

**CITY OF PHOENIX
ETHICS COMMISSION
Summary Minutes
February 19, 2026**

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

Commission Members Present

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

Commission Members Absent

Cheryl Pietkiewicz

1. Call to Order/Roll Call

Chairwoman Patricia Sallen called the meeting to order at 3:01 p.m. with Commissioner Ann Hart present. Vice Chairman Peter Schirripa and Commissioner Sam Leyvas attended virtually. Commissioner Cheryl Pietkiewicz did not attend.

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, aside from agenda items on the pending complaints, and gave direction on appropriate decorum when providing comments.

3. Approval of Meeting Minutes from January 15, 2026

Commissioner Hart made a motion to approve the minutes of the January 15, 2026, Ethics Commission Meeting. Vice Chairman Schirripa seconded the motion, which passed unanimously 4-0.

4. Staff Update

Deputy City Manager David Mathews noted there are a few updates from staff and introduced Special Projects Administrator Rebecca McCarthy to provide updates on the website.

Ms. McCarthy explained that, per the request of the Commission during the last meeting, verbiage was added to the website under the Boards and Commissions Ethics Handbook section to explain the revisions approved by the Commission in November 2025. She explained the text version was recommended to avoid any potential confusion by having multiple versions of the handbook available online.

Deputy City Manager Mathews stated if the Commission decides on any further changes, those updates will be included in the text section, creating an ongoing record of all revisions.

Chairwoman Sallen agreed with the approach.

Deputy City Manager Mathews stated Commissioner Pietkiewicz intends to resign from the Commission but offered to remain on the Commission until April to support the Commission in completing the discussed revisions. He stated a formal resignation notice has not been received but more information will be shared with the Commission when it is available. He noted that due to another conflict, she may not be able to attend the next few meetings. He explained staff have begun briefing Councilmembers about the future vacancy, and the position application will be posted on the Boards and Commissions website to begin the recruitment effort to fill the vacancy, noting it may take two to three months.

Commission Attorney Nillen asked about Commissioner Pietkiewicz's political designation.

Deputy City Manager Mathews noted the position will need to be filled by a Republican. He stated the recruitment posting will be shared with the Councilmembers and will be shared with the Commissioners as well.

5. Discussion of Inquiry Review Process and Citizen Petition

Chairwoman Sallen noted the agenda included the 2013 Phoenix Ethics Review Ad Hoc Task Force Report ("Report") and a document from the Campaign Legal Center about Principles for Designing an Independent Ethics Commission. She noted this item is a continuation of previous discussions to update the Rules of Procedure and or City Code.

Deputy City Manager Mathews clarified any revisions to either the Rules of Procedure or the City Code would require approval from the City Manager and the City Council.

Chairwoman Sallen confirmed the Commission would compile any recommendations and provide the recommendations to staff for next steps.

Chairwoman Sallen noted the Report did not include discussion about notarization nor a system of sanctions for groundless complaints. She also did not recall if there was mention of how to withdraw a complaint either. She opened the floor to discussion by the Commission.

Chairwoman Sallen asked if the Commission wanted to propose language about the notarization or modifying the section about sanctions.

Commissioner Leyvas said he is open to considering alternatives that reduce barriers while still fulfilling the purpose of notarization, noting there are checks in place to confirm the Complainant submitted the complaint. Regarding the sanctions, he stated the Commission has not had much experience with this item. He understands it was included as a tool to disincentive poor actors but also understands the argument to remove. He recommends to leave the language as is for now. He noted the process is designed to select Commission members who are fair and judicious and everyone is vetted thoroughly to counter possible abuses in sanctions. He confirmed the City Council is also involved in approving any sanctions.

Vice Chairman Schirripa agreed with Commissioner Leyvas, stating he does not like the requirement for notarization but does agree with the verbiage regarding sanctions to remain. He asked if the Commission discussed the requirement to drop off the notarized form in person.

Deputy City Manager Mathews clarified the City Clerk needs to obtain the original copy, per the requirements of notarization, and this could be accomplished by either dropping the notarized document off in person or mailing it, if the Complainant chose to email the document initially.

Chairwoman Sallen noted the current Rules of Procedure require the document to be notarized and return it to the City Clerk's Office.

Commissioner Leyvas asked if ethical complaints against City employees require a notarized signature and if not, what is the process.

Deputy City Manager Mathews clarified there are different ways one can file complaints against City employees. He noted complaints through the Integrity Line can be submitted anonymously.

Commissioner Leyvas asked if this applies to a member of the public submitting a complaint.

Deputy City Manager Mathews confirmed a member of the public submitting an Integrity Line complaint can remain anonymous and does not require a notary.

Chairwoman Sallen asked if it required a signature or identification.

Deputy City Manager Mathews answered no.

City Chief Counsel David Benton noted the audience is different; the Integrity Line only reviews complaints about employees while the Ethics Commission reviews complaints against Board and Commission members and City Councilmembers.

Commissioner Leyvas stated while he does not agree that anonymous complaints should be submitted against elected and appointed offices, he does think an easier submission process should be used.

Chairwoman Sallen asked if there was a connection between needing a verified identify for the purposes of sanctions. She noted the purpose of the notarization is to ensure the person who submitted the complaint is not forged. She asked if notarization is required to propose sanctions or if they are two distinct issues.

City Chief Counsel Benton noted the language indicates the Commission needs to know the name of the Complainant to review the facts to recommend any sanctions.

Commission Attorney Nillen also noted the form requires a signature which attests to their acknowledgement of the sanctions as described in the Rules of Procedure.

Commissioner Hart stated notarization confirms and validates the identity of the individual filing the inquiry. She emphasized the notarization and the sanctions go hand in hand.

Commission Attorney Nillen explained that Arizona law allows individuals to submit affidavits or declarations accompanied by an attestation, signed under penalty of perjury, which does not necessitate notarization. She noted this is another procedural option for the Commission to consider.

Commissioner Leyvas indicated this was the other option he was interested in.

Commission Attorney Nillen confirmed she could provide the language to the Commission.

Chairwoman Sallen agreed this would be a good option if this achieves the same purpose and would make it easier for residents.

Commissioner Hart asked if the declaration would have to be notarized.

Chairwoman Sallen responded no. She stated the declaration is a statement confirming they are writing and submitting the information on the document under penalty of perjury.

Commission Attorney Nillen confirmed the language on the declaration could also be amended to include language about possibility of sanctions as referenced in the Ordinance.

Deputy City Manager Mathews reiterated that any document they sign would require Complainants to acknowledge the sanctions, as noted in the Rules of Procedure.

Chairwoman Sallen asked if the Commission wants to include this item in the recommendations, provided the declaration meets requirements.

Commissioner Leyvas stated he is open to including this topic.

Chairwoman Sallen stated they should wait until they confirm the declaration language meets the requirements. She asked about procedures for withdrawing complaints and suggested language be included in the recommended updates.

Commissioner Leyvas noted that during the previous meeting, the Commission established a precedent and framework: if the Commission has begun an investigation, they should continue to pursue a complaint even if the Complainant later withdraws it.

Commission Attorney Nillen clarified no formal vote was taken during the last meeting and the Commission only discussed the framework in general.

Commissioner Leyvas explained, generally, he believes a complaint should not be withdrawn once the Commission has voted to investigate, since it then becomes a matter of public interest and should be resolved. He also supports including specific language in the Rules of Procedure to clarify when withdrawal is permitted.

Vice Chairman Schirripa noted he would second the distinction made by Commissioner Leyvas.

Commission Attorney Nillen suggested adding language allowing discretion.

Commissioner Leyvas commented we can conduct business by precedent but there may be an argument to codify the language.

Chairwoman Sallen approved of the idea to have language in the Rules of Procedure that addresses withdrawal.

Commissioner Leyvas suggested the language could state “may proceed” versus “must proceed” to allow discretion or options for the Commission.

Commissioner Hart recommended including a timeline for withdrawal and outlining the Commission's actions after receiving a complaint. She proposed a 15-day window for withdrawal once a complaint passes verification and reaches the Commission. She supported having language about the withdrawal process.

Chairwoman Sallen clarified Commissioner Hart's suggestion about a window for withdrawal.

Commissioner Hart further explained that the Commission should set their own timeline before taking action. She noted if an issue arises for the Complainant, such as a family emergency, the Commission should treat those as valid reasons for delay, and if nothing occurs by the deadline established and withdrawal has not happened, the Commission can proceed.

Commissioner Leyvas noted the framework he discussed was also captured in the previous meeting's minutes and was not relating to a specific inquiry.

Chairwoman Sallen asked if the Commission is interested in proposing changes to the City Code to include the "appearance of impropriety".

Commissioner Leyvas acknowledged the language is vague and suggested researching similar jurisdictions to understand if they address the appearance of impropriety, which could help guide their discussion.

Commissioner Hart agreed with Commissioner Leyvas' suggestion to conduct additional research.

Commissioner Leyvas suggested he would be willing to support staff with this research.

Commissioner Hart noted it would raise the Commission's awareness by providing examples from other cities

Commissioner Leyvas suggested they could identify some benchmarks to narrow the list of jurisdictions to look at, such as population size, etc.

Ms. McCarthy mentioned that she thinks staff previously researched the ethics language or governing bodies of other jurisdictions. She offered to review the previous data as a starting point.

Chairwoman Sallen requested that staff examine earlier studies, with particular attention to any findings on the appearance of impropriety.

Commission Attorney Nillen recommended checking if other jurisdictions have sample rules to compare with the current Rules of Procedure.

Chairwoman Sallen requested research on other jurisdictions' language about appearance of impropriety, handling of withdrawn complaints, and requirements for notarization or verification. She opened the floor to discussion.

Commissioner Leyvas commented that 500 dollars does not seem like much of a range.

Vice Chairman Schirripa supports starting with research on other jurisdictions, like Philadelphia.

Chairwoman Sallen agreed with the plan and roadmap to move forward.

Chairwoman Sallen introduced the public speaker, Jeremy Thacker.

Mr. Thacker stated best practices indicate that filing complaints should be easy and requiring submittal in person or notarization makes the process difficult. He stated he was encouraged and discouraged by the original plan, noting the original plan contained fines up to \$10,000 for public officials and the final ordinance included \$500 sanctions for citizens instead. He stated the only legal reason presented to him for keeping complaints confidential is the negative effect it could have on future complaints but there is no discussion of the negative effects of getting the form notarized, facing fines, etc. He asked who is being protected in these processes, emphasizing that the process seems to protect public officials instead of citizens. He does not believe complaints should be withdrawn and the focus should be on whether the ethics violation occurred or not, noting the Commission must look into the inquiry. He believes the \$500 sanction is a first amendment violation and not enforceable; he recommends the Commission discuss this further.

Chairwoman Sallen thanked Mr. Thacker for his comments and noted no decisions will be made today.

6. Review of Current Complaints

Chairwoman Sallen introduced the item and noted there are three inquiries on the agenda. She asked if there was a motion to enter Executive Session to discuss.

Commissioner Hart made a motion to convene in Executive Session. Vice Chairman Schirripa seconded the motion, which passed unanimously 4-0.

The Commission entered Executive Session at 3:47 p.m.

The Commission returned from Executive Session at 4:38 p.m.

Chairwoman Sallen stated she does not believe there is any action to taken on EC-25-01 and EC-25-06. She asked if there was any discussion relating to EC-25-18.

Commissioner Leyvas made a motion to proceed with the investigation of EC-25-18 because the facts presented in the original complaint, which was

subsequently withdrawn, are still facially sufficient to warrant additional evaluation of the original allegations. Vice Chairman Schirripa seconded the motion.

Chairwoman Sallen opened the floor to discussion.

Commissioner Leyvas explained that, generally, if a complaint is withdrawn prior to the Commission taking action, the Commission would defer to the request of the Complainant. He clarified, once the Commission has considered the facts presented and believe they are facially sufficient to make a motion to move forward with investigation, this marks a threshold. He stated the responsibility then becomes a matter of public accountability, regardless if the Complainant withdraws after this threshold. He stated if the Commission concludes that the issue merits further inquiry, the focus shifts from the interests of the Complainant or Respondent to upholding accountability for the residents of Phoenix. He supported the original motion due to his personal concerns regarding conduct. He emphasized the Commission's duty to continue investigating the inquiries as long as the Commission believes there are valid concerns to pursue.

Chairwoman Sallen called for the roll call vote. The motion passed 4-0 by the following roll call vote:

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

The investigation for EC-25-18 will proceed.

Chairwoman Sallen inquired about the necessary communication to the Respondent and Complainant.

Commission Attorney Nillen confirmed she would be reaching out to the Respondent to schedule an interview. She stated she may wait until the decisions are posted online by staff.

Ms. McCarthy confirmed the results are posted online within 24 hours.

Chairwoman Sallen asked if there is a result to be posted in this situation.

Commission Attorney Nillen asked staff to clarify what information is posted.

Ms. McCarthy explained the results will note a motion was taken to continue the investigation. She confirmed the Complainants and Respondents would typically be notified of the vote simultaneously; however, in this case, they have already been notified of a pending investigation.

Deputy City Manager Mathews asked the Chairwoman whether she would prefer that staff notify both the Respondent and Complainant of the outcome of the ongoing investigation via email, similar to the standard notification procedure.

Commissioner Leyvas suggested to use the language in the motion to further explain the decision.

Chairwoman Sallen, Vice Chairman Schirripa and Commissioner Hart all agreed with this approach.

7. Call to Public

Chairwoman Sallen asked if there were any speakers.

Ms. McCarthy confirmed there were no speakers for Item 7.

8. Future Agenda Items and Meeting Dates

Chairwoman Sallen asked to include Item 5 Discussion of Inquiry Review Process be included on the next agenda, pending staff has time to conduct research relating to other cities.

Commissioner Leyvas recommended this item be in two meetings from now, to allow enough time to review and analyze the information provided by staff.

Commission Attorney Nillen noted staff may be prepared to provide highlights.

9. Adjournment

Chairwoman Sallen adjourned the meeting 4:50 p.m.