



ETHICS REVIEW COMMISSION

MEETING MINUTES

Wednesday, September 11, 2019

The Ethics Review Commission (“Commission”) convened in a regular meeting on Wednesday, September 11, 2019, One Texas Center, Room 325, 505 Barton Springs Road, Austin, Texas.

Chair Mary Kahle called the meeting to order at 6:42 p.m.

Commissioners in attendance: Chair Mary Kahle, Vice-Chair Luis Soberon, Secretary Kenneth “Tray” Gober, and Commissioners: Debra Danburg, Betsy Greenberg, Raafia Lari, Robin Lerner, Donna Beth McCormick, and J. Michael Ohueri. Commissioners Einhorn and Villalobos were absent. (Commissioners Danburg and Ohueri arrived after roll call, approximately five minutes after the meeting was called to order.)

City Staff in Attendance: Lynn Carter, Commission Executive Liaison & Assistant City Attorney, and Rose Crampton, Law Department Paralegal (serving in the role of Commission staff liaison).

1. EXECUTIVE SESSION

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

There was no executive session.

2. NEW BUSINESS

Discussion and possible action regarding the following:

- (a) Commission sanctions including effectiveness, past cases, and recommendations.
- (b) Commission procedures including effectiveness, past cases, and recommendations.
- (c) Scope of work of the Commission (powers, duties, and obligations), including effectiveness, past cases, and recommendations.
- (d) Case reviews generally involving past hearings on complaints before the Commission.
- (e) Potential amendments to City Code, Chapter 2-7 (Ethics and Financial Disclosure).
- (f) Potential amendments to the Rules of the Ethics Review Commission.
- (g) Best practices for city attorney opinions including effectiveness, past cases, and recommendations.

Commissioner Greenberg made a motion to create two working groups of the Commission: (1) one working group to address sanctions and campaign finance regulations and (2) a second working group to address procedures / Commission rules. Commissioner Ohueri

made a motion to table Commissioner Greenberg's motion until all bullet points on the agenda were discussed to make sure there would be one final motion. After further discussion Commissioner Greenberg restated her motion to have two working groups: (1) the first on items (a) and (e) of the meeting agenda and (2) the second on items (b), (f), and (g) of the meeting agenda. Commissioner Ohueri seconded the motion.

Following further discussion about whether to add item (c) to either of the working group subject matters, Commissioner Greenberg restated her motion but there was no second to the restated motion.

Chair Kahle then made a motion to amend Commissioner Greenberg's motion to have two working groups: (1) the first working group on items (a) and (e) on the agenda and (2) the second working group on items (b), (c), (f), and (g) on the agenda with the understanding that each working group might touch on issues of jurisdiction and overlap on rules and procedures. Commissioner Lerner seconded the motion to amend. The vote was unanimous by the members attending. Voting in favor: Chair Kahle, Vice-Chair Soberon, Secretary Gober, and Commissioners: Danburg, Greenberg, Lari, Lerner, McCormick, and Ohueri. Commissioners Einhorn and Villalobos were absent.

The Commission then voted on Commissioner Greenberg's motion as amended and seconded by Commissioner Ohueri, which was restated by the Chair as a motion to create two separate working groups: (1) the first working group to address items (a) and (e) on the agenda of the meeting and (2) the second working group to address items (b), (c), (f), and (g) on the agenda of the meeting with the knowledge that there will be some overlap with issues of jurisdiction, rules, and procedures. The vote was eight members in favor and one abstaining (8-0-1). Voting in favor: Chair Kahle, Vice-Chair Soberon, Secretary Gober, and Commissioners: Danburg, Lari, Lerner, McCormick, and Ohueri. Commissioner Lari abstained. Commissioners Einhorn and Villalobos were absent.

3. APPROVAL OF MINUTES – AUGUST 14, 2019 REGULAR COMMISSION MEETING.

The minutes were discussed and approved by the favorable vote of eight commissioners. Voting in favor: Chair Kahle, Vice-Chair Soberon, Secretary Gober, and Commissioners: Danburg, Greenberg, Lari, Lerner, and Ohueri. Commissioners McCormick, Einhorn, and Villalobos were absent for this vote.

4. FUTURE AGENDA ITEMS

No future agenda items were discussed.

5. GENERAL CITIZEN COMMUNICATION

Each person who signed up to speak prior to the meeting being called to order and who designated this item on which to speak, or who did not designate an agenda item on which to speak will be allowed two-minutes to speak.

No persons signed up for citizen communications.

ADJOURNMENT

Commissioner Ohueri moved to adjourn, which was seconded by Commissioner Lerner. The Commissioners voted in favor of adjournment and without objection, the meeting adjourned at 8:41 p.m.