



Ethics Review Commission

MAYOR
Oscar Leoser

November 20, 2023

CITY COUNCIL

FIRST CLASS MAIL
& EMAIL: [REDACTED]

District 1
Brian Kennedy

Ms. Claudia Rodriguez
[REDACTED]
El Paso, TX 79936

District 2
Alexsandra Anello

District 3
Cassandra Hernandez

Re: LETTER OF REPRIMAND

District 4
Joe Molinar

Dear Ms. Rodriguez:

District 5
Isabel Salcido

On August 28, 2023, Phillip Laign filed a sworn Complaint against you alleging violations of Sections 2.92.030 (1) and (7) of the Ethics Code. This Complaint alleged you misused the City issued fuel card based on the findings of the May 1, 2023 City’s Internal Audit Office for report for calendar year 2022.

District 6
Art Flerro

On November 8, 2023, the Ethics Commission convened in a formal hearing to consider the complaint. After considering all testimony and evidence submitted by Mr. Laign and the fact you chose not to appear to rebut the allegations, the Ethics Commission unanimously found by clear and convincing evidence that you violated Sections 2.92.030 (1) and (7) of the Ethics Code, as contained in the Complaint.

District 7
Henry Rivera

District 8
Chris Canales

Section 2-92.030 (A) of the Ethics Code states:

INTERIM
CITY MANAGER
Cary Westin

(1) - Shall not use their official positions improperly to secure unwarranted privileges or exemptions for themselves, relatives, or others. This provision does not preclude officers or employees from acting in any manner consistent with their official duties or from zealously providing public services to anyone who is entitled to them;

(7) - Shall not utilize city resources or by omission allow city resources to be utilized for personal benefit or the personal benefit of any other person or entity, except to the extent that the benefit received is strictly incidental to the performance of official duties, or to the extent that the person is entitled by law to obtain public services from the city;

The evidence presented to the Ethics Commission showed by clear and convincing evidence that you did use your position as a City Representative to secure unwarranted privileges for yourself. Moreover, the evidence showed that you did use the fuel card for your personal





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benefit and therefore there was an intentional misuse of the city issued fuel card. Attached please find a copy of the Determination of the Ethics Review Commission.

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In accordance with 2.92.200 (D) (4) of the Ethics Code, a **Letter of Reprimand** may be issued when the Ethics Review Commission finds that a violation of the Ethics Code has occurred and also finds that the violation was intentional or a disregard for the Ethics Code. You are therefore Reprimanded concerning the violations which were found and respectfully request to be mindful of the provisions of the Ethics Code, especially Article 2 of the Ethics Code related to the Standards of Conduct for former City Officials.

By: 
Vice-Chair Elena Grasheim
Ethics Review Commission

Cc: Mayor and City Council
Cary Westin, Interim City Manager
Karla Nieman, City Attorney

**INTERIM
CITY MANAGER**
Cary Westin