

Baltimore City Ethics Board
635 City Hall
Baltimore, MD 21202
July 13, 2022

Minutes of the Meeting

The Ethics Board met on July 13, 2022 at 2:30 pm by conference call.

Call to Order: Chairman Stephan Fogleman called the Ethics Board meeting to order at 2:39 pm with three board members, a quorum, present. Vice Chair Davis was absent.

Statement Concerning June’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 June 8, 2022 to enter into an administrative session at approximately 3:23 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 June 8, 2022 Public Meeting: Ethics Officer Ford corrected the minutes, replacing “December’s Administrative Session” with “May’s Administrative Session” in the portion referring to the Chair’s statement concerning the past administrative session. The Board approved the amended minutes with a vote of 3-0.

Journey Home Baltimore Charitable/Governmental Gift Solicitation Waiver Application – Mayor’s Office of Homeless Services (MOHS): Director Agustin and Deputy Director Wells of the Mayor’s Office of Homeless Services (MOHS) explained the gift solicitation waiver request and provided information about the structure of Journey Home Baltimore, explaining that the Journey Home Board is a CoC Board that receives funds from the U.S. Department of Housing and Urban Development. Deputy Director Wells stated that Katie Yorick, who was identified on the waiver application as the campaign’s coordinator, is no longer with the City, and he agreed to notify the Board of the new coordinator upon replacement. Director Hochstetler instructed Director Agustin and Deputy Director Wells to note the new coordinator on the campaign’s relevant reports. With a vote of 3-0, the Board approved the waiver application.

MOED Programs Charitable/Governmental Gift Solicitation Waiver Application – Mayor’s Office of Employment Development (MOED): Director Hochstetler stated that Ethics Board staff provided input to the Mayor’s Office of Employment Development

(MOED) on the application, which identified multiple programs for which MOED would solicit and accept donations. Director Hochstetler stated that YouthWorks and other MOED programs had acquired gift solicitation waivers in the past separately. The Board approved the waiver with a vote of 3-0.

Mayor's Back to School Event Waiver – Mayor's Office of Children & Family Success (MOCFS): Ethics Officer Ford reminded the Board that the Board approved the gift solicitation waiver application via email. Ford stated that she had provided the waiver's approval letter to the Board members for their reference.

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

- Ethics Training
 - May – 136 people completed training
 - June – 17 people completed training
 - July – 10 people completed training so far
 - 64 people registered for upcoming Ethics Training sessions
 - **FY22 attendees: 872**
 - **FY21 attendees: 356**

- FY22 Ethics Training Survey Results
 - Average Rating: 4.24/5
 - Was the information provided in an engaging and understandable manner?
 - Yes: 73.37%
 - Somewhat: 24.92%
 - No: 1.70%
 - Do you better understand the Ethics Law following the training?
 - Yes: 86.46%
 - Somewhat: 12.31%
 - No: 1.23%
 - How would you describe the information?
 - Too technical: 5.99%
 - Not technical enough: 1.69%
 - Just the right mix: 92.32%

- Help Desk
 - 92 help desk requests were received and resolved by the Ethics Board Staff in June.
 - 4 help desk requests were from lobbyists.
 - 85 help desk requests were from lobbyists in FY22, compared to 78 in FY21.
 - 2 help desk requests were concerning gift solicitations.

- 57 help desk requests were concerning gift solicitations in FY22, compared to 36 in FY21.
 - 41 help desk requests were concerning financial disclosure statements.
 - 793 help desk requests were concerning financial disclosure statements in FY22, compared to 1,101 in FY21.
 - 29 help desk requests were ethics inquiries.
 - 356 help desk requests were ethics inquiries in FY22, compared to 231 in FY21.
 - 10 help desk requests were concerning the Ethics Training.
 - 178 help desk requests were concerning the Ethics Training in FY22, compared to 44 in FY21.
 - 3 help desk requests were administrative (question about deadlines, forms, etc).
 - 28 help desk requests were administrative in FY22, compared to 14 in FY21.
 - 3 help desk requests were not within the Board's jurisdiction and were referred elsewhere.
 - 39 help desk requests were not within the Board's jurisdiction in FY22, compared to 8 in FY21.
 - **FY22 requests: 1,536**
 - **FY21 requests: 1,512**
- Complaints
 - Since last Ethics Board meeting:
 - New Complaints: 1 (Dismissed - not within Board's jurisdiction)
 - Open Complaints: 2
 - **FY22 Complaints: 14 (2 open; 12 closed) (5 outside of Board's jurisdiction)**
 - **FY21 Complaints: 17 (7 outside of Board's jurisdiction)**
- Advisory Opinions
 - Pending: 2
 - **FY22 Issued Opinions: 9 (5 pending publication)**
 - **FY21 Opinions: 5**
- Secondary Employment Waivers
 - Pending: 0
 - **FY22 Granted Waivers: 2**
 - **FY21 Granted Waivers: 1**
- Gift Solicitation Reports (since last Ethics Board meeting)
 - 3 gift solicitation applications submitted to the Ethics Board.
 - 1 application was submitted and approved by the Ethics Board via email.

- 1 gift solicitation campaign expired (pending final report).
- 0 gift solicitation campaigns filed final report.
- 2 gift solicitation campaigns filed interim reports.
- **FY22 Waivers: 25**
 - **Approved in FY22: 15 (4 pending BOE approval)**
 - **Approved in FY21: 11**
 - **Expired in FY22: 10**
- Financial Disclosure Statements:
 - June 13, 2022 – Ethics Board staff referred 121 outstanding filers to the Office of the Inspector General
 - June 21, 2022-June 22, 2022 – Board staff sent a copy of the referral and correspondence from the Inspector General to outstanding filers and their agency heads.
 - June 22, 2022 – Board staff sent a copy of the referral and a list of outstanding filers to the City Solicitor and the Director of the Department of Human Resources.
 - 68 outstanding filers
 - 47 employees have not filed annual statements.
 - 21 board members/commissioners have not filed annual statements.
 - 1 filer submitted a paper statement but did not pay the filing fee.
- Lobbying¹
 - 77 lobbyists are required to file semi-annual lobbying activity reports by Monday, August 1, 2022 (Ethics Law deadline – July 31).

Board Discussion: Ethics Officer Ford inquired about how to best proceed in ensuring that outstanding financial disclosure filers comply with their filing requirement. Ford explained that the Ethics Law authorizes the Ethics Board to recommend that outstanding filers be suspended without pay until they file. Director Hochstetler reiterated this Ethics Law provision and stated that the Board may discuss further during its administrative session since the matter involves administering the Ethics Law. The Board agreed to discuss further during the administrative session.

City Council Bill 22-0238 (“Charter Amendment – Inspector General – Advisory Board”): Executive Director Cumming stated that she and Ethics Officer Ford attended the hearing on City Council Bill 22-0238 and that they stated that both the Ethics Board and the Office of the Inspector General do not oppose the bill with the suggested amendments, which would remove the substantive, discretionary duties the bill assigns to the Ethics Board. Cumming explained that the Rules and Legislative Oversight Committee agreed to further discuss the bill’s requirement that a member of the Inspector General’s Advisory Board be from the Baltimore City Bar Association. Cumming clarified that the

¹ Ethics Officer Ford did not share the lobbying metrics at the Ethics Board’s July 13, 2022 Public Meeting, but included them in the written minutes.

bill must voted out of the Committee by July 21, 2022 to go before City Council and appear on the upcoming ballot.

Member Sampson inquired if the Ethics Board can take any further actions on Bill 22-0238. In response, Executive Director Cumming explained that Ethics Officer Ford already attested to the Rules and Legislative Oversight Committee that the Ethics Board does not oppose the bill, contingent on the proposed amendments. Director Hochstetler reminded the Board that they had opined on the bill at the past Ethics Board meeting and that Chair Fogleman, on behalf of the Ethics Board, signed a report on the bill, which was provided to City Council.

Board Discussion: Member Sampson discussed his past request that the Ethics Board publicize their metrics and share their work with the public and media. Specifically, Member Sampson proposed that the Ethics Board meetings are provided on the City's media channel (Charm City TV) and suggested that the Ethics Board invite members of the media to attend the public Ethics Board meetings.

The public meeting adjourned at 3:22 pm.