



COMMISSION SUMMARY

AGENDA CATEGORY: General Counsel's Office

ITEM NUMBER: 3

DATE: May 20, 2020

SUBJECT	Ratification of Emergency Action Extending Deadline for Submission of Annual Disclosure Statements
SUMMARY	The purpose for this agenda item is for the Commissioners to ratify the emergency action taken by the Chair and Vice Chair on April 23, 2020 to extend the deadline for WSSC Water employees to file their annual disclosure statements from April 30, 2020 to July 31, 2020.
SPECIAL COMMENTS	
CONTRACT NO./ REFERENCE NO.	N/A
COSTS	N/A
AMENDMENT/ CHANGE ORDER NO. AMOUNT	N/A
MBE PARTICIPATION	N/A
PRIOR STAFF/ COMMITTEE REVIEW	Carla A. Reid, General Manager/CEO Amanda Stakem Conn, General Counsel Angelique Dorsey White, Ethics Officer
PRIOR STAFF/ COMMITTEE APPROVALS	Sheila R. Finlayson, Esq., Corporate Secretary
RECOMMENDATION TO COMMISSION	N/A
COMMISSION ACTION	Vote



Interoffice Memorandum

May 20, 2020

TO: Commissioners

THRU: Sheila R. Finlayson, Esq., Corporate Secretary

THRU: Amanda Stakem Conn, General Counsel

FROM: Angelique Dorsey White, Ethics Office

CC: Carla A. Reid
General Manager/CEO

SUBJECT: Ratification of Emergency Action Extending Deadline for
Submission of Annual Disclosure Statements

On April 23, 2020, the Chair and Vice Chair took emergency action under Chapter 1.15.160 of the WSSC Water Code of Regulations (the "Bylaws") to extend the filing deadline for the annual disclosure statements for WSSC Water employees from April 30, 2020 to July 31, 2020. The attached memo to the Chair and Vice Chair explains the recommendation from the Board of Ethics to extend the deadline and the request for emergency action to the Chair and Vice Chair.

The emergency action on April 23, 2020 extending the deadline must be ratified by the full Commission at the next meeting pursuant to the Bylaws.

Attachment



Interoffice Memorandum

April 23, 2020

TO: Chair Chris Lawson
Vice Chair T. Eloise Foster

THRU: Amanda Stakem Conn, General Counsel *asc*

FROM: Angelique Dorsey White, Ethics Officer *ADW*
Russel Beers, Deputy General Counsel and
Counsel to the Board of Ethics *RLB*

CC: Sheila Finlayson, Corporate Secretary

SUBJECT: Board of Ethics Recommendation Regarding the Filing Deadline for
Annual Disclosure Statements

The WSSC Water Board of Ethics (BOE) met on April 21, 2020 and voted to recommend that the Commission temporarily extend the deadline for filing the annual financial disclosure statement for WSSC Water employees from April 30 to July 31. Since the Commission will not meet again until May 20 and the filing deadline is April 30, the General Counsel's Office has advised the BOE that the Chair and Vice Chair may consider taking emergency action on behalf of the Commission to approve the BOE's recommendation.

Recommended Action

To temporarily extend the deadline for filing annual disclosure statements as contained in Code of Regulations, Code of Ethics (Code of Ethics) Chapters 1.70.230 and 1.70.340.

Authority

The Commission has the authority to extend the deadline pursuant to Code of Regulations, Bylaws, Rules, And Regulations Ch. 1.15.160. The Commission has previously declared an emergency in response to the COVID – 19 pandemic. Under that declaration, it has the authority to suspend or delay the enforcement of any Commission regulation. Since the filing deadline is

determined by the Code of Ethics, the Commission has the authority to modify it under the emergency declaration.

Discussion

Annually, all employees and members of certain boards are required to file a disclosure statement with WSSC Water. The statements request information on the filers' personal financial and familial relationships in order to assist the Commission in identifying and managing potential conflicts of interests.

The request for calendar year 2019 disclosure statements was sent on April 1, 2020. Pursuant to Code of Ethics Chs. 1.70.230 and 1.70.340, the deadline for submitting the statements is April 30, 2020. This due date was established to occur after the Internal Revenue Service's (IRS) annual individual tax filing deadline to make it easier for filers to have access to relevant filing data.

Due to the COVID-19 pandemic, the IRS has extended the individual federal tax filing deadline for calendar year 2019 to July 15, 2020. Additionally, the Comptroller of Maryland has adopted the July 15th deadline for Maryland tax filers. The Board of Ethics (BOE) considered the extended IRS filing due date and the annual disclosure statement deadline at its April 21, 2020 meeting. The Board unanimously voted to recommend that the Commission suspend the deadline for filing the annual disclosure statement to July 31, 2020. Reviews of the disclosures by management would be extended to August 30, 2020. An added benefit to this extension is that managers can begin reviewing statements already provided by employees immediately, eliminating the burden of having to review large number of filings after the passage of the deadline.

Other Related Actions

1) State Ethics Commission: Extended the due date for filing the state's annual disclosure statement from April 30, 2020 to June 5, 2020 due to COVID-19.

2) Montgomery County Ethics Commission: Extended the due date for filing the county's annual disclosure statement from April 15, 2020 to July 15, 2020 due to COVID-19.

Should you have any questions regarding WSSC Water's annual disclosure process, please feel free to contact Ethics Officer Angelique Dorsey White at 301-206-8004.

cc: General Manager/CEO (C. Reid)
Board of Ethics Files