

Minutes of the Ethics Hearing Board

April 11, 2019

City of Pittsburgh Ethics Hearing Board ("Board")
Ethics Office Room 328, City-County Bldg., Pittsburgh, PA 15219

Board Members Present:

Jeanette Ho, Chair
Orlando Portela Valentin, Secretary
Patrick Bigley
Sean Coleman
Melanie Harrington
Alex Matthews
Gregory Monaco

Board Members Absent:

Lynn Davenport, Vice Chair- provided notice of anticipated absence, 1st absence since 3/2019
Khalif Ali – unable to attend, 1st absence since 3/2019

Staff, Advisors and Others Present:

Leanne Davis, Executive Manager

- **Call to Order**
 - This primary monthly meeting was called to order at 4:07 p.m. by Chair Jeanette Ho.
- **Public Comment**
 - There was no public comment.
- **Approval of March Meeting Minutes**
 - March 14, 2019
 - Chair Jeanette Ho called for discussion of the March 14, 2019 minutes. Chair Jeanette Ho noted corrections. The Chair then called for a motion to approve. Melanie Harrington moved to approve the March 14, 2019 minutes as amended. Sean Coleman seconded the motion. Patrick Bigley abstained from the vote. The Board then voted unanimously to approve the minutes as amended, whereupon the motion carried.
 - March 28, 2019
 - Chair Jeanette Ho called for discussion of the March 28, 2019 minutes. Corrections were noted. The Chair then called for a motion to approve. Patrick Bigley moved to approve the March 28, 2019 minutes as amended. Melanie Harrington seconded the motion. Gregory Monaco abstained from the vote. The Board then voted unanimously to approve the minutes as amended, whereupon the motion carried.
- **Ad Hoc Committees**

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- The Executive Manager proposed forming committees related to discrete topics such as: gift disclosure, board bylaws, rules and code updates. The committee would review and propose an initial draft which the entire board would then collaborate on at a full meeting of the Board. It was discussed that other comparable agencies operate this way, with positive results.
- The Board concluded to form an ad hoc committee to consider the idea further and to identify the suggested priorities for each committee to address.

- **Advisory Opinions**
 - Deliberation occurred in executive session.

- **New Business: Employment Waiver**
 - The Board reviewed a request for a waiver related to City of Pittsburgh Code of Ordinances Section 197.05, concerning the employment or appointment of relatives. Under Section 197.05(c), the Board may waive the restrictions of Sections 197.05(a) and (b) related to the appointment, hiring, or advancement of an individual to a position that is under the jurisdiction or control of the public official or public employee. Per this section of the Ethics Code, the Board may provide a waiver “upon the Board’s finding that considering factors as the person’s experience[,] qualifications and the responsibility of the position, the public interest would not be harmed as a result of the waiver.”
 - In the matter at hand, the Board reviewed the job description of an internship, the candidate’s qualifications, per their resume, and other information to determine if the requesting employee could offer one of multiple temporary internship positions to a candidate who is related to a higher-ranking public employee in the same department. The requesting employee would be the direct supervisor of the candidate. The requesting employee also informed the Executive Manager by phone that a standard application and interview process was conducted.
 - After discussion, based on the candidate’s qualifications, the minimal responsibility related to employment as a temporary intern and due to the lack of direct supervision of the family member, the Board concluded that it would be appropriate to issue a waiver so long as the requesting employee provide written verification that a standard application and interview process was conducted. Alex Matthews so moved, with Sean Coleman and Pat Bigley seconding the motion. The Board then voted unanimously to approve the motion to provide a contingent waiver, whereupon the motion carried.
 - The Executive Manager will communicate this information to the requesting party. The Executive Manager will also work to create policy and procedure to formalize the waiver process.

- **Complaints, Investigations and/or Hearings**
 - The Board entered into executive session to discuss confidential matters.

- **Executive Manager’s Report**
 - The Executive Manager briefly discussed the recent work of the Ethics office:

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- Campaign Finance matters – coordinating with the County to provide greater notification, finding candidates, providing notification and reminders to candidates, creating the total contributions report form per Section 198.05, serving as the repository for campaign finance filings and uploading the many documents onto our website.
 - Financial Disclosure Forms – working with departments through meetings and correspondence to review organizational charts and job descriptions, providing updated information regarding who must file the state’s statement of financial interests form, reviewing the state regulations, creating an instructions handout, assisting with phone calls and questions from many who have not filed in the past, and creating new procedure to allow for the completed and signed forms to be scanned and filed electronically. Further work is needed to improve processes for next year and to continue to investigate the practicability of a paperless, web-based filing option as several other ethics organizations employ.
 - Training video – Ongoing work is being completed, time permitting, related to updating educational and training resources of the office. Raw footage for a training segment regarding the use of City property was recently recorded. The intention is to foster engagement and encourage employees to consider how ethical questions or situations may manifest in our daily work experiences.
 - Staffing – ongoing work related to creating the job postings, reviewing applications and interviewing for the positions of Legal Investigator, Law Clerk and Marketing Intern. Coordinated with Human Resources to gain access to a paid intern position with costs defrayed by the Learn and Earn program.
 - The Executive Manager also noted the training originally scheduled for April 12, 2019 will be postponed.
- **Adjournment**
 - Sean Coleman moved to adjourn and Gregory Monaco seconded the motion, whereupon the meeting concluded at 6:17 p.m.

Minutes prepared by Leanne Davis.