

## MINUTES

### **ETHICS REVIEW COMMISSION MEETING APRIL 29, 2009 5<sup>TH</sup> FLOOR AMERICAS CONFERENCE ROOM - 5:00 P.M.**

#### **MEMBERS PRESENT**

Gerald Mangrum, Mayoral  
Richard D. Pineda, District #1  
Yusuf Faran, District #3 (Arrived at 5:15 pm)  
Andre Ewing, District #4  
Paul Harrington, District #6  
Alexander Neill, District #7  
Gracia Sandoval, District #8

#### **MEMBERS ABSENT**

Raymundo Rodriguez, District #2  
Rodney Hansen, District #5

#### **OTHERS PRESENT**

Elaine S. Hengen, Senior Assistant City Attorney  
Sandra Dunsavage, Recording Secretary

#### **I. CALL TO ORDER**

Seeing a quorum, Chair Mangrum called the meeting to order at 5:03 p.m.

#### **II. APPROVAL OF MINUTES FOR FEBRUARY 2, 2009.**

Dr. Pineda moved to approve the minutes of February 2, 2009. Mr. Neill seconded motion, all in favor and the motion passed unanimously.

#### **III. REPORT ON STATUS OF APPOINTMENTS.**

Ms. Hengen advised that all appointments have been made.

#### **IV. ELECTION OF CHAIR AND VICE CHAIR.**

Chair Mangrum opened the floor for nominations for Chair. Mr. Harrington nominated Mr. Mangrum. No other nominations presented. Mr. Mangrum accepted the nomination as Chair.

Chair Mangrum opened the floor for nominations to Vice-Chair and nominated Alex Neill. No other nominations presented. Mr. Mangrum elected as Chair, and Mr. Neill elected as Vice-Chair. Chair Mangrum stated for the record that this would be his last year on the Ethics Review Commission once term ends in February 2010.

**V. DISCUSSION AND ACTION ON ADDING AMENDMENTS TO THE ETHICS ORDINANCE APPROVED BY THE COUNCIL ON APRIL 21, 2009, INCLUDING AN AMENDMENT PERTAINING TO AN APPEALS PROCESS.**

Chair Mangrum explained that Representative Acosta requested that the ordinance be amended to add an appeals process. Discussion was had on determining whether to implement an appeals process.

Ms. Hengen explained that when the Charter was amended in 2007, one of the provisions that was put into the charter was authority to give the Ethics Review Commission independent authority to make determinations on whether a violation has occurred and issue appropriate sanctions. The voters did authorize this idea that the Commission would have the right to issue the sanctions.

Dr. Pineda made the motion to reject the appeal amendment as suggested, as being consistent with the Charter. Seconded by Mr. Harrington, all in favor and the motion passed unanimously.

Motion made by Chair Mangrum to keep the simple majority of those present to vote to issue letter of notification, admonition, and reprimand. Seconded by Dr. Pineda, all in favor and the motion passed unanimously.

**VI. DISCUSSION REGARDING THE IMPLEMENTATION OF THE ETHICS ORDINANCE APPROVED BY THE COUNCIL ON APRIL 21, 2009.**

Chair Mangrum asked whether training action is needed in order to implement the Ethics Ordinance.

Ms. Hengen explained that at the meeting in which Council adopted the ordinance, Council had requested that the City Attorney's Office prepare a video generally explaining the Ethics Ordinance.

No action was taken on this item.

**VII. APPOINTMENT OF THE PANELS OF THE COMMISSION.**

Chair Mangrum informed members that the appointments of the Primary Panel for reviewing and accepting complaints are done. Those on the Primary Panel are Rodney Hansen, Alex Neill, and Gerald Mangrum.

Chair Mangrum recommended and nominated members for the Secondary Panel. Motion made by Chair Mangrum to nominate Paul Harrington, Richard Pineda, and Grace Sandoval. Seconded by Mr. Neill, all in favor and the motion passed unanimously.

**VIII. DISCUSSION AND ACTION ON REVIEWING THE FORMS UTILIZED BY THE COMMISSION PURSUANT TO THE ETHICS ORDINANCE.**

Ms. Hengen explained that there are some forms that will need to be revised pursuant to the Ethics Ordinance. The Complaint Form now has to be notarized, and a modification is needed. The Reportable Gifts Form needs modification because the ordinance requires that if tickets valued more than \$75.00 are accepted, then an explanation of the purpose for attending the event needs to be reported on the Reportable Gifts Form.

This item is postponed for the next meeting. No action was taken on this item.

**IX. DISCUSSION AND ACTION REFERENCE THE ETHICS ISSUES AS RELATING TO THE HOUSING AUTHORITY BOARD AND THE REGIONAL MOBILITY AUTHORITY.**

Ms. Hengen commented on the fact that the State Legislature has already accounted for Ethical Responsibility for members of the Regional Mobility Authority. Review of the letter is needed to decide on whether to leave the letter as worded or to revise the letter.

Motion made by Chair Mangrum to table the review of the letter until further action is needed and seconded by Dr. Pineda. All in favor and the motion passed unanimously.

**X. SCHEDULING OF NEXT MEETING(S).**

Chair Mangrum presented items to be placed on the agenda of next month, to discuss the one year stay period where a City Council person leaving office may not be considered on contracts for a 1 year period, to mirror the Housing Authority Board.

Chair Mangrum suggested that an item for placement on the next agenda would be an update on the status of the complaint against Representative Quintana.

Ms. Hengen advised members that Representative Ortega raised a question asking that the Ethics Review Commission review the Campaign Finance Provisions that apply to the Ethics Ordinance.

Chair Mangrum suggested that the next meeting be held on Wednesday, May 27, 2009, 5:00 pm.

**XI. ADJOURNMENT.**

Motion made by Dr. Pineda and seconded by Mr. Harrington to adjourn the meeting. All in favor and motion passed unanimously. Meeting adjourned at 5:59 p.m.