



**ETHICS ADVISORY COMMISSION  
PRELIMINARY PANEL  
MINUTES**

**November 7, 2005 – 6FS Park & Recreation Department Conference Room**

**05-0319**

EAC Members Present: Calvin Bluiett, Vice-Chair  
Rebecca Bergstresser  
Gloria Tarpley

Staff Present: Shirley Acy, City Secretary  
Jesus Toscano, City Attorney's Office  
Gwen Satterthwaite, City Attorney's Office  
Lisa Christopherson, City Attorney's Office  
Michelle M. Calloway, City Secretary's Office  
Monesia Davis, City Secretary's Office

Meeting called to order at 9:12 AM.

The panel reviewed the sworn complaint filed on October 19, 2005 by Joyce Archuleta, a citizen of Dallas against Mayor Laura Miller regarding alleged violations of the Code of Ethics provisions, responses filed by Steven D. Wolens, attorney for Mayor Miller, a response filed by Joyce Archuleta and materials filed in the City Secretary's Office.

Commissioner Tarpley asked for and received clarification from the City Attorney's staff that only the documents pertaining to the complaint filed by Joyce Archuleta on October 19, 2005 were being considered.

The panel began to review a checklist of complaint requirements as outlined by Section 12A-26 (a) (1) (4) of the Code and the provisions alleged by Joyce Archuleta to have been violated. Commissioner Tarpley stated that Section 12A-1 "Principles of Conduct" did not state a cause of action, and that the portions of the complaint referring to alleged violations of the City Charter did not encompass the scope or jurisdiction of the EAC as the EAC only reviews violations of the Code of Ethics.

Commissioner Bergstresser stated that she reviewed those sections of the City Charter cited by Mrs. Archuleta and that there was no cause of action. Commissioner Tarpley

moved that parts 1, 2 and 5 of the complaint, which listed Section 12A-1 violations, be dismissed for lack of just cause, and because the violations cited come under a portion of the Code that does not give rise to a cause of action; that the remaining parts of the complaint (parts 3 and 4) brought under references to the City Charter likewise be dismissed for lack of jurisdiction by the EAC and for no cause that would correlate to any section of the Ethics Code. Additionally, the citation in Mrs. Archuleta's response referencing principles of conduct, 12A-1(B) likewise failed.

Commissioner Bergstresser seconded the motion and it was passed unanimously.

Commissioner Bergstresser referred to the Commission's *2004 Annual Report to the City Council*, which included in its recommendations to the Council that a time limit be set for filing of supplements or amendments to a complaint. She stated that she would like to see this practice adopted or procedure instituted concerning these types of filings, and informed the panel that she felt the EAC should keep making this recommendation.

Vice-Chair Bluiett called for a motion to dismiss the panel meeting; motion was made by Commissioner Bergstresser, seconded by Commissioner Tarpley and passed unanimously.

The panel meeting adjourned at 9:30 AM.

---

Vice-Chair