

# BOYLE & LOWRY, L.L.P.

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February 11, 2016

*Via First Class U.S. Mail*

Mr. Nelson Thibodeaux  
1900 Industrial Boulevard, Suite 200  
Colleyville, Texas 76034

Re: Complaints on January 5, 2016 and January 20, 2016  
City of Colleyville

Dear Mr. Thibodeaux,

In our capacity as City Attorney for the City of Colleyville, we were designated to respond to your above-referenced complaints, which were filed under Section 14.02 of the Colleyville City Charter. Section 14.02(f) requires that such complaints "shall be filed with fifteen (15) days of the decision, vote, or other event giving rise to an asserted violation". Consequently, neither of your complaints was timely filed and so the City Charter did not require an action or response.

Nevertheless, as to your January 5<sup>th</sup> complaint, no actual or potential conflict of interest existed based on State law or the City Charter because the City's Comprehensive Plan applies to all Colleyville property owners. As to your January 20<sup>th</sup> complaint, the Tarrant Appraisal District's records reflect that Deutsche Bank foreclosed on the real property in question on February 1, 2011, which was before the City Manager bought it. Therefore, no actual or potential conflict of interest existed under either State law or the City Charter for that complaint either.

The foregoing notwithstanding, City Council directed this office to retain Mr. Ted Steinke to provide an independent review of the issues raised by your complaints. Mr. Steinke's review will be relied on to provide clear guidance related to the issue of real estate ownership by the City Manager and City staff. The Colleyville City Council and staff place a high priority on maintaining the highest standards of ethics and integrity. It is in that spirit that we were directed to retain Mr. Steinke despite the procedural and substantive defects in your complaints.

Thank you for your attention.

Sincerely,

BOYLE & LOWRY, L.L.P.



Ben L. Stool  
Assistant City Attorney

cc: Mayor David Kelly and the City Council (c/o Amy Shelley, City Secretary)