



**TEXAS ETHICS COMMISSION MEETING**  
**Morning Meeting Minutes**  
February 13, 2014, 9:02 a.m.  
Capitol Extension, Room E1.010  
Austin, Texas 78701



**COMMISSIONERS PRESENT:** Jim Clancy, Chair; Paul W. Hobby, Vice Chair; Hugh C. Akin, Wilhelmina Delco, Tom Harrison, Bob Long, Tom Ramsay, and Chase Untermeyer.

**COMMISSIONERS NOT PRESENT:** None.

**STAFF PRESENT:** Natalie Adelaja, Natalia L. Ashley, Amy Barden, Lauren Bellomy, Margie Castellanos, Homer Diaz, Robbie Douglas, Nick Espinosa, Jessie Haug, Becky Levy, Bobby Mannas, John Moore, Mike McElhaney, Melissa Ramos, Ian Steusloff, and Patty Williams.

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**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 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 Clancy. Natalia Luna Ashley, Interim Executive Director, called the roll. All Commissioners were present.

**Agenda Item 2: Communication to the Commission from the public.**

None.

**Agenda Item 3: Approve minutes for the following meetings: Executive session (personnel matters) – December 3, 2013; AM public meeting – December 3, 2012; and PM public meeting – December 3, 2013.**

Vice Chair Hobby requested staff to include Commissioner Mendoza's resignation date as of October 31, 2013, into the minutes. Chair Clancy also asked staff to change "absent" to "not present". Motion by Vice Chair Hobby to accept minutes with changes; second by Commissioner Long. **Motion passed by a vote of eight ayes.**

**Agenda Item 4: Presentation of Outstanding Performance of Duty Certificates to Paula M. Mendoza, David A. Reisman, and Tim Sorrells.**

Vice Chair Hobby introduced this agenda item to the Commission. Chair Clancy briefed the Commission on Tim Sorrells' outstanding performance of duties and presented him with a certificate. Mr. Sorrells thanked the Commission for his certificate.

Vice Chair Hobby introduced Commissioner Mendoza in absentia. Chair Clancy briefed the Commission on Commissioner Mendoza's outstanding performance of duties and presented her certificate.

Chair Clancy briefed the Commission on David A. Reisman's outstanding performance of duties and presented him with a certificate. Mr. Reisman thanked the staff and Commission for their hard work and team effort.

**For Agenda Items 5 through 16, the following represents the actions taken by the Commission in the order they occurred during the meeting.**

**Agenda Item 5: Presentation on and discussion of the electronic filing system project by RFD & Associates, Inc.**

Chair Clancy introduced this agenda item to the Commission. Tom Lynch, Client Engagement Manager, Erik Dietz, Project Manager, and Scott T. Glover, Software Development, with RFD & Associates, Inc., gave a detailed briefing on the electronic filing software. Chair Clancy requested screen shots of the contributions, expenditures, and home pages of the electronic filing software for the April Commission meeting.

**Chair Clancy moved to Agenda Item 7.**

**Agenda Item 7: Public discussion and possible action regarding the search functionality on the Commission's website used to obtain the contribution and expenditure data of campaign finance reports.**

Chair Clancy introduced this agenda item to the Commission. Chair Clancy included an example to help explain the problem with the search functionality on the Commission's website. Natalia Luna Ashley, Interim Executive Director, briefed the Commission on this agenda item and explained the change that has been made to address the problem.

**Chair Clancy moved to Agenda Item 6.**

**Agenda Item 6: Public discussion and possible action on a proposed guide regarding the per diem set by the Commission.**

Commissioner Untermeyer briefed the Commission on this agenda item. Vice Chair Hobby and Commissioners Untermeyer and Harrison recommended changes to the proposed guide. Chair Clancy requested a final draft of the guide be presented at the April Commission meeting.

**Chair Clancy moved to Agenda Item 8.**

**Agenda Item 8: Discussion and possible action regarding the distribution to media outlets the resolution regarding the use of complaint information adopted by the Commission at the December 2013 meeting.**

Chair Clancy introduced this agenda item to the Commission. Mr. Clancy indicated he would like the resolution sent to media outlets. Vice Chair Hobby mentioned he would eventually like to adopt a rule for the resolution. Motion by Commissioner Untermeyer to send the resolution to media news outlets; second by Commissioner Long. **Motion passed by a vote of eight ayes.**

**Agenda Item 9: Public discussion and possible action on the adoption or proposal in the Texas Register of new Texas Ethics Commission Rule § 22.5 regarding contributions to direct campaign expenditure only committees and a form to implement the rule.**

Natalia Luna Ashley, Interim Executive Director, mentioned no public comment was received on this agenda item. Motion by Commissioner Untermeyer to adopt new Texas Ethics Commission Rule § 22.5; second by Commissioner Harrison. **Motion passed by a vote of eight ayes.**

**Agenda Item 10: Public discussion and possible action on the proposal and publication in the Texas Register of new Texas Ethics Commission Rule § 20.64 regarding reporting the forgiveness of a loan.**

Natalia Luna Ashley, Interim Executive Director, briefed the Commission on this agenda item. Motion by Commissioner Delco to publish for public comment proposed new Texas Ethics Commission Rule § 20.64; second by Commissioner Untermeyer. **Motion passed by a vote of eight ayes.**

**Chair Clancy moved to Agenda Item 13.**

**Agenda Item 13: Discussion of Opinion Request AOR-584: Whether a city may permit a political committee to participate in a city-sponsored “adopt-a-park” program, whereby the city purchases and displays within the park a sign that includes the name of the political committee in exchange for the political committee’s clean-up activities within the park.**

Chair Clancy briefed the Commission on this agenda item. Motion by Commissioner Untermeyer to adopt AOR-584; second by Commissioner Harrison. **Motion passed by a vote of eight ayes.**

**Chair Clancy moved to Agenda Item 12.**

**Agenda Item 12: Discussion of Opinion Requests AOR-581 and AOR-582: Questions regarding the reporting requirements for a registered lobbyist under section 305.005(m) of the Government Code.**

Chair Clancy introduced this agenda item to the Commission. Motion by Commissioner Ramsay to adopt AOR-581 and AOR-582; second by Commissioner Delco. **Motion passed by a vote of eight ayes.**

**Chair Clancy moved to Agenda Item 11.**

**Agenda Item 11: Public discussion and possible action on a petition for rulemaking relating to the disclosure of funds used for direct campaign expenditures when the funds used to make the expenditures come from someone other than the person or entity doing the spending.**

Steve Bresnen, on behalf of himself, spoke before the Commission on this agenda item. Specifically, Mr. Bresnen introduced his petition for rulemaking regarding disclosure of funds used to make certain direct campaign expenditures. Craig McDonald, on behalf of Texans for Public Justice, spoke before the Commission on this agenda item. Matthew Harter, on behalf of Public Citizen, spoke before the Commission on this agenda item. Jack Gullahorn, on behalf of Professional Advocacy Association of Texas (PAAT), spoke before the Commission on this agenda item. Chris Gober, on behalf of himself, spoke before the Commission on this agenda item. Motion by Commissioner Delco to publish for public comment proposed new Texas Ethics Commission Rule § 20.68; second by Commissioner Untermeyer. Chair Clancy and Vice Chair Hobby voted no. **Motion passed by a vote of six ayes.**

**Chair Clancy moved to Agenda Item 14.**

**Agenda Item 14: Comments by the Interim Executive Director.**

Natalia Luna Ashley, Interim Executive Director, made the following comments:

1. Ms. Ashley introduced Commissioner Delco and the new Director of Enforcement, John Moore;
2. Ms. Ashley mentioned the retirement of Becky Levy, Director of Disclosure Filings;
3. Ms. Ashley introduced Robbie Douglas as the new Director of Disclosure Filings;
4. Ms. Ashley informed the Commission that in January 2014 the Commission received approximately 16,000 phone calls and sent approximately 19,000 email notices for recent filing deadlines;
5. Ms. Ashley mentioned the callers that took the time to call the Commission and thank staff for helping them file their reports before the filing deadline; and
6. Ms. Ashley informed the Commission of the three educational training events that took place in Austin in January 2014 in which staff participated.

**Agenda Item 15: Comments by the Commissioners.**

Commissioner Delco mentioned she is honored to be back and hopes to make a meaningful contribution to the Commission.

Chair Clancy expressed the importance of having paid lobbyists register with the state of Texas.

Commissioner Untermeyer asked about the status of the next training symposium. Natalia Luna Ashley, Interim Executive Director, indicated due to the lack of staffing resources the Commission has placed training symposiums on hold.

**Agenda Item 16: Adjourn.**

Motion by Commissioner Ramsay to adjourn; second by Commissioner Delco. **Motion passed by unanimous consent.**