

**Minutes
Ethics Commission
Wednesday, March 26, 2014
7:00 p.m.**

Lower Level Conference Room, City Hall

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Gail Kushner	<u> X </u>	<u> </u>
Ed Maginnis	<u> X </u>	<u> </u>
Frank Rose	<u> </u>	<u> X </u>
Alan Bradford	<u> X </u>	<u> </u>
Robert Thurston	<u> X </u>	<u> </u>
Sean O'Donnell	<u> </u>	<u> X </u>

Also Present:

Kenneth Sigman, Ethics Attorney and Yvette Allen, Assistant City Clerk.

The meeting was called to order at 7:12 p.m.

Approval of the February 5, 2014 Minutes: A motion was made by Mr. Bradford and seconded by Mr. Thurston to approve the minutes of February 5, 2014, as amended. The motion passed 4 – 0 – 0.

Amendments to the Ethics Code: A motion was made by Mr. Bradford and seconded by Mr. Maginnis to approve the suggested amendments to the Ethics Chapter of the City Code.

§ 38-15

B. Financial disclosure ~~statement~~statements.

~~(1)~~ Required financial disclosure statements include:

(a) Annual Financial Disclosure Statements;

(b) Candidate Financial Disclosure Statements; and

(c) Statements of Actual or Potential Conflict of Interest.

(2) Except as provided in Subsection C of this section, a City elected official or a candidate to be a City elected official shall file the financial disclosure ~~statement~~statements required under this section:

(a) On a form provided by the Commission;

(b) Under oath or affirmation; and

(c) With the Commission.

(23) Deadlines for filing statements.

(a) An incumbent City elected official shall file ~~a financial disclosure statement annually~~ an Annual Financial Disclosure Statement no later than April 30 of each year for the preceding calendar year.

(b) An individual who applies to fill a vacancy in an office for which ~~aan~~ Annual Financial Disclosure Statement is required and who has not already filed a financial disclosure statement for the reporting period, shall file a statement for the preceding calendar year and the portion of the current calendar year to date of filing together with the application for appointment.

(c) An elected official shall file a Statement of Actual or Potential Conflict of Interest disclosing employment and interests that raise conflicts of interest or potential conflicts of interest in connection with a specific proposed action by the official sufficiently in advance of the action to provide adequate disclosure to the public.

* * *

C. Candidates to be City elected officials.

(1) A candidate to be an elected City official shall file a financial disclosure statement ~~no later than~~ with the ~~filing~~ Board of ~~Election Supervisors with~~ the candidate's authorization of candidacy.

(i) Except as provided in paragraph (ii), the reporting period shall be the calendar year immediately preceding the year in which the authorization is filed and the portion of the current calendar year to the date the authorization is filed;

(ii) For elected officials that have filed a statement under another provision of this section for the preceding calendar year, the reporting period shall be the portion of the calendar year to the date the authorization is filed;

~~(2) — A candidate to be an elected City official shall file the statement required under this section with the Board of Election Supervisors at the time of filing of the authorization of candidacy.~~

~~(3)~~ (2) The Board of Election Supervisors may not accept ~~any~~ an authorization of candidacy unless ~~the candidate has filed a~~ it is accompanied by the candidate's financial disclosure statement that includes all required identifying and contact information, is signed under oath, and includes answers to every mandatory question.

~~(4)~~ (3) Upon receipt of a statement required under this section, the Board of Election Supervisors shall promptly forward the statement to the Commission or the office designated by the Commission and shall do so ~~by~~ no later than the close of business on the day of the filing deadline for the authorization of candidacy.

§ 38-17. Additional conflict of interest statements and correction of inaccurate or incomplete filings required.

...

C. Any person required to file a conflict of interest, lobbying registration, or financial disclosure statement pursuant to this chapter shall correct any inaccurate or incomplete filings with the Commission within 15 days of learning or being notified that the statement is inaccurate or incomplete. Any candidate for office notified that a statement is, or appears to the Commission to be, inaccurate or incomplete must provide the additional information required to the Commission or confirm the accuracy and completeness of the statement within 15 days or prior to the withdrawal of candidacy deadline, whichever is first to occur.

Mr. Sigman will prepare a memorandum with all code amendments and send to the City Council.

The motion passed 4 – 0 – 0.

Modifications to Financial Disclosure Statement and Instructions: A motion was made by Mr. Maginnis and seconded by Mr. Bradford to approve the changes (red line copy attached) to the Financial Disclosure Statement Form #1, to modify the Instructions (red line copy attached) to comply with the FDS Form #1 and to continue with the practice of sending the updated Financial Disclosure Statement Instructions as a separate form.

The motion passed 4 – 0 – 0.

Ethics Commission Performance Measures: Training – Board and Committee Members: The City budget includes performance measures for each budget category. The Ethics Commission has their own budget category which list goals and performance measures. The Commission discussed the need for training for Board and Committee members, employees and Mayor and Council. The City Clerk's office will send the Ethics Commission suggestions on training for discussion at the next Ethics Commission meeting.

Adjourn:

A motion was made by Mr. Maginnis and second by Mr. Thurston to adjourn the meeting and convene in a closed session to: Comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter. The Commission will not return to a public meeting. With a vote of 4 – 0 – 0, the meeting was adjourned at 8:12 p.m.

Minutes submitted by: Yvette Allen, Assistant City Clerk

Pursuant to §C6-3 of the College Park City Charter, at 8:16 p.m. on March 26, 2014, in the Council Chambers of City Hall, a motion was made by Mr. Maginnis and seconded by Mr. Bradford to enter into an Executive Session for the following reason:

1. Comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

The motion passed 4 – 0 – 0.

Present: Commissioners: Kushner, Maginnis, Thurston, and Bradford.

Absent: Commissioners: O'Donnell and Rose

Also Present: Kenneth Sigman, Ethics Counsel and Yvette Allen, Secretary.

Topics Discussed: Economic Development Coordinator Michael Stiefvater asked the Ethics Commission for an advisory opinion regarding whether the selection of the spouse of an employee of the Department of Planning, Community & Economic Development is permissible under the Ethics Chapter of the College Park Code.

Actions Taken: Based on the facts provided by Mr. Stiefvater and the facts readily available to the Commission, we conclude that the selection of Ms. Beavers is permissible under section 38-11 of the College Park Code. Should Mr. Beavers' responsibilities as a City employee change such that he becomes responsible for the procurement of Market Master services or oversight of the Market Master contract, he must recuse himself from participating in such matters if Ms. Beavers will be bidding on the contract or is selected for the contract.

Adjourn: A motion was made by Mr. Maginnis and seconded by Mr. Bradford to adjourn the Executive Session, and with a vote of 4 – 0 – 0, Mr. Maginnis adjourned the Executive Session at 8:21 p.m..

**CITY OF COLLEGE PARK
ETHICS COMMISSION**

**FINANCIAL DISCLOSURE STATEMENT
FORM #1, ELECTED OFFICIALS**

_____ *I Would Like To Be Notified If Someone Looks At My Form*

Instructions:

1. Fill in the preliminary information requested in the box below. Be sure to correctly identify the reporting period (see below).
2. Upon completion of your financial disclosure statement, sign and date the next page and make the required oath or affirmation. Additionally, please ensure that your name and date appears on the bottom of each page you submit.

Deadlines for filing statements (Section 38-15 B-2).

- I. An incumbent City elected official shall file a Financial Disclosure Statement annually no later than April 30th of each year for the preceding calendar year.
- II. An individual who applies to fill a vacancy in an office for which a Financial Disclosure Statement is required and who has not already filed a Financial Disclosure Statement for the reporting period, shall file a statement for the preceding calendar year and the portion of the current calendar year to date of filing together with the application for appointment.
- III. a. An individual who, other than by reason of death, leaves an office for which a statement is required shall file a statement within 60 days after leaving the office.
b. The statement shall cover:
 1. The calendar year immediately preceding the year in which the individual left office, unless a statement covering that year has already been filed by the individual; and
 2. The portion of the current calendar year during which the individual held the office.

This Report Covers the Period from **January 1, 2012** to **December 31, 2013**.

PLEASE PRINT OR TYPE

FIRST NAME	INITIAL	LAST NAME
ADDRESS (For receipt of correspondence)		
ADDRESS, LINE 2		
CURRENT OFFICE HELD		
E-MAIL ADDRESS		

This financial disclosure statement describes all interests and related transactions and matters required to be disclosed by section 38-15 of the College Park City Code with respect to the period indicated and pertaining to the person filing the statement. The statement consists of this cover sheet, the [checklist instructions](#), and Schedules A through I.

I hereby make oath or affirm under the penalties of perjury that the contents of this financial disclosure statement, including the Schedules attached hereto, are complete, true and correct to the best of my knowledge, information and belief.

Signature of Person Filing: _____

Date:

FOR USE BY CITY OFFICES ONLY

Received by the City Clerk's Office: Date: _____

By: _____

Sent to the Ethics Commission: Date: _____ By: _____

| Received by the Ethics Commission: _____ Date: _____ By:

NOTES:

Instructions:

~~— Check the proper block to Questions Complete each schedule, A through I. Do not leave any questions unanswered, with a Yes or No answer. If you check answer "Yes" to any the opening question be sure to on any Schedule, you must complete that Schedule. Return all pages of the corresponding Schedule- statement even if you answered "No."~~

Interests: In addition to interests held by you, you must also report interests that are attributable to you.

Attributable interests include interests that are held by your spouse, domestic partner, or dependent child, if you exercised control over the interest. Attributable interests also include interests held by a trust or estate of which you are a beneficiary, hold a reversionary interest, or, for revocable trusts, you are a settlor. However, you need not report interests in trusts that are part of a pension or profit sharing plan with more than 25 participants.

	— YES	— NO
<p>A. I held interests during reporting period in real property. Note that you must mark yes if you hold a leasehold interest in real property, i.e., if you are a tenant.</p> <p>(If "Yes," complete Schedule A.)</p>	A.	
<p>B. I held interests during reporting period in corporations, partnerships and similar entities. Note that you must mark yes if you held any ownership interest in a business entity, regardless of the percentage of the business you owned or the dollar value of your interest, and regardless of whether the business does business with the City. (If "Yes," complete Schedule B.)</p>	B.	
<p>C. I held interests in a non-corporate business entity that did business with the City, other than a partnership. Note that you must mark yes if you held any ownership interest in such a business entity, regardless of the percentage of the business you owned or the dollar value of your interest.</p> <p>(If "Yes", complete Schedule C.)</p>	C.	
<p>D. I received gifts with a value of \$20 or more or a series of gifts from one person with a value of \$100 or more during reporting period from persons doing business with the City, regulated by the City, or</p>	D.	

registered or required to register as lobbyists.

(If "Yes," complete Schedule D.)

~~E. I or a member of my immediate family was a partner or held an office, directorship, or salaried employment during reporting period in or with a business entity doing business with the City. (If "Yes," complete Schedule E.)~~

~~F. I or a member of my immediate family owed debts (excluding retail credit accounts) during reporting period to persons doing business with the City. (If "Yes," complete Schedule F.)~~

~~G. A member of my immediate family was employed by the City during reporting period. (If "Yes," complete Schedule G.)~~

~~H. During the reporting period, I or a member of my immediate family (1) received compensation for employment or (2) was sole or partial owner of a business entity from which earned income was received. Note that you must answer yes if you received or your family members received a salary or earned income from a business, regardless of whether the business does business with the City. (If "Yes," complete Schedule H.)~~

~~I. Is additional information set forth on Schedule I? (If "Yes," complete Schedule I.)~~

~~E.~~

~~F.~~

~~G.~~

~~H.~~

~~I.~~

Form 1 – Elected Officials

Schedule A – Real Property Interests

Do you have any interest (as an owner or a tenant, including interests in time shares) in real property in Maryland or in any other state or country? [Note that you must mark yes if you hold a leasehold interest in real property, i.e., if you are a tenant.](#)

_____ Yes
_____ No (Go to Schedule B)

If Yes; (Answer each question below. A separate Schedule A will be required for each property you need to disclose.)

1. What is the address or legal description of the property? (Give Street Address, if you know it. If the property is your primary residence, you may enter the lot and block legal description instead, if you wish)

Street Address _____

City/State/Zip _____

2. What kind of property is it?

Improved (indicate whether property is residential or commercial property): _____

Unimproved (vacant lot): _____

3. Is the interest held directly by you or is it attributable to you?

Direct _____ Attributable _____

4. Are you the owner or tenant?

Owner _____ Tenant _____

5. Do you hold the interest solely or is it jointly held with another?

Solely _____ Jointly _____ Tenants by the Entirety _____

If held jointly, or by tenants by the entirety, the name(s) of the other joint owner(s): _____

6. Are there any legal conditions or encumbrances on the property?

(Example: mortgages, liens, contracts, options, etc.)

_____ Yes
_____ No

If yes, what is/are the name(s) of the lender(s), creditor(s), lien holder(s), etc?

7. What date was the property acquired? _____

8. How was the property acquired? (Example: purchase, gift, inheritance, etc.)

9. From whom was the property acquired?

(Name of individual or entity from whom you purchased or inherited the property or who gifted the property to you.)

10. What consideration was given when the property was acquired? (Dollar amount paid or, if you received the property as a gift or inherited it, the fair market value at the time you acquired your interest in the property)

11. Have you transferred any interest in this property during the reporting period?

_____ Yes

_____ No

If Yes:

11.A. What percentage of interest did you transfer: _____%

11.B. What consideration did you receive for the interest: _____

11.C. To whom did you transfer the interest: _____

If you have any additional interests in real property in Maryland, any other state or any other country, please use additional sheet(s), if necessary, and respond to each above question for each such entry.

Schedule B – Interests in Corporations and Partnerships

Did you have any interest in any corporations, partnerships, limited liability partnerships (LLP) or limited liability companies (LLC) during the reporting period **whether or not** the entity did business with the City? [\[You are not required to disclose interests in nationally traded mutual funds or IRS qualified trusts \(such as a 401\(a\), 401\(k\), or 403\(b\) plans\) or 529 college savings plans.\]](#)

Yes
 No (Go to Schedule C)

~~If Yes; (Answer each question below. A separate Schedule B will be required for each interest you need to disclose.)~~

If Yes; For every entity in which you had an interest at the end of the reporting period, a separate Schedule will be required. Alternatively, the disclosures may be made in the form of an end-of-year brokerage statement, spreadsheet chart, or other descriptive format, provided that such chart or statement contains the requested information and is accepted by the City's Ethics Commission.

1. What is the name of the entity? Include the complete name of the entity, do not identify solely by trading symbol: _____

2. Does the stock of the corporation trade on a stock exchange?

Yes
 No

If "no," the legal address of the entity's principal office.

3. Is the interest held directly by you or is it attributable to you?

Directly: _____ Attributable: _____

4. Do you hold the interest in your name alone, or is it held jointly?

In your name alone: _____ Jointly: _____

If jointly, the percentage of your interest: _____%

5. What is the nature of your interest and its dollar value or the number of shares? (Example: stock, notes, bonds, puts, calls, straddles, purchase options, etc.) If in a non-publicly traded entity or LLP or LLC, report the percentage of ownership. [The number of shares may be disclosed in ranges \(0-100, 101-250, 251-500, over 500\).](#) [If in a non-publicly traded entity or LLP or LLC, you may report the range of your estimated ownership percentage \(less than 1%, 1-5%, 6-10%, or over 10%\).](#)

Type: _____

Dollar Value of Shares: _____ or Number of Shares: _____

Percentage of ownership: _____ %

6. Are there any legal conditions or encumbrances that apply to your interest in the entity?

(Example: mortgages, liens, contracts, options, etc.)

_____ No

_____ Yes; **If yes**, name of entity holding the encumbrance: _____

7. Did you acquire an interest in the entity during the reporting period?

_____ Yes

_____ No

In the following questions, the number of shares may be disclosed in ranges (0-100, 101-250, 251-500, over 500). For a non-publicly traded entity or LLP or LLC, you may report the range of your estimated ownership percentage (less than 1%, 1-5%, 6-10%, or over 10%).

If Yes:

7A. In what month was the interest acquired? _____

7B. How was the interest in the entity acquired? (Example: purchase, gift, will, etc.):

7C. From whom did you acquire the interest in the entity? (If you purchased it from a brokerage, the name of the brokerage): _____

7D. What consideration was given when the interest was acquired? (Dollar amount paid, or if you received the property as a gift or inherited it, the fair market value at the time you acquired your interest in the property): _____

8. Have you transferred any interest in this entity during the reporting period?

_____ Yes

_____ No

If Yes:

8A. What portion of the interest was transferred? _____

8B. What consideration did you receive for the interest in the entity? (Dollar amount paid, or if you received the property as a gift or inherited it, the fair market value and terms at the time you transferred your interest in the property): _____

8C. To whom did you transfer your interest in the entity? _____

If you have additional interests in corporations or partnerships, please use additional sheet(s) if necessary, and answer each of the above questions for each additional entry.

Schedule C – Interests in Non-Corporate Business Entities Doing Business with the City

Do you have an interest in any non-corporate business entity (a sole proprietorship), other than a partnership, that did business with the City during the reporting period? Note that you must mark yes if you held any ownership interest in such a business entity, regardless of the percentage of the business you owned or the dollar value of your interest.

Yes
 No (Go to Schedule D)

If Yes: (Answer each question below. A separate Schedule C will be required for each business entity to be disclosed.) If the business entity is previously listed on Schedule B, list the name of the entity only and, after the name, state "See Schedule B."

1. Name and Address of the Principal office of the business entity?

Name: _____

Address: _____

City/State/Zip: _____

2. Is the interest held directly by you or is it attributable to you?

Direct: _____ Attributable: _____

3. Do you hold the interest solely or is it jointly held with another?

Solely: _____ Jointly: _____

3. A. If jointly, the percentage of your joint interest: _____%

3. B. Dollar value (or range) of your interest in the entity: \$ _____; or
percentage (or range) of your interest in the entity: _____%

4. Are there any legal conditions or encumbrances that apply to your interest in the entity?

(Example: mortgages, liens, contracts, options, etc.)

Yes, If yes give name of creditor: _____
 No

5. Was any interest acquired during the reporting year?

Yes
 No

If Yes:

5A. What month was the interest acquired? _____

5B. How was the interest in the entity acquired? (Example: purchase, gift, will, etc.)

5C. From whom did you acquire the interest? [\(If it was purchased by you or on your behalf in an open market transaction as in the case of publicly traded securities, state "unknown, market transaction"\)](#):

5D. What consideration was given when the interest was acquired? (Dollar amount [or range](#) paid, or if you received the property as a gift or inherited it, the fair market value [or range](#) at the time you acquired your interest in the property)

6. Did you transfer any of your interest during the reporting period?

_____ Yes

_____ No

If yes:

6A. What percentage of interest, if less than all, was transferred? _____ %

6B. What consideration [\(or range\)](#) did you receive for the interest in the entity? (Dollar amount paid or if you received the property as a gift or inherited it, the fair market value and terms at the time you transferred your interest in the property):

6C. To whom did you transfer your interest in the entity? _____

If you have additional interests in sole proprietorship(s) that did business with the City during the reporting year, please use additional sheet(s) if necessary, and answer each of the above questions for each additional entry.

Schedule D – Gifts

During the reporting period, did you receive any gift(s), directly or indirectly, in excess of a value of \$20 or a series of gifts from the same donor with a cumulative value of \$100 or more from a person or entity who: 1) did business with the City; 2) engaged in an activity that was regulated or controlled by the City; or 3) was a regulated lobbyist? Gifts received from a member of the official's immediate family, another child, or a parent of the official, do not need to be disclosed.

- Yes
- No (Go to Schedule E)

If Yes; (Answer each question below. A separate Schedule D will be required for each gift.)

1. Who gave you the gift?

2. What was the nature of the gift? (Example: book, restaurant meal, theater tickets, book, etc.)

3. What was the value of the gift?

4. If the gift was given to someone else at your direction, list the identity of the recipient of the gift.

Please use additional sheet(s), if necessary, for any additional entries.

Schedule E – Officers, Directorships, Salaried Employment and Similar Interests

During the reporting period, did you or any member of your immediate family (spouse, domestic partner, or dependent child) have any salaried employment or hold any office or directorship with an entity that did business with the City?

- Yes
- No (Go to Schedule F)

If Yes; (Answer each question below. A separate Schedule E will be required for each disclosure.)

1. What is the name and address of the business entity?

Name: _____

Address: _____

City/State/Zip: _____

2. Who was the individual who held the position or interest listed above? (Example: yourself, spouse, domestic partner, dependent child)

Self: _____ Spouse: _____ Dependent child: _____

2A. Name of spouse or dependent child: _____

3. What is the title of the office you, your spouse or dependent child held? (Example: limited partner, director, treasurer, chair of the board of trustees, etc.)

4. What year did the position begin? _____

5. With what City department did the business entity do business? _____

6. What was the nature of the business?

(Example: regulated by the City, registered under the lobbying law, or involved with sales and contracts with the City)

If necessary, please use additional sheet(s) for any additional entries.

Schedule F – Debts You Owe

During the reporting period, did you owe a debt (excluding a retail credit account) to a financial entity that did business with the City? **[NOTE: If, on Schedule A, B or C you listed a financial entity that did business with the City as the holder of your mortgage or other encumbrance, you must complete Schedule F with regard to that indebtedness.]**

- Yes
- No (Go to Schedule G)

If Yes; (Answer each question below. A separate Schedule F will be required for each debt to be disclosed.)

1. To whom did you owe the debt? (Do not include consumer credit debts)

2. When was the debt incurred? _____

3. What are the interest rate and terms of payment of the debt?

Interest Rate _____

Terms (monthly, bimonthly, annually, etc): _____

4. What was the amount of the debt as of the end of the reporting period? If debt existed during the reporting period but was paid in full at the end of the period, put \$0. \$ _____

5. Did the principal of the debt increase _____ or decrease _____ during the reporting period, and by how much? \$ _____

6. Was any security given for the debt?

- Yes
- No

If Yes; Please state what type of security was given (home, car, boat, etc):

7. If this is a transaction in which you were involved, but which resulted in a debt being owed by your spouse or dependent child, identify your spouse or child and describe the transaction.

If necessary, please use additional sheet(s) for any additional entries.

Schedule G – Family Members Employed by the City

During the reporting period, were any members of your immediate family (spouse or dependent children) employed by the City in any capacity?

- _____ Yes
- _____ No (Go to Schedule H)

If Yes; (Answer each question below. A separate Schedule G will be required for each member of the immediate family who is employed by the City.)

1. What is the relation and name of the immediate family member employed by the City?

2. What is the name of the department that employed the member of your immediate family?

3. What was the title of your immediate family member’s position in the City department during the reporting period? _____

If necessary, please use additional sheet(s) for any additional entries.

Schedule H – Employment/Business Ownership

During the reporting period, did you or any member of your immediate family, receive any earned income from an entity other than the City of College Park? [Note that you must answer yes if you or your family members received a salary or earned income from a business, regardless of whether the business does business with the City.](#) Your dependent child's employment or business ownership does not need to be disclosed unless the place of employment or the business entity is subject to regulation by the City or has contracts in excess of \$10,000 with the City. Please note that, except as it relates to dependent children as discussed in the preceding sentence, **this question is not limited to entities that do business with the City.** If you or your spouse or domestic partner was employed or received earned income, you must answer yes to this question.

_____ Yes
_____ No (Go to Schedule I)

If Yes; (Answer each question below. A separate Schedule H will be required for each member of the immediate family who owned a business entity or held employment.)

1. If, during the reporting period, you or a member of your immediate family had employment from which you or they earned income, list the relation, name, and address of the employment.

Name: _____

Relationship: _____

Name of Employer: _____

Address: _____

City/State/Zip: _____

2. If, during the reporting period, you or a member of your immediate family wholly or partially owned any business entity from which income was earned, list the relation, name and address of the business entity.

Name: _____

Relationship: _____

Name of Business Entity: _____

Address: _____

City/State/Zip: _____

If necessary, please use additional sheet(s) for any additional entries.

Schedule I – Other

Is there any additional information or interest you would like to disclose?

DUTY TO REPORT

Failure to file or to report information required by the Code of Ethics can subject you to civil and administrative penalties, including a late filing fee of up to \$250, and a civil fine of up to \$5,000 per day. Willful and false filing is subject to criminal penalty for perjury pursuant to Criminal Law Article 89-101, Annotated Code of Maryland. You have a right and duty

STANDARDS OF CONDUCT

The City of College Park Code of Ethics includes standards of conduct applicable to elected officials and City employees. The standards address disqualification from participation, prohibited secondary employment, prohibited ownership interests, misuse of position, prohibited solicitation and acceptance of gifts, misuse of confidential information, post-employment limitations, prohibited dealings with the City, and procurement specifications assistance restrictions. The Law provides for exceptions and exemptions under certain circumstances.

Filers wanting more detailed information about these requirements should review the Code or contact the City Ethics Commission.

PRIVACY NOTICE

The Code of Ethics requires the collection of this information, which will be used primarily for public disclosure and to determine compliance with the Code of Ethics. The information may be disclosed to any requesting person, including officials of State, local or federal government, who provide their name and address, and this record will be provided to the filer upon request. The subject has the right to review, correct, and amend the record.

CITY OF COLLEGE PARK ETHICS COMMISSION
FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS

A MESSAGE TO THOSE WHO ARE REQUIRED TO FILE DISCLOSURE STATEMENTS

Please read the instructions carefully and be sure to provide all information requested for each interest you disclose on your statement. If you have any questions about the application of the Law, you may contact the City Ethics Commission. Some schedules on the statement may require knowledge regarding whether an entity does business with the City. You may access that information by contacting [the City Clerk's Office, City Hall](#). If you have a question about a particular entity or need other assistance in completing the form, do not hesitate to contact the City Ethics Commission through the City Clerk's Office.

Financial disclosure statements are public records that may be examined or copied by the public. At the top of the form we have provided a place for you to check if you want the Commission to notify you of the names and addresses of any persons who have examined or copied your statement.

Thank you for your cooperation.

GENERAL INSTRUCTIONS

A. Persons Required to File Form #1 and #2 Statements

City Elected officials or candidates for office as City elected officials are required to file this financial disclosure statement.

B. When to File.

1. A person holding an office, for which a financial disclosure statement is required, must file **on or before April 30th each year during that person's term in office. The reporting period is the immediately preceding calendar year.**

2. A person who does not have a current financial disclosure statement on file and who is appointed to fill a vacancy in a position or office for which a statement must be filed, shall file a statement **within 30 days** after appointment **for the previous calendar year**.

3. If a person in a position requiring disclosure **leaves the position** after January 1 but prior to filing the regular annual statement due April 30th, he or she must file the **annual statement** (covering the preceding calendar year), plus an **additional termination statement covering the part of the current year served**. You must file your termination statement **within 60 days of leaving your position**.

4. **This paragraph applies only to candidates for office as a City official.** A candidate for nomination or election to City office must file the statement with the Board of Elections Supervisors and the Ethics Commission **for the calendar year immediately preceding the year in which the Authorization of Candidacy is filed, and for the current calendar year in which the Authorization of Candidacy is filed (i.e. January 1 through date of filing) together with that person's Authorization of Candidacy**. In each calendar year subsequent to the year in which the Authorization of Candidacy is filed, except in the year of the election, a statement covering the preceding calendar year shall be filed with the Ethics Commission on or before April 30th. In the year of the election, a statement covering the preceding calendar year shall be filed on or before April 30th or the last day for the withdrawal of candidacy, whichever is earlier. A candidate who fails to file a required statement and is provided written notice from the election board of the default shall be deemed to have withdrawn the candidacy if the statement is not filled within 20 days of receipt of the notice.

C. Where to File and Where to Get Forms.

1. Forms are available at the City Clerk's Office. You should return completed forms to the City Clerk, who will forward them to the City's Ethics Commission.

2. **This paragraph applies only in an election year.** A person filing this statement as a candidate for nomination or election to office must file the statement with the City's Board of Election Supervisors and with the Ethics Commission through the City Clerk's office.

D. Glossary of Terms

1. Attributable Interest.

The law provides that certain property and business interests not directly held by a person may be attributed to him or her and must be reported on the financial disclosure statement. The circumstances under which attribution occurs are as follows:

- a. If you owned greater than a 3% equity interest in any business entity during the reporting period and that business entity holds a property or business interest which, if you owned directly, you would be required to report on Schedule A, B, or C, the interest is attributable to you and you must report it on the appropriate Schedule. This limited attribution does not reduce or affect in any way the requirement for disclosure on Schedule A of real property held by a partnership even if the filer holds less than a 3% interest in the partnership.
- b. If your spouse or child holds a property or business interest which you would have to report on Schedule A, B, or C, if you owned it directly, and if you exercised direct or indirect control over that interest at any time during the reporting period, the interest is attributable to you and must be reported on the appropriate Schedule.
- c. If at any time during the reporting period you (a) held a reversionary interest in a trust or estate or (b) were the beneficiary of a trust or estate or (c) were the settler of a revocable trust, then any interest held by the trust or estate which you would have to report on Schedule A, B, or C, if you owned it directly, it is attributable to you and must be reported on the appropriate Schedule. For purposes of this attribution provision, you are a beneficiary of a trust if you are a current income beneficiary, either receiving income or currently entitled to receive income, or if you have a current ownership or other interest in the corpus of the trust. Beneficiaries of an estate include immediate beneficiaries of an estate even if it is not settled. A trust, within the meaning of this section, does not include a common trust fund or a trust which forms part of a pension or profit-sharing plan that has more than 25 participants.

2. Unknown Information.

The law requires you to disclose interests and information "if known" for the calendar year for which the required statement is to be filed. If you claim not to know information requested on the form, state "unknown" in response to that question on the statement. Information in the public records or otherwise obtainable is not "unknown," and must be reported.

3. Blind Trust

A filer having an interest relating to a blind trust should contact the Commission about the filing requirements.

FORM INSTRUCTIONS

Identifying Information

If you wish to be notified if anyone requests to see your financial disclosure statement, check the appropriate box at the top of the page. Print or type your **complete name** and **address** where you can be sent correspondence. Also **fill in the year of the reporting period**. Regular annual reports or reports by new officials will cover from January 1 through the last day of the **preceding calendar year**. Termination reports will cover from the first day of the current calendar year until your last day in your position. The last line of the general information block ("Office for which Authorization of Candidacy...") needs to be completed only during an election year and then only by individuals who are running for a City elective office. Please include your City e-mail address, if you have one.

Signature and Affirmation

You **must file the financial disclosure statement under oath or affirmation**, and willful and false filing is **subject to the penalties of perjury** as provided in § 9-101, Criminal Law Article, Annotated Code of Maryland. All forms filed **must therefore be signed and dated under oath or affirmation**. The Commission will not consider your financial disclosure statement to be filed until it is so signed and dated.

SCHEDULE A. Real Property

Real property held by the filer or by a partnership, limited liability partnership, or limited liability company **in which the filer has an interest** must be disclosed, if it is held at any time during the reporting period. You must report real property whether it is located **in or outside of Maryland**. Partnership property must be disclosed, without regard to the extent of the filer's interest in the partnership. **You must also report any interest you have in leasehold property, for example, property in which you are tenant, including business offices and personal residences. You must report your personal residence if it is owned directly by you, attributable to you or rented by you.** Note also that all appropriate information (e.g., date, seller, etc.) must be reported for land you own whether or not you have constructed improvements on it.

Schedule A deals with real property interests only; do not report here your interests in business entities. If real property held by an entity is attributable to you, or is a partnership, limited liability partnership, or limited liability company property, list the real property on this Schedule. Report your interest in the entity on Schedule B, C, or H (whichever is appropriate) if it falls within the reporting requirements of those Schedules.

Please answer the Questions 1 through 11c as appropriate. The Ethics Law requires for each property to be disclosed that you give the location, the type of property, the nature and extent of your interest, the identity of other persons holding an interest in the property, encumbrances, date and manner of acquisition, the identity of the person from whom you acquired the property, and the nature and amount of consideration. Additionally if you transferred the property during the calendar year, the name of the person to whom you transferred the property, the portion of interest transferred and the amount of consideration received is required to be disclosed.

SCHEDULE B. Interests in Corporations/Partnerships

Report **all interests in any corporation, partnership, limited liability partnership or limited liability companies** held by you during the reporting period, **whether or not the entity does (did) business with the City**. You are not required to disclose interests in nationally traded mutual funds or IRS qualified

trusts (such as a 401(a), 401(k), or 403(b) plans) or 529 college savings plans.] Examples of frequently disclosed items on this schedule are corporate stocks, corporate bonds, partnerships, and interests in mutual funds (**not** the individual holdings of the mutual funds). Filers are not required to disclose holdings in an Internal Revenue Service qualified trust or college savings plan. ~~This would include the State of Maryland § 401(a), § 401(k) and § 457 (deferred compensation) plans.~~ This would also include Maryland College Savings Plans, such as 529 investment accounts. Other possible qualified retirement accounts include 403(b) plans. The filer must determine whether the plan in which they participate meets the requirements for exemption from disclosure. (See definition of “interest” in glossary of terms.)

Please answer the Questions 1 through 8C as appropriate. The Ethics Law requires for each interest to be disclosed that you give the name and address of the entity, the nature and extent of your interest, the amount of the interest, other interests held in the entity, and any encumbrances or conditions. The number of shares may be disclosed in ranges (0-100, 101-250, 251-500, over 500). If in a non-publicly traded entity or LLP or LLC, you may report the range of your estimated ownership percentage (less than 1%, 1-5%, 6-10%, or over 10%).

Additionally, if the interest was acquired during the calendar year, the date and manner of acquisition, the identity of the person from whom you acquired the interest, and the nature and amount of consideration will need to be disclosed. **If the acquisition solely consists of an addition to an existing, publicly traded corporate interest acquired by dividend or dividend reinvestment is less than \$500, you need not provide any additional information.**

Finally, if you transferred the interest during the calendar year, the name of the person to whom you transferred the interest (if known), the portion of interest transferred and the amount of consideration received.

SCHEDULE C. Interests in Non-Corporate Business Entities

Report all interests in any **non-corporate business entity** not disclosed on Schedule B **that does business with the City**. A sole proprietorship, other than a partnership, is the type of entity that is included on this Schedule.

Please answer the Questions 1 through 6C as appropriate. The Ethics Code requires for each interest in any non-corporate business entity doing business with the City that you give the name and address of the entity, the nature and extent of your interest, the amount (or range) of the interest, other interests held in the entity, and any encumbrances or conditions. Additionally, if the interest was acquired during the calendar year, the date and manner of acquisition, the identity of the person from whom you acquired the interest (If it was purchased by you or on your behalf in an open market transaction as in the case of publicly traded securities, state “unknown, market transaction”); and the nature and amount of consideration will need to be disclosed.

Finally, if you transferred the interest during the calendar year, the name of the person to whom you transferred the interest (if known), the portion of interest transferred and the amount of consideration received.

SCHEDULE D. Gifts You must report **each gift in excess of \$20 in value**, or a **series of gifts from any one person totaling \$100 or more**, received by you at any time during this reporting period or by any other person at your direction, **from or on behalf of**, directly or indirectly, any **person who does business with the City or is regulated by the City, or is registered or required to register as a lobbyist by the Ethics Code** for each gift, answer Questions 1 through 4. Generally, gifts received by

members of your immediate family will be considered as gifts received by you for reporting purposes. You should note if the gift was received by a spouse or dependent child.

The following gifts need not be reported:

1. Gifts received from your spouse, domestic partner, children and parents.
2. Political campaign contributions regulated in accordance with the provisions of the Elections Law or any other provision of City law regulating the conduct of elections or the receipt of political campaign contributions. Contributions to legal defense funds are generally considered to be gifts under the Ethics Law.

SCHEDULE E. Offices, Directorships, Salaried Employment, and Similar Interests

List on this schedule the name and address of the principal office of each business entity doing business with the City in which, at any time during the reporting period, you or a member of your immediate family (spouse, domestic partner and dependent children) held an office, directorship, salaried employment, or similar interest. Also list any other similar interests (such as being a partner) held by you or a member of your immediate family during the reporting period, and not otherwise disclosed on this Schedule, in any business entity doing business with the City. For example, the presidency of a corporation or a partnership in a law firm should be reported, as should employment as an engineer in a consulting firm that is a partnership. For each office, directorship, and employment to be disclosed, answer Questions 1 through 6.

SCHEDULE F. Debts

Report all **debts you owed** during the reporting period **to any entity doing business with the City**. The City Clerk maintains a list of entities doing business with the City. **Exclude retail credit accounts** (which includes store and bank charge accounts). You must, however, include installment loans, mortgages, car loans, or other time-fixed **liabilities owed to an entity doing business with the City**.

Please answer Questions 1 through 7 for each debt to be disclosed. The Ethics Law requires that you identify the person or entity to whom the debt is owed, the date the debt was incurred, the terms of payment of the debt, the amount of the debt owed as of the last day of the calendar year, the extent to which the principal amount of the debt increased or decreased during the calendar year, and a description of any security given for the debt. Additionally, if this transaction resulted in a debt being owed by your spouse or dependent child, you need to identify your spouse and/or child and describe the transaction.

SCHEDULE G. Family Members Employed by the City

Please answer Questions 1 through 3 as appropriate listing all members of your **immediate family (spouse, domestic partner and dependent children)** who were **employed by the City in any capacity at any time during the reporting period**. Include the name of the agency where employed.

SCHEDULE H. Employment and Business Ownership

Please answer Questions 1 and 2 as appropriate listing the **name and address of any places of employment and of business entities** wholly or partially owned by you, your spouse, domestic partner or a dependent child, and **from which income was earned during the reporting period whether or not the entity did business with the City**. For example: salaried employment, individual consulting

activities, private practices, and business activities involving income-producing real property. **With regard to dependent children, you need report only earned income from employment or an interest in a business entity if that employment or business entity was regulated by the City.**

SCHEDULE I. Optional

You may use this Schedule for any interest or transactions you have not been required to disclose on Schedule A through H but wish to disclose. This Schedule may also be used to further explain any prior entry.

**** Alternate formats will be provided upon request for persons with disabilities**