


From: Bill Aleshire bill@aleshirelaw.com 
Subject: RE: Ethics Review Commission
Date: August 24, 2023 at 12:56 PM
To: Ken Martin ken@theaustinbulldog.org

BA

Mr. Espinoza seems blind to (and did not address in his comment to you) the conflict of interest upon which we requested his recusal. Because he is married to a Council Member (Ellis) who must get along with her colleague Velasquez, Espinoza's participation in the hearing raises issue of whether he was addressing the issue objectively without outside considerations. His vote to reduce the sanction against Velasquez can be viewed as doing what was best for his wife's relationship with Velasquez. The situation left the appearance that his vote was influenced by his marriage to the Council Member. It was a dilemma for Mr. Espinoza that would have been avoided only by his recusal. Since that was his first meeting of the ERC, perhaps, over time, he will grow into higher standards for what constitutes a conflict of interest or the appearance of a conflict of interest.

As far as his vote to support finding that the violation occurred, he did so only after Velasquez's attorney formally admitted that the violation occurred, after initially trying to defend it.

Bill Aleshire

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From: Ken Martin <ken@theaustinbulldog.org>
Sent: Thursday, August 24, 2023 12:36 PM
To: Bill Aleshire <bill@aleshirelaw.com>
Subject: Fwd: Ethics Review Commission

Please review Espinoza's comment and respond with yours.

Thanks

Ken
Sent from my iPhone

Begin forwarded message:

From: "Espinoza, Edward - BC" <BC-Edward.Espinoza@austintexas.gov>
Date: August 24, 2023 at 12:08:38 PM CDT
To: Ken Martin <ken@theaustinbulldog.org>
Subject: Re: Ethics Review Commission

Mr. Martin,

Thank you for your email. I could not respond sooner as I was advised not to discuss matters currently before the commission. Now that the matter is settled, I offer the following statement. This is the only statement I will offer.

The question of recusal assumes that CM Velasquez expects favorability, whereas I assume that he - and anyone coming before the commission - expects fairness, and that's exactly what I intend to offer.

I believe it was appropriate to move forward with sanctions, which is why I seconded the motion to take action, though I also believe that corrective action taken by CM Velasquez was worth consideration.

My position is that a letter of notification would be appropriate given that this was a preliminary hearing in which the respondent was not required to attend, and that a fair consideration of a letter of admonition should be reserved for an actual hearing, where the respondent would be present to defend himself, and with additional evidence to review.

The matter is now settled.

From: Ken Martin <ken@theaustinbulldog.org>

Sent: Wednesday, August 16, 2023 12:34 PM

To: Espinoza, Edward - BC <BC-Edward.Espinoza@austintexas.gov>

Subject: Ethics Review Commission

You don't often get email from ken@theaustinbulldog.org. [Learn why this is important](#)

External Email - Exercise Caution

Good Afternoon, Commissioner Espinoza,

On July 15th I published a story about the ethics complaint filed against City Council Member Jose Velasquez. See <https://theaustinbulldog.org/velasquez-hit-with-ethics-complaint/>

It's my understanding that the Ethics Review Commission will conduct a Preliminary Hearing concerning this complaint at its August 23rd meeting (although the agenda has not yet been posted).

I'm writing to ask if you plan to recuse yourself from participating in that hearing.

I ask because, as you probably know, some concerns have been expressed about your participation because you are married to Council Member Paige Ellis, and she needs to have a working relationship with Council Member Velasquez.

I do plan to cover the Preliminary Hearing and publish a story about the outcome, so I would appreciate a response at your earliest convenience about whether you plan to participate or to recuse yourself.

I look forward to getting your response,

Ken

Ken Martin
Founder, Editor & Publisher
The Austin Bulldog



Nonprofit investigative reporting in the public interest

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Edward Espinoza
Boards and Commissions

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