

MINUTES OF THE ETHICS HEARING BOARD

City of Pittsburgh Ethics Hearing Board (“Board”)

Video Meeting via Zoom and Livestreamed on Pittsburgh City Channel YouTube

August 24, 2021

Board Members Present:

Pat Bigley

Samantha Bushman

Maryann Herman

Alex Matthews

Rhoda Neft

Orlando Portela-Valentín

Jennifer Richnafsky

Board Members Absent:

Lynn Davenport

Brazitte Poole

Staff, Advisors and Others Present:

Leanne Davis, Executive Director

- I. Call to Order
 - This meeting was called to order at 4:18 p.m. by Board Chair, Alex Matthews. The meeting was livestreamed on the City’s YouTube Channel
- II. Public Comment:
 - There was none.
- III. Minutes:
 - After a review of the July 27, 2021 minutes, Samantha Bushman moved to adopt the minutes. Jennifer Richnafsky seconded the motion, whereupon the Board voted unanimously to approve the minutes, with two members abstaining: Pat Bigley and Rhoda Neft.
- IV. Executive Director (“ED”) Updates:
 - The ED discussed amendments to the Sunshine Act as it applies to a new procedure for announcing agendas, or adding new agenda items, with some exceptions and exemptions.
 - A new paid internship position was announced to assist with media and communications projects.
 - The ED requested to discuss an update in regard to reposting the vacant Investigator/Engagement. The Board agreed to stay after the close of the meeting to discuss the personnel matter in executive session.

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V. New Matters:

- #1: Disposal/Documentation of Gifted Items and Services. Members of the Board considered proposed scenarios for illustrating recommended practices for documentation and disposal of rejected gifts. An educational pamphlet was discussed, as well as EHB's involvement in facilitating or assisting such process. Several hypotheticals were discussed, with the type of gift being instructive to the analysis. The categories of gifts discussed were:

- 1. Fungible Gifts

- a. For example, perishable food, object or cash/gift card;

- 2. Specific Gifts

- a. For example, personal check or embroidered item; and

- 3. Specific Performance Gifts

- a. For example, lawn is mowed; dinner paid for by establishment or another patron.

A robust discussion ensued. It was decided that the ED would conduct additional research as time permits, seek input from the State Ethics Commission, and present multiple options for the Board's review and deliberation at a later date.

- #2: Advice about Secondary Employment. The ED discussed administrative solutions for assisting with a frequent question: whether potential outside employment might pose a conflict with one's position with the City. The ED's research thus far has found some comparable agencies which utilize a form, waiver or acknowledgement process.

Alternatively, the ED indicated a more desirable solution could be a searchable database identifying which individuals and business entities have a financial relationship with the City. The ED will pursue this matter more and provide updates to the Board. It was also discussed that the Statements of Affiliation form could be updated to:

- 1. Match lower monetary threshold of state law

- 2. Require submission via EHB electronic form

- a. This would capture some, but not all, financial relationships, and could be a good start for a conflicts check database

VI. New Business

- None

VII. Adjournment to Executive Session

- At 4:52 p.m., Pat Bigley moved to close the meeting and continue discussion in executive session regarding reposting the Investigator/Outreach position. The motion was seconded by Samantha Bushman, at which point the meeting adjourned.