

**NOTICE OF PUBLIC MEETING  
CITY OF PHOENIX  
ETHICS COMMISSION**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the **ETHICS COMMISSION** and to the general public, that the **ETHICS COMMISSION** will hold a Hybrid meeting open to the public on **Sept. 19, 2024, at 3:00 p.m.**

**OPTIONS TO ACCESS THE MEETING**

- **Call-in to listen** to the live meeting: Dial 1-415-655-0001, Enter meeting access code 2632 611 1315, and press # again when prompted for the attendee ID.
- **Observe the live meeting virtually**, by clicking on the following link and registering to join the meeting online:  
<https://cityofphoenix.webex.com/weblink/register/r82cadedf7ce5d065c9e74075287e85e76>
- If you would like to attend in person at Phoenix City Hall, 12th Floor, Central Conference Room 200 W. Washington St., Phoenix, Arizona, **please RSVP to [ethics.commission@phoenix.gov](mailto:ethics.commission@phoenix.gov)**.
- **Para solamente escuchar la reunión en español**, llame a este mismo número el día de la reunión (602-666-0783; ingrese el número de identificación de la reunión 2634 066 8809#).
- **Register to speak and/or submit a comment** on an agenda item:
  - Contact: Rebecca McCarthy
  - At: (602) 262-7526
  - Email: [ethics.commission@phoenix.gov](mailto:ethics.commission@phoenix.gov)
  - By: 11:00 a.m. on Sept. 19, 2024

Public Comment: If you wish to provide a written comment or speak at the meeting virtually or by phone, please submit a request to [ethics.commission@phoenix.gov](mailto:ethics.commission@phoenix.gov) or call (602) 262-7526 no later than 11:00 a.m. on Thursday, Sept. 19, 2024. The email or phone call should include your first and last name, email address, the item number(s) and whether you would like your comment read into the record or if you wish to speak.

Additional information can be found at <https://www.phoenix.gov/ethics>.

## **Executive Session**

The Ethics Commission may vote to convene into executive session (which will not be open to the public) pursuant to A.R.S. Section 38-431.03(A)(2) or (A)(3) for discussion or consideration of any items on the agenda, at any time during the meeting. The Ethics Commission must take action on an agenda item in open session. Items on the agenda may be discussed out of order unless they have been specifically noted to be set for a certain time.

The agenda for the meeting is as follows:

|    |   |                     |
|----|---|---------------------|
| 1. | Call to Order/Roll Call   | Chair               |
| 2. | Commission Attorney Explains Public Comment   | Commission Attorney |
| 3. | Approval of Meeting Minutes from June 20, 2024<br><b>Discussion and Possible Action</b>   | Chair               |
| 4. | Update on Resolved Complaints<br><b>Information and Discussion</b><br><br>1. <i>EC-19-01</i><br>2. <i>EC-20-01</i><br>3. <i>EC-20-02</i>  | Staff/Chair         |
| 5. | Call to Public  | Chair               |
| 6. | Review of Current Complaints<br><b>Discussion and Possible Action</b><br><br>1. <i>EC-21-01</i><br>2. <i>EC-21-02</i><br>3. <i>EC-22-01</i><br>4. <i>EC-23-01</i><br>5. <i>EC-23-02</i> | Chair               |
| 7. | Future Agenda Items and Meeting Dates   | Chair               |
| 8. | Adjournment   | Chair               |

For further information or to request a reasonable accommodation, please contact Rebecca McCarthy at (602) 262-7526 or TTY: 7-1-1 as early as possible to coordinate needed arrangements.

9/6/2024

**CITY OF PHOENIX  
ETHICS COMMISSION  
Summary Minutes  
June 20, 2024**

Phoenix City Hall  
12<sup>th</sup> Floor, Central Conference Room  
200 W Washington St.  
Phoenix, AZ 85003

Committee Members Present

Jose Samuel (Sam) Leyvas III, Chair  
Patricia Sallen, Vice Chair  
Cheryl Pietkiewicz  
Peter Schirripa

Committee Members Absent

**1. Call to Order/Roll Call**

Chairman Leyvas called the meeting to order at 3:02 p.m. with Commission Members Cheryl Pietkiewicz, Patricia Sallen, and Peter Schirripa present.

**2. Commission Attorney Explains Public Comment**

Elizabeth Nillen, Commission Attorney, stated members of the public may speak for up to two minutes on agenda items and gave direction on appropriate decorum when providing comments.

**3. Approval of Meeting Minutes from May 16, 2024**

Vice Chairwoman Sallen made a motion to approve the minutes of the May 16, 2024, Ethics Commission Meeting. Commissioner Pietkiewicz seconded the motion which passed unanimously 4-0.

**4. Call to Public**

There are no members of the public signed up to speak today.

**5. Review of Current Complaints**

Vice Chairwoman Sallen made a motion to convene in Executive Session to obtain legal advice and to discuss any or all of the pending complaints. Commissioner Pietkiewicz seconded the motion which passed unanimously 4-0.

Chairman Leyvas asked all members of the public and staff to leave the meeting.

The Commission entered Executive Session at 3:06 p.m.

The Commission returned from Executive Session at 4:18 p.m.

Chairman Leyvas asked if the Commission would make a motion on EC-19-01.

Vice Chairwoman Sallen made a motion to take jurisdiction on EC-19-01 and requests the Commission's Counsel to investigate the matter and present a finding of fact report. Commissioner Pietkiewicz seconded the motion.

Chairman Leyvas opened the floor to discussion from the Commission.

Commissioner Pietkiewicz expressed a concern. She stated the documents indicate there was a conversation between the Police Chief and the Councilmember, and it's possible a resolution was made. Additionally, the Councilmember is no longer employed, which could make it difficult to gather additional information.

Chairman Leyvas called for the roll call vote. The motion failed 3-1 by the following roll call vote:

**Yes:** 3 – Chairman Leyvas, Vice Chairwoman Sallen, and Commissioner Schirripa  
**No:** 1 – Commissioner Pietkiewicz

Chairman Leyvas explained the Ethics Commission's Rules and Ordinance require a four-member affirmative vote to move a motion forward. The inquiry was dismissed.

Vice Chairwoman Sallen asked about next steps for the inquiry and about a standard process for handling the closure of inquiries moving forward.

Chairman Leyvas suggested developing a standard letter to be sent by the Ethics Commission to the Respondent and Complainant. He discussed the general contents of the letter. The Recording Secretary will draft a standard letter for the Commissions' approval.

Chairman Leyvas asked if the Commission would make a motion on EC-20-01.

Vice Chairwoman Sallen made a motion to take jurisdiction on EC-20-01 and requests the Commission's Counsel to investigate the matter and present a finding of fact report. Commissioner Pietkiewicz seconded the motion.

Chairman Leyvas opened the floor to discussion from the Commission.

Chairman Leyvas called for the roll call vote. The motion failed 1-3 by the following roll call vote:

**Yes:** 1 – Vice Chairwoman Sallen  
**No:** 3 – Chairman Leyvas, Commissioner Pietkiewicz, and Commissioner Schirripa

Commissioner Pietkiewicz explained her vote. She voted no because of factual concerns.

Vice Chairwoman Sallen explained her vote. She stated there may be inquiries with factual issues the Commission may need to resolve, and an investigation may be required to resolve the questions. This inquiry may require additional investigation to answer any questions. While the investigation may not provide enough information to make a substantive recommendation, the additional information would be important to help make a decision.

The inquiry was dismissed.

Chairman Leyvas asked if the Commission would make a motion on EC-20-02.

Vice Chairwoman Sallen made a motion to decline to take jurisdiction on EC-20-02 because the complaint is facially insufficient to pursue. Commissioner Pietkiewicz seconded the motion.

Chairman Leyvas opened the floor to discussion from the Commission.

Chairman Leyvas called for the roll call vote. The motion passed 4-0 by the following roll call vote:

**Yes:** 4 – Chairman Leyvas, Vice Chairwoman Sallen,  
Commissioner Pietkiewicz, and Commissioner Schirripa  
**No:** 0

The inquiry was dismissed.

Chairman Leyvas stated a conflict of interest regarding EC-21-01. He stated he made campaign contributions to the Respondent of the inquiry. He recused himself due to a potential or perceived conflict of interest, abstained and did not participate. Chairman Leyvas delegated his role to Vice Chairwoman Sallen.

Vice Chairwoman Sallen asked if the Commission would make a motion on EC-21-01.

Commissioner Pietkiewicz made a motion to table the inquiry until a fifth Commission Member is seated. Commissioner Schirripa seconded the motion.

Vice Chairwoman Sallen called for a voice vote. The motion passed 3-0.

The inquiry was tabled.

**6. Future Agenda Items and Meeting Dates**

Chairman Leyvas opened the floor to discussion.

Ms. Nillen and Ms. Erickson both stated they have potential conflicts for the July 18, 2024, meeting. Both stated they would have delegates assigned if the Commission chooses to meet on July 18.

Vice Chairwoman Sallen asked when the next meeting would be in August.

Ms. Erickson answered Aug. 15.

Vice Chairwoman Sallen asked if the Commission took action on Aug. 15, would it allow enough time to add the item on a City Council Formal Meeting in August.

Ms. Erickson confirmed any actions could be taken to the last meeting in August or the first meeting in September.

Commissioner Pietkiewicz made a motion for the Commission to take a recess in July. Vice Chairwoman Sallen seconded the motion.

Chairman Leyvas called for a voice vote. The motion passed 4-0.

Chairman Leyvas asked for any future agenda items, in addition to the standing item to review the current complaints.

There were no additional agenda items provided.

7. **Adjournment**

Chairman Leyvas adjourned the meeting at 4:33 p.m.