



MEMORANDUM

TO: Karen Kennard, City Attorney
Ethics Commission
Montserrat Garibay
Laura Pressley

FROM: Jannette Goodall, City Clerk *JG*

DATE: December 5, 2014

SUBJECT: Sworn Complaint

The attached sworn complaint was received on December 5, 2014 in the Office of the City Clerk. It was filed by Montserrat Garibay against Laura Pressley.

Per City Code, Chapter 2-7-41(D), this letter serves as the Office of the City Clerk's acknowledgement that the complaint was received and as notice to all those named above, as required in the code.

Attachment

AUSTIN CITY CLERK
RECEIVED

ETHICS REVIEW COMMISSION
CHAPTER 2-7 CITY CODE
COMPLAINT

2014 DEC 5 PM 3 10

NAME OF PERSON(S) FILING COMPLAINT: Montserrat Garibay

MAILING ADDRESS: 1401 Cripple Creek Dr, Austin, TX 78758

PHONE NUMBER: 512-627-2313

EMAIL ADDRESS: Montserrat.garib@gmail.com

PLEASE FILE A SEPARATE COMPLAINT FORM FOR EACH PERSON
COMPLAINED AGAINST.

NAME OF PERSON COMPLAINED AGAINST: Laura Pressley

CITY OFFICE, DEPARTMENT, COMMISSION: City Council Candidate, District 4

MAILING ADDRESS: 10203 Woodglen Cv Austin TX, 78753

PHONE NUMBER [IF KNOWN]: 512-762-3825

EMAIL ADDRESS [IF KNOWN]: _____

The Ethics Review Commission has jurisdiction to hear complaints alleging violation(s) of the following provisions:

- City Code, Chapter 2-1, Section 2-1-24 (City Boards, Conflict of Interest and Recusal)
- City Code, Chapter 2-2 (Campaign Finance)
- City Code, Chapter 2-7 (Ethics and Financial Disclosure), except for Article 6 (Anti-lobbying and Procurement)
- City Code, Chapter 4-8 (Regulation of Lobbyists)
- City Charter, Article III, Section 8 (Limits on Campaign Contributions and Expenditures)

PLEASE LIST EACH ALLEGED VIOLATION OF THE ABOVE CITY CODE AND
CHARTER PROVISIONS SEPARATELY ON THE FOLLOWING PAGES.

I.

SECTION OF CHARTER OR ORDINANCE VIOLATED: 255.006 (a)

DATE OF ALLEGED VIOLATION: Summer 2015- 12/5/14

ACTIONS ALLEGED TO BE A VIOLATION:

The Pressly Campaign entered into a contract with unknown printers to produce 1000s of signs, fliers, and handbills that misrepresent Ms. Pressley as currently being a City Council Person. All signs are misrepresentation because "the political advertising or campaign communication states the public office sought but does not include the word "for" in a type size that is at least one-half the type size used for the name of the office to clarify that the candidate does not hold that office." as defined by 255.006 (c) (2).

WITNESSES OR EVIDENCE THAT WOULD BE PRESENTED:

Physical examples and photos of said campaign materials.

II.

SECTION OF CHARTER OR ORDINANCE VIOLATED: 255.006 (b)

DATE OF ALLEGED VIOLATION: Summer 2014- 12/5/14

ACTIONS ALLEGED TO BE A VIOLATION:

The Pressly Campaign communications through it's Facebook and Campaign Website Ms. Pressley as currently being a City Council Person. All signs are misrepresentation because "the political advertising or campaign communication states the public office sought but does not include the word "for" in a type size that is at least one-half the type size used for the name of the office to clarify that the candidate does not hold that office." as defined by 255.006 (c) (2).

WITNESSES OR EVIDENCE THAT WOULD BE PRESENTED:

Photos of the following:

FB campaign page:

- Cover photo: each of the 9 campaign signs featured in the cover photo, as well as the cover photo itself
- Candidate conversation
- Lanier HS Homecoming parade
- Photos of store front @ 101 E North Loop Blvd

- Random photo in a neighborhood
- Photo with Running Man
- Fundraiser photo 1, photo 2
- Juneteenth parade/festival photo 1, photo 2, photo 3, photo 4(has 8 signs in picture), photo 5
- campaign photo1 (this one also missing pol adv disclosure!!);campaign photo2, campaign photo3, campaign photo4,campaign photo5, campaign photo6
- Still from video
- Photos from 2012 City Council Campaign
 - photo1, photo2, photo3, photo4, photo5, photo6,photo7, photo8, photo9, photo10, photo11

Campaign website:

- cover photo
- Comparison flyer
- Austinites Savings (2 photos)
- Running Man
- Environmentalists' support
- Wooldrige ES
- Enviromentalists' #2
- Franklin BBQ fundraiser
- Rail Town Hall
- Pressley's Truths
- Getting the Job Done (page has tons of pictures, you may need to look through them)
- Yard Signs (order form)
- Donate & actual donation site
- Casar Declines Invitation
- Endorsements/Supporters

Screen shots from Twitter

- Running Man photo

- Cover photo
- Still from YouTube videos

ALL THE STATEMENTS AND INFORMATION IN THIS COMPLAINT ARE TRUE AND FACTUAL TO THE BEST OF MY KNOWLEDGE.

DATE: 12.5.14

Montserrat AH
COMPLAINANT'S SIGNATURE

Montserrat Garibay
PRINT NAME

STATE OF TEXAS

COUNTY OF TRAVIS

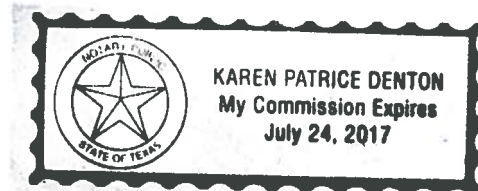
This instrument was acknowledged, sworn to and subscribed before me by

Montserrat Garibay

On the 5th day of December, 2014, to certify which witness my hand and official seal.

Karen Patrice Denton
Notary Public in and for the State of Texas

Karen Patrice Denton
Typed or Printed Name of Notary



THIS FORM MUST BE SUBMITTED TO THE OFFICE OF THE CITY CLERK.