

BOWIE CITY ETHICS COMMISSION

Minutes

December 12, 2017 - Open Meeting

A meeting of the Bowie City Ethics Commission was held on Tuesday December 12, 2017 in the City Manager's conference room at Bowie City Hall. Commission members in attendance were Vince Canales, Chair, Jay Fagan, Jim Holderbaum, Alan Kolski, and Daniel Thomas. Karl Stehmer and Benjamin Woolery were excused. Also in attendance were Fred Sussman, Counsel for the Commission, John Fitzwater, Assistant City Manager, and liaison to the Commission and Awilda Hernandez, City Clerk.

The meeting was called to order at 3:03 p.m. by Chairman Canales.

The Commission reviewed the minutes of the September 12, 2017 meeting. Mr. Holderbaum moved approval of the minutes and Mr. Fagan seconded. All voted in favor.

The Commission reviewed a suggestion as to whether the names of registered lobbyists should be posted on the City's Web Page. The Commission reviewed a matrix and narrative prepared by City Staff regarding this matter. Several modifications were suggested by the Commission regarding the matrix. Mr. Fagan moved inclusion of the matrix and narrative concerning registered lobbyists, as amended, be included on the City's Web Site. Mr. Thomas seconded. The motion was unanimously approved by the Commission. The Commission also suggested a regular six month notification to City Council regarding those that register as lobbyists with the City.

The Commission reviewed a letter from the State Ethics Commission pertaining to changes to the State Law that will impact the City's Ethics Ordinance. Four of the changes are mandatory and must be made by local governments. Five of the changes are discretionary and may be implemented by local governments. The Commission concurred that City Council should implement all of the mandatory provisions.

The Commission engaged in a discussion about the mandatory provision that the addresses of those filing financial disclosure forms be redacted before making this information public. Mr. Sussman indicated that this would require a change in the financial disclosure forms after January 2019.

The Commission engaged in a discussion of each of the discretionary provisions in the State Ethics Commission letter. Mr. Kolski moved to recommend to City Council that financial disclosure filers should no longer have to disclose interests in exchange traded funds. Mr. Holderbaum seconded. The motion was unanimously approved by the Commission. The Commission chose to recommend that the Council take no action on the remaining four discretionary provisions.

The Commission also determined that the discretionary provision pertaining to actions which violate the prestige of office provision could be added to the slide presentation that the Commission makes each year to City Council as part of the educational program.

Staff was instructed to notify the City Council, City Manager and City Attorney of these recommendations and to suggest that the City Attorney prepare an ordinance implementing these changes in the City's Ethics Ordinance.

The Commission reviewed all of the forms used by the Commission pertaining to financial disclosure and lobbying disclosures to determine whether any of these forms needed to be modified. It was determined that all of the forms were in good order. City staff will update the year for each of these forms so that they reflect 2018 rather than 2017 and post these updated forms to the City Web page after the beginning of the year.

The Commission determined that their next meeting would be held on Tuesday March 20, 2018 at 3 p.m. at Bowie City Hall.

Ms. Hernandez indicated that based on the results of the recall election against Councilwoman Polangin, there could be a special election to fill her Council seat if the recall is successful. A special election would be held between 60 and 90 days of the recall election which is scheduled for December 19, 2017. If a special election is held, candidates for public office would be required to file Financial Disclosure Statements. This may require a meeting of the Commission prior to March 20th.

There being no further business to come before the Commission the meeting adjourned at 4:20 p.m.

[The next meeting of the Ethics Commission will be held on Tuesday March 20, 2018 at 3:00 p.m. in the City Manager's conference room.]

John L. Fitzwater
Staff Liaison to the Ethics Commission