

Minutes of Ethics Hearing Board

August 3, 2017

Room 646, City-County Bldg.

Pittsburgh, PA 15219

Present:

Amy McCall

Sister Janice Vanderneck

Jeanette Ho

Patrick Bigley

Lynn Davenport

Linda King, Executive Manager

Lourdes Sanchez-Ridge, City Solicitor

Shannon Overholt, Investigator

Matt Stidle, Esquire

- The meeting was called to order at 4:00 p.m.
- **Approval of minutes**
 - The Board agreed that the meeting minutes from the June 1, 2017 will be approved at next month's meeting on September 7, 2017.
- **Update regarding the hiring of outside counsel**
 - There are two positions to fill regarding the hiring of outside counsel. First the Board must hire an attorney to act as the Hearing Officer. This individual would preside over the hearings in a quasi-judicial manner, ruling on evidence and keeping the matter moving forward. The second position is that of a prosecuting attorney to present the case to the Board.
 - The Executive Manager explained that she has received and reviewed several proposals, which were presented at the meeting. Candidates for consideration will be meeting with the Board.
- **Action plan regarding the pending complaints, including Campaign Finance Law violation and notice of hearings**
 - The Board reviewed a proposed new Rule for the Hearing Board prepared by the Executive Manager for use at the hearings. The Rule for Admission of Evidence and Testimony was modeled after Pennsylvania's Rule of Civil Procedure 1305(b), and adapted for the Board's use. Slight changes to the language were made so as to further adapt the rule to the Board's needs.

- It was agreed that the Hearing Officer would have discretion as to what may or may not be accepted into evidence.
 - The City Solicitor relayed that the Board has (a) the authority to take evidence and testimony under oath and (b) subpoena powers. In regards to (b), she suggested the Board create and disseminate a formal document for parties to request subpoenas. In this form, parties would be responsible for explaining how and why the information being subpoenaed is relevant.
 - Amy McCall turned attention to the status of ongoing investigations. Linda King explained they continue to be ongoing and that she is currently working on investigative reports.
 - The City Solicitor relayed that there are public requests for clarification of the Campaign Finance ordinance. She agreed to re-visit this matter with the Executive Director and, if appropriate, to discuss the topic as New Business for next month's meeting.
- **Incoming and outgoing board members**
 - Nominees for incoming members will be submitted to the Mayor. It was explained that the Mayor's approval of each nominee is necessary for the nominee's name to be considered by City Council for a position on the Board. It was noted that City Council is on recess until the end of August.
 - The City Solicitor confirmed that current members are permitted to remain on the Board until they are replaced.
 - Members of the Probable Cause Panel will need to be confirmed at the next meeting.
- **Update regarding the development of Online Ethics Training**
 - The Executive Manager relayed that the Department of Innovation & Performance will have a product for the Board at the end of August.
 - The Board discussed the creation of a video for the training at length, citing the importance of its quality. The video will be created in-house.
 - Ultimately, the ethics training will be conducted for all Departments, including City Council. It was unanimously agreed that, to the extent possible, the order of training priority should be the Departments with a higher degree of likely violations. Trainings would continue to be scheduled in that fashion.
- **Comments and Announcements**
 - Amy McCall asked members whether there were any additional concerns or announcements. There were none. The meeting adjourned at 4:40pm.
 - At this time Amy McCall called for the Board's entry into an Executive Session.

Meeting adjourned at 4:40 p.m. Next meeting will be held on September 7, 2017.

Minutes prepared by Shannon Overholt and reviewed by Linda King