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October 18, 2019

FIRST CLASS MAIL
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Mr. Stuart Blaugrund
Complainant
6416 Camille
Dallas, Texas 75252

RE: Determination By El Paso Ethics Review Commission

Dear Mr. Blaugrund:

In fulfillment of its duty to review, evaluate and issue determinations on ethics complaints you filed with the City of El Paso, the Ethics Review Commission (“Commission”) has reviewed the complaints filed on June 11, 2019 and August 28, 2019 and on July 10, 2019 and August 28, 2019, against Mr. Dee Margo, Mayor of El Paso (“Respondent”). See El Paso City Code, Sec. 2.92.030(E) (6). After evaluating the factual allegations and evidence submitted by you and the Respondent, the Commission voted unanimously to dismiss both complaints, as reflected in the action of the Commission’s open meeting held on October 17, 2019. The actions taken by the Commission are summarized as follows:

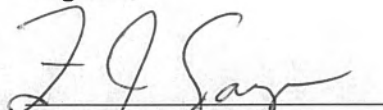
June 11, 2019 and August 28, 2019 Complaint: Commission dismissed this complaint for lacking jurisdiction regarding the allegations under Chapter 572 of Texas Government Code and Chapter 145 of Texas Local Government Code. With regards to allegations of violations of Section 2.92.050, while the Commission determined they had jurisdiction, they found that the evidence failed to state allegations that, if true, constituted a violation by the Mayor of the City Ethics Code and therefore the Complaint was unanimously dismissed.

July 10, 2019 and August 28, 2019 Complaint: Commission dismissed this complaint for lacking jurisdiction regarding the allegations under Chapter 572 of Texas Government Code because state law provides other criminal and civil authorities with exclusive jurisdiction to review, evaluate, determine and penalize alleged violations of state public information laws, and therefore the Complaint was unanimously dismissed.

Because the Commission has determined that the allegations in both complaints either concern matters beyond the Commission’s jurisdiction or fail to provide adequate factual support for alleged violations of the City Ethics Code, there is no need for the Commission to exercise its discretionary authority to engage in conducting a hearing of these matters through requests for witness testimony, production of additional evidence, or hearing of oral arguments by the parties.

No further action by the Commission is required and therefore, this matter is final.

Regards,



Frank J. Garza
Special Counsel to the
Ethics Review Commission

cc: Ethics Review Commission Members
Ms. Karla M. Nieman, City Attorney
Ms. Laura D. Prine, City Clerk