



**NOTICE OF REGULAR MEETING OF THE ETHICS REVIEW COMMISSION
OCTOBER 11, 2017 AT 6:00 P.M., CITY HALL, ROOM 1027
301 W. 2ND STREET, AUSTIN, TEXAS**

CURRENT COMMISSION MEMBERS:

Chair Peter Einhorn	Vice Chair Meagan Harding	Secretary Robert "Ben" Stratmann
Debra Danburg	Fredda Holmes	Mary Kahle
Donna Beth McCormick	J. Michael Ohueri	Luis Soberon
Dennis Speight	Brian Thompson	

AGENDA

CALL TO ORDER

1. GENERAL CITIZEN COMMUNICATION

The first five speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

2. EXECUTIVE SESSION

The Ethics Review Commission may announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from legal counsel on matters specifically listed on this agenda (Private Consultation with Attorney-Section 551.071).

The Commission may go into executive session to discuss legal issues related to:

- a. A complaint filed on August 3, 2017, by Abel Ochoa against Idara Bessard, alleging violation of City Code, Chapter 2-7 (Ethics and Financial Disclosure) (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
- b. Proposed amendments to Article 6 (Anti-lobbying and Procurement) of City Code Chapter 2-7 (Ethics and Financial Disclosure) (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
- c. Failure of Don Pitts to comply with a subpoena issued by the Commission and served on Mr. Pitts on April 26, 2017, ordering him to appear and testify as a witness at a May 10, 2017 final hearing on a complaint filed on February 17, 2017, by Nathan Wiebe against Ashley Buchanan alleging violation of City Code Chapter 2-7 (Ethics and Financial Disclosure), including a possible Commission recommendation regarding prosecution of Mr. Pitts under City Code Section 2-7-99 (Offenses; Penalty) (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
- d. Possible revisions to City Code Chapter 2-7 (Ethics and Financial Disclosure) relating to the Commission's complaint and hearing procedures and the Commission's Hearing Rules, including provisions relating to evidence submission, findings of violation, and issuance of sanctions (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

3. NEW BUSINESS

Discussion and possible action regarding the following:

- a. The Commission will review, and may sustain or overturn, the chair's initial determination that the Commission lacks jurisdiction over a complaint filed on August 3, 2017, by Abel Ochoa against Idara Bessard, alleging violation of City Code, Chapter 2-7 (Ethics and Financial Disclosure), and may refer the complaint to the City Auditor, in accordance with City Code Section 2-7-41 (Complaints).
- b. Proposed amendments to Article 6 (Anti-lobbying and Procurement) of City Code Chapter 2-7 (Ethics and Financial Disclosure), including a staff briefing and a possible recommendation to Council.
- c. Existing, dissolved, and potential future Commission working group tasks and membership, including the following:
 - 1) The working group tasked with recommending revisions to City Code Section 2-1-24 (Conflicts of Interest and Recusal), City Code Chapter 2-7 (Ethics and Financial Disclosure), the Commission's Hearing Rules, and associated forms;
 - 2) The working group tasked with recommending revisions to City Code Chapter 2-2 (Campaign Finance), City Charter Article III Section 8 (Limits on Campaign Contributions and Expenditures), and associated forms;
 - 3) The working group tasked with recommending revisions to City Code Chapter 4-8 (Regulation of Lobbyists); and
 - 4) The working group tasked with coordinating production of the Commission's City Council election candidate forums as required by City Code Section 2-2-65 (Other Considerations for Campaign Contract).
- d. Failure of Don Pitts to comply with a subpoena issued by the Commission and served on Mr. Pitts on April 26, 2017, ordering him to appear and testify as a witness at a May 10, 2017 final hearing on a complaint filed on February 17, 2017, by Nathan Wiebe against Ashley Buchanan alleging violation of City Code Chapter 2-7 (Ethics and Financial Disclosure), including a possible Commission recommendation regarding prosecution of Mr. Pitts under City Code Section 2-7-99 (Offenses; Penalty).
- e. Possible revisions to City Code Chapter 2-7 (Ethics and Financial Disclosure) relating to the Commission's complaint and hearing procedures and the Commission's Hearing Rules, including provisions relating to evidence submission, findings of violation, and issuance of sanctions.

4. APPROVAL OF MINUTES FROM THE AUGUST 9, 2017 REGULAR COMMISSION MEETING.

5. FUTURE AGENDA ITEMS

ADJOURNMENT

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least two (2) days (48 hours) before the meeting date. Please call Sue Palmer at the Law Department, at (512) 974-2915 for additional information; TTY users route through Relay Texas at 711.

For more information on the Ethics Review Commission, please contact Sue Palmer at (512) 974-2915 or Cynthia Tom at (512) 974-3042.