

**To: Board of Ethics Members,  
JoAnn Touchstone, Secretary, City of Lakeway**

**Re: Mayor Bain; Complaints alleged by Jean Hennagin**

On February 14, 2018, the appointed Subcommittee reviewed the complaint made by City Council member Jean Hennagin against Mayor Joe Bain.

The subcommittee reviewed the complaint together with Article 2.04 Code of Ethics, Division 2, Sec. 2.04.031 General Prohibitions, (6) Hindrance, and previous agendas. The subcommittee finds that none of Ms. Hennagin's complaints are substantiated as possible ethics violations under the Code.

Ms. Hennagin made allegations related to Mayor Bain's handling of the Charter Review Committee recommendations to amend the Lakeway City Charter. She claims that the following specific allegations were violations of Article 2.04 Code of Ethics, Division 2, Sec. 2.04.03 General Prohibitions, (f) Hindrance. [We assume that the complaint was intended to be for Article 2.04 Code of Ethics, Division 2, Sec. 2.04.031 General Prohibitions, (6) Hindrance.] First, Ms. Hennagin alleges that the description on the agenda was not specific and there was not notice that there would be citizen participation or action taken. The agenda is as specific as they have been in the past and along with the meeting packet, it is clear what would be discussed. Further, the agenda did state that there would be citizen participation, and discussion/action, which is the same as the other agendas in the past.

Second, Ms. Hennagin states that the meeting was supposed to be a working session. She states that this was in emails between the members. This does not rise to the level of a hindrance under the Code.

Third, Ms. Hennagin states that Mayor Bain showed bias by allowing former Mayor Dave Deome to speak for 5:55 minutes during the citizen participation. This is a judgment call and does not rise to the level of a hindrance under the Code.

The subcommittee does not believe that any ethical complaints were made. Ms. Hennagin may have procedural complaints, but most were directed at judgment calls. There isn't anything alleged that raises to the level of a hindrance under 2.04.031(6).

As such, Ms. Hennagin's complaint is dismissed as Frivolous as these terms are defined by the Code.

Board of Ethics Subcommittee members:

Jessica A. Putonti, Chair

Gerald Astorino

Matt Boucher