



TEXAS ETHICS COMMISSION MEETING MINUTES

Executive Session Meeting Minutes

September 28, 2022, 3:13 p.m.

10th Floor, Sam Houston State Building

Austin, Texas 78701



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

COMMISSIONERS NOT PRESENT: All Present.

STAFF PRESENT: Brandon Barrett, Margie Castellanos, Carmen Dalpiaz, Jessie Haug, Jordan Hunn, J.R. Johnson, Natalie McDermon, Amy Padilla, Patti Shannon, Jim Tinley and Bill Wilson.

MINUTES

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 Kennedy. J.R. Johnson, Interim Executive Director, called the roll. All Commissioners were present.

Commissioner Slovacek left the meeting during Agenda Item 2.

Agenda Item 2: Executive session pursuant to Section 551.071, Government Code, Consultation with Attorneys, and Section 551.074, Government Code, Personnel Matters; Closed Meeting.

- A. Discussion of pending litigation to seek legal advice relating to the following:
- i. 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; Cause No. 03-21-00033, *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.

- ii. 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.
 - iii. Cause No. D-1-GN-21-003269, *Michael Quinn Sullivan v. Texas Ethics Commission*, in the 459th Judicial District Court in Travis County, Texas.
 - iv. Cause No. 22-CV-1130, *Matt Wiggins v. Texas Ethics Commission*, in the 122nd Judicial District of Galveston County, Texas
- B. Discussion of contemplated litigation to seek legal advice relating to regarding the collection of imposed penalties.
 - C. Discussion of contemplated litigation to seek legal advice relating to the enforcement of Section 253.007 of the Election Code.
 - D. Discussion of personnel matters, including the positions of Executive Director and General Counsel.
 - E. Reconvene in open session.

Reconvened in open session at 4:34 p.m.

Agenda Item 3: Discussion and possible action regarding the appointment of Executive Director and General Counsel.

Motion by Vice Chair Erben to appoint J.R. Johnson as Executive Director and Jim Tinley as General Counsel of the Texas Ethics Commission; second by Commissioner Schmidt. **Motion passed by a vote of 7 ayes; Commissioner Slovacek was absent. Chair Kennedy stated that Commissioner Slovacek agreed wholeheartedly with these appointments but had to leave before the vote.**

Agenda Item 4: Adjourn.

Meeting adjourned at 4:36 p.m. by unanimous consent.