

BOARD OF ETHICS  
THURSDAY, SEPTEMBER 7, 2017, 5 P.M.  
ART PICK COUNCIL CHAMBER

MINUTES

PRESENT: Chair House and Members Wright, Tucker, Stahovich, Foley, Ford, and Nelson

ABSENT: Members Huerta and Macias

STAFF PRESENT: Colleen Nicol and Robert Hansen

Chair House convened the meeting at 5 p.m.

ORAL COMMUNICATIONS FROM THE AUDIENCE

There was no one present wishing to speak.

MINUTES

It was moved by Member Tucker and seconded by Member Wright to approve the minutes of the meeting of August 3, 2017, as presented. Motion carried with all ayes and Member Stahovich abstaining.

WRITTEN STATEMENTS OF FINDINGS AND DECISIONS

Following discussion, it was moved by Panel Member House and seconded by Panel Member Stahovich to approve the written statement of findings and decision for the Hunter v. Bailey complaint heard on July 20, 2017. Motion carried with all ayes and Panel Member Macias absent.

Following discussion, it was moved by Panel Member House and seconded by Panel Member Tucker to approve the written statement of findings and decision for the Hunter v. Austin complaint heard on August 3, 2017. Motion carried with all ayes and Panel Member Macias absent.

Following discussion, it was moved by Panel Member Stahovich and seconded by Panel Member Tucker to approve the written statement of findings and decision for the Hunter v. Melendrez complaint heard on August 21, 2017. Motion carried with all ayes and Member Macias absent.

SUBCOMMITTEE REPORT ON HEARING PROCESS TEMPLATE

Member Nelson presented the subcommittee's revised hearing process template and the intent to provide access to additional information explaining each step in the process flowchart. The Board discussed incorporation of specific time frames for presentation of evidence, incorporation of prior materials drafted as a tool for the public into the new hearing process template, cross examination, rebuttal evidence, role of the panel chair, use of public comment for testimony, pre-hearing meetings, frivolous complaints, speaker

cards, receipt of opening statements prior to convening of panel, written and verbal evidence, and volume of evidence.

Following discussion, it was moved by Member Stahovich and seconded by Member Foley to refer the flow chart on the hearing procedures to a subcommittee of Members Nelson, Foley, and Tucker with Assistant City Attorney Hansen advising. Motion carried unanimously.

Member Stahovich left the meeting during the following discussion.

COMPLAINT PROCEDURES – MULTIPLE COMPLAINTS BY SAME PARTY –  
PROCEDURAL VS ETHICAL ISSUES

Chair House reported on the Governmental Affairs Committee meeting held on September 6, 2017.

The Board reviewed the procedural suggestions drafted by Member Tucker as further outlined in the record. Following discussion, it was moved by Member Tucker and seconded by Member Ford to place requiring the complainant to secure a bond after three unsuccessful complaints on the October 5, 2017, agenda for discussion and action. Motion carried unanimously.

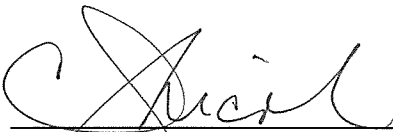
Following further discussion, it was moved by Member Tucker and seconded by Member Nelson referring consideration of (a) the Board of Ethics to differentiate ethics claims vs procedural errors prior to hearing panels; and (b) revision of the hearing panel complaint process to include specific timelines for presentation of evidence, rebuttal, and questions of parties by the hearing panel, to the working subcommittee for recommendation to the Board. Motion carried unanimously.

ITEMS FOR FUTURE BOARD CONSIDERATION AS REQUESTED BY BOARD OF  
ETHICS MEMBERS

Member Tucker requested meeting rules training be placed on a future agenda.

Chair House adjourned the meeting at 6:30 p.m.

Respectfully submitted,

  
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COLLEEN J. NICOL  
City Clerk