

**CITY OF PHOENIX  
ETHICS COMMISSION  
Summary Minutes  
February 6, 2025**

Virtual

Committee Members Present

Jose Samuel (Sam) Leyvas III, Chair  
Patricia Sallen, Vice Chair  
Cheryl Pietkiewicz  
Peter Schirripa

Committee Members Absent

Note – On January 31, 2025, a special meeting of the Ethics Commission was called by Chairman Leyvas for February 6, 2025.

**1. Call to Order/Roll Call**

Chairman Leyvas called the meeting to order at 3:18 pm. with Vice Chairwoman Patricia Sallen, Commission Member Cheryl Pietkiewicz and Commission Member Peter Schirripa in attendance virtually.

**2. Commission Attorney Explains Public Comment**

Elizabeth Nillen, Commission Attorney, stated members of the public may speak for up to two minutes on agenda items and gave direction on appropriate decorum when providing comments.

**3. Call to Public**

Chairman Leyvas introduced the public speaker, Mr. Jeremy Thacker.

Mr. Thacker expressed his frustration with the Public Comment process. He stated the laws cited by the attorneys are misrepresented. He stated these are not legal requirements, and they are choices made by the government. He stated the Ethics Commission was supposed to be different and stand for accountability and transparency, but it has not.

**4. Review and Finalize Investigative Report**

Chairman Leyvas introduced the public speaker, Mr. Jeremy Thacker.

Mr. Thacker expressed his frustration with the Commission. He referenced his submittal of multiple citizen petitions to get the Commission installed and watched the process throughout, emphasizing the importance of the Commission to him. He stated the Commission has failed to deliver on its purpose and has made ethics in Phoenix less transparent and dismissive of the public it's serving. He stated he has filed complaints with Attorney General's Office. He stated the Commission has knowingly and repeatedly broken the law. He stated he is filing a lawsuit against the Commission and every member still sitting at the end of this

meeting will be named as a defendant and should prepare to defend themselves in court. He clarified that anyone who resigns before the meeting ends will not be included in the lawsuit. He stated the Commission Members can make the choice, noting that the ethical choice would be to step down. He stated he will see the Commission in court.

Chairman Leyvas introduced the public speaker, Mr. Aaron Duell.

Mr. Duell asked to reserve the opportunity to speak if there were any substantive changes. He thanked the Commission for their thorough review and consideration.

Chairman Leyvas asked if the Commission would make a motion to approve the investigative report from the Commission, submitted on January 31.

Vice Chairwoman Sallen stated she has a few suggestions and asked the Chair to confirm the suggestions can be discussed after a motion is made.

Chairman Leyvas confirmed discussion will occur after the motion is made.

Vice Chairwoman Leyvas made a motion to accept the report and take the next step to finalize and release the report. Commissioner Schirripa seconded the motion.

Chairman Leyvas opened the floor to discussion.

Vice Chairwoman Sallen requested language be added on page one, footnote four to complete the comment. She recommended the language reflect the Commission's determination that there were no facts to support the allegation.

Vice Chairwoman Sallen referenced several points in which there are references to Withey Morris submitting a pre-application screening request to the City. She is requesting a statement to clarify who Withey Morris did this on behalf of. She noted it was not on behalf of the respondent and requests the comment to be clarified in the report.

Ms. Nillen responded she did not receive an answer from Withey Morris regarding who they represented. She noted Mr. Nick Klimek stated it was not on behalf of Mr. Jones.

Vice Chairwoman Sallen asked that the conclusion include a statement indicating Withey Morris was not representing Mr. Jones.

Ms. Nillen confirmed she would include the statement on Page 27, Section C.

Vice Chairwoman Sallen indicated she does not have additional suggestions.

Chairman Leyvas asked to make a motion on the two amendments separately.

Chairman Leyvas motioned to accept an amendment (Amendment A) to page one footnote one clarifying that the facts did not support this particular allegation with regard to the waiver request. Vice Chairwoman Sallen seconded the motion. The motion passed unanimously.

Chairman Leyvas motioned to accept an amendment (Amendment B) to add clarification that Withey Morris did not represent the Respondent. Vice Chairwoman Sallen seconded the motion. The motion passed unanimously.

Ms. Nillen referenced a minor change to the timeline boxes on Page 20. The boxes for September 21 and August 23 should be switched. The correct version should show the escrow closed on September 21, 2021, and the Planning Committee met on August 23, 2022.

Chairman Leyvas moved to a vote on the original motion to finalize and accept the investigative report, as amended. The motion passed 4-0 by the following roll call vote:

<b>Yes:</b>	4 – Chairman Leyvas, Vice Chairwoman Sallen, Commissioner Schirripa, and Commissioner Pietkiewicz
<b>No:</b>	0

**5. Future Agenda Items and Meeting Dates**

Chairman Leyvas thanked Ms. Nillen for her timeliness on finalizing the report.

Chairman Leyvas requested the Commission review and discuss how we are making the information transparent and accessible, focusing on a citizen's perspective. He stated there is an opportunity to take more ownership, provide more recommendations, and overall provide more input as a citizen board, now that headway has been made on the backlog of complaints. He also suggested the Commission discuss ways to improve the overall review approach to improve the transparency for the public.

Vice Chairwoman Sallen discussed a second agenda item, referenced during the last meeting. The item would be to review the Ethics Handbook and policies and possibly propose language to clarify the section on the appearance of impropriety.

Chairman Leyvas asked for guidance on how to prepare for this discussion. He asked Ms. Nillen and the Commission to be prepared to have an informed discussion at the next meeting.

Chairman Leyvas thanked the Commission, Ms. Nillen and staff, and thanked the members of the public for their participation.

Vice Chairwoman Sallen asked Ms. Nillen to discuss the next steps for the investigative report.

Ms. Nillen responded the two complaints, EC-21-02 and EC-22-01, are now dismissed. The Commission could consider the provision regarding sanctions, if they choose.

Vice Chairwoman Sallen asked if the report would be made public.

Ms. Nillen stated the report was made public as part of the February 6 agenda. She confirmed the final amendments will be made on the report and sent to staff to post to the website.

Chairman Leyvas asked about the communication to the Complainants and Respondent.

Ms. Erickson responded the Complainants and Respondents were sent the agenda and report, and staff will send the final amended report.

**6. Adjournment**

Chairman Leyvas adjourned the meeting at 3:45 p.m.