

## MINUTES OF THE ETHICS HEARING BOARD

City of Pittsburgh Ethics Hearing Board (“Board”)  
Video Meeting via Zoom  
Livestreamed on YouTube  
November 12, 2020, at 4:15 p.m.

### Board Members Present:

Pat Bigley  
Sean Coleman  
Lynn Davenport  
Alex Matthews  
Brazitte Poole

### Board Members Absent:

Samantha Bushman  
Maryann Herman  
Rhoda Neft  
Jennifer Richnafsky

### Staff, Advisors and Others Present:

Leanne Davis, Executive Manager

- Call to Order:
  - This monthly meeting was called to order at 4:40 p.m. by Board Chair, Alex Matthews.
  - Immediately preceding the meeting, the Board held an executive session to discuss personnel and administrative matters, such as the Mayor’s State of the City and his proposed 2021 budget as it pertains to the Board, staffing, as well as administrative items related to conducting remote meetings in 2021.
- Public Comment:
  - There was none.
- Minutes
  - The October 8, 2020 minutes were reviewed.
    - Lynn Davenport suggested minor revisions.
    - Lynn Davenport moved to adopt the minutes as amended. Brazitte Poole seconded the motion. Sean Coleman abstained. The motion passed with no objections.
  - The October 29, 2020 minutes were reviewed.
    - There were no suggested revisions.

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- Sean Coleman moved to adopt the minutes. Patrick Bigley seconded the motion. Lynn Davenport and Rhoda Neft abstained. The motion passed with no objections.

## I. New Business:

### a. Gifts from Dignitaries Legislation Update:

- i. **§ 197.07 (j) Gifts from Dignitaries. Gifts of value from foreign or domestic dignitaries presented to a Public Official, while acting in their capacity as such, shall be considered gifts to the residents of the City of Pittsburgh and thus City property, and will thereafter be cataloged, value estimated, and may be displayed from time to time as such.**
  - 1. **(1) All gifts of this type presented to a Public Official shall be reported to the Ethics Hearing Board, which shall catalog it.**
  - 2. **(2) Gifts of this type of nominal value, as determined by this Chapter, shall be exempt.**
- ii. The Board held a robust discussion as to proposed regulations and a disclosure form to create a catalog of disclosed gifts.
  - 1. Areas were identified as needing further discussion and review, such as defining dignitaries and the juxtaposition between gifts worth preserving due to their cultural significance and items that may not have a market value of over \$100, who should determine value, when that determination should be made, and what reporting requirements exist in situations involving pre-existing relationships and local public officials that may be considered dignitaries.

### b. 2021 Meetings were discussed as to:

- i. Dates and Time
- ii. Format

### c. The Executive Manager also briefly touched on the subjects of outreach and education efforts and ideas:

- i. Social Media:
  - 1. LinkedIn Annual Ethics Course Certification
  - 2. Follow on Twitter, Facebook
  - 3. Marketing Course
- ii. Mayor's Monday Morning Post
- iii. Campaign Finance Website to host interactive features and voting resources
- iv. Existing Interactive Website Updates
  - 1. <https://pittsburghpa.gov/ehb/disclosures>

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2. <https://pittsburghpa.gov/ehb/parties>
- v. PGH Labs as a potential collaboration

### II. Old Business:

- a. The Executive Manager reviewed with the Board the following Campaign Finance Legislation Updates

- i. The items below have been submitted and scheduled to be presented to Council on November 17:

1. Description:

- a. The proposed legislation adds three new sections and one new definition, with no changes to existing campaign finance regulations. The first two added sections, §§ 198.05(3) and (4), and definition, §198.01 “Independent Expenditure,” are nearly verbatim to existing state campaign finance law on independent expenditures and political committee spending, yet modified to close a loophole which currently allows some types of targeted advertising to go unreported. The third addition, § 198.05(5), increases accountability by authorizing audits.

2. Purpose/Benefits:

- a. Campaign finance disclosures are a component of a healthy democracy. This legislation would improve transparency as to the amount and source of non-candidate political spending in municipal races, including whether such funding source is local to Pittsburgh, paid for by “dark money” groups, or otherwise backed by particular special interests.
      - b. Candidates should be able to identify and respond to any person or group making an attack ad against them. By requiring independent expenditures to be disclosed, the interests behind a particular advertisement or political expenditure is more transparent.
      - c. It is also essential for constituents to be able to know which groups are paying for political ads for candidates, ballot-initiatives, or the increasing trend of mailers threatening to disclose their voting record to named neighbors.
      - d. These proposals to capture additional types of campaign spending will serve to foster integrity and greater public trust in government – building blocks toward greater civic engagement and ensuring that

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the policies and operations of City government serve all who choose to call Pittsburgh their home.

- ii. **Text: § 198.01 INDEPENDENT EXPENDITURE.** An expenditure made for the purpose of influencing an election, without cooperation or consultation with any Candidate or any Political Committee authorized by that Candidate, and which is not made in concert with, or at the request or suggestion of, any Candidate or Political Committee or agent thereof.
- iii. **§ 198.05 (3)** All Political Committees shall report to the City's Ethics Hearing Board all expenditures to, or made on behalf of, any Candidate for City elected office or question appearing on the ballot, in the same manner required of a Candidate Committee, as described in subsection (1) of this section. The expenditures described herein must include, and are not limited to, Independent Expenditures or to advocate the election or defeat of a clearly identified Candidate or question appearing on the ballot. This provision is in addition to any other filing and reporting provisions of this Code that apply to such committees, their treasurers and chairpersons.
- iv. **§ 198.05 (4)** Every person, other than a Political Committee or Candidate, who makes Independent Expenditures to encourage made to encourage or defeat an election outcome, or defeat an election outcome, or to advocate the election or defeat of a clearly identified Candidate or question appearing on the ballot, other than by contribution to a Political Committee or Candidate, in an aggregate amount over one hundred dollars (\$100) during a calendar year, shall file with the City's Ethics Hearing Board a form prepared by the Ethics Hearing Board, in physical or electronic form, based on the State's Independent Expenditure Report. Reports required by this subsection shall be filed by dates on which reports by Candidates making expenditures are required under this section.
- v. **§ 198.05 (5)** Campaign finance reports will be regularly audited according to regulations promulgated by the Ethics Hearing Board.

b. The Board directed the Executive Manager to proceed with the above proposed legislation.

c. Conflicts Disclosure

- i. Due to time constraints, the Board tabled discussion of proposed disclosure of conflicts intended for Public Officials serving on boards, authorities and commissions.

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- III. Second Review for Public Comment
  - a. There was none
  
- II. New Business
  - a. There was none
  
- III. Adjournment
  - a. At approximately 5:15 p.m., Rhoda Neft moved to adjourn the meeting. Brazitte Poole seconded the motion. The Chair then called for a vote and the meeting concluded.