



Providence Ethics Commission

Regular Meeting

~ Meeting Minutes ~

Wednesday, March 2, 2016

5:30 PM

Committee "B" (City Hall 3rd Floor)

PRESENT: Vice-Chairman Daniel E. Chaika, Jose Batista, Elsa Dure, Ethan Gyles and M. Zachary Mezera – 5.

ABSENT: Chairwoman Susann G. Mark and Vanessa Crum – 2.

Also present are Adrienne Southgate, Deputy City Solicitor, Law Department; Kathryn Sabatini, Municipal Integrity Officer, Law Department; Lori L. Hagen, City Clerk and Dawn E. Ostiguy, Assistant Clerk.

1. Discussion relative to correspondence from Councilman David Salvatore to Chairwoman Mark regarding the Rhode Island Ethics Commission Advisory Opinion.

VICE-CHAIRMAN CHAIKA: Should we proceed right to the first item on the Agenda and were we able to print out some of Councilman Salvatore's letter so that we can all look at them?

MR. GYLES: Did others get this electronically?

MS. SABATINI: Yes.

MR. GYLES: Okay.

VICE-CHAIRMAN CHAIKA: We just want to make sure that everybody is scanning this, even if we got it. Everybody have a chance to take a peek at it? We can just start the discussion. I am not sure what he's asking us by sending it to us. It doesn't look as if he's asking us to give him a formal opinion.

MR. GYLES: It seems like an FYI type of thing.

DEPUTY CITY SOLICITOR SOUTHGATE: My understanding is that because he is a municipal elected official and, therefore, is under theegis of the Commission's jurisdiction, he's providing this on an

informational basis so we can see that he did request an Advisory, that he's been advised that he may not lobby the City Council on behalf of his new employer for a period of one year after he ceases City employment and the City Council has a protocol where matters like this for information are simply received, rather than acted upon. I think that's a very good way of handling it and you might want to do something similar in this circumstance; but there is no action that our Ethics Commission is either obligated to, or in my mind, should take as a result of receiving this Advisory Opinion.

VICE-CHAIRMAN CHAIKA: Is there a way to acknowledge the receipt? Is that the formality?

DEPUTY CITY SOLICITOR SOUTHGATE: You simply say on the record that it's received and we can send him a letter that this Commission took that action at our meeting on whatever date it is today.

VICE-CHAIRMAN CHAIKA: I would ask if it raises any questions for anybody else. Not necessarily the specifics of his correspondence, but the questions that popped into my mind were things such as does the State Code trump the City Code? Should he choose – let's say this opinion was different – but in general if the opinion of the Ethics Commission was different than that and said that he could practice, they didn't see a conflict or they didn't see a violation and he could appear before Municipal Boards or Agencies, would that preclude us from giving us an opinion that –

DEPUTY CITY SOLICITOR SOUTHGATE: I don't believe it would.

MUNICIPAL INTEGRITY OFFICER SABATINI: No.

VICE-CHAIRMAN CHAIKA: So, at this point I don't know if anybody wants to entertain a motion that we just want to acknowledge that

he sent it to us as information and send him a letter that we have duly noted it. It appears that if they said to him that he can't appear before any of these Boards, then he's not going to do that, at which point we just want it in the file that he put us on notice that he got an opinion. So, if anybody would like to entertain a motion, it would be a motion to receive the letter and the opinion and acknowledge that we have received it and sent him an acknowledgement that we have done so.

MR. GYLES: You have a motion to do so.

VICE-CHAIRMAN CHAIKA: Is there a second?

MS. DURE: Seconded.

VICE-CHAIRMAN CHAIKA: Is this a roll call or a just a hand vote?

CITY CLERK: A voice vote is fine.

RESULT:	RECEIVED
MOVER:	Mr. Gyles
SECONDER:	Ms. Dure
AYES:	Vice-Chairman Chaika, Mr. Batista and Mr. Mezera
ABSENT:	Chairwoman Mark and Ms. Crum

2. Report from Kathryn Sabatini, Municipal Integrity Officer, regarding the status of ethics training of City Employees and Officials.

Discussion was held relative to the foregoing matter and no votes were taken.

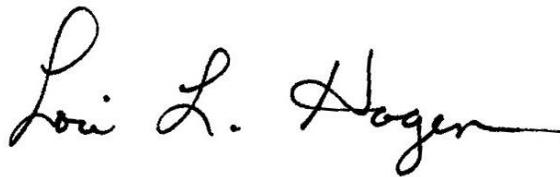
3. Discussion relative to best practices of how to disseminate to the public the Commission's regulations and raise awareness of the Complaint Process.

RESULT:	CONTINUED WITH VOTE [UNANIMOUS]
MOVER:	Mr. Batista
SECONDER:	Mr. Mezera
AYES:	Vice-Chairman Chaika, Ms. Dure and Mr. Gyles
ABSENT:	Chairwoman Mark and Ms. Crum

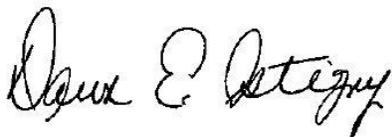
4. **Discussion in Executive Session, Pursuant to R.I. Gen. Laws § 42-46-5(a)(2) and (4), sessions or work sessions pertaining to litigation, and investigative proceedings regarding allegations of misconduct, either civil or criminal.**

RESULT:	CONTINUED WITH VOTE [UNANIMOUS]
MOVER:	Mr. Gyles
SECONDER:	Mr. Batista
AYES:	Vice-Chairman Chaika, Ms. Dure and Mr. Mezera
ABSENT:	Chairwoman Mark and Ms. Crum

ADJOURNMENT: On motion of Mr. Gyles, Seconded by Ms. Dure, it is voted to adjourn the meeting at 6:10 o'clock P.M.



City Clerk



Assistant Clerk