

**Minutes of the Ethics Hearing Board
September 6, 2018**

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

Board Members Present:

Khalif Ali
Patrick Bigley
Sean Coleman
Lynn Davenport
Melanie Harrington
Jeanette Ho, Vice Chair
Orlando Portela Valentin, Secretary

Board Members Absent:

Fred Brown (participated on public hearing committee meeting portion of the meeting via telephone)
Greg Monaco

Also present:

Leanne Davis, Executive Manager

- **Call to Order**
 - The meeting was called to order at 4:08 p.m. by Acting Chair, Jeanette Ho.

- **Public Comment**
 - There was no public comment.

- **Approval of the Minutes**
 - Jeanette Ho called for a motion to approve the minutes of the August Board meeting with suggested corrections. Lynn Davenport moved to approve the minutes and Sean Coleman seconded the motion. The Board voted unanimously to approve the minutes as revised whereupon the motion carried.

- **Elections of Chair, Vice-Chair and Secretary positions**
 - Jeanette Ho called for any comments regarding the proposed slate of officers as:
 - Chair: Jeanette Ho
 - Vice Chair: Lynn Davenport
 - Secretary: Orlando Portela Valentin
 - Patrick Bigley moved to accept the slate of candidates for Chair, Vice Chair and Secretary. Sean Coleman seconded the motion. The Board

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voted unanimously to approve the slate of officers, with no opposing or abstaining votes, whereupon the motion carried.

- **Executive Manager's Report**

- The Executive Manager discussed administrative matters, including a new system for distributing meeting packet materials to preserve Board member's progress and notes on code revisions, and an issue encountered updating the Bylaws related to determining which of several files was the most recent. After discussion, the Board concluded the Executive Manager should rewrite the Bylaws to ensure all updates are included.
- The job posting for the Investigator vacancy is now live. The Executive Manager thanked the Board for sharing the posting.
- An educational training on ethics was provided to the Finance Dept. on September 6, 2018.

- **Committee Reports:**

- **Public Hearing Panel**

- At 4:35 p.m., Jeanette Ho moved to go into executive session to finalize deliberation and review of the Board's Findings of Fact, Conclusions of Law and Final Order ("Order") in the Marshall case. Khalif Ali seconded the motion. Those members of the Board present who participated in the probable cause panel for this case left the room at this time.
- During the executive session, Fred Brown, who is out of the state on business, joined by phone.
- At approximately 4:45 p.m., the executive session concluded.
- Jeanette Ho called for a motion to approve the Order. Patrick Bigley moved to approve the Order and Khalif Ali and Fred Brown simultaneously seconded the motion. The Board voted unanimously to approve the Order, with Lynn Davenport abstaining, whereupon the motion carried. Thereafter, Fred Brown returned to his business which necessitated his absence today.

- **Valuable Gifts Subcommittee**

- The Board discussed the format for gift disclosure to be used on the Ethics website. The Board reviewed examples of the reporting forms for its and other comparable ethics agencies. The Board decided it prefers the additional reporting fields and department-based organizational format of the Jacksonville Ethics Commission, which also publicly discloses gifts. The Executive Manager thanked the Board for this feedback as she works with

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the City's I&P department to restore this functionality of the website.

- **Discussion and review of Ethics Code amendments**
 - A discussion was held regarding campaign finance regulations in Section 198.
 - Several board members shared complaints and feedback they received from others, including past candidates. These issues include: inconsistency between the City and County deadlines; redundancy of City and County requirements; inconvenience of filing in two places, too many papers to fill out; as well as the overall process being too burdensome and needing to be streamlined.
 - The Board discussed several potential solutions during a brainstorming session to address these concerns.
 - The Executive Manager agreed to research questions posed by the Board and to seek to meet with the County as well.
 - It was determined that a Q & A of Attorney Matthew Stidle should be sought to be added to next meeting's agenda.

- **New Business and Announcements**
 - A discussion was also held regarding best practices for processing complaints that contain hearsay or a lack of direct or supporting evidence, and whether a finding of probable cause must precede an investigation. After a thorough discussion, it was concluded that preliminary inquiries are acceptable after a close reading of Section 197.12(a)(10) which allows for amending and consolidating complaints and under Section 197.12(a)(9) which references the ability to inquire into informal allegations or information received by the Board in determining whether to file a self-initiated complaint.
 - The Executive Manager also discussed the procedure of a comparable ethics agency which uses an "investigative complaint" drafted by the agency which serves to amend or clarify an initial complaint.
 - Jeanette Ho asked for any additional business. There was none.

- **Adjournment**
 - At 5:25 p.m., Jeanette Ho called for a motion to adjourn the meeting. Khalif Ali moved to adjourn and Melanie Harrington seconded the motion, whereupon the meeting concluded at 5:25 p.m.

The meeting adjourned at 5:25 p.m. The next meeting will be held on October 4, 2018.

Minutes prepared by Leanne Davis.