There are 78 outstanding filers (excluding public servants on leave or who are no longer with the City).
- Lobbying
  - Semi-annual lobbying activity reports are due July 31, 2023.
  - On June 14, 2023, with the assistance of BCIT (Baltimore City Information Technology), a new Lobbyist Activity Site will be deployed. Although the site's functions and data will be the same as the old site, the new site will be more user-friendly.

**Special Assistant Introduction:** Officer Romo introduced Special Assistant Nayshonn Bond to the Board. Romo explained that Bond will assist the Board with its administrative duties, such as ensuring that public servants file financial disclosure statements and drafting the annual report.

**Director's Update:** Director Amberger stated that BCIT committed to assisting the Office of the Inspector General with the development of a new site for financial disclosure statement filings.

**Emergency/Disaster Donations – Office of Emergency Management, Fire Department (BCFD):** Director Amberger reminded the Board about a previous request for guidance on the Ethics Law's gift provisions in light of the Office of Emergency Management (OEM) policy on donations in the event of

an emergency. Amberger explained that Board staff provided guidance to OEM staff on the Ethics Law's gift provisions for the policy and stated that the Director of the Ethics Board will be the emergency contact to assist with short-notice requests regarding the solicitation and/or acceptance of gifts. Amberger explained that the Director will communicate the requests to the Board in a timely manner.

**Summer Fridays Charitable/Governmental Gift Solicitation Waiver, Councilmember Cohen's Office – BOE Endorsement:** Officer Romo reminded the Board members that they had approved a Charitable/Governmental Gift Solicitation Waiver for the Summer Fridays Program contingent on the application's endorsement by the Board of Estimates (BOE). Romo stated that the BOE endorsed the application and she provided a copy of the BOE-endorsement in the meeting's agenda.

**Approval of Written Minutes for May 10, 2023 Public Meeting:** Member Hengerer abstained from the matter since she was not present at the May 10, 2023 meeting. Since the Board did not have a quorum, the Board did not make a motion on the matter.

The Public Session adjourned at 3:00 pm.

**Call to Order:** Chairman Stephan Fogleman called the Board meeting to order at 4:07 pm with three board members, a quorum, present. Member Hengerer was absent.

**Cancellation of July 12, 2023 Board Meeting:** The Board moved with a vote of 3-0 to cancel the July 12, 2023 Board Meeting due to summer schedules.

**Approval of Written Minutes for May 10, 2023 Public Meeting:** The Board moved with a vote of 3-0 to approve the minutes.

The Public Session adjourned at 4:09 pm.