

**DISTRICT OF COLUMBIA
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY**

Special Meeting of the Board

June 20, 2013, 1:30 p.m.

Room 830 South

One Judiciary Square

AGENDA

- I. Call to Order
- II. Ascertainment of Quorum
- III. Adoption of the Agenda
 - a. Advisory Opinion - - continuing discussion of legislation proposed by the Office of the Attorney General in connection with a previous Advisory Opinion concerning whether Board/Commission members can be lobbyists. Specifically, the discussion will concern which Board/Commission members should be prohibited from being lobbyists.
- IV. Executive Session (non-public) to Discuss Ongoing, Confidential Preliminary Investigations pursuant to D.C. Official Code § 2-575(b)(14).
- V. Resumption of Public Meeting at 3 p.m. (approximately 30 minutes after the Ethics Board goes into Executive Session).
 - a. Discussion of any remaining public items.
- VI. Adjournment

**DISTRICT OF COLUMBIA
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY**

MEETING MINUTES

Special Meeting of the Board

June 20, 2013, 1:30 p.m.

Room 830 South

One Judiciary Square

AGENDA

I. Call to Order

The Special Meeting of the Board was called to order at 1:36 pm by Chairman Robert Spagnoletti in Room 830 South at One Judiciary Square, 441 4th Street NW, Washington, DC 20001. The Meeting was held via conference call.

II. Ascertainment of Quorum

All Board Members were present (Robert Spagnoletti, Deborah Lathen and Laura Richards), constituting a quorum.

III. Adoption of the Agenda

The Agenda was adopted unanimously.

Next, the Director of Government Ethics, Darrin Sobin reported that the Special Meeting was called regarding a previous advisory opinion concerning proposed legislation by the Office of the Attorney General on whether Board or Commission members can be lobbyists. Specifically, the BEGA Board needs to identify which Board or Commission members should be prohibited from being lobbyists.

- ❖ The Boards/Commissions listed below were previously identified by the Office of the Attorney General as members that should be prohibited from lobbying. The BEGA Board reviewed each Board/Commission, and agreed unanimously that they should remain on the prohibited lobbyist list.

1. Contract Appeals Board
2. Real Property Tax Appeals Commission
3. Elections, Board of
4. Rental Housing Commission
5. Public Service Commission

❖ The OGE staff proposed that, in addition to these five, the below-referenced Boards/Commission be added to the prohibited lobbyist list. The Office based its methodology on criteria as to whether or not the Board/Commission has quasi-judicial functions, issue licenses, award contracts, rulemaking authority, issue bonds, handles contracts independent of the Office of Contracts and Procurement, etc. BEGA Board agreed that the recommended Boards/Commissions should be added to the 'no' lobbyist list.

1. Public Service Commission
2. Alcoholic Beverage Control Board
3. Education, State Board of
4. Metropolitan Washington Airports Authority, Board of
5. Taxicab Commission
6. DC Water
7. Zoning Adjustment, Board of
8. Children & Youth Investment Trust Corp., Board of
9. Office of the People's Counsel
10. Judicial Disabilities and Tenure, Commission on
11. Judicial Nominating Commission
12. Health Benefit Exchange Authority, Board of

❖ In addition, following the same methodology, the BEGA Board decided that the following additional Boards and Commissions should be added to the 'no' lobby list:

1. Employee Appeals, Office of
2. Historic Preservation Review Board
3. Homeland Security Commission
4. Housing Authority Board of Commissioners
5. Housing Finance Agency Board of Commissioners
6. Liberty Trustees, Board of
7. Public Employee Relations Board
8. University of the District of Columbia, Board of Trustees

9. Washington Convention and Sports Authority, Board of
10. Zoning Commission
11. Board of Condemnation and Unsanitary Buildings

❖ The Board (BEGA) requested that further research and advisement be provided regarding the below-referenced Boards/Commissions before making a decision to include them on the prohibited lobbyist list. OGE will provide additional information at next Board Meeting.

1. Fashion Arts & Events, Commission on
2. Construction Codes Coordinating Board
3. Board of Medicine
4. Boxing and Wrestling Commission
5. DC Retirement Board

IV. Executive Session (non-public) to Discuss Ongoing, Confidential Preliminary Investigations pursuant to D.C. Official Code § 2-575(b)(14).

The Executive Session of the Meeting started at 2:45 p.m. and ended at 3:26 p.m.

V. Resumption of Public Meeting at 3 p.m. (approximately 30 minutes after the Ethics Board goes into Executive Session).

Traci Hughes, the Director of Open Government announced the re-opening of the Public Meeting at 3:34 p.m.

a. Discussion of any remaining public items

Board Member Richards commented on the earlier topic regarding Boards and Commissions as lobbyist and asked that OGE make a clearer distinction between paid lobbyist and activity of lobbyist. General Counsel, Stacie Pittell advised that under BEGA's Statute, it is clear that a lobbyist is 'any person or group that is paid or spends \$250 in three (3) consecutive months. However, Ms. Pittell said that OGE will try to define them more clearly.

VI. Adjournment

Director Hughes announced that the Board Meeting was over and adjourned at 3:42 p.m.