



Legislation Text

File #: 24-908, **Version:** 1

STRATEGIC PRIORITY: Government Performance & Financial Management

AGENDA DATE: March 27, 2024

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Secretary's Office

EXECUTIVE: Bilierae Johnson

SUBJECT

A resolution determining final sanctions against Alandrea Gorner, former employee, Sanitation Department in connection with the Ethics Advisory Commission Hearing Panel's finding of violations of Chapter 12A, "Code of Ethics," of the Dallas City Code - Financing: No cost consideration to the City

BACKGROUND

On December 13, 2023, the Inspector General Division filed a complaint against Alandrea Gorner, former employee, Sanitation Department alleging violations of Chapter 12A of the Dallas City Code.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 22, 2024, a panel of the Ethics Advisory Commission ("Panel") convened for an evidentiary hearing, in accordance with Section 12A-53 and the Ethics Advisory Commission Rules of Procedure, to hear the complaint filed against Alandrea Gorner, former employee of the Sanitation Department.

Based upon the evidence presented, the Panel determined that Ms. Gorner violated the following sections of the Dallas City Code:

- Section 12A-3 (Fiduciary Duty): A city official and employee, in the performance of that person's official duties, shall fulfill the city official's and employee's fiduciary duty to the city.
- Section 12A-4(a)(1) (Standard of Behavior): City officials and employees shall, when acting in the performance of their official duties... conduct themselves and operate with integrity and in a manner that merits the trust and support of the public.
- Section 12A-4(a)(5) (Standard of Behavior): City officials and employees shall, when acting in the performance of their official duties...take no actions that could benefit the official or employee personally at the unwarranted expense of the city, avoiding even

- the appearance of a conflict of interest, and to exercise prudence and good judgment at all times.
- Section 12A-4(a)(6) (Standard of Behavior): City officials and employees shall, when acting in the performance of their official duties... carefully consider the public perception of personal and professional actions and the effect such actions could have, positively or negatively, on the city's reputation both in the community and elsewhere.

The Panel recommended the City Council impose the following sanctions:

- Reprimand.
The City Council may adopt a resolution of censure if the City Council finds that a serious or repeated violation of this chapter has been committed intentionally or through reckless disregard of this chapter and the violation substantially threatens the public trust. (Section 12A-59(e)(5)).
- Referral for damages. The City Council may refer the violation to the City Attorney for an action to recover damages to the city. (Section 12A-59(e)(9)).

In determining sanctions, the City Council shall take into consideration the recommendation of the ethics advisory commission and the following factors:

- (1) The culpability of the person charged.
- (2) The harm to public or private interests resulting from the violation.
- (3) The necessity of preserving public trust in the City.
- (4) Whether there is evidence of a pattern of disregard for ethical standards.
- (5) Whether remedial action has been taken that will mitigate the adverse effects of the violation. (Section 12A-59)

FISCAL INFORMATION

No cost consideration to the City.