



ETHICS COMMISSION MAY 26, 2021

MINUTES

CALL TO ORDER

The Ethics Commission meeting was called to order by Chairperson Childs on May 26, 2021, at 4:00 p.m. at City Hall.

ATTENDANCE

Bishop Anthony Alfred, Ms. Bridget Childs, Dr. David Kanervo, Mr. Mark Rassas.

Also Present: Mr. Lance Baker, Mr. Josh Beal, Ms. Stephanie Fox, Ms. Paige Lyle, Mr. Bill Purcell, Mr. Jimmy Settle, Mr. Saul Solomon, Mr. Richard Stevens.

INTRODUCTION OF NEW COMMISSION MEMBER AND NOTICE OF RESIGNATION

Dr. David Kanervo was introduced to the Commission. He was appointed by the Mayor and confirmed by the City Council to fill the vacant seat left by Mr. Pat Young's resignation. He provided his background and the other Commission members in attendance made their introductions.

The Commission members were informed that Ms. Suzanne Marsh resigned from the Commission. Mr. Solomon explained that a new member would be taken up by the City Council in the coming weeks.

ADOPTION OF THE MINUTES FROM THE APRIL 7, 2021 MEETING

Ms. Childs made a motion to adopt the minutes of the April 7, 2021 meeting.

The minutes were adopted by unanimous vote.

ADOPTION OF THE WRITTEN DECISIONS FROM THE APRIL 7, 2021, MEETING

Ms. Lyle explained that the written decisions from the last meeting were in the Commission members' packets for review.

The written decisions were all adopted by unanimous vote.

REVIEW OF COMPLAINTS AND DISCUSSION OF MATTERS PENDING BEFORE THE COMMISSION

1. August 21, 2020 Complaint brought by Jeff Robinson against Lance Baker

The Commission began evaluation of the Supplemental Materials provided in relation to the August 21, 2020 Complaint (Referred to by the Commission as Complaint No. 1) brought by Jeff Robinson against Lance Baker. The Commission members were reminded that during the April 7, 2021 meeting, they voted to request supplemental information from the Complainant that formed the basis of his allegations. The Complainant provided such materials for their consideration.

After reviewing the substance of the supplemental information provided by Mr. Robinson and discussing whether the Complaint, with the supplemental information, stated a viable claim of an ethics violation, the Commission decided to vote separately on the violations alleged in the Complaint, as one rose to the level of stating a potential ethics violation and the other did not.

Mr. Alfred made a motion to sustain Violation 1 made in the August 21, 2020 Complaint against Lance Baker, and dismiss Violation 2. The motion was seconded and carried unanimously.

2. Status of Hearing on the Complaints made against Richard Garrett

The Commission discussed the status of the Complaints voted forward to a hearing involving Richard Garrett.

Mr. Baker provided the Commission with an update on the status of the ongoing TBI Investigation and the potential for an Ouster Complaint.

Considering that update, the Commission reiterated their decision to postpone moving forward with any hearing involving Mr. Garrett until the conclusion of any investigation or criminal proceeding.

3. January 15, 2021, Complaint brought by Jeff Robinson against Joe Pitts, Lance Baker and Saul Solomon

The Commission discussed the status of the pending Complaint made against Joe Pitts, Lance Baker, and Saul Solomon that had not yet been reviewed for the first stage vote. The Commission members also discussed the status of any potential conflict with Mr. Solomon given his inclusion in the Complaint.

Mr. Solomon suggested to the Commission that he turn the floor over to Ms. Lyle to give her opinion on the applicability of the Ethics Code to Mr. Solomon. Before doing that, the Commission members inquired into the supervisory relationship of Mr. Solomon to Ms. Lyle. Upon hearing that, the Commission members heard from Ms. Lyle on what the Code says regarding the jurisdiction of the Commission.

The Commission discussed the applicability of the Ethics Code to Mr. Solomon and decided that, to avoid any appearance of impropriety, they would review Complaint No. 5 at a later time with a full Commission of five members, without the presence of Mr. Solomon. The Commission also decided they would consider obtaining outside legal counsel not affiliated with the law firm of Mr. Solomon to advise them as to this one Complaint.

NEXT STEPS

The Commission set their next meeting for June 23, 2021, at 4:00 p.m.

The Commission decided to have Mr. Rassas obtain names for a suitable special counsel to advise them as to Complaint No. 5. The Commission decided to discuss the names obtained by Mr. Rassas at its next meeting when a full Commission was seated and deliberate openly on their selection.

ADJOURNMENT

Mr. Alfred moved to adjourn. Mr. Rassas seconded. The meeting was adjourned at 5:55 p.m.