

**WRITTEN DECISION
CONCERNING THE COMPLAINT AGAINST
ADAM BAZALDUA, CITY COUNCIL MEMBER**

On May 5, 2021, Dr. Pamela L. Grayson, filed a sworn ethics complaint with the City Secretary's Office against Councilmember Adam Bazaldua alleging several violations of Chapter 12A of the Dallas City Code ("Code of Ethics").

A Preliminary Panel of the Ethics Advisory Commission ("EAC") met on June 10, 2021 at 9:30 a.m. via videoconference. The panel members consisted of Commissioners Thomas Perkins (Vice Chair), Paul Castillo, and Grant Schmidt. In a unanimous decision, the panel determined that, based upon the evidence submitted, there were some allegations that were found did *not* state a claim, however, majority of the allegations in the complaint, stated a claim and was supported by just cause and forwarded it to the full EAC for an evidentiary hearing:

The EAC met on July 6, 2021 at 9:30 a.m. and granted Councilmember Bazaldua's motion for a continuance. The evidentiary hearing was rescheduled for August 17, 2021.

The EAC reconvened on August 17, 2021 at 9:30 a.m. via videoconference. In attendance were Commissioners Timothy Powers (Chair), Thomas Perkins (Vice-Chair), Pam Gerber, Grant Schmidt, and Paul Castillo. Not in attendance was Commissioner Cassandra Hernandez. Also, in attendance was Dr. Pamela L. Grayson, complainant, and Adwoa Asante, complainant representative; Adam Bazaldua, respondent, and Philip T. Kingston, respondent representative.

Pursuant to Section 12A-28 of the Dallas City Code, a determination that a violation of the Code of Ethics has occurred can be made only upon an affirmative vote of at least three-fifths of the commission members present and voting; otherwise, the complaint must be dismissed. A finding that a violation occurred must be supported by clear and convincing evidence. "Clear and convincing evidence" means that measure or degree of proof that produces in a person's mind a firm belief or conviction as to the truth of the allegations sought to be established.

At the conclusion of the evidentiary hearing:

- Vice Chair Perkins moved to find that Councilmember Bazaldua did not violate Section 12A-1.2(a)(1) of the Code of Ethics. The motion was seconded by Commissioner Gerber and approved by a unanimous vote of the EAC;
- Vice Chair Perkins moved to find that Councilmember Bazaldua did not violate Section 12A-1.2(a)(3) of the Code of Ethics. The motion was seconded by Commissioner Schmidt and approved by a 3 to 2 vote of the

EACC, with Commissioner Gerber and Commissioner Castillo voting in opposition;

- Commissioner Castillo moved to find that Councilmember Bazaldua did not violate Section 12A-1.2(a)(4) of the Code of Ethics. The motion was seconded by Commissioner Gerber and approved by a unanimous vote of the EAC;
- Vice Chair Perkins moved to find that Councilmember Bazaldua did not violate Section 12A-1.2(a)(6) of the Code of Ethics. The motion was seconded by Commissioner Schmidt and approved by a 3 to 2 vote of the EACC, with Chair Powers and Commissioner Gerber voting in opposition.
- Commissioner Gerber moved to find that Councilmember Bazaldua did not violate Section 12A-1.2(b)(2) of the Code of Ethics. The motion was seconded by Commissioner Castillo and approved by a unanimous vote of the Commission;
- Commissioner Castillo moved to find that Councilmember Bazaldua did violate Section 12A-1.2(b)(3) of the Code of Ethics. The motion was seconded by Commissioner Gerber and approved by a unanimous vote of the Commission:
 - **Section 12A-1.2(b)(3) Standards of Behavior; Standards of Civility.** City officials shall not make comments or take actions that are abusive; belligerent; crude; derogatory; disparaging; impertinent; personal attacks upon the character, integrity, or motives of others; profane; rude; slanderous; or threatening;
- Commissioner Gerber moved to find that Councilmember Bazaldua did not violate Section 12A-1.2(b)(7)(A) of the Code of Ethics. The motion was seconded by Commissioner Castillo and approved by a unanimous vote of the Commission.

The EAC, in accordance with Sections 12A-30(a)(4) and 12A-37.1 of the Code of Ethics, submits the matter to the city council with the recommended sanction of Letter of Admonition.