

Philadelphia Board of Ethics
Meeting Minutes
Public Session
February 14, 2006
Municipal Services Building
Room 16 B
4:00 – 6:00 PM

Present:

Board

Charisse R. Lillie, Esq., Chair
Daniel P. McElhatton, Esq., Vice Chair

Staff

Evan Meyer, Esq.
J. Shane Creamer, Jr., Esq.

Agenda:

I. Approval of Minutes

The Board approved the meeting minutes for the public and executive sessions of the January 11, 2005 meeting.

II. Whistleblower Protection Policy

A proposed Whistleblower Protection Executive Order was circulated prior to the meeting. Mr. Creamer was instructed to draft a transmittal letter to the Mayor for Ms. Lillie's signature.

III. Financial Disclosure Form Consolidation

The Board tabled the discussion on the possibility of recommending a consolidation of the financial disclosure forms, because it is too late to change the forms for the current filing season.

IV. New Ethics Legislation: Independence from Law Department Issue

Mr. Meyer presented his analysis of the issue of the independence of the new Ethics Board (subject to voter approval of the ballot question on May 16th) from the City's Law Department. Mr. Meyer's research memorandum was circulated prior to the meeting. Mr. McElhatton recommended that the analysis be given to the new Ethics Board, once it is installed. Ms. Lillie noted that the issues raised were more theoretical than practical. She added that the current Board's experience with the Law Department has been a cooperative relationship, while the Law Department has maintained its independence at the same time.

V. Executive Director's Report

1. Legislative Update

Mr. Creamer reported that Councilman Kenney introduced a Resolution on February 2nd to have City Council's Legislative Oversight Committee hold a public hearing on implementing an ethics training program. Councilman Kenney chairs that Committee. Members of the Legislative Oversight Committee include Councilwomen Krajewski (vice-chair) and Tasco, and Councilmen Nutter, Goode, Kelly, Mariano, O'Neill and Ramos.

A hearing is scheduled for February 23rd at 1:00 PM. Mr. Creamer met with Councilman Kenney's staff on January 26th to talk about ethics training and he has been invited to testify at the hearing. Mr. Creamer also met with the Committee of Seventy's Director of Civic Education, Anne Mahlum, on February 8th, to discuss the Ethics Board's live ethics training program and Councilman Kenney's Resolution.

2. Financial Disclosure

On January 23rd, Records Commissioner Joan Decker held a meeting for all HR Managers to discuss the revised financial disclosure process. Mr. Meyer and Mr. Creamer were invited to speak to the group.

The HR Managers were told that most City employees who are required to file annual disclosure statements (those not participating in the pilot automation project), will be sent bar coded cover sheets via email. The

individuals will then print the bar code and submit it as a cover sheet for their disclosure forms when they file with the Records Department. The bar code will enable certain fields in the database to be populated automatically. This will reduce both the amount of manual data entry and the possibility for data entry error.

Mr. Creamer said that a list of “Financial Disclosure FAQs” will be added to the Ethics Board’s web site shortly. This list should answer most questions about the process. If a question is not addressed on the list, City employees and officials will be prompted to contact Evan Meyer.

3. Ethics Training

All City departments have submitted their ethics training schedules. We are currently working with the Training Coordinators in each department to get an estimate on how many employees have been trained so far. Central Personnel has already trained 470 employees in some of the smaller departments that do not have a trainer among their staff.

Just over 250 trainers were trained in eight “train-the-trainer” sessions to deliver ethics training their departments. Although we anticipate that it will take until the end of the calendar year to train all City employees (particularly those in the larger, uniformed departments), a majority of City employees will be trained by June.

4. DOJ Antitrust Awareness Training

Mr. Creamer introduced Ed Panek at the February 1st Managing Director’s Commissioners’ Meeting. Ed was then given an opportunity to describe the US Department of Justice Antitrust Division’s Antitrust Awareness Training Program for municipal procurement officers to the commissioners, department heads and directors.

Mr. Creamer also said that he was working on scheduling training sessions for procurement officers in the various operating departments. Antitrust Awareness Training has already been provided to procurement officers at PGW, the School District of Philadelphia and the City’s Procurement Department.

5. Ethics Budget

After the January Board meeting, Mr. Creamer followed-up with Deputy Budget Director Peggy VanBelle to learn more about the Ethics Board's FY 2007 budget. Ms. VanBelle told me that the proposed FY 07 Budget includes an additional \$668k in the Law Department's budget. This equals the \$1 million ethics budget guaranteed by Resolution 040817 when added to the \$332k for the Ethics Board that is already in the Law Department's budget for FY 06.

Since the Budget Office has no direction on how the money may be spent in FY 2007, the proposed FY 07 Budget allocates \$368k to payroll and \$300k to contracts. Ms. VanBelle indicated that the budget could be adjusted later, once the Board determines how the money should be allocated.

City Council is scheduled to hold a hearing on the Law Department's budget on Tuesday, March 28th, from 1:15 – 2:30 PM.

6. IT Master Plan

Mr. Creamer met with Crafton Timmerman, Director of Public Safety Technologies for MOIS on February 2nd to discuss how technology might be utilized by the Ethics Board to accomplish current and future tasks and goals. Mr. Timmerman is working with a group within MOIS to draft an IT Master Plan for the Ethics Board. Mr. Creamer will meet with the group later this week and we hope to have a draft Plan ready for the Board's March 8th meeting.

VI. New Business

There was no new business.