

Baltimore City Ethics Board  
626 City Hall  
Baltimore MD 21202  
Thursday, November 10, 2011

### **Minutes of the Public Session**

The Ethics Board met on November 10, 2011 in the Conference Room of the Office of Department of Legislative Reference, 626 City Hall, Baltimore, Maryland.

- A. Call to Order: Chairwoman Linda Pierson call to order the meeting of the Baltimore City Ethics Board at 9:40 a.m. on November 10, 2011 with a quorum present. Present were Board members Linda Pierson, Jennifer Burdick, Guy Flynn and Dawna Cobb. Also present was Director Avery Aisenstark and Deputy Director Thaddeus Watulak.
- B. Approval of the minutes: Minor changes were made to September and October minutes. Amendments were approved by a vote of 4-0.
- C. Chair's report: The Comptroller has identified a potential new member to serve on the Board. Her name is Alicia Wilson, an attorney in the Gordon, Feinblatt law firm.
- D. Director's Report:
  - 1. **Report on discussion with Solicitor on timing of Board of Estimates approval of charitable/governmental solicitations.** The Board discussed having the BOE delegate the responsibility of advising the Board of solicitations approvals. This discussion has been tabled until January 2012.
  - 2. **State Ethics Commission certification.** By letter dated November 3, 2011, the SEC has certified that the City's Ethic Ordinance complies with State law.
  - 3. **Audit of financial disclosure process-**Mr. Aisenstark will contact the auditor, Deborah Brandes, about the Board's plan to meet with the City's Human Resources Department to discuss resolving the auditor's concerns.
- E. **Solicitation Request from Anti-Animal Abuse-** The Board reviewed this submission and concluded that the Commission did not need to seek approval from the Board because funds and services received were not from controlled donors. The Board will advise the Campaign accordingly.

**F. Ratification of Solicitation Applications approved between meetings.**

1. Baltimore-Xiamen Sister City Committee-Dim Sum Brunch
2. Baltimore-Xiamen Sister City Committee-China Town Hall

**G. Proposed Change to Broaden Definition of Conflicted Parties Beyond Parties with a Relationship with an Official's Agency-**

The Inspector General (IG) advised the Board that he believed the current law is too narrow because it prohibits financial interests and gifts in matters dealing with an employee's own agency as opposed to all City agencies. The City is moving to City-wide contracts; the Bill could contain a provision that requires bidders to disclose their employment with a City agency. The Board agreed to add this disclosure concept to the Proposed Bill. The IG does not believe that the proposed changes to the section on Gifts are necessary. Mr. Aisenstark suggested deleting the honoraria section because it is covered in the previous section except "child care" would be added to the qualified exemptions section. Mr. Aisenstark is going to prepare a new draft of the proposed definition.

**H. The Opinion requested by BY-**This opinion will be finalized as a formal opinion, which was approved by the Board.

1. **New Business:** Mr. Aisenstark reported that in 2008 there was a complaint filed about a former City employee who retired and then went to work with a contractor doing similar work. An amended complaint was filed, sent to law department and then the Inspector General. No action was taken. Recently a lawyer for the respondent contacted Mr. Aisenstark to learn about the status of the matter. Mr. Aisenstark reviewed the file and is convinced there is no evidence of the violation and believes the matter was dropped. He will formalize this with the attorney.

The Board's next meeting will be December 13, 2011 at 9:30 a.m.

The meeting was adjourned at 11:39.