

**CITY OF AUSTIN ETHICS REVIEW COMMISSION**

**Matthew Mackowiak**  
Complainant

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**Complaint No. 20190719**

v.

**Natasha Harper-Madison**  
Respondent

**ORDER ON FINAL HEARING**

**I. PROCEDURAL HISTORY**

On July 17, 2019, Matthew Mackowiak (“Complainant”) submitted to the Austin City Clerk (“City Clerk”) a Sworn Complaint (“the Complaint”) against Natasha Harper-Madison (“Respondent”). On July 17, 2019, the City Clerk’s Office sent a copy of the Complaint and a notice of filing to the City Attorney, the Chair of the Ethics Review Commission (“the Commission”), Complainant, and Respondent.

The Complaint alleged that Respondent violated City Code Section 2-2-7 (Commencement of Campaign Period) of Code Chapter 2-2 (Campaign Finance) and Article III Section 8 of the City of Austin Charter.

On November 21, 2019, a Notice of Preliminary Hearing was issued to the parties that set the preliminary hearing before the Commission for December 11, 2019, and advised Complainant and Respondent of the procedures for the hearing. (Due to unavailability of the parties, conflicts with City Council meetings, and lack of a quorum of the Commission, the Chair granted several preliminary hearing postponement requests of the parties for the August through November meetings of the Commission.)

On December 11, 2019, the Commission held a preliminary hearing and determined that the Respondent acknowledged violating City Code Section 2-2-7 (Commencement of Campaign Period) and Article III Section 8 of the City of Austin Charter.

The agenda for the December 11, 2019 meeting of the Commission and preliminary hearing in this matter was timely posted on December 6, 2019. The preliminary hearing was properly noticed in accordance with Chapter 2-7 of the City Code and the Texas Open Meetings Act. The Commission has jurisdiction over City Code Chapters 2-2 (Campaign Finance) and 2-7 (Ethics and Financial Disclosure).

At the preliminary hearing, Complainant's counsel described evidence in support of the allegations. Respondent and Respondent's attorney described evidence, including actions taken by respondent to remedy the violation.

6. Counsel for both parties provided arguments of law.

## **II. FINDINGS OF FACT**

1. Complainant's counsel of record, Donna Garcia Davidson, appeared at the hearing.
2. Respondent Harper-Madison and her counsel of record, Andrew Cates, appeared at the hearing.
3. During the hearing, Respondent acknowledged violating City Code Section 2-2-7 and Article III Section 8 of the Charter.

## **III. CONCLUSIONS OF LAW**

1. Under City Code Section 2-7-44(B), "[i]f the respondent agrees that a violation has occurred, the respondent may so state and the commission may consider the appropriate sanction or prosecution."
2. Under Code Section 2-7-26, the Commission has jurisdiction of alleged violations of City Code Chapters 2-2 (Campaign Finance) and Article III, Section 8, of the City Charter (Limits on Campaign Contributions and Expenditures).

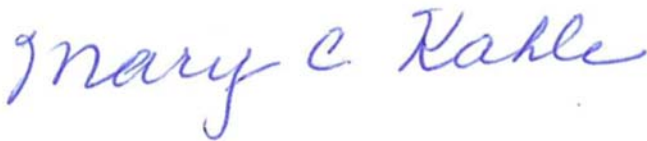
**IV. DETERMINATION OF  
THE ETHICS REVIEW COMMISSION**

At the conclusion of the presentations of the parties at the preliminary hearing, a motion was made and seconded to find that Respondent Harper-Madison acknowledged violation of Code Section 2-2-7 and Article III, Section 8 of the City Charter pursuant to Code Section 2-7-44(B). The motion passed unanimously.

The Commission determined that the appropriate sanction for Respondent's violation is a Letter of Admonition under Section 2-7-48(C)(2) of the Austin City Code. A motion in support of a letter of admonition was made and seconded and passed by a vote of six in favor and one opposed to the motion.

Accordingly, the Commission orders that a letter of admonition be issued to Respondent, Natasha Harper-Madison.

**ORDERED as of the 11th day of December, 2019.**



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Mary Kahle  
Chair, Ethics Review Commission