CITY OF PHOENIX
ETHICS COMMISSION
Summary Minutes
July 16, 2026

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

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

1. Call to Order/Roll Call

Chairwoman Patricia Sallen called the meeting to order at 3:00 p.m. with Commissioner Sam Leyvas present. Vice Chairman Peter Schirripa and Commissioner Ann Hart joined virtually.

The Commission briefly lost Commissioner Ann Hart at the beginning of the meeting and staff worked reestablish the Commissioner's meeting connection.

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.

2. Approval of Meeting Minutes from June 18, 2026

Commissioner Leyvas made a motion to approve the minutes of the June 18, 2026, Ethics Commission Meeting. Vice Chairman Schirripa seconded the motion. The motion passed 4-0.

3. Review of Prior Ethics Inquiries

Chairwoman Sallen introduced Item 3, noting that the matter had previously been addressed at the June 18 meeting. She explained that the item was placed back on the agenda to clarify interpretation of the applicable rules and to provide transparency for any members of the public observing. Chairwoman Sallen summarized that at the June 18 meeting, a motion to dismiss EC-25-18 was made due to lack of jurisdiction and the motion failed on a 2-2 vote. She noted that after the vote, a Commissioner made a motion to reconsider, which was seconded and, before a vote on reconsideration occurred, the meeting adjourned.

Chairwoman Sallen reported that under Phoenix City Code and Commission Rules of Procedure, any motion regarding an inquiry requiring four votes and receiving fewer than four votes results in the inquiry being closed. She noted that, although the motion to dismiss failed, the 2-2 vote itself constituted a dispositive action, closing the inquiry. She noted this interpretation yields an unusual result: the motion to dismiss failed, meaning the Rules deem the request closed, effectively yielding the same outcome. She suggested that the Commission could consider requesting staff to propose clarifying amendments to address the issue. She noted that if a Commissioner wished to continue the matter, they would need to make a motion to rescind the June 18 action, and a motion to rescind the June 18 action would require a 3-1 vote to reopen the inquiry.

Vice Chair Schirripa expressed appreciation for the Chairwoman's and Commission's Attorney's written explanation to summarize the scenario.

Commissioner Leyvas expressed appreciation for the explanation but stated he disagreed with aspects of the legal and procedural interpretation. He believes that the motion to reconsider still lives. He disagrees with the rationale provided. He emphasized concern about establishing precedent based on the reasoning stated and supported clarifying the ordinance rather than relying solely on the Rules of Procedure. He acknowledged that the outcome remains the same.

No further action was taken. EC-25-18 is closed, as per the vote in the June 18 meeting.

4. <u>Review of Current Ethics Inquiries</u>

Chairwoman Sallen introduced EC 25-01 and EC 25-06.

Commissioner Leyvas asked if the two inquiries were also lacking the two procedural components.

Chairwoman Sallen confirmed that the two inquiries lacked notarization and acknowledgement of sanctions.

Commission Attorney Nillen clarified that these inquiries are the only two remaining from the inquiries received in November when the Commission asked the Complainants to refile the inquiries with the required information. She confirmed no updates or revisions have occurred since that time.

Commissioner Leyvas asked whether "Current Ethics Inquiries" indicates that they are active.

Commission Attorney Nillen confirmed that EC 25-01 and EC 25-06 are active inquiries. She confirmed that these items were not discussed at the June 18 meeting.

Commissioner Leyvas stated that they are still deficient, lacking the two procedural components.

Chairwoman Sallen confirmed that unlike the other inquiry discussed, these two inquiries were not withdrawn by the complainants.

Commission Attorney Nillen stated that for these two inquiries, there were no withdrawals by the Complainant and the Commission did previously accept jurisdiction. She also noted there was a motion to reconsider on EC-25-18. She noted that if the decision on EC-25-18 impacted the decision on EC 25-01 or EC 25-06, it would provide the Commission the opportunity to address the reason for the decision. However, she noted there is no motion on EC 25-01 and EC 25-06, so they remain active.

Commission Attorney Nillen further clarified that jurisdiction was accepted on both inquiries and the Commission voted to investigate. She noted that the investigation was put on hold because the procedural actions could affect the status of the two inquiries.

Chairwoman Sallen thanked staff for the clarification.

Commissioner Leyvas motioned to dismiss EC 25-01 and 25-06 for deficiencies in notarization and attestations.

Vice Chairman Schirripa seconded the motion.

Commissioner Leyvas expressed continued disagreement with how certain inquires were interpreted as jurisdictional questions. He believes the issues of the missing notarization and attestation are procedural, not jurisdictional, and that past case law supports continuing investigations despite those defects. He commented that the public deserved for the Commission to continue its investigation. He supports bringing the matters to a close. He emphasized that any complaint may be refiled as long as it is within the deadline and uses the new form requiring notarization and attestation. He reminded the public that the Commission has agreed to address the notarization barrier.

Commissioner Hart agreed that Commissioners have an obligation to pursue investigations into the pending complaints. She noted that earlier discussions in June outlined how best to move forward. She reiterated that EC-25-18 has already been closed despite a split vote, while complaints EC-25-01 and EC-25-06 remain pending. She supported whichever direction the Commission chooses next, emphasizing that her comments should not be interpreted as minimizing the seriousness or intent of the complaints. She maintained that these matters deserve investigation, even though they may not meet procedural requirements.

Deputy City Manager Mathews noted that the Commission discussed potentially directing staff to draft an amendment to the rule regarding closing complaints if the motion to dismiss fails. He recommended to include this direction in the motion.

Commissioner Leyvas requested that this topic be on the next agenda to allow for a larger discussion. He stated that he did not believe the Commission would have consensus to give specific direction for the draft.

Chairwoman Sallen noted that there was previous discussion on how to address the notice of sanctions and the notarization.

Commissioner Leyvas clarified that Deputy City Manager Mathews was referring to how EC-25-18 was addressed.

Commission Attorney Nillen recommended staff proceed with drafting the amendment, as stated by Chairwoman Sallen. She stated she does not believe a formal motion is necessary to proceed.

Chairwoman Sallen stated that clarification is needed for the City Code and Rules of Procedure.

Deputy City Manager Mathews confirmed the item will be added for discussion at the next meeting and staff will present ideas.

Chairwoman Sallen agreed.

Chairwoman Sallen returned to the original motion, asking for clarification of whether it was to dismiss or close.

Commissioner Leyvas affirmed that his motion was to dismiss, and it was seconded.

Chairwoman Sallen called for a roll call vote, and the votes were as follows:

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

Chairwoman Sallen explained that while it is important to comply with the procedural rules, if there are substantive deficiencies and complaints do not comply with the Commission's rules, she does not see a way to move forward on the items. She clarified that her comment was not on the merits at all.

The motion passed 4-0, and the items were dismissed.

5. Call to Public

Special Projects Administrator McCarthy stated there were no speakers registered for Agenda Item 5.

6. Future Agenda Items and Meeting Dates

Chairwoman Sallen stated that the next meeting would take place August 20. She asked if there were any further pending complaints.

Special Projects Administrator McCarthy confirmed there were no pending complaints.

Chairwoman Sallen stated that the proposed revisions discussed in the June 18 meeting would take up the majority of the next meeting.

Commissioner Leyvas requested to add a Discussion and Possible Action item regarding the structure and services of the legal counsel and investigator functions.

Chairwoman Sallen asked if there were any additional proposed items for the next meeting's agenda.

Commissioner Hart stated she had no additional items.

Vice Chairman Schirripa concurred that he had no additional items.

7. Adjournment

Chairwoman Sallen adjourned the meeting at 3:27 p.m.