



**ETHICS ADVISORY COMMISSION
MONTHLY MEETING MINUTES
February 17, 2006 – L1FN Conference Room C**

06-0399

Members Present:

Calvin Bluiett, Vice-Chair
Rebecca Bergstresser, Commissioner
Margaret Donnelly, Commissioner
Roger Wedell, Commissioner
Linda Sorrells, Commissioner
Gloria Tarpley, Commissioner

Staff Present:

Shirley Acy, City Secretary
Deborah A. Watkins, Assistant City Secretary
Michelle M. Calloway, Ethics Commission Coordinator
Lois Dillard, Records Manager
Jesse Salazar, Senior Records Analyst
Monesia Davis, City Secretary's Office
Lisa Christopherson, Executive Assistant City Attorney
Jesus Toscano, Executive Assistant City Attorney

Meeting called to order at 9:16 AM and conducted per the posted agenda (Exhibit 1).

Vice-Chair Bluiett moved to approve the November 7, 2005 Preliminary Panel minutes (Exhibit 2); motion seconded by Commissioner Bergstresser and passed unanimously.

Commissioner Donnelly moved to approve the November 17, 2005 Preliminary Panel minutes (Exhibit 3); motion seconded by Commissioner Bergstresser and passed unanimously.

Commissioner Bergstresser moved to approve the January 20, 2006 monthly meeting minutes (Exhibit 4); motion seconded by Commissioner Donnelly and passed unanimously.

The Commission reviewed the final copy of the corrected 2006 *Annual Report to the City Council* (Exhibit 5).

The Commission reviewed the DRAFT language set forth in the Policies and Procedure information presented by the City Secretary's office concerning the handling of multiple

complaints (Exhibit 6). Executive Assistant City Attorney Lisa Christopherson informed the Commission that the language had not been reviewed by the City Attorney's office and would need to be evaluated and modified prior to adoption by the EAC.

Commissioner Sorrells entered the meeting at 9:35 AM.

The Commission elected to discuss "in principle" the procedures it would use to process multiple "like nature" complaints filed by the same party against multiple individuals and multiple "like nature" complaints filed against a single individual.

Commissioner Bergstresser moved to approve in concept the idea that when the Commission receives complaints that have the same complainant, same complaint and multiple respondents, they would be processed together, and the same would hold true when the Commission receives complaints that are the same and against the same respondent. The motion was seconded by Commissioner Sorrells and passed unanimously; Commissioner Tarpley was absent when the vote was taken.

Commissioner Bergstresser then moved that the Commission recommend to the City Attorney's office and the City Secretary's office to consider procedures the EAC should utilize to consolidate any complaints that have a common denominator or components (i.e., same complaint, complainant(s), respondent(s), etc.) Motion seconded by Commissioner Donnelly and passed unanimously; Commissioner Tarpley was absent when the vote was taken.

The Commission briefly reviewed the final copy of the EAC *Preliminary Panel Checklist Template* (Exhibit 7) and the *Preliminary Panel Findings Template* (Exhibit 8) approved at the January 20, 2006 meeting.

Commissioner Tarpley entered the meeting at 10:00 AM.

The Commission officially welcomed its newest member, Commissioner Roger W. Wedell. Commissioner Wedell formally introduced himself to the Commission and gave a brief bio. City Secretary Shirley Acy informed the Commission that a mayoral proclamation would be made in the near future to honor the first Ethics Advisory Commission Chair, Mr. Daniel Perez, who resigned effective December 21, 2005.

Records Manager Lois Dillard and Senior Records Analyst Jesse Salazar of the City Secretary's office presented a State of Texas mandated briefing and video training on the State of Texas *Open Meetings Act* (Chapter 551, Texas Government Code) and *Public Information Act* (Chapter 552, Texas Government Code). The video presentations were approximately one hour in length each. Executive Assistant City Attorney Jesus Toscano was present to answer questions presented by the Commission.

Discussion ensued concerning the necessity of recording closed sessions on audio tape. Commissioner Tarpley stated that she believed the "attorney-client privilege" was subject to being breached if sessions were taped, and requested information as to why these sessions were taped if the revised Government Code did not dictate doing so. City Secretary Shirley Acy responded that it was the long-standing practice of her office to tape the executive sessions of Boards and Commissions and the City Council. Upon review, Executive City Attorney Jesus Toscano later informed the Commission that the

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Dallas City Charter required that all executive sessions be taped for Boards and Commissions.

Members of the Commission and staff personnel who had not previously participated in the training signed official documentation verifying their reception of the State of Texas-mandated training. They were then presented with numbered, frame-able "Certificates of Course Completion" for the *Open Meetings Act* and *Public Information Act* (Exhibits 9 and 10).

With no further business or discussion, Commissioner Sorrells moved to adjourn the meeting; the motion was seconded by Commissioner Tarpley and passed unanimously.

The meeting was adjourned at 12:00 NOON.

Vice –Chair