

BOWIE CITY ETHICS COMMISSION

Minutes

March 21, 2017 - Open Meeting

A meeting of the Bowie City Ethics Commission was held on Tuesday March 21, 2017 in the City Manager's conference room at Bowie City Hall. Commission members in attendance were Vince Canales, Chair, Jay Fagan, Karl Stehmer, Jim Holderbaum, Alan Kolski and Daniel Thomas. Benjamin Woolery was excused. Also in attendance were Fred Sussman, Counsel for the Commission and John Fitzwater, Assistant City Manager, and liaison to the Commission.

The meeting was called to order at 3:00 p.m. by Chairman Canales.

The Commission reviewed the minutes of the December 20, 2016 meeting. Mr. Stehmer moved approval of the minutes and Mr. Fagan seconded. All voted in favor.

The Commission reviewed a letter from the State Ethics Commission regarding the State Ethics Commission's comments about action the Bowie City Council took in creating a one year statute of limitations within which Ethics complaints must be filed. The City Ethics Commission had previously reviewed this letter at their December 20, 2016 meeting. At the December meeting, the City Ethics Commission requested that Mr. Sussman contact the State Ethics Commission and request a copy of the objection received by the State Ethics Commission that prompted the State's consideration of this matter. Mr. Sussman received a copy of the State Ethics Commission file regarding this matter which was shared with the City Ethics Commission. After reviewing this information, the City Ethics Commission determined not to take any further action regarding this matter and concluded that the issue is resolved and completed as far as the City Ethics Commission is concerned.

The Commission reviewed Lobbying Registration Forms submitted by Richard Reed, Chris Hatcher and Matthew Tedesco. The Commission was also provided an analysis of these documents by Mr. Sussman. The Commission accepted the form submitted by Mr. Tedesco. The Commission expressed concerns about the late filing of forms submitted by Mr. Reed and Mr. Hatcher. The Commission determined that they would send a letter to Mr. Reed and Mr. Hatcher about the importance of the timely filing of these forms and copy Elm Street, who Mr. Reed and Mr. Hatcher represent. The Commission also determined that they would send a separate letter to the City Council asking whether the Mayor or Presiding Officer at a City Council meeting would ask whether someone before them in a development matter has registered as a lobbyist with the City. This action would assist the Commission in the enforcement of this provision of the City Code.

In reviewing the Lobbyist Registration Form, the Commission also requested that a line for the date be added to Authorization section of the Lobbyist Registration Form. The Commission also asked whether there could be any penalties in the City Code for

failure to file a Lobbyist Registration Form. In addition, the Commission wanted to explore whether providing clear instructions to City staff in trying to secure these forms could enhance the process. The Commission determined to take up these matters toward the end of the year when forms are traditionally reviewed and adjusted by the Commission.

The Commission reviewed Lobbyist Activity Reports submitted by Richard Reed, Chris Hatcher and Robert Antonetti. The Commission was also provided an analysis of these documents by Mr. Sussman. The Commission accepted the forms of Mr. Antonetti. The Commission asked that staff contact Mr. Reed and Mr. Hatcher and ask that they sign the Lobbyist Activity Reports that they submitted.

The Commission reviewed an analysis prepared by Mr. Sussman of the Financial Disclosure Statements submitted by City Council, City Staff and certain City Committee members. The Commission had been previously provided electronic copies of the Financial Disclosure Statements. It was moved by Mr. Stehmer and seconded by Mr. Holderbaum that not having a work phone number on the Financial Disclosure Statement is not a material issue so long as a means of contact is available on the Financial Disclosure Statements submitted. The Commission unanimously approved this motion. The Commission determined that they would modify next year's Financial Disclosure Statement to provide a contact phone number and not require both an office and home phone number.

The Commission also noted that the form submitted by Jaqueline Rhone erroneously noted that she was a member of the Ethics Commission rather than the Board of Personnel Appeals. Staff was instructed to follow-up with Ms. Rhone to correct this matter. The Commission also requested staff to follow-up with Councilman Esteve, Councilman Marcos and Councilwoman Polangin to obtain clarification regarding their submissions. It was moved by Mr. Fagan and seconded by Mr. Kolski to approve all Financial Disclosure Forms submitted except for those of Councilman Esteve, Councilman Marcos and Councilwoman Polangin. This motion was unanimously approved by the Commission.

The Commission determined that their next meeting would be held on Tuesday May 9, 2017.

There being no further business to come before the Commission Mr. Holderbaum moved to adjourn the meeting. Mr. Stehmer seconded. All voted in favor. The meeting adjourned at 4:00 p.m.

[The next meeting of the Ethics Commission will be held on Tuesday May 9, 2017 at 3:00 p.m. in the City Manager's conference room.]

John L. Fitzwater

Staff Liaison to the Ethics Commission