

MINUTES OF THE ETHICS HEARING BOARD

City of Pittsburgh Ethics Hearing Board (“Board”)
Video Meeting via Zoom and Livestreamed on YouTube
October 8, 2020

Board Members Present:

Pat Bigley
Samantha Bushman
Lynn Davenport
Maryann Herman
Alex Matthews
Rhoda Neft
Brazitte Poole
Jennifer Richnafsky

Board Members Absent:

Sean Coleman

Staff, Advisors and Others Present:

Leanne Davis, Executive Manager
Matthew Stidle, Assistant City Solicitor

- Call to Order:
 - This monthly meeting was called to order at 4:15 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.
- Review and Approval of Minutes from August 13, 2020:
 - Alex Matthews called for a review of the draft minutes from August 13, 2020.
 - Non-substantive corrections were presented.
 - Rhoda Neft moved to approve the minutes, as amended, with Pat Bigley seconding the motion. The minutes as amended were approved with abstentions from members Samantha Bushman and Jennifer Richnafsky, who were not present at the August 13 meeting.
- Campaign Finance Committee Report:
 - Assistant City Solicitor Stidle then discussed the proposed legislation relating to Independent Expenditures, Political Committee spending and increased accountability through authorizing audits. He provided an overview of steps taken in working with the Board’s Campaign Finance Committee and Executive Manager in the preparation of the legislation. Matthew Stidle also discussed the procedure moving forward, including an outline of the work the Executive Manager will perform to present the proposals for review and approval before City Council and the Mayor’s Office.
 - The Board then discussed the proposals in depth. The Executive Manager noted that the proposals incorporate provisions in place at the state level.

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- Suggested revisions were discussed, which the Executive Manager contemporaneously adopted into the draft, visible in real time to the Board members and any viewers on a shared screen within the video meeting.
- Alex Matthews then called for a motion to approve the proposed legislation, as amended. Pat Bigley so moved, with Jennifer Richnafsky seconding the motion. The motion then passed unanimously with no abstentions and no objections.
- Election of Executive Committee Slate for 2020-2021
 - The Executive Manager introduced the proposed executive committee slate, and asked for any final nominations or discussion. There being none, the Executive Manager then called for a vote to approve the slate:
 - Chair: Alex Matthews
 - Vice Chair: Maryann Herman, and
 - Secretary: Pat Bigley.
 - Jennifer Richnafsky so-moved, with Brazitte Poole seconding the motion. The Motion passed with no objections.
- Discussion of Proposed Conflicts Disclosure
 - The Executive Manager conveyed a suggestion presented to her which inquired whether the Board would wish to be involved with creating additional disclosures for all public officials, or limited to those who serve on Boards, Authorities and Commissions. The suggestion is that these disclosures would request potential conflicts specific to the official's role on a particular Board or Commission – for example, if their role would involve regulating or licensing businesses, the member would list all businesses with which they are affiliated.
 - Several points were raised, including:
 - many conflicts are already captured through the annual Statement of Financial Interests disclosure;
 - whether the annual general substantive conflicts disclosures should be mandatory or encouraged;
 - whether new legislation would be needed for the Board to have the authority to delve into this matter;
 - annual conflicts disclosures are common in some areas of private industry;
 - the number and types of potential conflicts under the jurisdiction of the Ethics Board are much more extensive than those captured in private industry: for example, conflicts of interest extend to family members and the businesses associated with each family member;
 - the type of conflicts relevant to the work of one City Board may be very different than those relevant to another Board of Commission, so one disclosure form may not be universally applicable;
 - conflicts arising for quasi-judicial Boards and Commissions may not be known until the parties for each case are identified;

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- how frequently should the conflicts be disclosed, especially as this may change at any time;
 - should the disclosures be filed publicly, and if so, where;
 - conflicts must still be disclosed at the time such conflicting matter before the agency arises and recusal procedure employed.
- The lively discussion illuminated the need for additional consideration and research as to these points. The Executive Manager will look into these issues.
- Second Review for Public Comment:
 - The Executive Manager conducted a second check for public comment. There was none.
- Adjournment:
 - At approximately 4:57 p.m., after confirming there was no new public comment or new business, the public portion of the meeting concluded and the Board adjourned into executive session. The executive session was called to privately discuss a matter in the area of Complaints, Investigations and Hearings per Ethics Code Section 197.12.
- 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 Leanne Davis.