

Minutes of the Ethics Hearing Board

**February 2, 2017
Room 646, City-County Bldg.
Pittsburgh, PA 15219**

Present:

Sister Janice Vanderneck
Christopher Amar
Jeanette Ho
Lynn Davenport

Lourdes Sanchez Ridge, City Solicitor
Linda A. King, Executive Manager
Shannon Overholt
Matt Stidle, Esquire

- The meeting was called to order at 4:10 p.m. The Quorum requirement was not satisfied. Nevertheless, the members in attendance discussed the following issues.
- Update on status of investigations
 - The Executive Manager reported that the investigations are proceeding with regard to the two complaints received in December, 2016. A third complaint, also received in December, 2016 was considered by the Panel but was found not to have probable cause which resulted in the matter being closed. There are no further updates regarding those cases at this time.
 - An additional complaint was filed after the January 5, 2017 meeting. The Probable Cause Panel determined no probable cause existed and the case was closed.
 - To date the Probable Cause Panel has considered 4 cases, 2 with cause and 2 without cause.
- Change in numbering system for complaints and advisory opinions
 - The Executive Manager recommended a numbering system which consisted of a 3-digit number followed by a “C” for complaint or an “A” if the matter involves an advisory opinion, followed by the year in which the complaint was filed. To illustrate, 001-C—2017 would indicate the first complaint filed of 2017.
 - It was suggested that advisory opinions be circulated to the Board before being released to the requestor. The law department is currently working on a response to a Request for an advisory opinion.
- Investigator is hired
 - The Executive Manager introduced Ethics Investigator, Shannon Overholt, who proceeded to give a brief introduction of her background.

- Homewood Concerned Citizens Council presentation concerning the new Ethics Board
 - The Executive Manager was invited to speak to the Homewood Concerned Citizens Council at their regular monthly meeting on February 1st, 2017. The community asked many relevant questions and were particularly interested in the makeup of the Board [e.g. diversity]. There were approximately 40 people in attendance.

- Rotation of Probable Cause Panel
 - There was a discussion concerning the rotation of the Probable Cause Panel. Sister Janice Vanderneck reconfirmed that John Burkoff, Lynn Davenport and Greg Monaco are serving as the first Probable Cause Panel. Although John Burkoff was not present at the meeting, Christopher Amar advised that John Burkoff relayed to him that he was still willing to be a part of the Panel.
 - Lynn Davenport expressed concern that the rotation and duration of the Probable Cause Panel was still left unaddressed in the Board's Bylaws. The Board agreed and concluded to make it a priority for a future meeting. Due to the fact that the quorum requirement was not met, no official action was undertaken.
 - It was suggested either a 1-year duration or a rotating method that operated on a case-by-case basis be implemented. Jeanette Ho, Christopher Amar, and Lynn Davenport recommended a system consisting of a 6-month rotation, with two Board members rotating on and two rotating off each rotation. Christopher Amar proposed that the Panel rotate when the new members are introduced to the Board in July, to which the Board agreed unanimously. Sister Janice Vanderneck again indicated the issue would be a priority for a future meeting.

- Process for review and update of Ethics Code
 - The Board agreed that the ultimate objective is to amend the Code so as to make it more specific and user-friendly. The Board agreed that the topics of gifts, conflicts of interest, and campaigning would be priority. The City Solicitor added to this by advising "appearance of propriety" be given particular attention.
 - The City Solicitor advocated for the method of using existing city models as a resource. The Board agreed unanimously. She further recommended American Law Institute literature as a resource.
 - The City Solicitor suggested disseminating the task of comparing and contrasting existing models to staff who would, in turn, present the Board Member with the results and a recommendation.

- **The meeting was adjourned at 4:41 p.m. and our next meeting will be held on March 2, 2017 at 4:00 p.m. in Room 646 City-County Building, Pittsburgh, PA 15219.**