

## ETHICS COMMISSION MEETING

The Ethics Commission of the City of Kyle, Texas met on June 30, 2014 at 7:00 pm at Kyle City Hall, with the following persons present:

Gary Rush  
Fidel Alvarez  
Felicia Svendsen  
Christina Vaca  
Robert Saul  
Raven Scott  
City Attorney Frank Garza

### CALL MEETING TO ORDER

Chairman Gary Rush called the meeting to order at 7:00 pm.

### ROLL CALL

Chairman Gary Rush called for roll call. Present were Chairman Gary Rush, Commissioner Fidel Alvarez, Commissioner Felicia Svendsen and Commissioner Christina Vaca, Commissioner Robert Saul and Commissioner Raven Scott.

Commission Members Cohee was absent.

### APPROVAL OF MINUTES

ETHICS COMMISSION MEETING, FEBRUARY 26, 2014 ~ AMELIA SANCHEZ,  
CITY SECRETARY

Commission Chairman Rush moved to approve the February 26, 2014 minutes ..  
Commissioner Vaca seconds the motion. All aye. Motion carried.

### INTRODUCTION OF NEW ETHICS COMMISSION MEMBERS

- Robert Saul
- Raven Scott
- Fidel Alvarez

Chairman Rush introduced new members Robert Saul, Raven Scott and Fidel Alvarez and asked them to give everyone a little information about themselves.

### EXECUTIVE SESSION

CONVENE INTO EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEX. GOV'T CODE, AND SECTION 1.05, TEX. DISCIPLINARY RULES OF PROFESSIONAL CONDUCT TO CONSULT WITH LEGAL COUNSEL

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REGARDING DISCUSSION OF ETHICS COMPLAINTS AGAINST CITY OFFICIAL  
AND CITY EMPLOYEE.

Chairman Rush moved to Convene into Executive Session at 7:04 p.m. pursuant to Section 551.071, Tex. Gov't Code, and Section 1.05, Tex. Disciplinary Rules of Professional Conduct to Consult with Legal Counsel regarding discussion of ethics complaints against City Official and City Employee.

RECONVENE INTO OPEN SESSION TO TAKE ACTION AS DEEMED  
APPROPRIATE IN THE DISCRETION OF ETHICS COMMISSION (BOARD)  
REGARDING THE ETHICS COMPLAINTS AGAINST CITY OFFICIAL AND CITY  
EMPLOYEE

Chairman Rush moved to Reconvene into Open Session at 7:54 p.m. to take action as deemed appropriate in the discretion of Ethics Commission (Board) regarding the ethics complaints against City Official and City Employee. Commissioner Vaca seconds the motion.

Commissioner Vaca moved to dismiss the Ethics complaint against the City Attorney Ken Johnson due to Part B Section 12 of the Ethics Code states that the City Attorney is not a City Official or Employee for purposes of the Ethics Code, more over it is strongly recommended that the City Council revise the Ethics Code to eliminate that provision and require the City Attorney to be defined as a City Employee for purposes of the Ethics Code. Commissioner Svendsen seconds the motion.

Commissioner Scott moved that the complaint filed against Becky Selbera warrants investigation and the complainant Ms. Selbera and all other witnesses be notified of the complaint and possible hearing date, furthermore Becky Selbera be provided a copy of the complaint and given the opportunity to respond in accordance with the Ethics Code. Robert Saul seconds the motion. All aye. Motion carried.

Robert Saul stated that at this time he would like to recues himself due to his familiarity with the complainant.

Attorney Frank Garza stated they would proceed providing Council Member Selbera with a copy of the complaint and under the Ethics Code she would have 14 days to respond to the complaint, once her response is received the complainant will get a copy of her response and complainant will have 7 days to respond to her. Once both responses are received the Commission would set a date and call witnesses that were discussed to come in and provide further testimony with regards to the allegations. He also stated for the record there were 2 recusals that will not participate due to one having familiarity with Mr. Fulton and the second because the Ethics Code states specifically if a complaint if filed against a Council Member the person appointed by that Council Member must recuse themselves and cannot participate in that hearing.

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ADJOURN

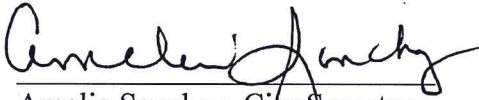
With no further business to discuss Commissioner Svendsen moves to adjourn. Commissioner Scott seconds the motion. All votes aye. Motion carries.

The Ethics Committee meeting adjourned at 7:59 p.m.



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Gary Rust, Chairman



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Amelia Sanchez, City Secretary