

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

NOTICE OF PUBLIC MEETING

The District of Columbia Board of Ethics and Government Accountability will hold a public meeting on Thursday, August 4, 2016, at 11:00 a.m. at One Judiciary Square, 441 Fourth Street, N.W., Room 540 South, Washington, D.C. 20001. Below is a draft agenda for the meeting. A final meeting agenda will be posted on the Board's website at www.bega.dc.gov on the day of the meeting.

Members of the public are welcome to attend. Questions about the meeting may be directed to bega@dc.gov.

AGENDA*

- I. Call to Order
- II. Ascertainment of Quorum
- III. Adoption of the Agenda
- IV. Report by the Director of Open Government

- a. Trainings

- The Office of Open Government has conducted three trainings since July 15th. We conducted one FOIA training for the Office on Human Rights, and two combined Open Meetings Act and Ethics trainings with the Mayor's Office of Talent and Appointments.

- b. OMA and FOIA Advice

- In the three week period since the last board meeting the OOG has fielded 13 requests for FOIA and OMA advice. One of which, we were successful in obtaining an agency record for a member of the public without the necessity of a FOIA request. We also spent a half day at ABRA, consulting with that agency on requests for records concerning Donald Trump and the Trump hotel on Pennsylvania Avenue.

- c. OMA Complaint - #00G-0006 OSSE-Uniform Per Pupil Student Funding Formula

- On July 21st, the OOG issued advisory opinion #00G-0006, resolving whether the State Superintendent of Education Uniform Per Pupil Student Funding Formal Working Group is a public body as contemplated by the OMA. It was the determination of this Office that the working group, given its charge and impact on some 90-thousand students, requires that it follow the OMA. OSSE is fully complying, and Mr. Barton and I are scheduled to conduct

an OMA training on August 23rd of all administrative staff assigned to support the working group.

We have inquired with the Council to find out if all of the opinions issued regarding the OMA can be included in the notes portion of the DC Code, as this office's review is setting precedent. This will help with consistency of the application of the law.

d. Public Outreach

Mr. Barton has begun outreach to the Capital Area Food Bank, UDC David A. Clarke School of Law, DC Federation of Civic Associations, and the Washington Legal Clinic for the Homeless to schedule introductory meetings on the role of the OOG. We are also hoping to set up a legal clinic on FOIA and the OMA with UDC's law school.

Lastly, I mentioned at the last board meeting that OOG will be issuing a newsletter. It will go out to all FOIA Officers and GCs by the end of the week.

V. Report by the Director of Government Ethics

- a. Update on Status of Office of Government Ethics (OGE) Operations – Recap of previous month's activities (statistics)
- b. Publication and Reporting Obligations
- c. Trainings
- d. Advisory Opinions
 - i. Outside Employment – Regarding potential conflict of interest and post-employment issues involving a public official's dual employment as a Councilmember and head of a lobbying organization that has matters pending before his committee and the Council
- e. Ethics Legislation/Comprehensive Code of Conduct
- f. Rulemaking
- g. Budget
- h. Staffing and Hiring
- i. Lobbyist/Financial Disclosure Matters
 - i. # 1478-001: *In Re: Alliance for Construction Excellence.*
 - ii. # 1540-001: *DC Chamber of Commerce Respondent.*
 - iii. # 1526-001: *In Re: Carson Company LLC.*
- j. Conflict of Interest Waivers
- k. Non-Confidential Investigations
 - i. #1426-001 *In Re: Gerren Price*

- VI. Opportunity for Public Comment

- VII. Executive Session (non-public) to Discuss Ongoing, Confidential Investigations pursuant to D.C. Official Code § 2-575(b), to deliberate on a decision in which the Ethics Board will exercise quasi-judicial functions pursuant to D.C. Official Code § 2-575(b)(13), and Personnel matters pursuant to D.C. Official Code § 2-575(b)(10).

- VIII. Resumption of Public Meeting
 - a. Discussion of any remaining public items

- IX. Adjournment

***The audio recording for public portion of the meeting for agenda items I-VI is not available due to technical difficulties with the hearing room recording device. The audio recording for agenda item VII and IX are published with this document.**