

**Texas Ethics Commission
Executive Session Meeting Minutes**

March 21, 2019

1:30 p.m.

Capitol Extension

Room E1.014

Austin, Texas 78701

COMMISSIONERS PRESENT: Steven D. Wolens, Chair; Chad M. Craycraft, Vice Chair; Randall H. Erben, Chris Flood, Mary K. “Katie” Kennedy, Patrick W. Mizell and Joseph O. Slovacek.

COMMISSIONERS NOT PRESENT: Richard S. Schmidt.

STAFF PRESENT: Margie Castellanos, Nick Espinosa, Betty Gallegos, Domingo Gonzales, Jessie Haug, Cristina Hernández, Jordan Hunn, Haksoon Andrea Low, Amy Padilla, Ian Steusloff, Jim Tinley, and Preston Tom.

MINUTES

This meeting was recorded. These minutes are a summary record of the Commission’s actions at the meeting. For a detailed record of discussions and statements made by persons speaking at the meeting, please consult either the video recording available to view online at: <http://www.house.state.tx.us/video-audio/capitol-events/>, or the audio recordings on file at the Commission’s office.

Agenda Item 1: Call to Order/Roll Call.

The meeting was called to order by Chair Wolens. Ian Steusloff, General Counsel, called the roll. All Commissioners were present except Commissioner Schmidt, who was absent due to unexpected and important business.

Agenda Item 2: Presentation of Certificates of Outstanding Service awards to Former Commissioners Chase Untermeyer and Tom Ramsay.

Chair Wolens, Chase Untermeyer and Tom Ramsay addressed the Commission on this agenda item.

Agenda Item 3: Executive session pursuant to Section 551.071, Government Code, Consultation with Attorneys, and Section 551.074, Government Code, Personnel Matters; Closed Meeting.

Agenda Item 4: Discussion of pending litigation to seek legal advice relating to the following:

A. Cause No. D-1-GN-17-001878: *Texas Ethics Commission v. Michael Quinn Sullivan*, in the 250th Judicial District Court in Travis County, Texas; Cause No. 03-17-00392-CV: *Michael Quinn Sullivan v. Texas Ethics Commission*, in the Third Court of Appeals at Austin, Texas; and Cause No. 18-0580: *Michael Quinn Sullivan v. Texas Ethics Commission*, in the Supreme Court of Texas.

B. Cause No. D-1-GN-14-001252: *Empower Texans, Inc. and Michael Quinn Sullivan v. State of Texas Ethics Commission; Natalia Luna Ashley, in her capacity as Executive Director of the Texas Ethics Commission; Tom Ramsay, individually and in his capacity as Commissioner; et al.*; in the 53rd Judicial District Court of Travis County, Texas; and related case, Cause No. 03-17-00770-CV: *Empower Texans, Inc., and Michael Quinn Sullivan v. Tom Ramsay in his individual capacity, et al.*; in the Third Court of Appeals, Austin, Texas.

C. Cause No. D-1-GN-15-004455: *Texas Ethics Commission v. Empower Texans, Inc. and Michael Quinn Sullivan*, in the 345th Judicial District Court of Travis County, Texas; and related case, Cause No. 03-16-00872-CV: *Empower Texans, Inc., and Michael Quinn Sullivan v. Texas Ethics Commission*, in the Third Court of Appeals, Austin, Texas.

Agenda Item 5: Discussion to seek legal advice regarding referrals and orders under Subchapter F (Enforcement), Chapter 571, Texas Government Code. ~~Subchapter F (Enforcement), Chapter 571, Texas Government Code.~~

Agenda Item 6: Discussion to seek legal advice regarding procedures for advisory opinion requests received by the Texas Ethics Commission.

Agenda Item 7: Discussion to seek legal advice regarding requirements of the Texas Open Meetings Act.

Agenda Item 8: Discussion of personnel matters specifically related to applicants for, and possible appointment to the position of, Executive Director and/or ratification and appointment of Interim or Acting Executive Director.

Agenda Item 9: Discussion to seek legal advice regarding authority and methods to collect delinquent obligations owed to the Commission.

Agenda Item 10: Reconvene in open session and possible appointment and/or ratification by vote on Item 8.

The Commission reconvened in open session. No action was taken.

Agenda Item 11: Discussion and possible action on appeals of determinations made under Ethics Commission Rules §§ 18.25 and 18.26 relating to administrative waiver or reduction of a fine, for the following individual:

1. Daniel “Dan” Wyde (JCOH 58687)

Ian Steusloff, General Counsel, briefed the Commission on this agenda item. Daniel Wyde addressed the Commission. Chair Wolens, Commissioners Flood and Kennedy, Jessie Haug, Director of Computer Services and Director of Disclosure Filing, and Mr. Steusloff responded with questions and comments. Motion by Commissioner Flood to waive fines; second by Commissioner Erben. **Motion passed by a vote of seven ayes.**

The following represents the actions taken by the Commission in the order they occurred during the meeting.

Agenda Item 3: Executive session pursuant to Section 551.071, Government Code, Consultation with Attorneys, and Section 551.074, Government Code, Personnel Matters; Closed Meeting.

Agenda Item 10: Reconvene in open session and possible appointment and/or ratification by vote on Item 8.

The Commission reconvened in open session. No action was taken.

Agenda Item 12: Adjourn.

Motion to Chair Wolens to adjourn. **Commission meeting adjourned by unanimous consent.**

Meeting adjourned at 5:15 p.m.