

Sworn Complaint of Ethics Violations

For use of this form, see Section 2-312 of the City's Code of Ethics.

All complaints or allegations of a violation of the code of ethics against an officer shall be made in writing on this form, sworn to before a notary public, and filed of record with the City Secretary. A general complaint lacking in detail will not be sufficient to invoke the investigation procedures contained in the code of ethics; and anonymous complaints will not be considered.

This form must be notarized before it is submitted. All documentation should be included when submitting the form. Return the completed original notarized form, along with all relevant documentation to the Office of the City Secretary, either by mail or in person. Mailing Address:

1900 CD Boren Parkway
Fate, TX 75087

Physical Address:
Fate City Hall
1900 CD Boren Parkway
Fate, TX 75087

COMPLAINANT (INDIVIDUAL FILING THE COMPLAINT):

NAME: Darcy Gildon

ADDRESS [REDACTED] CITY: Fate STATE: TX ZIP CODE:

75189 PHONE: [REDACTED]

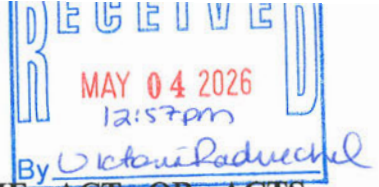
EMAIL ADDRESS:

[REDACTED]

NAME OF THE OFFICIAL ALLEGED TO HAVE VIOLATED THE CODE OF ETHICS:

NAME: Codi Chinn TITLE: Fate City Council Place

1 BOARD/COMMISSION:



IN THE FOLLOWING AFFIDAVIT, DESCRIBE IN DETAIL THE ACT OR ACTS COMPLAINED OF AND THE SPECIFIC SECTION(S) OF THE CODE OF ETHICS ALLEGED TO HAVE BEEN VIOLATED. IF YOU BELIEVE MULTIPLE VIOLATIONS HAVE OCCURRED, PLEASE DESCRIBE IN DETAIL THE ACT OR ACTS WHICH SUPPORT EACH VIOLATION SET OUT IN YOUR COMPLAINT. DESCRIBE ALL DOCUMENTS OR OTHER MATERIALS RELEVANT TO THE ALLEGATION. ALL DOCUMENTATION SHOULD BE INCLUDED WHEN SUBMITTING THIS FORM.

AFFIDAVIT

STATE OF TEXAS §
COUNTY OF §

BEFORE ME, the undersigned authority, on this day personally appeared ,
who, being by me first duly sworn, stated under oath
the

following:

Formal Ethics Complaint

City of Fate, Texas

These quotes are found in the recording between Council Woman Chinn and Mayor Greenberg.

This complaint concerns whether Councilmember Codi Chinn violated the City Charter and Code of Ethics by directly engaging City employees, directing them to prepare written complaints, compiling those complaints, and presenting them to the City Council outside the authority of the City Manager and without formal Council authorization.

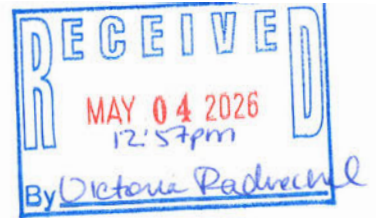
The Charter is clear on this point. Section 3.09(5) provides that:

“the City Council shall deal with City officers and employees... solely through the City Manager” and “shall not give orders... either publicly or privately.”

The record reflects that Councilmember Chinn did not merely receive concerns from employees, but actively directed and organized their participation. She stated:

“I’m like, hey, write it all down, put it on a timeline for me... that’s what I’ve been telling everybody.”

She further described compiling those statements into a structured presentation: “I’m going to have organized everything... put it together like in a chronological way... what



everybody has said... kind of like mixed together, not just one person's statement."

These statements reflect more than passive communication. They demonstrate a coordinated effort to gather, direct, and organize employee complaints into a unified body of information.

Councilmember Chinn also acknowledged control over how this information would be presented:

"I don't want to just show y'all what the statements are... I need to have it presented in a way that protects their identity."

And she confirmed her intent to present those materials herself:

"I'm gonna be presenting other people's statements... I know what they've told me."

Taken together, these actions resemble the functions of an investigation—soliciting information, directing its creation, organizing it, and presenting it—without formal authorization by the Council.

The Charter provides in Section 3.05(11) that the Council may "inquire into the official conduct" of employees only upon a vote of the Council. No such authorization occurred prior to these actions.

Additionally, the Code of Ethics, Section 2-309(10), prohibits officials from:

"conduct themselves so as to appear to have a role, responsibility or authority in administrative matters."

By directing employees to prepare documentation, collecting and organizing internal complaints, and controlling the manner in which those complaints were presented, Councilmember Chinn acted in a manner that may reasonably be perceived as assuming an administrative or investigatory role.

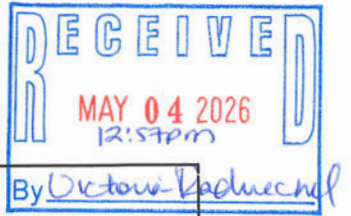
This concern is reinforced by her own acknowledgment of Charter implications in her discussion with the City Manager:

"Since you mentioned me violating the charter..."

And by her statement:

"I'll honor your request, Michael... but if I'm not satisfied, I'll find the number of council members necessary to investigate."

While council members may advocate for action, this sequence of conduct raises legitimate





***If additional space is needed, please attach continuation forms numbered in sequence as necessary.**

SWORN COMPLAINT OF ETHICS VIOLATIONS (CONTINUATION SHEETS)

[illegible]



COMPLAINANT (AFFIANT) SIGNATURE

[Signature]

STATE OF TEXAS §
COUNTY OF § *Pockna*

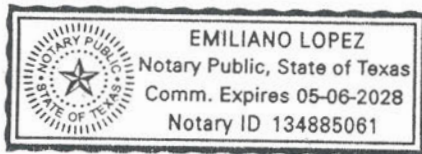
SUBSCRIBED AND SWORN BEFORE ME ^{4th} on the day of , 20²⁶

[Signature]

Notary Seal

Notary Public, State of Texas Printed Name: *Emiliano Lopez*

My Commission Expires: *05/06/2028*



A Partnership of
Professional Entities

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July 6, 2026

Vickey Raduechel, City Secretary
1900 CD Boren Parkway
Fate, Texas 75087

Via e-mail: vraduechel@fatetx.gov; marie@txmunicipallaw.com;
andy@txmunicipallaw.com

**Re: CITY OF FATE ETHICS REPORT-DETERMINATION - Chinn -
MAY 2026**

From: Laura Mueller, Attorney, Outside Counsel—LM

Issue: An Ethics Complaint was filed against former Councilmember Codi Chinn related to conversations related to personnel. The Complaint was deemed sufficient for investigation. After investigation, was the Ethics Code violated?

Executive Summary

Ethics Complaints are resolved as determined by the City's Ethics Ordinance. The allegation in the complaint describes a potential violation of the City's Code of Ethics and the initial determination was that it should be investigated. After investigation, my determination is that allegation of a violation of the Ethics Code is substantiated, but with mitigating factors.

Code Sections Involved

Section 2-309 of the Code of Ethics of the City of Fate states that it is a violation for a member of City Council:

In addition to the prohibition contained in [section 3.09\(3\)](#) of the Fate Home Rule Charter which is incorporated herein, conduct themselves so as to appear to have a role, responsibility or authority in administrative matters except those matters expressly authorized by the City of Fate Charter. This section shall not preclude the city manager from advising the city council on administrative matters or seeking mayor or councilmember input on administrative matters.

Section 3.09 of the Home Rule Charter, which is incorporated into the Ethics Code above, states:

* * *

(3) Members of the City Council shall not in any way dictate the appointment of the City Administrative officers or employees whom the City Manager or any of the City Manager's subordinates are empowered to appoint. The City Council, at a meeting called for that purpose, may express its views and full and freely discuss with the City Manager anything pertaining to the appointment and removal of such officers and employees.

* Licensed in TX

‡ Licensed in TX & MA

Analysis of Complaint

The Complaint alleges that Ms. Chinn violated the Code of Ethics by conducting herself “so as to appear to have a role, responsibility or authority in administrative matters.” Section 2-309(10). (Additional allegations of violation of the Charter were also included, but violation of the Charter is not contemplated as actionable under the Code of Ethics, except where specifically incorporated into the Code of Ethics). The facts alleged are that Ms. Chinn communicated with staff, requested written input from city employees related to their employment with the intent to present this information in a way that would provide an effect related to their employment.

In Section 2-309 of the Code of Ethics, there is a prohibition on a councilmember “conduct[ing] themselves so as to appear to have a role, responsibility or authority in administrative matters other than those matters expressly authorized by the City of Fate Charter.” The Charter, Section 3.09, limits this prohibition by allowing a councilmember to express their views to the City Manager related to any employee. While “administrative matters” is not defined in the Code, the way it is used within the Code relates to the responsibilities of the City Manager as the administrative head of the City including with personnel matters.

The allegation is that Ms. Chinn potentially violated the Code of Ethics by not only speaking with employees other than the City Manager, but directing them to provide her written information related to their employment complaints so that she could organize it and present it. Asking for written employment complaint information and telling the employees how she intended to use the information, expressed an intent to be directly involved in administrative personnel matters.

During my investigation, I spoke with Codi Chinn, Mark Harper, and Michael Kovacs. In addition, I reviewed an audio recording between the Mayor, Andrew Greenberg, then Councilmember Codi Chinn, and then Councilmember Mark Harper.

Codi Chinn and Mark Harper: In my interview with Ms. Chinn and Mr. Harper, we discussed the allegation. I questioned Ms. Chinn about her conversations with city employees and with Mr. Kovacs. She stated that the employees came to her and requested assistance. She informed them that she would take their issues to the City Manager after compiling their information. She directed them to provide their issues in writing to her so she could present them to City Council. Instead, the employees compiled the information into a letter addressed to the entire City Council, which they provided to Ms. Chinn. Ms. Chinn then directed the employees to provide the letter to the City Manager. During this period, Ms. Chinn stated that she kept Mr. Kovacs, City Manager, informed related to the discussions she was having with employees.

Michael Kovacs: In my interview with Mr. Kovacs, we discussed his conversations with then Councilmember Chinn and the employees. Mr. Kovacs stated that he received the letter outlining the employee issues directly from an officer, but with the understanding that the information was given to him at the direction of Ms. Chinn. Mr. Kovacs also stated that Ms. Chinn kept him informed of the conversations she was having with the employees, but that he warned her against such communications.

Audio Recording (Mayor Greenberg, Codi Chinn, Mark Harper)

I reviewed this audio recording taken by Mayor Greenberg. In this audio recording, a discussion related to the employee issues occurred. During the discussion, Ms. Chinn indicated that employees reached out to her directly. She then states that she told the employees as relates to their issues to:

“Write it all down, put a timeline for me, that way I can present it [to council] with everyone else’s.”

July 6, 2026

And

“Whatever you’re [employees] telling me over the phone, please write it all down.”

The audio recording also includes statements by Ms. Chinn that she kept Mr. Kovacs informed regarding the employees’ issues. In addition, she relayed conversations she had with Mr. Kovacs that she intended to use other charter allowed procedures if the employee issues were not handled by Mr. Kovacs, including investigations or surveys. FATE HOME RULE CHARTER SECS. 3.05(11); 3.09(5).

Conclusion and Recommendation

After reviewing the Charter, the Code of Ethics, and reviewing all of the evidence, my conclusion is that Ms. Chinn violated Section 2-309(10) of the Code of Ethics when she directed employees to provide information to her in writing. In addition, any sanction related to this violation should take into account that Ms. Chinn immediately went to the City Manager related to these complaints and that the employees’ themselves compiled and provided the documentation to the City, not Ms. Chinn.

The next steps are:

1. July 6th, a final report from Outside Counsel will be provided to the City Council.
2. July 20th, at this meeting, a public hearing, if requested by Ms. Chinn will occur. City Council will then make a final determination on the complaint and may issue a penalty, if appropriate.

Date	Action	Party
May 18, 2026	Determination of Jurisdiction.	• City Council • Attorney Provides Report
May 18, 2026	Extend Timeline for Action.	City Council
June 1, 2026	Determination of Validity of Complaints.	• City Council • Attorney Provides Report
June 1-8, 2026	Notice provided to Affected Individuals.	City Secretary
June 10, 2026	Affected Individuals provide written response and may request public hearing.	Affected Individuals
July 6, 2026	Final Report submitted by Attorney and Determination on Complaints.	• City Council • City Attorney provides report • Affected Individual(s) may request a public hearing
July 20, 2026	Determination on Complaints, Punishments, and Public Hearing if requested.	• City Council • Affected Individual public hearing