

**Minutes of the Ethics Hearing Board
August 2, 2018**

**City of Pittsburgh Ethics Hearing Board
Ethics Office - Room 328, City-County Bldg.
Pittsburgh, PA 15219**

Board Members Present:

Patrick Bigley
Sean Coleman
Lynn Davenport
Jeanette Ho, Vice Chair
Greg Monaco

Board Members Absent:

Khalif Ali
Fred Brown
Melanie Harrington
Orlando Portela Valentin, Secretary

Also present:

Leanne Davis, Executive Manager
Matthew Stidle, Attorney
David Zvirman, Law Clerk

- The meeting was called to order at 4:10 p.m. by Acting Chair, Jeanette Ho.
- **Approval of the minutes**
 - Jeanette Ho called for a motion to approve the minutes of the July Board meeting with suggested corrections. Sean Coleman moved to approve the minutes and Lynn Davenport seconded the motion. The Board voted unanimously to approve the minutes as revised whereupon the motion was carried.
- **Public Comment**
 - There was no public comment.
- **Executive Manager's Report**
 - The Executive Manager provided the update that the Investigator position is now vacant and discussed the next steps in terms of posting the position.
- **Elections of Chairperson, Vice-Chairperson, Secretary and Ethics Officer positions**
 - The Board discussed the officer positions, especially that of chair, and the related time commitments and requirements of the position.

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- The term limit of the chair was discussed. The state bylaws provide for a two-year term for chair and vice chair, whereas our Board will elect a chair to serve a one-year term.
 - It was agreed that if the role of secretary is tasked with taking notes of the meeting they would not be able to fully participate. Accordingly, it was decided that someone not on the Board should be assigned to take minutes and other notes of the Board's work as needed.
 - The role of Ethics Officer was discussed. It was determined that the Executive Manager could serve in this function since the Ethics Officer is tasked with being accessible and responsive to the public and with giving informal, nonbinding opinions in a speedy fashion, as opposed to the formal advisory opinions issued by the Board. The formal advisory opinions of the Board are to be published on the website. The Board delegated the duty of Ethics Officer to the Executive Manager.
 - Other roles and duties were discussed, including serving on the public hearing panel. A discussion was held regarding some pros and cons of revisiting the Board's structure. It was also discussed that the current structure of comprising the public hearing subcommittee as those members who did not serve on the probable cause panel alleviates potential complications which may arise if one or more board members have conflicts and need to recuse themselves from a matter.
 - Discussion was held regarding certain members' interest in officer positions as well as their availability to take on the responsibilities. No nominations were made at this time.
 - It was decided elections be deferred until next month.
 - Lynn Davenport requested that the vote at the September meeting be for a pre-defined slate of officers as to avoid devoting further time on this issue. There was no opposition or preferred alternatives discussed.
- **Discussion and vote of amendment to Bylaws regarding quorum**
 - The current Bylaws require five members for a meeting to occur.
 - The Executive Manager proposed a revision, similar to that of the Pennsylvania Ethics Commission, whereby the language would be changed to instead require a majority of filled seats for official business or official action to occur.
 - The Board felt either "official business" or "official action" is acceptable language.
 - Board members reviewed these suggested revisions to the Bylaws. Jeanette Ho called for a motion to accept the quorum changes to the Bylaws. Patrick Bigley moved to accept the changes and Gregory Monaco seconded the motion. Jeanette Ho called for a vote: all Board members in attendance agreed and there were no opposing or abstaining votes, whereupon the motion was carried.

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- **New Business and Announcements**
 - Jeanette Ho asked for additional questions or comments. There were none.
 - At this time, Jeanette Ho adjourned the public portion of the meeting and closed the meeting for executive session, stating the purpose of the executive session was for deliberation among those members of the public hearing subcommittee assigned to the Robert Marshall case. Sean Coleman moved to accept and Gregory Monaco seconded the motion, whereupon the meeting was adjourned at 4:58 p.m.

The meeting adjourned at 4:58 p.m. The next meeting will be held on September 6, 2018.

Minutes prepared by David Zvirman and reviewed by Leanne Davis.