

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

**MEETING MINUTES – August 3, 2023**

The District of Columbia Board of Ethics and Government Accountability held a meeting on August 3, 2023 at 12:00 p.m. The meeting was held remotely via WebEx. Board Member Melissa Tucker presided over the meeting and Board Members Charles Nottingham, Felice Smith, and Darrin Sobin participated in the meeting. Chairperson Norma Hutcheson did not attend the meeting. Questions about the meeting may be directed to [beqa@dc.gov](mailto:beqa@dc.gov).

Members of the public were welcome to attend, and a recording of the meeting is available on open-dc.gov and [BEGA's YouTube channel](#).

**I. Call to Order**

The meeting was called to order at 12:03 p.m.

**II. Ascertainment of Quorum**

Three Board members, Melissa Tucker, Felice Smith, and Darrin Sobin, were present at the start of the meeting. Together the three members constitute a quorum.

**III. Adoption of the Agenda/Approval of Minutes**

The Board members present voted unanimously to adopt the agenda and approve the minutes of the July 13, 2023 meeting.

**IV. Report by the Director of Government Ethics**

Good afternoon, Board Member Tucker and Members of the Board. I am Ashley Cooks, the Director of Government Ethics. I am pleased to present this report on the activities of the Office of Government Ethics (OGE).

**A. Update on Status of OGE Operations**

The information reported today regarding OGE's cases will not reflect any status changes that may occur because of actions taken by the Board during today's meeting.

<b>OPEN INVESTIGATIONS BY STATUS</b>	
Open	33
Open - Negotiations	0
Open - Show Cause Hearing	0
Grand Total	33

<b>OPEN "UNDOCKETED MATTERS"</b>	
Grand Total	0

<b>PENDING/STAYED INVESTIGATIONS BY STATUS</b>	
Closed - Pending Collection	34
Stayed - Pending DC Superior Court Case	4
Stayed - OAG False Claims Act Case	1
Stayed - OIG Investigation	4
Stayed - US District Court Case	0
Grand Total	43

<b>REGULATORY MATTERS BY STATUS</b>	
Closed - Pending Collection	26
Open	8
Grand Total	34

	<b>Current</b>	<b>Last month</b>	<b>June</b>
Investigations Open	33	40	47
Investigations Stayed	9	9	8

The number of open preliminary and formal investigations includes 3 new matters. The investigative team has resolved 8 investigations and fines were issued in 2 investigations since the Board last met. This total does not reflect the number of complaints that were dismissed for a lack of jurisdiction.

The FY23 3<sup>rd</sup> Quarter Complaint Report is completed and was posted to the website on August 2, 2023. Senior Board Attorney Lynn Tran created a Heat Map, which reflects the number of cases that were closed during the 3<sup>rd</sup> Quarter, along with a press release that summarizes the categories of the cases. The Heat Map and press release were posted on the BEGA website and a copy was placed in the Dropbox for your review.

OGE is in the final stages of agreeing to a Memorandum of Agreement for Debt Collection Services with the Office of the Chief Financial Officer's Central Collection Unit ("CCU"). Pursuant to the Board of Ethics and Government Accountability Delinquent Debt Recovery Amendment Act of 2022, which was enacted in December 2022, BEGA may discretionarily transfer delinquent debts associated with settlements and judgements for ethics and Open Meeting Act violations to the CCU for collection, and the funds collected on BEGA's behalf will be deposited into the Ethics Fund. Once the agreement is finalized, we will begin the process of transferring delinquent debts to the CCU for collection.

## **B. Trainings/Outreach**

### **1. Professional Development Trainings Attended by staff**

During the last few weeks of July, Senior Board Attorney Lynn Tran and General Counsel Rashee Raj attended the COGEL Connect: Ethics Roundtable. Program

Coordinator Stan Kosick and IT Specialist Kevin Brown attended the OCTO's Artificial Intelligence Summit. Investigator Ileana Corrales attended two trainings from Wicklander-Zulawski & Associates. The first was a refresher course on Cognitive Interview Techniques and the second was on Preventing False Confessions.

General Counsel Raj also attended the National Whistleblower Day celebration held by National Whistleblower Center at the Capitol. The day included panels such as "Life after Whistleblowing" and thoughts on policy improvements needed for whistleblowers. These panels featured whistleblowers from the private and public sectors, including the FBI, Enron, and Theranos.

## 2. Conducted by staff

Since the July Board meeting, OGE conducted 2 training courses: the July Quarterly Boards & Commissions Training and the July Brown Bag session. On Monday, July 31<sup>st</sup>, Attorney Advisor Maurice Echols presented the July Ethics Counselor Brown Bag Session titled "Have You Ever Been Lobbied?" A copy of the presentation was placed in the DropBox.

During the month of July, 23 employees completed our online ethics training via PeopleSoft and 9 users completed 9 courses using the Learning Management System. Course BGA923 General Ethics Training was the most popular and accounted for a third of all courses taken in this period. Since the launch of the Learning Management System in April 2022, 5,897 employees have registered within the system. We continue to meet with our LRN program manager to discuss ways to optimize the system and increase employee registration.

## 3. Outreach

OGE is preparing for Ethics Week 2023! The week-long event will take place on October 23-27, 2023. This year's theme is "Everyday Ethics" #cantgoadaywithoutit. The coordination committee, led by Supervisor Stewart-Mitchell, is in the process of finalizing the agenda, scheduling speakers, and purchasing memorabilia. We are currently developing moderated discussions with a panel of Local Ethics Authorities, and another with a panel on Artificial Intelligence and Ethics. We are also reviving sessions with perennial favorites, The Campaign Legal Center, guest speaker Michael Bret Hood from last year, and of course, the DC Bar for Legal Ethics for Government Attorneys. A draft agenda was placed in the DropBox and a final schedule will be published soon.

## 4. BEGA Newsletter

On Friday August 18<sup>th</sup>, OGE will publish volume eight, issue four of its newsletter, "Ethically Speaking." The newsletter will provide financial disclosure statement fine information for non-filers; inform readers of the ethical issues within the three branches of the federal government; and include enforcement actions taken by this agency and other state ethics boards. This issue will be available on the BEGA

website and will be included in the DropBox next month for your reading pleasure.

**C. Advisory Opinions/Advice**

1. Informal Advice

OGE's legal staff provided advice for approximately 15 ethics inquiries, which is 20 less than the 32 reported at the last Board meeting. This number does not include responses we have provided to questions regarding the Lobbyist and FDS e-filing systems.

2. Formal Advisory Opinions

On June 22<sup>nd</sup>, OGE issued draft advisory opinion "Guidance on the Local Hatch Act and the Use of Campaign Slogans." The opinion reminds employees of the political activity restrictions and that the on-duty restriction applies to District regulated political activity and federal political activity. Specifically, the opinion states that employees are permitted to use the phrase "Build Back Better" when referring to the official policy initiative of the Biden Administration but are prohibited from using "Build Back Better" as a campaign slogan while on duty or in the workplace, as well as slogans such as "Finish the Job," "Make America Great Again," or "MAGA". The opinion was published on the BEGA website and submitted to the D.C. Register for a 30-day comment period. The opinion will be finalized on August 10<sup>th</sup>. A copy was placed in the drop box for your review.

On August 2<sup>nd</sup>, OGE issued an Advisory Opinion upon request by the Executive Director of the Poverty Commission regarding the outside activity restrictions. The opinion addresses whether the Director can serve as an Adjunct Professor at American University without the role conflicting with his government service. The opinion provides guidance on the Conflict of Interest statute and the outside activity restrictions. Based on the facts, there is no apparent conflict with the Director's official duties and his potential employment as an Adjunct Professor; therefore, the outside activity is permissible, but still subject to the ethics restrictions. The opinion was published on the BEGA website and submitted to the D.C. Register for a 30-day comment period. A copy was placed in the drop box for your review.

**D. Legislation Updates**

1. Comprehensive Code of Conduct

As defined in the Ethics Act, the Code of Conduct consists of seven different statutes and regulations with variable applicability. The Comprehensive Code of Conduct ("CCC") is legislation that consolidates the District's ethics laws and standardizes the ethical practices between the legislative and executive branches. OGE's legal team will again review and update the CCC with the goal of submitting an updated version of the legislation to the Board and then the Council this fall.

## **E. OGE Administrative Matters**

### **1. OGE Staffing**

OGE welcomes our new Auditor, Clara Olawunmi, who started earlier this week. Clara is an experienced professional with over 16 years of investigation and auditing expertise. She has a master's degree in accounting & financial management from the University of Maryland University College and a bachelor's degree in Geology from Nnamdi Azikiwe University, Nigeria. Clara's District of Columbia Government career journey began in at OGE in 2013 as an Investigator. In 2017, Clara began working for the D.C. Office of Inspector General as a Management and Program Analyst for the Division of Quality Management and Audit Division. She is a Certified Inspector General Auditor and brings a diverse background to her new role. Clara enjoys reading, watching motorsport racing, and traveling. Welcome back!

I am pleased to announce that our hiring phase has ended as we are onboarding two new Investigators and an Attorney Advisor during the month of August. One Investigator and the Attorney Advisor will start on Monday August 14<sup>th</sup> and the other Investigator will start on Monday August 28<sup>th</sup>. I will give you all full introductions to each new employee at the next meeting.

### **2. Office Relocation**

Our office relocation is still underway! OGE and OOG continue our weekly meetings with the Department of General Services, and the project management team to discuss construction and technology needs for the boardroom and staff areas. On July 26<sup>th</sup>, a group of OGE staff, along with Director Allen, conducted a walk-through of the construction site which is to become our new office space. Overall, the space is coming along nicely with most of the drywall and wiring in place. We remain hopeful that the proposed move-in date will continue for November 2023.

## **F. Financial Disclosure Statement (FDS)**

Pursuant to D.C. Official Code §§ 1-1161.24 and 1-1161.25, public officials and certain government employees must file a financial disclosure statement as a means of transparency and to prevent engaging in conduct that violates the financial conflicts of interest statute. BEGA is responsible for ensuring that employees and public officials, who meet the statutory requirements, file their annual financial disclosure statement.

The 2023 Financial Disclosure Statements were due on May 15th. In April, the FDS team sent emails to 4,186 Public Filers and 4,263 Confidential Filers announcing the deadline. This year, we extended a 30-day grace period to late filers. Any employee or public official who failed to file their statement on or by June 15th, will be penalized with a \$300 fine.

Overall, the Financial Disclosure Season was a success with 94% of all designated public filers and 92% of designated confidential filers completing the required financial disclosures. The FDS team has begun focusing on enforcement for late filer and non-filers. In addition to the 2023 enforcement, the Office of Pay and Retirement Service returned a list of 275 Filers whose fine garnishments were not processed in 2022. The FDS team is in the process of reviewing the 2022 garnishment list for filers who may no longer be with the District, transferred between agencies, or paid the fine. The team has also sent notice of the pending garnishment to employees. We anticipate that the Board will receive fine waiver requests from 2022 and 2023 filers during the same time period.

#### **G. Lobbying Registration and Reporting (LRR)**

Pursuant to D.C. Official Code § 1-1162.27(a), a person who receives compensation or expends funds in an amount of \$250 or more in any 3-consecutive-calendar-month period for lobbying shall register with the Director of Government Ethics and pay the required registration fee. According to D.C. Official Code § 1-1162.30, each registrant shall file a quarterly report concerning the registrant's lobbying activities during the previous quarter.

On June 29, the LRR team sent notices to 450 recipients announcing that the 2023 Quarter three Activity Reports were due by the close of business Monday, July 17, 2023. While numbers are lower than comparable dates in 2022, Lobbyist reporting remains steady. The LRR Team has been meeting with the Office of the Chief Technology Officer to identify upgrades to the e-filing system.

#### **H. Public Investigations**

1. **23-0003-F In re Medgar Webster** – This is a formal investigation based on criminal charges against former-Metropolitan Police Officer and Police Union Vice Chairman, Medgar Webster, who was working at Whole Foods during his MPD tour of duty and while on overtime. Mr. Webster recently pled guilty to one count of first-degree felony fraud for committing time and attendance fraud. On July 26<sup>th</sup>, he was ordered to pay restitution in the amount of \$33,845.59, which is the amount he received, and sentenced to six months in jail, suspended, 6 months of supervised probation, and 54 months of unsupervised probation. Given that Mr. Webster's criminal sentencing and that the District will be made whole through restitution, OGE requests that the Board dismiss this matter.

**Thank you. This concludes the Office of Government Ethics' July 13, 2023, report.**

Presiding Board Member Tucker noted for the record that Board Member Nottingham joined the meeting during the presentation from Director Cooks.

The Board Members voted unanimously to dismiss **23-0003-F In re Medgar Webster** and close the file.

Board Member Nottingham asked about the draft advisory opinion on campaign slogans. Director Cooks noted that the draft opinion discussed the restrictions on both local and federal political activity while on duty, including the difference between the use of slogans to promote a candidate as opposed to referring to official government policies or programs.

Board Member Nottingham also asked about the delay in garnishing the FY2022 late financial disclosure statement filers. Director Cooks noted that this was the first time such a delay had occurred. She also noted that OGE met with OPRS who explained that the delay was because their office was short-staffed last year when the lists were sent. OPRS has advised that they are ready to process the lists. In response to a question from Board Member Nottingham about regular status checks, Director Cooks stated that OPRS has committed to providing OGE with bi-weekly updates of the garnishments.

## **V. Report by the Office of Open Government**

Good afternoon, Board Member Tucker and Members of the Board. I am Johnnie Barton, Chief Counsel of the Office of Open Government, and I am pleased to present this report on the activities of the Office of Open Government (“OOG”), on behalf of Director Niquelle Allen. Since the last Board meeting, OOG has continued to fulfill its mission of ensuring that all persons receive full and complete information regarding the affairs of the District of Columbia government and the actions of those who represent them.

### **A. Open Meetings Act (“OMA”) and Freedom of Information Act (“FOIA”) Advice**

#### 1. Formal Legal Advice

##### a. OMA Formal Legal Advice on En Bloc Voting:

On July 19, 2023, OOG responded to a public body inquiry on whether a public body may act upon agenda items en bloc. Under both the OMA, general parliamentary law, and existing D.C. precedent, the answer is “yes,” if no member objects, though the Board must take care to follow any other law that governs as well. A public body, in the transition from “draft” to “final” agenda, may combine already existing items (from the draft agenda) into a more comprehensive bloc of items for a simplified, unified, action. This does not violate the OMA, but this advice must be taken in coordination with all applicable laws beyond the OMA, including regulations and bylaws.

##### b. OMA Formal Advice on Posting a Meeting Transcript Instead of Detailed Meeting Minutes:

On July 21, 2023, a public body was advised that it may post a transcript in place of detailed meeting minutes when necessary. 3 DCMR §10409.4, states that “[a] Public Body may post transcripts instead of posting detailed meeting minutes. When posting transcripts instead of meeting minutes, transcripts of meetings shall be posted to the Public Body’s website or the District of Columbia’s website within seven (7) business days after the meeting. If transcripts will not be available within this timeframe, a Public Body shall

post detailed meeting minutes within three (3) business days after the meeting, with a notation at the top of the document that full meeting minutes shall be posted on the next meeting date of the Public Body.”

2. Informal OMA/FOIA Advice

Since the last Board meeting, OOG has responded informally, via e-mail or telephone, to requests for assistance as follows:

OOG responded to 5 requests for OMA advice; and

OOG responded to 4 requests for FOIA advice.

OOG responded to 7 requests for technical assistance with open-dc.gov.

**B. Remote Meeting Monitoring**

OOG attorneys and its paralegal attend remote public meetings to ensure compliance with the OMA and inspect public body websites and OOG’s Central Meeting Calendar for public meeting notices and records. We provide legal advice on OMA compliance and take corrective action if necessary.

During July 2023, OOG’s legal staff attended 30 remote public body meetings. As a result of the monitoring, no written corrective measures were taken.

**C. Training/Outreach**

1. Elimination-of-Bias Training

On July 6, 2023, Attorney Weil attended “Moving from Cultural Competence to Cultural Humility,” presented by the Washington State Bar Association. On July 12, 2023, Attorney Weil attended LexisNexis University’s program on “Eliminating Bias in the Legal Profession.”

Both sessions presented tools for awareness of, and ethical compensation for, social biases in attorney/client interactions and as an advocate.

2. FOIA Litigation Update

On July 11, 2023, as part of the OOG’s FOIA webinar series, Attorney Weil presented “FOIA Litigation Update” webinar training. He provided an update on recent Mayor’s Office of Legal Counsel (“MOLC”) appeal decisions, recent FOIA cases, and the procedural details of responding to MOLC and judicial appeals. I along with the OOG staff attended the training.

3. Digging in DC Event with the DC Open Government Coalition

On July 12, 2023, Attorney DeBerry facilitated a FOIA presentation at the “Digging in DC Event with the DC Open Government Coalition.” Attorney Scerbo, Attorney Weil, and Paralegal Specialist Brown attended the event. The event took place at the Shaw (Watha T. Daniel) Neighborhood Library.



4. Categories of FOIA Requesters, Fees, Acknowledgement, and Denial Letters

As part of the OOG's FOIA webinar series, on July 18, 2023, Attorney DeBerry facilitated a FOIA training on "Acknowledgment Letters, Requester Categories, Fees, and Decision Letters." I along with the OOG staff attended the training. The presentation highlighted best practices for responding to FOIA requests, FOIA fees, and the categories of FOIA requesters eligible for fee waivers.

5. SCOTUS Civil Justice Review

On July 21, 2023, Attorney Scerbo, Attorney DeBerry, Paralegal Brown, and I attended George Mason University / Scalia Law School Civil Justice Academy's "Civil Justice Review of the Supreme Court's 2022-2023 Term," an analysis of some of the most important SCOTUS decisions of the term that are most relevant for the future of civil justice, where economic analysis was most influential, and from which we should expect greatest economic impact or adjustment in business activity.

6. Searching for Electronic Records

On July 25, 2023, as part of OOG's FOIA webinar series, Senior Attorney Regal from the Office of the Chief Technology Officer ("OCTO") facilitated a discussion on OCTO's role in the DC FOIA process solutions and tools for emerging issues, requests for access through FOIAXpress, and OCTO's email search process.

7. Practising Law Institute ("PLI") Annual Municipal Law Institute training

On July 25, 2023, Director Allen and Attorney Scerbo attended PLI's Annual Municipal Law Institute webinar training. The training topics included "Fair Housing", a "Supreme Court Update for Municipal Lawyers", "Cyber Security Risks and Best Practices for Municipal Counsel", "Ethics for Municipal Lawyers", and "Attorney-Client Privilege Parameters." The training provided attendees with an analysis of important developments, emerging legal issues, and best practices for local government lawyers. This year's program also explored important issues and developments in crucial areas of municipal law.

8. Open Meetings Act Training

On July 26, 2023, Attorney DeBerry facilitated an OMA training for the District of Columbia Water and Sewer Authority and the Corrections Information Council. I along with the OOG staff attended the training. The training was well attended and well received.

9. Preparing a FOIA Civil Case and FOIA Defensive Litigation

On August 1, 2023, as part of OOG's FOIA webinar series, Adam P. Daniel and

Brendan Heath, of the Office of the Attorney General, Civil Litigation Division, Equity Section, provided information on how to prepare for a FOIA case as an agency's FOIA Officer. The presentation also provided information on current FOIA defensive litigation. A Q&A session followed the presentation.

**D. Litigation and Legislative Update**

1. Litigation

- a. Washington Post Lawsuit Re: Records Related to Capitol Breach (Case Nos. 23-CV-0488 (D.C. Ct. App.); 2021 CA 002114 B (D.C. Super. Ct.))

As previously reported, *The Washington Post* sued the District under D.C. FOIA for certain records relating to the Capitol insurrection. The Superior Court granted the District's motion for summary judgment, and *The Post* has appealed. On June 28, 2023, the D.C. Court of Appeals referred the case to mediation.

OOG staff will continue to monitor.

- b. Requirement to Physically Post Public Meeting Notices Resumes

Effective August 3, 2023, all public bodies must resume physically posting paper public meeting notices (including date, time, location/weblink, and planned agenda) of each meeting “[i]n the office of the public body or a location that is readily accessible to the public.” See D.C. Official Code § 2-576(2)(A). As with internet notices, physical notices must be posted “as early as possible, but not less than 48 hours or 2 business days, whichever is greater, before a meeting.”

The physical-posting provision is a standard requirement in the Open Meetings Act but was suspended most recently by section 5(b) of the Post–Public Health Emergency Protections Extension Temporary Amendment Act of 2022 (D.C. Law 24-226), which expired on August 3, 2023.

The requirements to post on the internet and the District of Columbia Register also remain. Public bodies must upload notices to “the website of the public body or the District government.” The Office of Open Government continues to host a Central Meetings Calendar (“CMC”) for this purpose—the public bodies’ Administrative Points of Contact can continue to register to upload public meeting notices and records to the CMC by contacting the OOG for access credentials. On July 21, 2023, OOG began to send email reminders to public body administrative points of contact concerning this requirement.

- c. New Judicial Task Force re: Access to Justice

On July 19, 2023, the D.C. Courts ordered the creation of the Civil Legal Regulatory Reform Task Force (“Task Force”).

The Task Force goals include “seek[ing] to reduce barriers to full participation in the judicial process” and assisting with the Courts’ “numerous innovations to increase access to justice such as the establishment of on-site Self-Help Centers, . . . community outreach/listening sessions, conversion of . . . forms and documents to plain language, creation of informational videos, self-guided on-line interviews to complete court forms, a dedicated section on the Courts’ website for self-represented litigants, establishment of a Court Navigators Program and remote sites in the community for persons without internet access, and opportunities to participate in many court proceedings without traveling to the courthouse via on-line access.”

This Task Force will deliver a report on or before July 19, 2024, to the Chief Judges of the District of Columbia Courts, with a copy to the President of the D.C. Bar. The report will be shared with the Board of Judges of the D.C. Court of Appeals and the Superior Court for the District of Columbia and released for notice and public comment for 60 days.

As a component of the judicial branch, the Task Force is not subject to the OMA under D.C. Official Code § 2-574(3)(B).

The administrative order is in Dropbox.

d. Update on Virtual Open Meetings Authority Extension Emergency and Temporary Amendment Acts of 2023

As previously reported, on June 20, 2023, the Council approved the Virtual Open Meetings Authority Extension Emergency Amendment Act of 2023.

This measure would extend pandemic-era flexibility for public bodies to comply with the OMA by conducting open meetings virtually. However, it does not continue in effect the waiver of physical posting of public meeting notices that were in previous emergency and temporary legislation.

The emergency measure was enacted without Mayor’s signature with Act Number A25-0170 and expires on Oct 10, 2023. On July 11, 2023, the temporary measure, B25-0332, was adopted on the second reading. A response is due from the Mayor on August 7, 2023.

e. Update on DC Water Critical Infrastructure Freedom of Information Clarification Acts of 2023

The amendment to DC FOIA would expand Exemption 15 to cover “critical infrastructure information . . . for . . . the District of Columbia Water and Sewer Authority” (“DC Water”). As Councilmember Allen

explained in his floor remarks, the current language only covers records on “companies . . . regulated by the Public Service Commission,” which do not include DC Water.

On July 11, 2023, the Council passed the emergency bill, which the Mayor signed into law on July 26, 2023.

**E. Administrative Matters**

1. Newsletter

Paralegal Specialist Brown, assisted by the entire staff, prepared, and published Issue Three of The *Opengovist* newsletter on August 1, 2023. The issue included FOIA litigation updates, administrative case-law updates, OMA legislation updates, and upcoming training. A link to the newsletter is posted on OOG’s Twitter account and OOG’s website open-dc.gov, and a copy is in Dropbox.

2. BEGA 1030 15<sup>th</sup> Street, NW Relocation

The weekly meetings continued this month regarding BEGA’s relocation to its new office, along with Director Allen, Director Cooks, Chief of Staff Mitchell, and IT Specialist Brown met weekly with the Department of General Services project managers and construction team to discuss the progress of the agency’s relocation to its new facility at 1030 15th Street, NW. During the July monthly meetings, the BEGA team discussed the budget, construction progress, and A/V needs at the new facility. Construction is actively underway, and the BEGA team conducted a site visit on Wednesday, July 26, 2023.

**This concludes the Office of Open Government’s July 13, 2023, report. I am happy to answer any questions the Board may have at this time.**

**VI. Public Comment – if received**

No public comments were received.

**VII. Executive Session (nonpublic)**

The Board voted unanimously to enter into Executive Session to discuss ongoing, confidential investigations pursuant to D.C. Official Code § 2-575(b)(14), to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body pursuant to D.C. Official Code § 2-575(b)(4)(A), to discuss personnel matters including the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials pursuant to D.C. Official Code § 2-575(b)(10), 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 to discuss contract negotiation strategies pursuant to D.C. Official Code § 2-575(b)(2).

### **VIII. Resumption of Public Meeting**

The Board resumed the public meeting at 1:26 pm.

There are no matters to report.

### **IX. Adjournment**

The Board will next meet on September 14, 2023 at 12:00 p.m.