

Memorandum



CITY OF DALLAS

DATE January 18, 2022

TO Honorable Mayor and Members of the City Council

SUBJECT **ETHICS ADVISORY COMMISSION 2021 ANNUAL REPORT**

In accordance with Dallas City Code Chapter 8, Section 8-1.1., the Ethics Advisory Commission is submitting its Annual Report of the Commission's activities for your review.

A handwritten signature in blue ink, appearing to read 'TP', is placed above the name of the signatory.

Timothy Powers, Chair
Ethics Advisory Commission

c: T.C. Broadnax, City Manager
Biliera Johnson, City Secretary



CITY OF DALLAS

ETHICS ADVISORY COMMISSION

2021

ANNUAL REPORT

**ETHICS ADVISORY COMMISSION
2021 ANNUAL REPORT**

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COMMISSIONERS

The Ethics Advisory Commission is composed of seven members appointed by the full City Council. At each biennial appointment, the Mayor determines the interview method for all nominees submitted for consideration (i.e., interview by full City Council, a City Council Committee, or Ad-Hoc Committee established for this purpose).

Current Members	Position	Member as of	Current Status	Terms Served
Timothy E. Powers, Chair	4	9/30/19	Reappointed 9/22/21	1
Thomas P. Perkins, Vice Chair	2	9/27/19	Reappointed 10/05/21	1
Nicholas A. Rodriguez	1	10/12/21	Appointed 10/05/21	0
Raha Assadi	3	8/17/21	Reappointed 9/22/21	0
Grant K. Schmidt	5	2/12/20	Reappointed 9/22/21	1
VACANT	6	-	-	-
Pam Gerber	7	11/06/15	Reappointed 9/09/21	3

OTHER COMMISSIONERS SERVING IN 2021

Commissioner	Position	Original Appointment Date	Current Status
Paul D. Castillo	1	4/11/18	Term Ended 10/07/21
Royce B. West, II	3	3/22/17	Resigned 1/29/21
Cassandra Hernandez	6	9/25/19	Resigned 12/06/21

**2021
ETHICS ADVISORY COMMISSION
COMMISSIONER ATTENDANCE LOG**

2021 MEETING DATES	PLACE	1/19/2021 REGULAR MEETING	4/20/2021 REGULAR MEETING	7/20/2021 REGULAR MEETING	10/19/2021 REGULAR MEETING
Nicholas Rodriguez (appointed 10/05/21)	01	P	CANCELLED	CANCELLED	P
Thomas Perkins	02	P	CANCELLED	CANCELLED	P
Raha Assadi (appointed 8/04/21)	03		CANCELLED	CANCELLED	P
Timothy Powers	04	P	CANCELLED	CANCELLED	P
Grant Schmidt	05	P	CANCELLED	CANCELLED	P
Cassandra Hernandez (resigned 12/06/21)	06	P	CANCELLED	CANCELLED	P
Pam Gerber	07	P	CANCELLED	CANCELLED	P

LEGEND: A=ABSENT, P=PRESENT, V=VACANT, T=TERM ENDED, R=REPLACED/RESIGNED

MISSION STATEMENT

The Ethics Advisory Commission is an advisory body having the jurisdiction to review and make findings concerning any alleged violation of Chapter 12A (Code of Ethics) of the Dallas City Code. It can make findings concerning any persons subject to the provisions of the Code, including but not limited to current city officials and employees, former city officials and employees and persons doing business with the city. Complaints must be filed within one year after the date of the alleged violation(s).

The Ethics Advisory Commission has the power to:

- (1) Establish, amend, and rescind rules and procedures governing its own internal organization and operations in a manner and form consistent with this article.
- (2) Meet as often as necessary to fulfill its responsibilities.
- (3) Request from the city manager through the city council the appointment of such staff as is necessary to carry out the duties of the commission.
- (4) Review and dispose of complaints brought by the inspector general.
- (5) Make findings of fact as necessary for the disposition of a complaint.
- (6) Approve, reject, or modify settlement agreements between the inspector general and persons that are the subject of a complaint.
- (7) Make notifications and extend deadlines within the jurisdiction of the ethics advisory commission.
- (8) Advise and make recommendations to the city council concerning the city's ethics code and ethics policies.
- (9) Make determinations that complaints are vexatious, make findings of facts, and sanction persons who are deemed vexatious complainants.
- (10) Such other powers as are specifically granted in this chapter or by the city council.

[Dallas City Code, Chapter 12A, Section 50(c)
Revised 12/08/21 by Ordinance 32072]

ACCOMPLISHMENTS

Complaint Activity:

The Ethics Advisory Commission met as a body two times this year (see Tab 1). The City Secretary's Office received 21 ethics complaints for the year. A Preliminary Panel of the Ethics Advisory Commission met to hear complaints 13 times (see Tab 4).

Ethics Reform Task Force:

The Ethics Reform Task Force (Task Force) was created by Mayor Eric Johnson to promote, encourage, and reinforce a culture of ethical excellence and compliance at Dallas City Hall. The Task Force was charged with submitting recommendations for reform to the current City Code of Ethics. The Ethics Advisory Commission reviewed, discussed, and supported the recommendations of the Task Force. The Task Force submitted its recommendations for reform to the Mayor in September 2021.

Future Goals:

The Ethics Advisory Commission will continue to emphasize education and training as integral parts to an effective city ethics program as a means of achieving an ethical climate. The Ethics Advisory Commission will also continue to identify and explore avenues for the promotion of a healthy ethical culture throughout city government.

COMPLAINTS PROCESSED

DATE FILED	COMPLAINANT	RESPONDENT(S)	DATE HEARD	STATUS/OUTCOME
3/11/21	City Auditor's Office, Fraud, Waste and Abuse Services	Wayne Garcia City Plan Commission – District 14	4/06/21 4/20/21	4/06/21 the Preliminary Panel determined Commissioner Garcia may have violated sections of 12A and based upon the violations the complaint was supported by just cause, and recommended it be referred to the Ethics Advisory Commission for evidentiary hearing. 4/20/21 the EAC met for the Evidentiary Hearing. Based on the evidence presented, the EAC found that a violation did not occur, and the complaint was dismissed.
4/23/21	Barry A. Jacobs	Eric L. Johnson Mayor	5/18/21	Dismissed by Preliminary Panel. Based upon the evidence submitted, the complaint stated a claim, but was not supported by just cause under Chapter 12A Dallas City Code (Code of Ethics).
4/30/21	Israel Rey Varela	Adam Bazaldua Councilmember	6/10/21	Dismissed by Preliminary Panel. Based upon the evidence submitted, the complaint failed to state a claim under Chapter 12A Dallas City Code (Code of Ethics).
4/30/21	Chris Carter	Paula C. Blackmon Councilmember	6/01/21	Dismissed by Preliminary Panel. Based upon the evidence submitted, the complaint failed to state a claim under Chapter 12A Dallas City Code (Code of Ethics).
5/05/21	Dr. Pamela L. Grayson	Adam Bazaldua Councilmember	6/10/21 7/06/21 9/09/21	6/10/21 the Preliminary Panel determined Councilmember Bazaldua may have violated sections of 12A and based upon the violations the complaint was supported by just cause, and recommended it be referred to the Ethics Advisory Commission for evidentiary hearing. Ethics Advisory Commission met on 7/06/21 and accepted the request of a continuance by Councilmember Bazaldua. The Evidentiary Hearing continued 8/17/21. In a four to one decision, the Commission recommended that a reprimand be issued to Councilmember Bazaldua. 9/09/21 The City Council denied the EAC's recommendation with no further action taken.

DATE FILED	COMPLAINANT	RESPONDENT(S)	DATE HEARD	STATUS/OUTCOME
5/05/21	Dr. Pamela L. Grayson	Daniel Wood Park & Recreation Board	6/01/21	Dismissed by Preliminary Panel. Based upon the evidence submitted, the complaint failed to state a claim under Chapter 12A Dallas City Code (Code of Ethics).
5/13/21	Sabrina Barron	Omar Narvaez Councilmember	6/08/21	Dismissed by Preliminary Panel. Based upon the evidence submitted, the complaint stated a claim, but was not supported by just cause under Chapter 12A Dallas City Code (Code of Ethics).
5/19/21	P.S. Pauline Gounden	Adam Bazaldua Councilmember	6/15/21	Dismissed by Preliminary Panel. Based upon the evidence submitted, the complaint stated a claim, but was not supported by just cause under Chapter 12A Dallas City Code (Code of Ethics).
6/15/21	David Hairston	Wayne Garcia City Plan Commission	7/06/21	Dismissed by Preliminary Panel. Based upon the evidence submitted, the complaint failed to state a claim under Chapter 12A Dallas City Code (Code of Ethics).
6/24/21	Nelson & Joyce Campbell	Jennifer Gates Councilmember [Former]	7/15/21	Dismissed by Preliminary Panel. Based upon the evidence submitted, the complaint failed to state a claim under Chapter 12A Dallas City Code (Code of Ethics).
9/13/21	Kristin Scholer	Paul Ridley Councilmember	10/08/21 11/12/21	10/08/21 the Preliminary Panel determined Councilmember Ridley may have violated sections of 12A and based upon the violations the complaint was supported by just cause, and recommended it be referred to the Ethics Advisory Commission for evidentiary hearing. 11/12/21 the EAC met for the Evidentiary Hearing. Based on the evidence presented, the EAC found that a violation did not occur, and the complaint was dismissed.
9/15/21	City Auditor's Office, Fraud, Waste and Abuse Services	Tennell Atkins Councilmember	10/08/21	Dismissed by Preliminary Panel. Based upon the evidence submitted, the complaint stated a claim, but was not supported by just cause under Chapter 12A Dallas City Code (Code of Ethics).
11/16/21	Karla Solis Zuniga	Justin Ball Assistant Chief Dallas Fire Rescue	12/13/21	Dismissed by Preliminary Panel. Based upon the evidence submitted, the complaint failed to state a claim under Chapter 12A Dallas City Code (Code of Ethics).