

Formal Ethics Complaint Affidavit

June 14, 2021

I, *Sarah Rouse, a resident of Frisco*, am filing a formal ethics complaint regarding a direct violation of the City of Frisco Code of Ethics Ordinance No. 09-04-25.

Mayor Jeff Cheney directly violated this Code of Ethics when, on May 25, 2021 he utilized city email for political/campaigning purposes. **See Exhibit A** Specifically, Mayor Jeff Cheney utilized city email to contact City of Frisco Department Heads, asking them pointed political campaign questions, in regard to with whom they had met with (city council candidates). He then proceeded to publicly publish the responses in an online campaign support post from his "Mayor Jeff Cheney, Public Official" Facebook page. **See Exhibit B** In addition to contacting city employees for this purpose, he took it another step further and utilized his cell phone, which has been continuously used for both city business and personal use, to overreach his power and request that the employees and all their household members follow his political voting requirements to become a "voting force". This is a direct overstep of power and use of public resources for private gain. **See Exhibit C**

The blatant code of ethics violation is clearly spelled out in Section 6: Public Property and Resources beginning on page 8 and continuing onto page 9 Including an ethics violation of Section 7: Political Activity, Section 8: Actions of Others and Section 9: Interaction with City Staff. **See Highlighted area Exhibit A**

I am requesting that the City Attorney, Mr. Robert Abernathy request a timely hearing and handle this complaint in a fair and impartial manner. I would request that in addition to the evidence I am providing within todays complaint, the City Attorney investigate all communications between the Mayor and City employees including phone records, text messages, emails, etc.

I have faith that the proper enforcement mechanisms will be adhered to following this investigation.

X

Ms. Sarah Rouse

X

Notary

Complaint #2

RECEIVED

JUN 30 2021

The complaint should be dismissed for the following reasons outlined in the ordinance: City Secretary's Office @4:50 p.m. KRM

1) The Complaint does not comply with the requirements of filing a complaint.

The ordinance requires the person filing the complaint to provide a statement of facts on which the complaint is based. Ms. Rouse fails to do that and instead provided a statement of opinions, assumptions, and allegations for her basis of the complaint, none supported by facts or evidence.

None of the responses shared were as a result of my city email so the complaint is factually false. City staff was not asked a political question nor were they asked to support a political candidate. In fact, in the comments of the post I explicitly stated none of the factual answers should be viewed as an endorsement of any kind. They were only asked "In the runoff race which candidates have asked to meet with you?" This was a question I was getting from many residents to determine preparedness of candidates. City employees know all electronic communications are part of the official record and subject to public requests. There is nothing in the ordinance that references producing publicly available information. The public calls on us to be fully transparent and the public had the right to know the answer to their question on which candidates met with each senior staff member. As such, it was more appropriate to quote their actual responses to this fact-based question so it could not be interpreted that I in any way altered their responses. Who our city staff meets with, including candidates, is information the public has the right to know.

Regarding the text sent to employees, that was only sent to agents at Monument Realty and was not sent to any city employees. This is clear from the text provided in the complaint where I reference Monument as well as including the endorsement of CCAR, an endorsement important to Realtors. There is nothing in the ethics policy that states elected officials cannot tell private citizens their opinions on the election. This complaint should be dismissed for not complying with the requirements of filing a complaint.

2) The complaint on its face does not state a violation of the ethics laws.

None of the complaints mentioned are referenced in the ethics policy or violations on their face. Even if you assume all in the complaint to be true, it does not constitute a violation of the ethics policy. The complaint should be dismissed based on its face not stating a violation of the ethics laws.

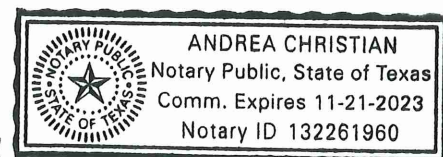
3) This complaint does not allege facts sufficient to constitute a violation of the ethics laws. As mentioned above, the complaint does not represent facts. Even if all statements in the complaint are assumed to be true, it would not constitute a violation of the ethics policy. The complaint should be dismissed by not alleging facts sufficient to constitute a violation of the ethics policy.

I swear or affirm this information is true and accurate

[Signature]

[Signature]
SIGNATURE OF ADMINISTERING OFFICER

SWORN TO AND
SUSCRIBE BEFORE ME BY JEFF CHENEY THIS THE 30TH DAY OF JUNE 2021
TO CERTIFY WHICH, I WITNESS MY HAND AND SEAL OF OFFICE



Formal Ethics Complaint Affidavit

June 14, 2021

I, *Sarah Rouse, a resident of Frisco*, am filing a formal ethics complaint regarding a direct violation of the City of Frisco Code of Ethics Ordinance No. 09-04-25.

Mayor Jeff Cheney, along with his wife Dana Cheney violated this Code of Ethics when, following Wakeland High School Graduation, he and his wife hosted a keg party for underage children at his home located at 3612 Silver Oaks Lane. His 18 year old son, Zach Cheney posted video footage of the party to snapchat and twitter and the full video can be viewed at currentrevolt.com

The blatant disregard for the law and participating in illegal activity is not the manner in which the Mayor of the City of Frisco should be conducting himself. Refusal to address the obvious illegal activity is concerning to the public and simply unacceptable. Providing alcohol to minors is illegal and a threat to public safety.

When this issue was brought up to the Mayor, his response was to silence me, his constituent by blocking me from commenting or posting. I am fully aware that I am not the only constituent that has been blocked from publicly voicing my concerns and questions by Mayor Jeff Cheney. The action of silencing a constituent's voice by refusing to allow comments, concerns, or question, is not only unethical, but a direct violation of my first amendment rights.

I am requesting that the City Attorney, Mr. Robert Abernathy request a timely city council hearing to address the matter and handle this complaint in a fair and impartial manner. I would request that in addition to the evidence I am providing within todays complaint, the City Attorney investigate all communications between the Mayor and City employees including phone records, text messages, emails, etc.

I have faith that the proper enforcement mechanisms will be adhered to following this investigation.

X

Ms. Sarah Rouse

X

Notary

Complaint #1

RECEIVED

JUN 30 2021

The complaint should be dismissed for the following reasons outlined in the ordinance: City Secretary's Office
@ 4:50 p.m. KRM

1) **The Complaint does not comply with the requirements of filing a complaint.**

The ordinance requires the person filing the complaint to provide a statement of facts on which the complaint is based. Ms. Rouse fails to do that and instead provided a statement of opinions, assumptions, and allegations for her basis of the complaint, none supported by facts or evidence. A blog written by a political opinion source known for targeting elected officials is not a source of facts. The facts are contrary to her claim. Regardless, Section 10 referenced as the basis for the complaint does not refer to any of her complaints. In addition, she provides no facts to support her claims and as such, this is not a statement of facts but instead statement of opinion, assumptions, or allegations. This complaint should be dismissed for not complying with the requirements of filing a complaint.

2) **The complaint on its face does not state a violation of the ethics laws.**

None of the complaints mentioned are referenced in the ethics policy. The complaint should be dismissed based on its face not stating a violation of the ethics laws.

3) **This complaint does not allege facts sufficient to constitute a violation of the ethics laws.**

As mentioned above, the complaint does not represent facts nor do any of the claims represent a violation of the ethics policy. Per ordinance, opinions, assumptions, or allegations are not facts. Even if the complaint is assumed to be true, it does not constitute a violation of the ethics ordinance. The complaint should be dismissed by not alleging facts sufficient to constitute a violation of the ethics policy.

4) **Failure of the complainant to cooperate in the review and consideration of the complaint.** The ordinance requires the complaint to remain confidential. Ms. Rouse continues to post on social media the nature of her complaints and accusations in violation of the requirements of our ordinance. This complaint should be dismissed based on the complainant's failure to meet the confidentiality requirements in the ordinance.

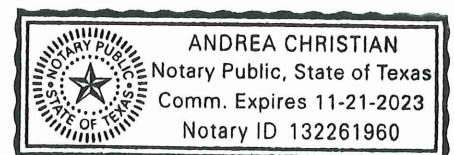
I swear or affirm this information
is true and accurate

JHCF

SWORN TO ME AND SUBSCRIBED BEFORE ME BY JEFF CHENEY, THIS
30TH DAY OF JUNE 2021, TO CERTIFY WHICH, WITNESS MY HAND AND
SEAL OF OFFICE

Andrea Christian

SIGNATURE OF OFFICER ADMINISTERING OATH



Formal Ethics Complaint Affidavit

June 15, 2021

I, *Sarah Rouse, a resident of Frisco*, am filing a formal ethics complaint regarding a direct violation of the City of Frisco Code of Ethics Ordinance No. 09-04-25.

Mayor Jeff Cheney directly violated this Code of Ethics when, beginning on August 12, 2013, he voted in favor of agenda item 3 in special session and then welcomed the Jerry Jones and the Cowboys family to Frisco. It is obvious that Cheney's relationship with the Cowboys franchise was built through his work for the city as a voting council member and, Mayor Pro Tem and ultimately as Mayor, therefore making any profit from the deal is a direct violation of the Code of Ethics and a MAJOR conflict of interest. Without his position within the city in the various roles listed, he may have never developed a relationship with the Cowboys franchise which has led to a very financially lucrative number of real estate deals. **See Exhibit A** Specifically, Mayor Jeff Cheney, acting as The Cheney Group, & Monument Reality, has publicly announced that they are an official real estate partner of the Dallas Cowboys. The mere insinuation of this designation and the pattern of his voting on the matter raises some serious questions in regards to improper economic benefit and the unfair advancement of private interests. **See Exhibit B**

The blatant code of ethics violation is clearly spelled out in Part B: Present City Officials Section 1: Improper Economic Benefit beginning on page 5 and continuing onto page 6 The second area of ethics violation is Section 2: Unfair Advancement of Private Interests on pages 6-7. **See Highlighted areas within Exhibit A**

I am requesting that the City Attorney, Mr. Abernathy request a timely hearing and handle this complaint in a fair and impartial manner. I would request that in addition to the evidence I am providing within today's complaint, the City Attorney investigate all aspects of Mayor Cheney's personal finances in relation to his business dealings in and around the City of Frisco.

I have faith that the proper enforcement mechanisms will be adhered to following this investigation.

X

Ms. Sarah Rouse

X

Notary

Complaint #5

RECEIVED

JUN 30 2021

City Secretary's Office
4:50 pm. REM

The complaint should be dismissed for the following reasons outlined in the ordinance:

1) The Complaint does not comply with the requirements of filing a complaint.

The ordinance requires the person filing the complaint to provide a statement of facts on which the complaint is based. Ms. Rouse fails to do that and instead provided a statement of opinions, assumptions, and allegations for her basis of the complaint, none supported by facts or evidence.

On August 12, 2013, when I voted on the referenced item, Monument Realty was not in existence. I became an independent contractor of Monument Realty in 2021. The owners of Monument realty negotiated an advertising agreement with the Dallas Cowboys without my involvement. I do not know the terms of their advertising contract. Regardless, Ms. Rouse has not identified how such item would be a violation of the ethics policy more than 7 years after the vote nor has she demonstrated any facts to show it would be an economic benefit over \$50,000. As disclosed in my Personal Financial Statement filed with the City Secretary, I do not have any financial interests or economic benefit associated with the Dallas Cowboys deal. In addition, she provides no facts to support her claims and as such, this is not a statement of facts but instead statement of opinion, assumptions, and allegations. This complaint should be dismissed for not complying with the requirements of filing a complaint.

2) The complaint on its face does not state a violation of the ethics laws.

None of the complaints mentioned are referenced in the ethics policy. Even if the complaint is assumed to be true, it does not violate the ethics ordinance. The complaint should be dismissed based on its face not stating a violation of the ethics laws.

3) This complaint does not allege facts sufficient to constitute a violation of the ethics laws.

As mentioned above, the complaint does not represent facts. Even if all statements in the complaint are assumed to be true, it would not constitute a violation of the ethics policy. The complaint should be dismissed by not alleging facts sufficient to constitute a violation of the ethics policy.

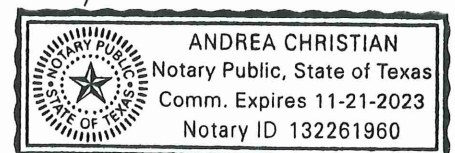
I swear or affirm this
information is true and accurate

Jeff Cheney

SWORN TO AND SUBSCRIBED BEFORE ME BY JEFF CHENEY THIS THE 30TH
DAY OF JUNE 2021, TO CERTIFY WHICH, WITNESS MY HAND AND SEAL OF OFFICE

Andrea Christian

SIGNATURE OF OFFICER ADMINISTERING OATH



Formal Ethics Complaint Affidavit

June 15, 2021

I, *Sarah Rouse, a resident of Frisco*, am filing a formal ethics complaint regarding a direct violation of the City of Frisco Code of Ethics Ordinance No. 09-04-25.

Mayor Jeff Cheney indirectly violated this Code of Ethics with his personal business connection to Stillwater, The Associates and Monument Reality. It is a cause for concern in regards to the ethics and the role they play in city development decisions being made. While the mayor did not vote directly on the issue, it is evident that he had meetings and communications via city phone/text/email encouraging other council members and city leaders to approve the agenda items. This creates a major conflict of interests. Any potential personal economic gain from the deal with the PGA is a direct violation of the Code of Ethics and a MAJOR conflict of interest. **See Exhibit A, Exhibit B, Exhibit C**

The association of Jeff Cheney to the investment group handling the PGA (Stillwater) creates a number of red flags that need to be looked into. The public deserves transparency and ethical city decisions from our leaders. **See Exhibit D**

The blatant code of ethics violation is clearly spelled out in Part B: Present City Officials Section 1: Improper Economic Benefit beginning on page 5 and continuing onto page 6 The second area of ethics violation is Section 2: Unfair Advancement of Private Interests on pages 6-7. **See Highlighted areas within Exhibit A**

I am requesting that the City Attorney, Mr. Abernathy request a timely hearing and handle this complaint in a fair and impartial manner. I would request that in addition to the evidence I am providing within todays complaint, the City Attorney investigate all aspects of Mayor Cheney's personal finances in relation to his business dealings in and around the City of Frisco.

I have faith that the proper enforcement mechanisms will be adhered to following this investigation.

X

Ms. Sarah Rouse

X

Notary

Complaint #4

RECEIVED

JUN 30 2021

City Secretary's Office
4:50 p.m. KRM

The complaint should be dismissed for the following reasons outlined in the ordinance:

1) The Complaint does not comply with the requirements of filing a complaint.

The ordinance requires the person filing the complaint to provide a statement of facts on which the complaint is based. Ms. Rouse fails to do that and instead provided a statement of opinions, assumptions, and allegations for her basis of the complaint, none supported by facts or evidence. A blog written by a political opinion source known for targeting elected officials is not a source of facts. The facts are contrary to her claim.

She incorrectly states that the investment group handling the PGA deal is Stillwater Capital (it's Omni Stillwater Woods per agreement with the city) and she also incorrectly alludes that a conflict existed as a result of a personal business connection to Stillwater, The Associates, and Monument Realty (None have a contractual connection to the PGA deal nor are they affiliates). The ordinance defines business as being affiliated "if one is the parent or subsidiary of the other or if they are subsidiaries of the same parent Business Entity." Per ordinance definition, none of the Associates, Stillwater Capital, or Monument Realty meet the ordinance definition of affiliated business, therefore are not affiliated per ordinance.

She states "it is evident that he had meetings and communications via city phone/text/email encouraging other council members and city leaders to approve the agenda items." She provides no evidence as such. In addition, both the City Secretary and City Attorney have knowledge and documentation of me leaving executive session during discussions once I chose to recuse myself.

Here are the facts:

The City of Frisco entered into an agreement with Omni Stillwater Woods, not Stillwater Capital, the Associates or Monument Realty. Stillwater Capital is not the investment group handling the PGA. None of the entities of the Associates, Stillwater Capital or Monument Realty are affiliates of Omni Stillwater Capital. Neither myself, the Associates, Stillwater Capital, nor Monument Realty have any financial interest in the entities mentioned above in connection with Omni Stillwater Woods. As I disclosed in my personal financial statement filed with the city secretary, I do not have any financial interest in the PGA project in any way including Omni Stillwater Woods or any other entities mentioned in this response. The only financial interest I have in any real estate is my personal home and a rental property I have owned for many years. I chose to recuse myself out of an abundance of caution and for full transparency. I was a broker associate with my own business, the Cheney Group, and an independent contractor, not an employee relationship, with the Associates. I left the Associates earlier this year to join Monument Realty. Monument realty also has never had any interest in any of the above mentioned entities. The lack of facts and verifiable disputes to her statements make this complaint a statement of opinions, assumptions, and allegations with no basis in fact. As such, the complaint is not a valid complaint per ordinance and should be dismissed.

2) **The complaint on its face does not state a violation of the ethics laws.**

Even if her statements are assumed to be true, they do not violate the ordinance. The complaint should be dismissed based on its face not stating a violation of the ethics policy. Economic interest is defined as \$50,000 or more and there is no statement of facts in the complaint that would constitute a violation.

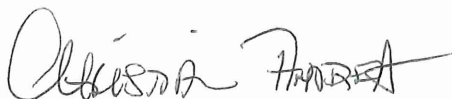
3) **This complaint does not allege facts sufficient to constitute a violation of the ethics laws.**

As mentioned above, the complaint does not represent facts. In addition, even if her statements are assumed to be true, they do not violate the ordinance. Stillwater Capital, the Associates, and Monument Realty do not have any interest in Omni Stillwater Woods or the "PGA deal" nor do they meet the definition of affiliated business. The complaint does not even allege any economic interest in excess of \$50,000. As such, the complaint does not provide any facts that constitute a violation of the ethics policy. Also, my Personal Financial Statement is true and accurate and should be considered as fact as to me having no financial interests in this project or affiliated business. This complaint should be dismissed as the complaint does not allege facts sufficient to constitute a violation of the ethics laws.

I swear or affirm this information
is true and correct



SWORN TO AND SUBSCRIBED BEFORE ME BY JEFF CHENEY THIS
30TH DAY OF JUNE, 2021, TO CERTIFY WHICH, WITNESS MY HAND
AND SEAL OFFICE.



SIGNATURE OF ADMINISTERING OFFICER

