

Minutes

Board of Ethics City of Memphis

Meeting of April 6, 2016

The meeting was formally called to order at 2:02 p.m.

The following Chairman, Board Members and Chief Ethics Officer were present at the meeting:

Latonya Sue Burrow	Chairman Robert A. Lanier	Edward Vaughn
Craig L. Cardwell	Thomas Parker	
Robert Dawkins	Ruth Pollard	

Board Member Pete Scatamacchia responded by e-mail prior to the meeting that he would be unable to attend.

The following guests were present at the meeting:

Citizen Law Enforcement Review Board (CLERB) members:	Chairperson Virginia Wilson
	Investigator Author Robinson

APPROVAL OF AGENDA AND MINUTES

A motion to approve today's Agenda and Minutes from March 2, 2016 meeting was made and seconded. The Motion carried with no modifications or amendments.

Chairman Lanier requested representative from CLERB to introduce themselves and give information about their Board.

Chairperson Wilson and Investigator Robinson advised that CLERB was created by City Ordinance and existed under the previous administration; however, the new administration "put teeth" into the Board. CLERB is fully appointed, but there are vacancies because of expiration of terms. CLERB has the power to subpoena Police Officers.

ITEMS FOR DISCUSSION

a. Update on letter to Mayor Strickland regarding non-compliance with Ethics Training

CEO Burrow advised the Board that her Office had not heard back from Mayor Strickland. The Board requested that Burrow send a polite follow-up letter.

b. Update on status of New Mayor's Executive Order

CEO Burrow advised the Board that she has not received a new Mayor's Executive Order from the City Attorney. Burrow advised the Board that she had e-mailed a request for

an update to Attorney McMullen about forty minutes before this meeting, but had not received a response by meeting time. The Board suggested that Burrow communicate with Attorney McMullen again either in writing or in person, to get an update. The Board further suggested that Burrow should give Attorney McMullen a copy of the previous Mayor's Executive Order as a template, so that McMullen would not need to totally "re-invent the wheel."

c. Update on status of Amendments to Disclosure of Financial Interests Forms

CEO Burrow advised the Board that she has not received the Amendments to the Disclosure of Financial Interests Forms from the City Attorney. Burrow advised the Board that she had e-mailed a request for an update to Attorney McMullen about forty minutes before this meeting, but had not received a response by meeting time. The Board suggested that Burrow communicate with Attorney McMullen again either in writing or in person, to get an update.

d. Update on assistance to Board by Miss Dabney Ring

CEO Burrow read Dabney Rings' response of March 28, 2016 to Burrow's inquiry: "I have the two re-appointments approved by the respective Council members. I am waiting n [sic] the open seat. I have a meeting set up with the Mayor next week to go over Boards and Commissions, and while I don't anticipate a problem, I would like to run these by him, as a courtesy. Once they are approved, I will add them to the next City Council agenda."

REPORT ON ETHICS INQUIR(IES)

The Chief Ethics Officer reported the status on four (4) Ethics Complaints:

- 1) Two hundred and fifty (250) page document and letter to Mr. Michael R. Williams, President of the Memphis Police Association.

CEO Burrow advised that she hand-delivered the two hundred and fifty (250) page document to City Attorney Bruce McMullen on March 11, 2016.

LAST COMMUNICATION: Burrow advised that she mailed Mr. Michael R. Williams, President of the Memphis Police Association a letter on March 30, 2016, asking to hear back from him by Wednesday, April 13, 2016.

The Board of Ethics voted unanimously to hold the matter until next Board Meeting.

- 2) January 21, 2016 Sworn Complaint from MPD wife and oral complaint from a City spouse, which share a common item of evidence.

LAST COMMUNICATION: CEO Burrow advised that she had sent the MPD wife a letter on March 11, 2016.

Burrow reported that, after several attempts to reach the Complainant by phone, on February 8, 2016, Burrow e-mailed the complainant a copy of the Code of Ethics to assist the complainant to formulate her complaint. Burrow had also asked the complainant to elaborate as to why the complainant believed the facts gave rise to an ethics violation.

In the letter, Burrow had asked the complainant to respond by March 30, 2016, otherwise the Board would possibly dismiss her complaint.

As of today's date, the MPD wife had not provided the requested information.

The Board of Ethics voted unanimously to approve CEO Burrow's recommended dismissal.

- 3) Oral complaint from a City spouse, which shares a common item of evidence with the Sworn Complaint of the MPD wife.

LAST COMMUNICATION: CEO Burrow advised that she had e-mailed the City spouse on March, 8, 2016.

The complainant stated that she printed off a Sworn Complaint Form from the City website, completed and mailed it to this Office. Burrow advised the complainant that the Ethics Office had not received a written complaint from the complainant.

On February 10, 2016, the complainant informed Burrow that she would leave her written complaint with Human Resources at the Main Library for Burrow, and Burrow left a copy of the Code of Ethics for the complainant to pick up. The complainant never left a written complaint, and never picked up the copy of the Code of Ethics, left by Burrow.

In the March 8, 2016 e-mail, Burrow asked the complainant to respond by March 30, 2016, otherwise the Board would possibly dismiss her complaint.

As of today's date, the City spouse had not provided a Formal Complaint.

The Board of Ethics voted unanimously to approve CEO Burrow's recommended dismissal of the inquiry.

- 4) February 3, 2016 e-mail inquiry by one City Councilperson against another City Councilperson.

Burrow advised the Board that the Ethics Office received an e-mailed inquiry from one City Councilperson, concerning the ethical conduct of a fellow City Councilperson.

Burrow advised that on February 8, 2016, she had e-mailed the Councilperson a Sworn Complaint form, to assist the Councilperson to submit a Formal Ethics Complaint. Burrow further set out the Code's requirements for submission of the Complaint.

On March 8, 2016, Burrow had received no response. Burrow sent a follow-up e-mail, asking the Councilperson to respond by March 30, 2016. Otherwise the Board would possibly dismiss the complaint.

On March 8, 2016, Councilperson responded that they simply wanted to know the proper procedure to file a complaint, and confirmed that I had given the information.

As of today's date, the Councilperson has not filed a Formal Complaint.

The Board of Ethics voted unanimously to approve CEO Burrow's recommended dismissal of the inquiry.

- 5) On March 26, 2016, a vendor e-mailed an ethics inquiry regarding the conduct of MPD Command Staff when placing towing companies in the MPD rotating wrecker call list.

On March 26, 2016 CEO Burrow e-mailed a confirmation of receipt of the inquiry, along with a copy of a Sworn Complaint Form and the Code of Ethics.

As of today's date, the vendor has not filed a Formal Complaint.

CEO Burrow will report on the status of this inquiry at the next Board meeting.

ETHICS TRAINING UPDATE

CEO Burrow advised that she had contacted Administrative Assistants Mrs. Alma Crawford and Tiffany Collins and received a list of City employee names for mandatory Ethics Training. On March 30, 2016, Burrow sent out e-mails to everyone on the lists, for training April 7, 2016 at 9:00 a.m. and 2:00 p.m.

The Board agreed to discuss the issue of non-compliance with the mandatory ethics training with Mayor Strickland at the May 4, 2016 meeting.

INFORMATION AND ANNOUNCEMENTS

CEO Burrow advised that the City is planning its budget, and Legal Administrative Coordinator, Jullian Hulbert, asked Burrow for input. The Budget for the Ethics Office is to remain as is. Hulbert suggested that the Ethics Office might need a "Hospitality Fund," since most other departments had one. The funds would be for water or light refreshments, when the CEO conducted an ethics training session.

The Board of Ethics voted unanimously that the Ethics Office did not need a Hospitality Fund.

ADJOURNMENT

A Motion to Adjourn was made and seconded at 3:02 p.m.

