

March 26, 2013

Members of the Board of Ethics
City of Racine
730 Washington Avenue
Racine, WI 53403

Dear Members of the Board of Ethics:

I wish to file a Complaint alleging violations of **Section 2-581(f) 2, 3, 4** of the City of Racine Code of Ethics.

Paul Ancona in his official capacity as MIS department manager violated the following three sections of the City of Racine's Code of Ethics:

(f) Misconduct in office. Public officials and employees are prohibited from:

(2) Performing an act knowingly in excess of their lawful authority or one in which they know they are forbidden by law to do in their official capacity.

Paul Ancona violated the "General Requirement" of the City of Racine's RFP. RFP plainly states, "All communications between City of Racine and contractors responding to this RFP will be through City Purchasing Agent, Sam Aiello via email. "Any other contact will be deemed automatic rejection of the automatic response. Any questions received after September 28, 2012 will not be answered."**(Refer to RFP 15) (See attachment)**

Paul Ancona knowingly violated RFP 15. Sky Falls Media did not include a signed "Instruction to Bidders" including the required representation that its bid is not directly or indirectly the result of an agreement of any other bidder. **(Refer to RFP 15, See attachment)**

Paul Ancona in his official capacity as MIS Manager falsified to the City of Racine Common Council on numerous occasions regarding the RFP process. (Nov.12th 2012, Dec.12th, 2012, Feb.11th 2013, Feb. 20th 2013) (see attached exhibit videos)

(3) Whether by act of commission or omission, exercising a discretionary power in a manner inconsistent with the duties of their office or employment or the

rights of others and with intention to obtain a dishonest advantage for themselves or another.

Paul Ancona in his official capacity as MIS Manager of the City of Racine falsified information to the Racine Common Council pertaining to the budget of Skies Falls Media. **(Attached see RFP 15 & video exhibits)**

(4) Intentionally falsifying an account, record book, return, certificate, report or statement in the officer or employee's official capacity.

Paul Ancona in his official capacity as MIS Manager of the City of Racine falsified to the Racine Common Council, "I wrote RFP 15". The RFP was authored by Cable Commission member Rob Krug. (Attached Cable Commission Minutes 7/16/12 and video exhibit from Nov.2012)

(h) Incompatibility of offices. No official or employee shall engage in or accept private employment or render service, for private interest, when such employment or service conflicts with the proper discharge of his or her official duties or would tend to impair such official's or employee's independence or judgment or action in the performance of such duties, unless otherwise permitted by law and unless disclosure is made as herein provided.

Paul Ancona in his official capacity as MIS Manager violated the Open Meeting Law when he participated in the evaluation meeting and process. **(Evaluation Meeting 12/4/12)(Attached email)**

I, the complainant, declare under oath that the information is true to the best of my knowledge.

Dated this ___ day of _____, 2013

Complainant:

Signature

State of Wisconsin Racine County

Subscribed and sworn to before me by _____ on this _____ day of _____, 2013.

Notary Public

Commission Expires:_____