

## *Summary of The Committee Voting Process and Results*

The committee reviewed Mr. Simmons actions relative to the ATC Ethical Standards and Bylaws. The committee ruled that 4 violations of the ATC Ethical standards have occurred by Mr. Simmons. This ruling was obtained following many hours of fact-finding by committee members in addition to several hours of deliberation regarding the standards and evidence against Mr. Simmons. A simple majority vote either dismissed the alleged violation, or confirmed that Mr. Simmons had violated the specific ATC standard.

For each violation below, which was not dismissed, evidence was presented to confirm that a violation had occurred. The group thoroughly discussed and questioned the evidence prior to the individual vote for or against a specific violation.

Listed below are the specific Ethical Standards, which were discussed and for which the committee voted to confirm that a violation had occurred. Following each standard are a list of exhibits that make up the body of evidence that the committee reviewed. Last are the results of the individual votes by the committee.

It should be noted that due to the amount of discussion and new facts tabled at the committee meeting, no absentee voting was allowed. Only committee members present at the meeting were allowed to vote.

The following ATC Ethical Standards were discussed and voted as confirmed:

- **Paragraph 3.5:** *Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the Council, Committees, or the public.*
- Discussion: The committee discussed numerous examples where Mr. Simmons had presented public, personal charges, which constituted abusive conduct towards other ATC councilmembers. Below are the exhibits, which demonstrate these violations. Further, despite repeated warnings and conversations, despite repeated apologies from Mr. Simmons, he continued to attack and misrepresent the ATC and its members. The committee was unanimous in their belief that these attacks were deliberate, repeated and designed solely to discredit and embarrass the councilmember being targeted in each of the exhibits below.

Email on Altadenans.com and to public email lists dated Aug 14th (Full email avail)  
(snip)

**....My attempt to receive contributions is not on behalf of the Altadena Town Council, as Councilmember Alice Wessen has implied.**

If we are indeed trying to work together on behalf of improving the quality of life in Altadena, a simple phone call from Alice Wessen would have been all that was necessary. **I feel that Ms. Wessen's attacks upon me and the programs have not been in the best interest of the Altadena community. It should be noted that Alice Wessen was a strong supporter of my opponent, Bill Westphal, and I believe her actions to be biased and not in the best interest of the citizens of Altadena. The only true opposition I have received regarding these programs has been from Secretary/ Councilmember Alice Wessen.** I feel that the Closed Session meeting, scheduled for

6:15PM on Tuesday, August 18th, is an attempt to secretly stop me, a new face on the ATC, from bringing positive changes and ideas to Altadena. I move that the ATC make the proposed private meeting public so that there are no hidden agendas and that everyone is clear on their accusations and procedures. I believe that it is best that what is expected of Councilmembers be made public so that everyone is held to the same set of standards.(snip)

- Exhibit 3 – Print out from Altadenans.com, subject “ATC Meeting 9/15 – Brown Act Debate. –
  - “...but the Altadena Town Council feels that although they follow the majority of the Brown Act, the gray areas not followed can be manipulated without holding themselves liable for their actions. This is very unfair to the community.”
- Exhibit 4 - Print out from Altadenans.com, subject “Complaints Against the Altadena Town Council”
  - Numerous charges, in a letter distributed publicly, against Chairman Gino Sund and councilmember Tesumch Shackleford
- Exhibit 5 - Print out from Altadenans.com, subject “Cell Cite Delayed”
  - “Chairman Gino Sund has stepped into our Census Tract and it can be inferred through Mr. Ambrosini’s email (see below) that they have communicated privately to discuss new locations of the cell tower.”
  - “3. We call into question Chairman Sund acting without notice to elected reps in the proposed cell site in Census Tract 4602. Why has he not responded to inquiries from elected reps?”
- *Vote Results: The committee voted in the majority that Mr. Simmons had violated paragraph 3.5 of the ATC Ethical Standards.*
- **Paragraph 4.1:** *A member shall always conduct himself/herself in a respectable manner and never in a manner which could reasonably be regarded as bringing his office, the Council, or Altadena into disrepute.*
  - Discussion: The committee discussed the level of disrepute that the sum of Mr. Simmons’ actions has created for the ATC. It is clear from the comments on his website that his accusations and attacks on the ATC and individual ATC members promoted an environment for the general public to look at the ATC and its proceedings with disrepute.
- Exhibit 6: Editorial from the Altadenablog about Mr. Simmons:  
<http://www.altadenablog.com/2009/10/editorial-simmons-needs-to-demonstrate-leadership.html>
- Exhibit 7: Satirical post on Altadena Hiker regarding Mr. Simmons:  
<http://altadenahiker.blogspot.com/2009/10/power-and-that-pesky-absolute.html>
- Article in Pasadena Weekly:

[http://www.pasadenaweekly.com/cms/story/detail/bylaws\\_and\\_order/7719/](http://www.pasadenaweekly.com/cms/story/detail/bylaws_and_order/7719/)

- ***Vote Results: The committee voted in the majority that Mr. Simmons had and continues to violate paragraph 4.1 of the ATC Ethical Standards.***

**Paragraph 4.2:** *A member must never misrepresent the Council or a Committee and/or its members.*

- Discussion: There were several examples provided where Mr. Simmons represented his personal programs as those of the ATC to the public, to businesses, to PUSD and to the county. In addition, through the public communications he presented on his website, Altadenans.com, he has consistently misrepresented ATC positions, motives and facts relating to business in front of the ATC (e.g., the Cell Towers and claims he made against Mr. Sund).
- Exhibit 8: Letter from Mr. Diaz
- Exhibit 9: Letter from the Los Angeles County Supervisor, Mr. Antonovich
- ***Vote Results: The committee voted in the majority that Mr. Simmons has violated paragraph 4.2 of the ATC Ethical Standards.***

**Paragraph 6.1:** *Members shall not take any special advantage of services or opportunities for personal gain by virtue of their office, which are not available to the public in general. They shall not accept any gift, favor or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.*

- Discussion: The group focused on the gifts, services and opportunities that the local Altadena businesses have been providing to Mr. Simmons in support of his student and teacher of the month program. The evidence, from the Supervisor's and Mr. Diaz office demonstrate that this program was presented as an ATC activity and the businesses this committee talked with have confirmed that they were led to believe Mr. Simmons was representing the ATC with this program. These businesses would not provide these gifts, services and opportunities to the general public.
- Exhibit 10: From Altadenans.com, Mr. Simmons provides an outline of the various gifts, services and opportunities some of the local businesses have provided to him for his student and teacher of the month program.
- ***Vote Results: The committee voted in the majority that Mr. Simmons has violated paragraph 6.1 of the ATC Ethical Standards.***