



ETHICS REVIEW COMMISSION

MEETING MINUTES

Wednesday, October 14, 2020

The Ethics Review Commission (“Commission”) convened in a regular meeting on Wednesday, October 14, 2020, Austin, Texas via Videoconference.

Chair Luis Soberon called the meeting to order at 6:11 p.m.

Commissioners in attendance: Chair Luis Soberon, Vice-Chair J. Michael Ohueri, Secretary Kenneth “Tray” Gober, and Commissioners Debra Danburg, Betsy Greenberg, Mary Kahle, Raafia Lari, Robin Lerner, Donna Beth McCormick, Nathan Ryan, and Pedro A. Villalobos.

City Staff in Attendance: Lynn Carter, Commission Executive Liaison and Assistant City Attorney, and Sue Palmer, Staff Liaison, Law Department.

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 three minutes to speak.

There was one speaker, Zenobia Joseph, for Citizen Communication.

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 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 item 3(a) on the agenda: Whether the Ethics Review Commission would have the authority to issue civil fines if granted that authority by City Council.

The Commission did not go into executive session.

2. NEW BUSINESS

Discussion and possible action regarding the following:

- a. Whether the Ethics Review Commission would have the authority to issue civil fines if granted that authority by City Council.

This item was postponed per the request of the City Attorney’s Office.

- b. Scheduling the Commission Meeting calendar for 2021 and whether the Commissioner prefers to try to switch to a meeting date that will allow for video-taping rather than audio-taping of its meetings.

Commissioner Danburg made a motion to approve the 2021 Commission meeting schedule, which was seconded by Secretary Gober and approved by a unanimous vote of the commissioners. Voting in favor: Chair Soberon, Vice-Chair Ohueri, Secretary Gober, and Commissioners Danburg, Greenberg, Kahle, Lari, Lerner, McCormick, Ryan and Villalobos.

- c. Improving citizen participation, including the possibility of live-streaming future meetings.

The Commission discussed this item but took no action.

3. OLD BUSINESS

Discussion and possible action regarding the following:

- a. Working group status reports and/or recommendations on the following.
- Working group one (Vice-Chair Ohueri and Commissioners Greenberg and Lerner) on the following subjects:
 - Commission sanctions including effectiveness, past cases, and recommendations.
 - Potential amendments to City Code, Chapter 2-7 (Ethics and Financial Disclosure).

No action taken.

- Working group two (Chair Soberon and Secretary Gober) on the following subjects:
 - Commission procedures including effectiveness, past cases, and recommendations.
 - Scope of work of the Commission (powers, duties, and obligations), including effectiveness, past cases, and recommendations.
 - Potential amendments to the Rules of the Ethics Review Commission.
 - Best practices for city attorney opinions including effectiveness, past cases, and recommendations.

Chair Soberon provided an update on the above topics; no action was taken.

- iii. Equity Working Group (Commissioners Kahle, Lari, and Ryan) status report and/or recommendations on: addressing issues of race, identity, and equity including: (i) planning for presentations or trainings by the Equity Office; (ii) helping focus the Commission's evaluation of racial injustice and how the Commission can operate more fairly and effectively in light of racial injustice.

Commissioner Kahle stated that the working group have a workshop scheduled October 29, 2020; no action was taken.

- d. Update on candidate forums for City Council candidates, including the candidate forums moderated by the League of Women Voters-Austin Area (LWV-AA), the five-minute recorded statement, and the candidate questionnaire prepared by the LWV-AA.

Executive Liaison Lynn Carter provided an update.

4. APPROVAL OF MINUTES: SEPTEMBER 9, 2020 REGULAR COMMISSION MEETING.

Discussion and possible action regarding the minutes for the September 9, 2020 regular commission meeting.

Commissioner Kahle made a motion to approve the September 9, 2020 minutes, which was seconded by Commissioner McCormick and approved by a unanimous vote of the commissioners. Voting in favor: Chair Soberon, Vice-Chair Ohueri, Secretary Gober, and Commissioners Danburg, Greenberg, Kahle, Lari, Lerner, McCormick, Ryan and Villalobos.

- 5. FUTURE AGENDA ITEMS**, including upcoming preliminary hearings on one ethics complaint filed by the City Auditor against Delia Garza, and campaign finance complaints filed by Mark Littlefield against Peck Young, Voices of Austin, and A Jo Baylor, Our Mobility, Our Future PAC.

The Commission discussed this item.

ADJOURNMENT

The meeting adjourned at 7:28 p.m.