



City of Rockville Ethics Commission

Minutes

Diamondback Terrapin Conference Room

Meeting No. 18-03

Wednesday, April 18, 2018 at 6:30 PM

Commissioners Present: Eugene Thirolf, Jaime Espinosa, Rosanne Hurwitz, Kevin Jenkins

City Staff : Eliot Schaefer

- I. Convene
Meeting convened. Chair Thirolf requested the minutes reflect that the Ethics Commission did not convene as scheduled on March 21, 2018 and that the Ethics Commission meeting on that date was cancelled due to snow.
- II. Approval of Agenda
Commissioner Espinosa moved that the agenda be approved, the motion was seconded by Commissioner Hurwitz and passed unanimously (4-0).
- III. Approval of Minutes
February 21, 2018 – Motion to approve the minutes, as amended, was made by Commissioner Espinosa, seconded by Commission Hurwitz, and passed unanimously (4-0).
- IV. Continuation of Discussion of Request for Advisory Opinion
Staff provided the Commission with the information that was requested during the February meeting. The Commission discussed the request for advisory opinion.

At 7:04pm, Commission Hurwitz moved to close the meeting, pursuant to Section 3-305(b)(7) of the General Provisions Article, to consult with counsel to obtain legal advice pertaining to the request for an advisory opinion. The motion was seconded by Commissioner Jenkins and passed 3-1, with Commissioner Espinosa opposing.

The meeting re-opened at 7:25 p.m.

The Commission continued its discussion on the request for an advisory opinion. The Commission went through and discussed each of the three questions presented by the Requestor. After discussing the first question, the Commission took the position, on a motion made by Commissioner Jenkins, seconded by

Commissioner Hurwitz, that the funds that would be solicited as part of the proposed activity would be “gifts” under the Ethics Ordinance. After discussing the second question, the Commission took the position, on a motion made by Commissioner Espinosa, seconded by Commissioner Hurwitz, that the proposed activity would not be in accordance with the Ethics Ordinance. After discussing the third question, the Commission took the position, on a motion made by Commissioner Espinosa, seconded by Commissioner Hurwitz, that the Commission has never been asked to review the Holiday Drive program nor does the Commission have sufficient information to respond to the Requestor. The Commission directed staff to draft an opinion consistent with the discussion on each of the three questions presented by the Requestor.

V. Discussion on Draft Proposed Ordinance Amendments with the Revisions Required Pursuant to State Law Changes

Staff presented the draft amendments to the Commission. The Commission approved the revised draft. The Commission requested that Staff work with the Clerk’s Office and the City Manager’s Office to get on a Mayor and Council Work Session agenda.

VI. Update on Financial Disclosure Forms

Staff provided an update on the status of the financial disclosure statement filings. The Commission directed staff to send an electronic notice to the seven individuals who did not timely file the statements. The notice will direct them to file by May 15, 2018 and indicate that fines will be assessed if not filed by that date.

VII. Old/New Business

- Staff notified the Commission that the updated Rules of Procedure have been posted on the Ethics Commission’s webpage. The revised document will be provided to the Commission via email.
- Staff provided an update to the Ethics Commission regarding the online ethics training.
- Future Meeting Dates: The Commission, at the request of Staff, moved the meeting that was scheduled for May 23, 2018 to May 16, 2018, subject to Commissioner Dighe’s availability (with May 24, 2018 as a back-up date).

VIII. Adjournment

Motion to adjourn was made by Commissioner Espinosa, seconded by Commissioner Hurwitz, and passed unanimously (4-0).