

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

The Ethics Board (“Board”) met on December 13, 2023 at 2:30 pm at 100 N. Holliday Street, Suite 635, Baltimore, MD 21202 and by conference call via Microsoft Teams.

Call to Order & Statement Concerning the Recording of the Public Session: Chairman Fogleman called the Board meeting to order at 2:33 pm with four Board members, a quorum, present. Member Newman was absent.

Statement Concerning November’s Administrative Session and a Potential 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 November 8, 2023 to enter the Administrative Session at approximately 3:08 pm. Four Board members were present. Board Member Newman was absent. Members discussed administrative matters including complaints.

Statement Concerning the Recording of the Public Session: Chair 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.

Request for Guidance – Fearless Facilitation Services Donation – Mayor’s Business Roundtable: Deputy Mayor Justin Williams, Assistant Deputy Mayor Liz Koontz, and Operations Assistant Maribel Cervantes were present at the Public Session.

Assistant Mayor Koontz explained that the Mayor’s Business Roundtable (“Roundtable”) is an advisory body comprising business leaders selected by the Mayor to discuss mayoral initiatives. Koontz further explained that the Roundtable’s co-chairs expressed interest in meeting facilitation services and that Co-Chair Delali Dzirasa, founder and CEO of Fearless Solutions, LLC (“Fearless”), offered the in-kind donation of Fearless’s facilitation services.

In response to Chair Fogleman’s and Member McCauley’s inquiries, Deputy Mayor Williams and Assistant Mayor Koontz clarified that the Roundtable is composed of volunteer business leaders and that that Fearless would assist in running the Roundtable meetings so that they are more efficient.

Member McCauley inquired if the matter is within the purview of the Board. Deputy Mayor Williams responded, stating that Fearless’s IT division has a contract with the City to redevelop the City’s website. Williams then affirmed that the Roundtable is not a City entity created by City statute, does not answer to the City or conduct business with the City, and is not an official entity. Williams also stated that the Mayor’s Office will determine if the Roundtable’s meeting would implicate the Maryland Open Meetings Act.

Director Amberger noted that a Fearless is a controlled donor with respect to the Mayor and Fearless offered a gift to the Roundtable.

Deputy Mayor Williams stated that the Mayor or Deputy Mayor will attend the Roundtable meetings. In response to Member Sampson's inquiry, Williams clarified that Roundtable Co-Chair Dzirasa is the spouse of Deputy Mayor Letitia Dzirasa. Williams then confirmed that the value of the donation is \$5,250 and that it is his believe that it would raise more of a concern if the City were to pay for the services. Williams later stated that the Roundtable meetings are hosted at the Roundtable members' businesses. Member McCauley noted that, by accepting a free space for the Roundtable meetings and by requiring voluntary time commitments from its members, the Roundtable has already received in-kind donations.

Assistant Mayor Koontz stated that, to her knowledge, similar advisory bodies existed during previous Mayoral administrations. Koontz stated that the Roundtable intends to convene for a year.

Deputy Mayor Williams, Assistant Deputy Mayor Koontz, and Operations Assistant Cervantes exited the Public Session.

The Board and staff discussed the request and the Board's jurisdiction over the Roundtable. Director Amberger stated that the Roundtable members have considerable interests in the City and McCauley noted that the Mayor selects the members. The Board then reviewed the Ethics Law's restrictions on gift acceptance in § 6-27. Officer Romo asked if the Mayor's Office staff are currently facilitating the Roundtable meetings and if Fearless intends to replace the Mayor's Office staff in providing the services. Romo then clarified that § 6-28(5) of the Ethics Law permits the Ethics Board to exempt a gift from a controlled donor on written finding that acceptance of the gift is not detrimental to the impartial conduct of City business. Member Hengerer proposed that, if the Board determines that the facilitation services qualify as a gift from a controlled donor and if the Board were to exempt the gift under § 6-28(5), then the Board advise the Mayor's Office that a waiver would be required for all gifts offered to the Roundtable from controlled donors.

The Board agreed to discuss more during the Administrative Session.

Staff Update: Special Assistant Bond provided the following metrics for November on the Board staff's recent work:

- Help Desk
 - 64 help desk requests were received and resolved by Board staff in November.
 - 2 help desk requests were from lobbyists.
 - 8 help desk requests were concerning gift solicitation waivers.
 - 9 help desk requests were concerning financial disclosure statements.
 - 32 help desk requests were ethics inquiries.
 - 2 help desk requests were concerning the Ethics Training.
 - 9 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.
 - FY24 requests: 345
- Ethics Training
 - 5 people completed the Ethics Training in November.
 - FY24 attendees: 134
- Complaints

- FY24 Complaints: 12
 - Open: 4
 - Dismissed: 8
- Secondary Employment Waivers
 - Pending Waiver Requests: 0
 - FY24 Granted Waivers: 0
- Gift Solicitation Waivers
 - 0 gift solicitation waiver applications were submitted to the Board for the December 13, 2023 Board meeting.
 - 3 gift solicitation waivers expired since the last Board meeting.
 - FY24 Active Waivers: 19
 - FY24 Expired/Rescinded Waivers: 10
- Financial Disclosure Statements
 - Ethics Board staff requested a list of updated financial disclosure filers from 60+ agencies and boards.
 - The deadline for agencies and boards to provide the updated list is January 1, 2024.

Approval of Written Minutes for the Administrative Session of the November 8, 2023 Board Meeting: With a vote of 4-0, the Board moved to approve the written minutes from the Public Session of the November 8, 2023 Board meeting.

Ethics Board Outreach – Board Discussion: Member Sampson proposed that Board staff publicize their monthly metrics and share their work with the media. The Board then discussed potential ways for promoting the Board’s work, such as a press release on the Board’s 2023 highlights, the publication of the Board’s metrics on the Board’s website, staff’s attendance at community events, and the streaming of Board meetings on Charm TV.

Ethics Board City Email Addresses – Board Discussion: Chair Fogleman inquired about City email addresses for Board members. Director Amberger stated that the Assistant Inspector General of Operations is still in the process of creating City email addresses for the Board.

The Board exited the Administrative Session at approximately 3:25 pm.