

**CITY OF PHOENIX
ETHICS COMMISSION
Summary Minutes
June 12, 2025**

Phoenix City Hall
12th Floor, Central Conference Room
200 W Washington St.
Phoenix, AZ 85003

Committee Members Present

Jose Samuel (Sam) Leyvas III, Chair
Patricia Sallen, Vice Chair
Ann Hart
Peter Schirripa

Committee Members Absent

Cheryl Pietkiewicz

1. Call to Order/Roll Call

Chairman Sam Leyvas called the meeting to order at 3:04 p.m. with Vice Chairwoman Patricia Sallen and Commissioner Ann Hart present. Commissioner Peter Schirripa attended 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. Approval of Meeting Minutes from May 15, 2025

Chairman Leyvas made a correction regarding the action taken during the last meeting with regards to EC-21-01. The motion to dismiss the complaint received only three affirmative votes with the final vote being 3-1. Pursuant to the Rules of Procedure, Rule 5.e, since the Commission failed to dismiss the complaint by an affirmative vote by four members, the matter is deemed “closed” not “dismissed”. He asked the record be amended to reflect the item was deemed closed.

Vice Chairwoman Sallen made a motion to approve the minutes of the May 15, 2025, Ethics Commission Meeting, as amended. Commissioner Schirripa seconded the motion, which passed unanimously 4-0.

4. Updates from City Staff – Ethics Website

Chairman Leyvas introduced the item and asked Assistant City Manager Inger Erickson to provide an overview of the website updates.

Assistant City Manager Erickson provided an overview of the updates to the Ethics website including the submission of ethics inquiry, pending ethics inquiries, and resolved ethics inquiries tabs.

The Commission members expressed appreciation for the updates and demonstrations.

5. Discussion of Proposed Revisions to the Ethics Handbooks

Chairman Leyvas introduced the item and opened the discussion on the Boards and Commissions and Elected Officials ethics handbooks. Chairman Leyvas thanked fellow Commissioners, City staff, and Mr. David Benton and Mr. Deryck Lavelle in particular, for an open and robust conversation on this topic in the prior meeting. He stated the examples provided on the Conflicts of Interest section within the ethics handbooks could use additional clarity or alternatives. The specific examples mentioned were on page 8 of the Boards and Commissions ethics handbook related to conflict of interest.

Chief Assistant City Attorney Deryck Lavelle recommended staff conduct an additional review of the language and examples then return to the Ethics Commission to further recommend changes.

Chairman Leyvas also recommended that the handbooks include the date it was last updated and published. He also recommended adding a clear indication of the responsible party for the document.

Assistant City Manager Erickson and Chief Assistant City Attorney Lavelle both agreed with these recommendations and stated they would be incorporated into the documents.

Vice Chairwoman Sallen stated the importance of reviewing the handbooks when considering future cases to ensure the documents are up to date.

Commissioner Hart requested the example be read aloud for the record.

Vice Chairwoman Sallen read the conflict-of-interest information on page 8 of the ethics handbook. The sections states “The following examples help give board members an idea how Arizona’s conflict of interest laws apply. Each situation will be decided on the unique facts and circumstances involved. The goal of these examples—and indeed this entire handbook—is to help develop greater sensitivity to ethical considerations. If a board member is in doubt of what should be done, opt not to participate. All examples assume the matter will come before the board for consideration and apply to the board member’s relative or partner as well as the board member.” She further stated the example in review is section “a”. The section states “The board member owns property in close proximity to a property subject to the board’s approval of a zoning or license application that may affect the value of the board member’s property.”

Chairman Leyvas emphasized the importance of further staff review to provide additional details for incidental interest under the conflict-of-interest examples – particularly as it relates to example a “owns property in close proximity.”

Chief Assistant City Attorney Lavelle stated staff would complete a thorough review and return to the Commission with recommended updates, if applicable.

6. Review of Current Complaints

Chairman Leyvas asked if the Commission would make a motion to enter into Executive Session to address the complaint.

Vice Chairwoman Sallen made a motion to convene in Executive Session to obtain legal advice on EC-23-01. Commissioner Hart seconded the motion, which passed unanimously 4-0.

The Commission entered Executive Session at 3:21 p.m.

The Commission returned from Executive Session at 3:56 p.m.

Chairman Leyvas stated the respondent is not being cooperative and timely in response to the Commission's investigation, which is becoming a concern. He continued by suggesting the Commission send a letter to the respondent and their attorney with a deadline for the information to be submitted in response to the investigation inquiries. He requested the letter to include a reference to Rule 6.e. of the Ethics Commission's Rules of Procedure.

Vice Chairwoman Sallen made motion on EC-23-01 to issue an official letter to the involved respondent and their legal counsel to compel a response to prior information requests by Monday, July 14. Commissioner Hart seconded the motion. The motion was approved by the following 4-0 vote:

| | |
|-------------|--|
| Yes: | 4 –Chairman Leyvas, Vice Chairwoman Sallen, Commissioner Schirripa, and Commissioner Hart |
| No: | 0 – |

Chairman Leyvas confirmed the Commission will work with their legal counsel to draft the letter.

7. Call to Public

No call to the public.

8. Future Agenda Items and Meeting Dates

Chairman Leyvas opened the floor to discussion.

9. Adjournment

Chairman Leyvas adjourned the meeting at 4:03 p.m.