



ETHICS REVIEW COMMISSION MINUTES

**SPECIAL CALLED MEETING
Wednesday, November 12, 2014**

The Ethics Review Commission (“Commission”) convened in a special called meeting on Wednesday, November 12, 2014, at City Hall, 301 W. 2nd Street, Room 2005, in Austin, Texas.

Chair Austin Kaplan called the meeting to order at 6:15 p.m.

Commission members in attendance: Chair Austin Kaplan, Vice Chair Peter Einhorn, Donna Beth McCormick, James Sassin, and Dennis Speight. Not present: James Ruiz and Sylvia Hardman-Dingle.

City staff in attendance: Assistant City Attorney Cynthia Tom, Law Department Paralegal LaVonnia Horne-Williams, City Clerk Jannette Goodall, Communications and Public Information Office Communications Specialist Lara Foss, Law Department Division Chief Deborah Thomas, Deputy City Auditor Corrie Stokes; and Office of the City Auditor Chief of Investigations Jason Hadavi.

Item No. 1: There were no speakers for general citizen communication.

Item No. 2: Commission Member Speight made a motion to approve the minutes for the January 29, 2014 special called meeting, which was seconded by Vice Chair Einhorn. The motion was approved on a 5-0 vote with Commission Members Ruiz and Hardman-Dingle absent.

Item No. 3.a.: Ms. Horne-Williams with the Law Department updated the Commission on the types of ethics training that is provided to City employees.

Item No. 3.b.: City Clerk Goodall briefed the Commission regarding the Commission’s proposal to post all Commission complaints, orders, and sanctions in an additional, centralized manner online.

Item No. 3.c.: Ms. Foss with the Communications and Public Information Office briefed the Commission on public attendance and participation by City Council candidates at the candidate forums that were held prior to the regular November 2014 election. Frances McIntyre with the League of Women Voters of the Austin Area briefed the Commission on the planned runoff candidate forums. Commission Member McCormick made a motion to adopt the City Council election runoff forum schedule as proposed by the League of Women Voters, which was seconded by Commission Member Speight. The motion was approved on a 5-0 vote with Commission Members Ruiz and Hardman-Dingle absent.

Item No. 3.d.: Chair Kaplan made a brief report from the statements of financial information working group tasked with recommending possible forms amendments and possible amendments to City Code, Chapter 2-7, Article 5 (Financial Disclosure). Chair Kaplan asked that the issue be revisited by the Commission at its next regular meeting.

Item No. 3.e.: Vice Chair Einhorn briefed the Commission on the working group's recommendations regarding the powers, duties, and functions of the Commission and the City Auditor, relating to City Council Resolution No. 20141016-033. Mr. Hadavi and Ms. Stokes with the Office of the City Auditor briefed the Commission and answered questions from the Commission. Ms. Tom and Ms. Thomas with the Law Department briefed the Commission regarding proposed ordinance amendments. Vice Chair Einhorn made a motion that the Commission approve the working group's proposed recommendation to Council regarding the powers, duties, and functions of the Commission and the City Auditor and possible amendment of City Code, Chapter 2-3 (City Auditor) and Chapter 2-7 (Ethics and Financial Disclosure). Commission Member Speight seconded the motion. The motion was approved on a 5-0 vote with Commission Members Ruiz and Hardman-Dingle absent.

Item No. 4.a.: Commission Member McCormick proposed that the Commission send letters of notification to candidates who signed campaign contracts but who failed to participate in all Commission-produced candidate forums as required by City Code, Chapter 2-2 (Campaign Finance). Ms. Tom advised the Commission that such letters could not be sent without the Commission filing a complaint against those candidates of its own initiative and going through its normal hearing process. Commission Member McCormick made a motion that the Commission file complaints on its own initiative against candidates who signed campaign contracts but who failed to participate in all Commission-produced candidate forums as required by City Code. There was no second.

Item No. 5: The Commission proposed the following future agenda items: (1) thank you to the League of Women Voters, City staff, and others who assisted the Commission with the candidate forums, (2) report from statements of financial information working group, (3) possibly creating working groups to propose City Code amendments, and (4) request for legal advice from the Law Department regarding whether the Commission may be granted subpoena power.

The meeting adjourned at 8:15 p.m.