

Minutes of Ethics Hearing Board

April 6, 2017

Room 646, City-County Bldg.
Pittsburgh, PA 15219

Present:

Amy McCall
John Burkoff
Christopher Amar
Jeanette Ho
Patrick Bigley
Lynn Davenport

Lourdes Sanchez Ridge, City Solicitor
Linda King, Executive Manager
Shannon Overholt, Investigator

- The meeting was called to order at 4:00 p.m.
- **Approval of minutes**
 - A motion was made by Amy McCall to approve the minutes of the March 2, 2017 meeting. The motion was carried whereupon the Board voted unanimously to approve the minutes.
- **Case Management software – purchase and budget**
 - The Executive Manager discussed the purchase of case management software and the related cost of such a purchase. She has been in frequent communication with the Department of Innovation & Performance regarding options and has met with directors from the City's Office of Municipal Investigations (OMI) and the Citizen's Police Review Board to consider the option of using existing, in-house software. Currently, the office is not using any software to manage or track our cases. The Executive Manager did not think that maintaining only paper files was the best practice and that case management software was necessary. The Executive Manager will make a recommendation to the board at a later date.
- **Online Ethics Training software – RFP v. development in house**
 - The Executive Manager is also working on purchasing or developing Online Ethics training software in house by the City. The Board will be

given drafts of the content before it is finalized for use in our training software.

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- **Discussion of Proposed Amendment to Section 197.03 Conflicts of Interest provision**
 - The Executive Manager began the discussion by referring Board members to a previously disseminated memorandum and attachments that outlined her proposed revisions to Code Section 197.03, Conflict of Interest. The memo additionally provided a suggested method of collaboration for the revisions. Upon discussion it was agreed that the Executive Manager would continue to email members her revisions one ordinance at a time. Board members would in turn add their own suggestions, by using the track changes feature in Word and then collaboratively discuss all suggestions at a subsequent monthly meeting.
 - There was a question concerning the process of amending the Ethics Code. The City Solicitor replied that the Board's powers are limited to giving City Council a list of proposed changes, and that the City Council has the sole authority to determine which proposals move forward in the legislative process.

- **Proposed Amendment to Rules – regarding conduct of hearing (Hearing Officer should be an attorney and a member of the Board)**
 - Board members discussed various suggestions regarding the conduct of ethics board hearings. The Executive Manager suggested a procedure similar to that of Citizens Police Review Board (CPRB), and added that videos of their hearings can be found on that Board's website.
 - The topic of who should assume the Hearing Officer role was a particular focus of conversation. The Hearing Officer's role would exclusively involve ruling on evidence and motions and really just moving the process forward.
 - No formal determinations were made, however the following proposal agreed upon in the interim: the role would be assumed by a Board member, unless conflict of interest issues were raised. If the Board was ever met with potential conflict of interest, then hiring an outside lawyer to assume the role may be the best course of action.
 - Amy McCall recommended an outline of the proposal be drafted for review at next meeting, to which the Board unanimously agreed.

- **Proposed Policy regarding Conflict of Interest Disclosures – recommendations that all members of Boards, Commissions and Committee of the City be required to sign statements**
 - At this time, the Law Department is working to develop a policy that addresses potential conflicts of interest so that members of City Boards,

Commissions and Authorities are required to sign a statement of disclosure when they are appointed to a Boards, Commissions and/or Authority.

- The Board discussed the importance of having members of Boards, Commissions and Authorities appropriately and adequately trained to understand the content of the statement they would be signing. Also, Boards, Commissions and Authorities should provide each Board, Commission and Authority with the general conflict of interest laws.
- The Board agreed that members receive Ethics Training on a personal basis, whereby those attending would be required to sign a document of having attended and completed the training.
- The Law Department is working on creating a policy that requires (a) documented Ethics training and (b) signing conflict of interest disclosure statements for all of those on Boards, Commissions and Authorities.
- The City Solicitor stated she believes it is time that the Board begins reaching out to Boards, Commissions and Authorities members affected by this situation. This responsibility was delegated to the Executive Manager.

- **Comments and Announcements**

- It was recommended the Board maintain a list of ordinances they are seeking to amend so as to avoid approaching the City Council with proposals piece by piece – but rather with one collective list.

- **Comments and Announcements**

- The Board agreed that a list be compiled of all Boards, Commissions and Committees the Ethics Hearing Board intended to reach out to in this regard. The Board agreed and it was determined that this list would be available to all members come next month's meeting.

The meeting was adjourned at 5:00 p.m. and our next meeting will be held on May 4, 2017 in Room 646 City-County Building, Pittsburgh, PA 15219

Minutes prepared by Shannon Overholt and reviewed by Linda King