

Baltimore City Ethics Board
635 City Hall
Baltimore, MD 21202
May 10, 2024

Minutes of the Meeting

The Ethics Board (“Board”) met on May 8, 2024 at 2:30 pm by conference call.

Call to Order: Chairman Stephan Fogleman called the Board meeting to order at 2:34 p.m. Three board members were present, constituting the required quorum.

Review of Schedules and Agenda: Chair Fogleman inquired about any commitments that would conflict with the Board meeting, and the Board members agreed to adjourn the meeting at 4:00 pm.

Statement Concerning April’s Administrative Session: Chair Fogleman read the following statement:

Per the Open Meetings Act, the Board discloses that it adjourned its virtual open meeting on April 10, 2024 to enter into an administrative session at approximately 3:34 pm. All Board members were present. Members discussed administrative matters including complaints.

The Board may need to close some or all of this meeting to preserve the confidentiality mandated by the Ethics Code or as otherwise authorized by the State Open Meetings Act. Likewise, upon adjournment of the Open Session, the Board may reconvene for an Administrative Session to discuss non-public, administrative functions of the Board.

The Baltimore Civic Fund – Presentation: Jessica Chung, President of the Baltimore Civic Fund, and Rachel Vonnegut, Director of Partnerships, provided an overview of the organization. The Civic Fund, established in 1981 by the City Council and Mayor Schaefer, is a 501(c)(3) organization. It primarily serves as a fiscal sponsor/administrator for city funds, accepting grant funds on behalf of agencies, currently managing over \$20 million across 100 programs. The Civic Fund manages funds, reporting, and compliance.

City of Baltimore Procurement Conference Charitable/Governmental Gift Solicitation Waiver Application, Mayor’s Office of Small and Minority Business Advocacy and Development: Chief of Innovation and Strategic Partnerships, Vanessa Freund, explained why a solicitation waiver was requested to support various aspects of the SMBA&D’s annual conference, including food, parking, security, etc. at the Convention Center. The conference, which resumed last year after a pause due to COVID-19, seeks to cover about 40% of its expenses through gifts and 60% through sponsorships.

The Board approved the waiver with a vote of 3-0,

Nurse-Family Partnership Home Visiting Program Charitable/Governmental Gift Solicitation Waiver Application, Baltimore City Health Department – Maternal and Infant Care Program: Director of Child Fatality Review Cathy Costa explained that the petition sought Board approval for

donations of raffle items for an upcoming “infant graduation” event, incl. non-monetary items, such as tickets to supporting events and educational opportunities, to be raffled off to the graduating clients. The program provided nurse home visits to first-time young mothers under age 26, supporting them from pregnancy until their child’s second birthday. The graduation would celebrate 20 clients at the B&O Railroad Museum on June 6th, with Mayor Scott attending.

With a vote of 3-0, the Board approved the waiver.

Gift Acceptance Request – Lafayette and Aiken Park - Basketball Court – Department of Baltimore Recreation and Parks: Carlos Camacho and Contract Administrator Mark Phelps were present for the public session. Camacho explained that Spinello Companies had contacted them on April 8th about potentially donating services to resurface the Lafayette and Aiken Park basketball court. This proposal stemmed from a project initiated by Beyond the Walls Christian Ministries, which had approached Spinello for memorial tree planting.

Camacho explained that such donation requests are common, and prospective donors are usually advised to enter into a Donation Agreement supplied by the Law Department. However, since Spinello Companies had worked with Baltimore City Recreation and Parks before, BCRP needed to ensure a proper process was followed to avoid any appearance of favoritism. Chair Fogleman questioned why this request was being brought to the Board instead of included in the Baltimore Recreation and Parks Budget. Camacho replied that the donation route is faster and more direct, bypassing the need for multiple layers of approval. Including it in the budget would involve several decision-makers and potentially delay the project by a couple of years due to bureaucratic processes.

Director Amberger inquired about the potential influence of this donation on future contracts awarded to Spinello Companies, as Spinello often served as a subcontractor for city projects. Camacho clarified that the selection of subcontractors is beyond the purview of the Department of Recreation and Parks. The Final decision for awarding contracts lies with the prime contractors, following a bidding process overseen by various city departments to ensure fair selection.

The Board continued to discuss the matter and agreed that, given Spinello's significant presence in the city, further understanding of the legal implications of receiving donations from Spinello Companies needed to happen before a decision. Director Amberger will provide the Board with compiled information and a draft response letter to be discussed in the next meeting to make an informed decision.

Approval of Written Minutes for April 10, 2024 Public Meeting: With a vote of 3-0, the Board approved the public minutes for April 10, 2024.

Ethics Officer’s Update: Special Assistant Bond provided the following metrics for April on the staff’s recent work:

- **Help Desk**
 - Numbers will be provided at the next board meeting.

- Ethics Training
 - Numbers will be provided at the next board meeting.

- **Complaints**
 - FY24 Complaints: 27¹
 - New Complaints: 3

- **Secondary Employment Waivers**
 - Waiver Requests: 0
 - FY24 Granted Waivers:1

- **Gift Solicitation Waivers**
 - 2 gift solicitation waiver applications were submitted to the Board for the May 8, 2024, Board meeting.
 - 0 gift solicitation waivers have expired since the last Board meeting.
 - FY24 Active Waivers: 26
 - FY24 Expired/Rescinded Waivers: 17

- **Financial Disclosure Statements**
 - The Financial Disclosure Deadline was April 30, 2024.
 - As of May 8, 2024, 2712+ filers have filed.

- **Lobbying**
 - 101 lobbyists have registered.

The Public Session adjourned at 3:42 pm.

¹ Special Assistant Bond incorrectly stated 27 complaints were received for FY24. Ethics has received 28 complaints for FY24.