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BEFORE THE ETHICS COMMISSION
OF THE CITY OF CORPUS CHRISTI, TEXAS

In re: Ethics Complaint of
Sondra K. Meyer
against
Council Member Kaylynn Paxson, Respondent
Complaint filed May 1, 2026
City Attorney preliminary determination issued May 12, 2026

RESPONDENT KAYLYNN PAXSON'S WRITTEN RESPONSE

Submitted pursuant to City of Corpus Christi Code of Ethics, Section 2-330(e)(3)

Introduction

Council Member Kaylynn Paxson, by and through her attorney Kevin O'Hanlon, submits this written response to the ethics complaint filed by Sondra K. Meyer on May 1, 2026. This response is submitted under Section 2-330(e)(3) of the City of Corpus Christi Code of Ethics. The Commission has this complaint on its agenda for the May 21, 2026 meeting under the item addressing outstanding ethics complaints. Respondent asks that the Commission consider this response at that meeting and, for the reasons set out below, determine not to schedule a hearing and take no further action on the complaint.

The City Attorney's May 12, 2026 preliminary review found only that the complaint is sufficient as to form and that it alleges facts which, if true, would state a prima facie violation. Section 2-330(e)(1). That is a threshold screen. It is not a finding that Council Member Paxson did anything wrong. Taken on its own terms, the complaint does not describe a violation of the single rule it invokes, Section 2-311(8)(e). The conduct it complains of, asking that items be placed on a council agenda, speaking in council deliberations, and casting votes, is the ordinary and lawful work of an elected council member. None of it fits the rule.

I. The rule the complaint invokes

The complaint relies on one provision, Section 2-311(8)(e). As quoted in the complaint, that section provides that elected city officials may not:

> *use their position to influence the action of a city official or city employee in the performance of their duties related to a contract or business transaction involving an individual or organization who contributed to the official's campaign contributions during the most recent election either directly, or indirectly via a third party.*

By its terms, the rule requires several things together: (1) the official used her position; (2) to influence the action of a city official or city employee; (3) in the performance of that other person's duties; (4) related to a contract or business transaction; (5) involving a person or organization; (6) who contributed to her campaign during the most recent election. The complaint fails on more than one of these elements, each one independently fatal.

II. The complaint does not allege that Council Member Paxson influenced any city official or employee

The rule reaches a narrow thing: using one's position to influence the action of a city official or city employee in how that other person performs their duties. Casting one's own vote is not influencing another official. Speaking during deliberation is not influencing an employee. Co-signing a three-signature memorandum to place an item on the agenda is the exercise of a procedural right that belongs to council members under Council Policy 16.d. It asks the City Secretary to calendar an item, which is a ministerial act, and it does not direct or pressure any official or employee in the performance of their duties.

The complaint concedes the point. It states that the only way for Council Member Paxson to have avoided the rule would have been to refrain from participation in city business, that without participating her name would not appear on the three-signature memoranda, and that she would not have voted. The Code of Ethics does not require an elected official to stop doing her job. A reading of the rule that turns ordinary deliberation and voting into a violation is not what the rule says.

III. The specific actions in the complaint are ordinary Council functions, taken in good faith on the advice of the City Attorney

The complaint lists a series of dated Council actions. Each is an ordinary governmental function, and none is an effort to influence a city official or employee about a contract or business transaction involving a contributor.

The January 27, 2026 vote to postpone a Police Department presentation was a procedural decision about the management of an agenda item. The February 17, 2026 meeting was a public presentation by outside counsel and the Police Department. Participating in public meeting business, and managing the timing of an agenda item, is core Council work, not influence over an employee about a contract.

The March 18 and March 24, 2026 actions concerned correcting the City's Legistar and agenda records to match the official record. Asking that the public record be accurate is a transparency and accountability function. It is not a contract or a business transaction.

The March 11, March 24, and April 14, 2026 actions concerned a removal petition and articles of impeachment brought by a community member under the City Charter. The Council took up that citizen-initiated process after receiving advice from the City Attorney. Council Member

Paxson is sworn to uphold the City Charter, and presiding over a Charter process on the advice of counsel is the performance of her official duty.

Across every item, Council Member Paxson acted in her official capacity, in good faith, on the advice of the City Attorney, and to keep the City's processes and records accurate and open to the public. The receipt or submission of materials from a member of the public, including from Mr. David, confers no benefit on her and does not change that.

IV. None of the matters was a contract or business transaction involving a contributor

The rule applies only where the alleged influence concerns a contract or business transaction involving a campaign contributor. The matters the complaint lists are not contracts or business transactions, and none involves the named contributors as a party. Those matters are an internal review of the City Auditor's conduct and compensation, whether to retain outside counsel, correcting the City's Legistar records to match the official record, and the petition and articles to remove the Mayor.

The removal of a sitting mayor is a governance and disciplinary proceeding, not a business deal. The auditor matter and the records correction are internal oversight. The one item that involves an actual agreement, the Homewood Suites Type B economic development incentive, is a contract between the City and the developer, Elevate QOF, LLC. The contributors named in the complaint, Mr. David and his hotel entities, are not parties to that incentive. They are competitors who opposed it. Mr. David has no contract or business transaction with the City. He is a litigant who sued the City and a citizen whose allegations the Council addressed through investigation and a Charter process. Considering those allegations, keeping the public record accurate, and weighing a citizen's removal petition is not using a position to favor a contributor's contract or business transaction, because the contributor has none before the Council. The rule's reference to a contribution made indirectly via a third party describes how a contribution reaches an official; it does not turn a contributor's opposition to another company's incentive into a business transaction involving the contributor.

V. The complaint shows no influence and no benefit, only a lawful, reported contribution

Even setting the text aside, the complaint offers no facts showing that Council Member Paxson used a contribution to influence anyone, or that any contributor gained from the actions she took. The complaint repeatedly notes that she was one of five, or one of three, acting alongside her colleagues. Joining lawful, public council action with other members does not show that a campaign contribution drove an outcome. That a litigant such as Mr. David may have favored an investigation or a Charter petition does not make a council member's participation an ethics violation; the rule reaches a contract or business transaction involving the contributor, and there is none here.

The contributions at issue were disclosed on Council Member Paxson's campaign finance reports, filed with the City and available to the public. The complaint itself relies on those public reports as its source for the December 3, 2024 and February 27, 2025 contributions, which confirms the contributions were transparent and a matter of public record. A contribution that is lawful and publicly reported does not become an ethics violation because the contributor later has unrelated business before the City.

VI. The rule imposes no disclosure or recusal duty, and the statutory conflict rules do not apply

The complaint argues that Council Member Paxson should at a minimum have disclosed the contributions before participating. Section 2-311(8)(e) contains no such requirement. The duty to disclose and abstain arises under Chapter 171 of the Texas Local Government Code, which applies only where an official has a substantial interest in a business entity or in real property that is the subject of the matter. See Tex. Loc. Gov't Code Sections 171.002 and 171.004. A campaign contributor is not a substantial interest, and the complaint does not allege one. The complaint cannot manufacture a disclosure or recusal duty that neither the ordinance nor the statute imposes.

VII. Speaking and voting are protected functions of an elected official

Speaking and voting on matters of public concern are core functions of an elected council member. Reading Section 2-311(8)(e) to penalize a member for deliberating and voting, with no clear textual prohibition and no facts showing improper influence, would raise serious concerns and is not what the rule provides.

Conclusion

Even taken as true, the complaint does not state a violation of Section 2-311(8)(e). Council Member Paxson respectfully asks the Commission to determine, under Section 2-330(e)(4), not to schedule a hearing and to take no further action on the complaint.

Respectfully submitted,

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