

Baltimore City Ethics Board  
635 City Hall  
Baltimore, MD 21202  
April 12, 2023

### **Minutes of the Meeting**

The Ethics Board (“Board”) met on April 12, 2023 at 2:30 pm by conference call.

**Call to Order:** Chairman Stephan Fogleman called the Board meeting to order at 2:32 pm with all board members, a quorum, present.

**Review of Schedules and Agenda:** Chair Fogleman asked the other Board members if they have any commitments that would conflict with the Board meeting. Member Hengerer stated that she had another commitment at 4 pm.

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

Per the Open Meetings Act, the Board discloses that it adjourned its virtual open meeting on March 8, 2023 to enter into an administrative session at approximately 2:49 pm. All 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 March 8, 2022 Public Meeting:** The Board approved the minutes with a vote of 3-0.

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

- Ethics Training
  - 86 people completed the Ethics Training in March<sup>1</sup>.
  - **FY23 attendees: 330**
- Help Desk
  - 199 help desk requests were received and resolved by the Board staff in March.<sup>2</sup>
    - 3 help desk requests were from lobbyists.
    - 8 help desk requests were concerning gift solicitation waivers.

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<sup>1</sup> During the June 14, 2023 Public Board Meeting, Officer Romo corrected the number of people who completed the training in March to 86 from 83.

<sup>2</sup> During the June 14, 2023 Public Board Meeting, Officer Romo corrected the number of help desk requests received in March; Romo stated that that Board staff had received two additional ethics inquires than what was reported at the April 12, 2023 Public Session, for a total of 199.

- 141 help desk requests were concerning financial disclosure statements.
- 32 help desk requests were ethics inquiries.
- 5 help desk requests were concerning the Ethics Training.
- 5 help desk requests were administrative (question about deadlines, forms, etc).
- 5 help desk requests were not within the Board’s jurisdiction and were referred elsewhere.
- **FY23 requests: 729**
- Gift Solicitation Reports (since last Board meeting)
  - 2 gift solicitation waiver applications were submitted to the Board.
  - 1 gift solicitation waiver expired.
  - **FY23 Active Waivers: 18**
  - **FY23 Expired Waivers: 14**
- Financial Disclosures
  - The deadline for annual financial disclosure statements is Monday, May 1, 2023.

**Director’s Update:** Director Amberger stated that he would provide an update to the Board during the Administrative Session.

**Mayor Scott’s Happy Thanksgiving Dinner Distribution Charitable/Governmental Gift Solicitation Waiver Application, Mayor’s Office (pending endorsement by the Board of Estimates):** Marva Williams, Special Assistant in the Mayor’s Office, was present at the Public Session and provided an overview of the Thanksgiving Dinner Distribution initiative. Williams stated that the Mayor’s Office intends to serve one hundred families a basket of food for Thanksgiving in 2023, as the Office did in 2022. Williams explained that she would like to solicit donations to purchase the meals from a local grocery store for the program.

In response to Chair Fogleman’s inquiry, Special Assistant Williams confirmed that the program did not change since the Mayor’s Office received a gift solicitation waiver from the Board in the previous year. The Board moved with a vote of 3-0 to approve the application.

**Veterans Day Parade Charitable/Governmental Gift Solicitation Waiver Application, Mayor’s Office (pending endorsement by the Board of Estimates):** Special Assistant Williams provided an overview of the Veterans Day Parade application and explained that the Mayor’s Office intends to solicit sponsorships and donations to provide food and transportation for the parade participants, to promote the parade, and to fund a float for the parade. The Board moved with a vote of 3-0 to approve the application.

**City Council Bill 23-0363 (“Land Bank Authority”) – Draft Response:** Director Amberger provided an overview of the bill, which proposes establishing the Land Bank Authority and requiring individuals who fill certain positions with the Authority to file financial disclosure statements. Amberger explained that he recommends that the Board take no position on the Bill, as Amberger provided in his draft response. The Board moved with a vote of 3-0 to approve the draft response to the Bill and submit it to the City Council.

**City Council Bill 23-0364 (“Baltimore City Fiscal Policy Democratization Task Force – Establishment”) – Draft Response:** Director Amberger provided an overview of the bill, which proposes

establishing the Baltimore City Fiscal Policy Democratization Task Force. Amberger explained that, in his draft response, he recommends amending the Ethics Law to identify the Task Force as an entity that is subject to the Ethics Law's financial disclosure provisions and to require members of the Task Force to file financial disclosure statements.

Amberger also explained that the Bill proposes designating the Chair of the Ethics Board as an ex officio member of the Task Force, which would run afoul of the Ethics Law. Amberger reminded the Board that the Ethics Law prohibits members of the Ethics Board from otherwise being an officer of the City and/or State. *See* City Code, Art. 8, § 3-2(b)(2)(ii).

Amberger stated that the Law Department's response was provided to the Board. Amberger recommended that the Board refrain from taking a position on the Bill, but clarify that the Task Force membership and Ethics Board chairmanship are mutually exclusive.

Officer Romo explained that Board staff did not receive a deadline for the Board's response to the Bill. The Board agreed to revisit the Bill and the draft response at the following Board meeting.

**Executive Nomination EA23-0179 John A. McCauley:** Director Amberger stated that John A. McCauley's confirmation hearing is rescheduled for Monday, April 17, 2023.

The public meeting adjourned at 2:49 pm.