



## Legislation Text

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**File #:** 16-322, **Version:** 2

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Issuance of formal ethics charges or dismissal of ethics complaint pursuant to Independent Ethics Commission case 2015-02

**Presenter:**

Eileen Lynch Gonzalez, City Council Administrator

**Summary:**

Pursuant to City Council Resolution No. 58-13, Section 3, once the City Council receives the Independent Ethics Commission's (IEC's) confidential recommendation to City Council containing findings of fact and conclusions of law, it may, by majority vote, issue any formal ethics charges that the Council determines, in its independent judgment, are appropriate, or dismiss all or any part of the complaint.

**Previous Council Action:**

N/A

**Background:**

IEC case number 2015-02 was submitted to the IEC on September 28, 2015 and included complaints relating to City Attorney Wynetta Massey, Council President Merv Bennett, Council President Pro Tem Jill Gaebler, and Councilmembers King, Bagley, Knight, Pico, Strand, and Murray. The complaint contained 15 allegations, of which the IEC determined twelve were frivolous. The IEC investigated those three remaining non-frivolous allegations and issued reports recommending that City Council dismiss those allegations against City Attorney Massey and all eight Councilmembers. City Council received the IEC's reports containing recommendations in IEC case 2015-02 on April 6, 2016. Those reports are confidential pursuant to City Code Section 1.3.103.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

On April 6, 2016, the IEC issued confidential written reports containing recommendation to City Council. The recommendations contained the IEC's determination as to whether the evidence produced during the investigation did or did not support findings that violations of the City's Code of Ethics occurred.

**Stakeholder Process:**

N/A

**Alternatives:**

N/A

**Proposed Motion:**

Motion to dismiss complaints OR to issue charges relating to City Attorney Wynetta Massey, Council President Merv Bennett, Council President Pro Tem Jill Gaebler, and Councilmembers King, Bagley, Knight, Pico, Strand, and Murray in Independent Ethics Commission case 2015-02, and to release the confidential reports issued by the IEC in case 2015-02.

N/A