



City of Rockville Ethics Commission

Minutes - As Amended

Webex Virtual Meeting

Meeting No. 20-4

Wednesday, April 22, 2020 at 6:30 PM

Commissioners Present: Eugene Thirolf, Karyne Akhtar, Kris Dighe, Kevin Jenkins, Jamie Espinosa
Janice Frankle

City Staff : Marlaine White
Wei Liu

- I. Convene
- II. Approval of Agenda
Commissioner Thirolf asked that a motion be made to approve the agenda. Commissioner Dighe moved that the agenda be approved. The motion was seconded by Commissioner Jenkins and passed unanimously (5-0).
- III. Approval of Minutes
Minutes from February 12, 2020 - Commissioner Dighe questioned if he had participated in the February 12, 2020 meeting by telephone. This was confirmed. Commissioner Jenkins noted the date needed correction. Commissioner Espinosa noted that the numbering needed correction. Commissioner Jenkins moved to amend the minutes to reflect the corrections and to approve the minutes as amended. The motion was seconded by Commissioner Dighe and passed unanimously (5-0).
- IV. Old/New Business
 - Future Meeting Dates: May 20, 2020; June 17, 2020 – Chair Thirolf requested that the May 20, 2020 meeting be kept on the calendar, but the expectation is that the Commission would wait until June to meet.
 - Discussion of Extension of Financial Disclosure Statement Filing Date: Commissioner Thirolf stated that in light of Governor Hogan’s Executive Order extending various deadlines, the Commission should consider extending the deadline for filing financial disclosure statements until July, but not as late as August. The Commission agreed. Staff informed the Commission that the State Ethics Commission extended the deadline to file State required Financial Disclosure Statements to June 5, 2020. The sample notice form in the Governor’s Executive Order does not set a specific date, but indicates a deadline could be set at 30 days after the COVID-19 emergency is lifted. Chair Thirolf

suggested the Commission set a date after the July 15, 2020 federal income tax deadline set by the I.R.S. due to COVID-19, and asked Staff if August 15, 2020 would be too far to extend the deadline. Staff suggested that August may be too far and suggest July 30 to provide filers a two-week space after the federal income tax deadline in which to complete their statements. Commissioner Jenkins suggested setting the extended deadline to July 31, 2020 because it falls on a Friday. The Commission asked how many statements had been received thus far. Staff will check with the City Clerk's Office. Commissioner Dighe moved to extend the financial statement filing deadline from April 20, 2020 to July 31, 2020 due to the COVID-19 emergency. The motion was seconded by Commissioner Akhtar and passed unanimously (5-0).

- Commissioner Thirolf queried and Staff confirmed no other deadlines were at issue. Staff also advised that the draft notice of the deadline extension will be revised to reflect the Commission's decision. The draft notice will then be forwarded to the Chair for final review and then sent to the Governor's Office of Legal Counsel for review and comment, if any. After the Governor's Office of Legal Counsel approves, the notice will be posted. Following this meeting, Staff will email all required filers to inform them of the Commission's decision and that official notice will follow.
- Discussion of State Ethics Commission's Review of Ethics Code Amendment: Staff informed the Commission that the State Ethics Commission reviewed the Ethics Code Amendment and provided three revisions. The first revision would have been to Section 16-25, but upon Staff's review with the State Ethics Commission's Assistant General Counsel, it was found that Section 16-25 is already compliant with the State Code. The second suggested, but not required, revision was to Section 16-30 (Procurement). The analogous section has been removed from the State Code because it is addressed in the State procurement code, and if the City is similar, the Commission may remove the section and the City Code will still be compliant with the State Code. The final revision was to Section 16-64(4). If the City has an elected executive officer, all of that official's meals costing more than \$20.00 will need to be disclosed. Legislative elected do not have this requirement. Staff will thoroughly research the City Charter and Code provisions the pertaining to the Mayor and Council to both advise the Commission regarding if this change is necessary, as well as for the discussion with Mayor and Council when the amendment is comes before them. Lastly, Staff confirmed with the State Ethics Commission's Assistant General Counsel that the expansion of the Commission membership acceptable. Chair Thirolf asked if the Commission's previous recommendation to expand the Commission's membership had been sent to the Mayor and Council. Staff informed the Commission that the recommendation had not been sent because the State revisions were received shortly after the meeting at which the Commission decided on the recommendation, and it would be most efficient to address the State Ethics Commission's revision and the membership expansion in one text amendment before the Mayor and Council. Staff suggested that the membership could be expanded to seven (7) members to avoid any potential deadlocks. The Commission agreed to the expansion to seven (7). Staff informed the Commission that a draft text ordinance would be prepared for the Commission's review at their next meeting.

- Notice Question: Commissioner Dighe asked if the public notice for the meeting provided Webex access information for the public to be able to observe the meeting. Staff confirmed that the notice contained a call-in number and access code by which the public was able to observe the meeting.

V. Adjournment

A motion to adjourn the meeting was made by Commissioner Dighe. The motion was seconded by Commissioner Espinosa and passed unanimously (5-0).