



**ETHICS REVIEW COMMISSION
MINUTES**

**SPECIALLY CALLED MEETING
Friday, May 20, 2011**

The Ethics Review Commission convened in a regular meeting on Friday, May 20, 2011, 3:17 p.m at at Austin City Hall, 301 W. 2nd Street, Room 1033

Chair James Henson called the Commission meeting to order at 3:17 p.m.

Board Members in Attendance:

Chair James Henson, Velva Price, Susan Morrison, James Sassin *.

Staff in Attendance: Assistant City Attorney Sabine Romero

Commission members Vice-chair Lisa Tsai and Abu Hafiz were absent (unexcused).

1. CITIZEN COMMUNICATION.

Agenda item 1: No citizen communication.

2. PRELIMINARY HEARING OF COMPLAINT BY RANDI SHADE AGAINST KATHY TOVO.

Agenda item 2: Preliminary hearing of complaint by Randi Shade against Kathy Tovo to determine if reasonable grounds exist to believe that a violation of the city code's financial disclosure chapter 2-7 might have taken place. Commission member Morrison freely announced that she had donated in the past to the Kathy Tovo campaign and may need to be recused. Assistant City Attorney Romero advised that the donation amount and time frame do not require recusal under city code. No other commission members reported similar circumstances. After hearing both parties state their case, the commission moved to executive session to discuss jurisdictional issues after commission-member Price's motion passed unanimously. After the executive session, commission-member Price moved to dismiss the council-member Shade's claim due to a lack of jurisdiction over violations of local government code section 2-2. Commission-member Morrison moved to amend the motion to dismiss with the additional reason that council-member Shade had no standing. However, the amendment failed because it was not seconded. Commission-member Price also suggested sending another letter to City Council to resolve the lack of jurisdiction issue over such matters. The vote regarding Price's initial motion failed because of one abstaining vote by commission-member Morrison. After further discussion, commission-member Price re-urged her motion and the commission voted unanimously that the complaint be dismissed for lack of jurisdiction 4-0. The commission then agreed on the desire to see a future agenda item concerning a strategy to address the lacking jurisdictional issues for such matters.

3. ADJOURN

Commission member Sassin moved to adjourn the meeting at 4:25 p.m. Commission member Price seconded the motion. The motion passed 4-0.