

# MINUTES OF THE ETHICS HEARING BOARD

June 11, 2020

City of Pittsburgh Ethics Hearing Board (“Board”)  
Video Meeting via Zoom and Livestreamed on YouTube

## Board Members Present:

Pat Bigley  
Samantha Bushman  
Sean Coleman  
Lynn Davenport  
Maryann Herman  
Alex Matthews  
Greg Monaco  
Jennifer Richnafsky

## Board Members Absent:

Khalif Ali

## Staff, Advisors and Others Present:

Leanne Davis, Executive Manager  
Dana Robles, Investigator

- Call to Order:
  - This primary monthly meeting was called to order at 4:22 p.m. by Board Chair, Alex Matthews.
- Public Comment:
  - The Executive Manager reviewed email and the YouTube livestream page for any public comments. There was none.
- Approval of Minutes:
  - Alex Matthews called for a review of the draft minutes from May 14, 2020.
  - Maryann Herman moved to approve the minutes. Jennifer Richnafsky seconded the motion.
  - There were no corrections or objections. Pat Bigley and Greg Monaco abstained due to their absence at the last meeting. The motion passed.
- Executive Manager’s Report:
  - The Executive Manager noted that there have been a number of inquiries received related to race and police conduct. The Ethics Office is very concerned about injustice. The complainants thus far have been referred to appropriate entities, which have jurisdiction over the subject matter at issue in order for actions of enforcement to be able to occur.
  - The Executive Manager is working to update the website to automate some processes currently conducted by phone to increase accessibility and reach of the office. Staff have worked on several “Frequently Asked Questions”

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documents to help people better understand the statutes the Board works under.

- Dana Robles was thanked for her service to the Board and congratulated on a new opportunity.
- Due to the ongoing pandemic, the office remains closed with staff working remotely. The Executive Manager answered questions related to preliminary changes at the City-County building, such as signs indicating spacing for lines to enter the building, and mandatory masks.
- Employment Waiver Review:
  - The Board reviewed an inquiry asking if Section 197.05 of the Ethics Code applies to their situation, and if so, requested a waiver.
  - Section 197.05 generally provides:
    - (1) an employee/official is prohibited from promoting the advancement or hiring of someone related to them as an immediate family member (immediate family is a defined term) to any role within City government, and
    - (2) anyone (including non-family) is prohibited from advancing or hiring someone into a position where the applicant would be supervised by an immediate family member.
    - (3) The Ethics Board can provide a waiver that the employment or appointment of a family member would not harm the public interest; the Board determines whether the public interest could be harmed by applying a balancing test.
  - The Board entered into executive session to review and deliberate on the submitted information, as to how it applies to the law.
  - The Board later exited the executive session.
  - It was first noted that Section 197.05 will be closely revisited by the Board with potential revisions in mind to make the language less complicated and easier to understand, and for the language to be consistent with its purpose.
  - It was also discussed that because of the timing of the described facts, the Board reached the conclusion that a waiver was not applicable per Section 197.05.
  - Greg Monaco made a motion directing the Executive Manager to submit the Board's opinion to the inquirer. Samantha Bushman seconded the motion. There were no objections or abstentions. The motion passed.
  - The Executive Manager will convey the Board's opinion to the inquiring party.
- New Business:
  - The Board Chair reminded the other Board members to choose which committees they would like to serve.
  - The Board decided to use July as a summer break, and planned to have no scheduled meeting in July. However, the Board members agreed to keep the date open on their calendar should any urgent business arise.
- Public Comment:
  - The Executive Manager conducted a second check for public comment. There was none.

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- Adjournment:
  - At approximately 5:05 p.m., after confirming there was no new public comment or new business, the meeting was adjourned, whereupon the meeting concluded.

### Next meeting dates:

All meetings will be held via video conference and livestreamed until further notice, with a link to the livestream posted on <http://www.pittsburghpa.gov/ehb/ehb-meetings>, which also provides a full list of 2020 scheduled meetings.

Minutes prepared by Dana Robles and reviewed by Leanne Davis.