

**BOARD OF ETHICS HEARING PANEL
FRIDAY, MAY 5, 2017, 1:30 P.M.
ART PICK COUNCIL CHAMBER**

MINUTES

PRESENT: Chair House and Members Tucker, Nelson, Wright, Huerta, and Alternate Stahovich (arrived at 1:59 p.m.)

ABSENT: None

STAFF PRESENT: Colleen Nicol, Dana Roa, and Robert Hansen

Chair House convened the meeting at 1:32 p.m.

PUBLIC COMMENT

Jason Hunter spoke prior ethics hearings and requests for subpoenas.

HEARING

Chair House convened the hearing on the complaint filed by Jason Hunter against Councilmember Gardner alleging violation of the Code of Ethics on July 22, 2014.

Chair House noted that both complainant Jason Hunter and Councilmember Mac Arthur were present.

Chair House called upon Mr. Hunter to present his evidence. Mr. Hunter called Councilmember Gardner as a witness. Upon presentation of a new document, objection was made by Member Wright and Chair House disallowed submitting the new evidence into the record. During presentation of evidence, Mr. Hunter requested subpoena of any records relating to the 2012 Hunter v. Kerr and Wright employee complaint. Mr. Hunter presented a calendar with notations not part of documents submitted with the original Code of Ethics complaint. After discussion, submission of the calendar was allowed. Councilmember Gardner stepped down as a witness and Mr. Hunter continued with presentation of evidence.

Councilmember Gardner presented his evidence.

Mr. Hunter presented his closing statement and requested the panel to file a State Bar complaint against former City Attorney Gregory Priamos and reaffirming his request for subpoena of the appearance of Councilmembers Davis and Soubirous as witnesses and for copies of the investigatory report on the hostile work environment complaint filed by Mr. Hunter against employees Kerr and Wright. Councilmember Gardner presented his closing statement.

DELIBERATIONS

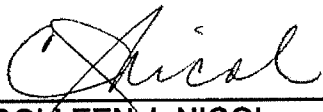
Following discussion, it was moved by Member Huerta and seconded by Member Tucker to not request City Council issuance of subpoenas for appearance of Councilmembers Davis and Soubirous as witnesses. The motion carried with Member Nelson voting no.

Following further discussion, it was moved by Member Huerta and seconded by Member Tucker to not request City Council issuance of a subpoena for the investigatory report for Hunter v. Kerr and Wright. Motion carried unanimously.

Following further discussion, it was moved by Member Wright and seconded by Member Tucker finding that Councilmember Gardner did not violate the Code of Ethics. Motion carried unanimously.

The meeting adjourned at 4:24 p.m.

Respectfully submitted,



COLLEEN J. NICOL
City Clerk