

CITY OFFICIAL FAILED TO FOLLOW POLICY



The ethics policy for the city is made quite clear. The policy provides information on a number of certain circumstances in which official action should or should not be made. Circumstances will typically occur if a city official solicits someone else with an offer of employment or if they receive an offer for employment from someone else for a certain reason. The former Deputy City Manager, Pat DiGiovanni, violated the ethics policy for the city when he chose to participate in a decision in which he awarded a city contract for the expansion of the Convention Center in the city. A partnership between Hunt Construction Group and the Zachry Corporation were the people behind the proposal. The contract is for \$305 million and is the largest and most expensive construction contract that the city has ever had. A staff writer for the Express-News, Brian Chasnoff, stated that while the evaluation process was ongoing for this large contract, DiGiovanni was working on a negotiation that would allow him to become the CEO for the Centro Partnership, which is a non-profit organization that prides itself on working to improve the downtown area. David Zachry from the Zachry Corporation happens to be the vice chairman for the Centro Partnership. The ethics policy is quite clear when it comes to what DiGiovanni should have done in this situation. The ethics policy says, "Immediately refrain from further participation in the matter, including discussions with any persons likely to consider the matter" and "promptly file with the City Clerk the appropriate form for disclosing the nature and extent of the prohibited conduct." While the policy was clearly there for all to see, DiGiovanni did not follow it all. Instead, he continued to participate in the city committee, the same committee that had recommended the Hunt-Zachry partnership for the Convention Center contract. Once the recommendation for the partnership had been brought to the attention of the public, Centro decided to make its announcement of giving DiGiovanni the position of CEO. While one would think that city officials would immediately acknowledge the fact that DiGiovanni violated the policies, several city officials are defending his actions. One city manager, Sheryl Sculley, who currently serves on the board of directors for Centro, has made it clear that there was absolutely no type of connection between the selection of the partnership for the Convention Center project and the hiring of DiGiovanni as CEO for Centro. She also said that even if DiGiovanni was not part of the decision-making process, Hunt-Zachry would still have been the top choice for such a project. The city director for Capital Improvements Management Services, Mike Frisbie, also backed DiGiovanni up, stating that he is a man with lots of integrity.