

**ETHICS ADVISORY COMMISSION SUBCOMMITTEE  
MINUTES**

**December 5, 2003, Room 4CN, #3**

**Members Present:** Rebecca B. Bergstresser, Chair  
Calvin Bluiett  
Linda Sorrells

**Members Absent:** Gloria Tarpley

**Other Members Present:** Jim Clark

**Staff Present:** Shirley Acy, City Secretary  
Deborah Watkins, Assistant City Secretary  
Jesus Toscano, City Attorney's Office  
Gwen Satterthwaite, City Attorney's Office  
Yolanda Hernandez, City Secretary's Office  
Debbie Brown, City Secretary's Office

The meeting was called to order at 8:41 a.m.

The subcommittee made the following recommendations:

- **Revise 12A-28 (d), "Rights of the person charged" to match 12A-28 (e), "Rights of the complainant".**
- **The city manager clarify policies with regard to the use of city facilities, equipment and resources for political purposes.**
- **Preliminary procedural motions be submitted in advance of the preliminary meeting and full evidentiary hearing.**
- **Allow the preliminary panel to cite the correct code if the complainant presents evidence to support it.**
- **The preliminary panel needs to specify that just cause was found and specify the finding it was based on.**
- **Revise 12A-26 (a) to require the complaint be filed on form provided by the city secretary's office.**
- **A complaint may be supplemented. The supplement form must be notarized and dated and sworn to under penalty of perjury independently of the original complaint. Depending on the time of the receipt of the supplementation, the date of the hearing may be continued without the preliminary panel meeting. The deadline for filing supplements will be 7 days after the original filing.**

After discussion regarding the complaint form, the city secretary offered to work with the city attorney's office to revisit changes to the current form.

The attorney's office agreed to discuss with the city attorney regarding releasing redacted ethics opinions to the commission and prior advisory rulings.

The subcommittee had no additional information to recommend for inclusion in the EAC's annual report to council. The chair of the subcommittee requested that a copy of the proposed draft amendments be distributed to all members.

Commissioner Bluiett moved to adjourn. Motion seconded by Commissioner Sorrells.

The meeting adjourned at 11:02 a.m.