



ETHICS REVIEW COMMISSION MINUTES

**REGULAR CALLED MEETING
Wednesday, April 13, 2016**

The Ethics Review Commission (“Commission”) convened in a regular meeting on Wednesday, April 13, 2016, at City Hall, 301 W. 2nd Street, Room 1027, in Austin, Texas.

Commission Chair Peter Einhorn called the meeting to order at 6:05 p.m.

Commission Members in attendance: Debra Danburg, Peter Einhorn, Matthew Lamon, Donna Beth McCormick, Paul Quinzi, Dennis Speight, Robert “Ben” Stratmann, and Brian Thompson.

City Staff in Attendance: Assistant City Attorney Cynthia Tom, Staff Liaison Jessica Aranda, City Clerk Jannette Goodall, City Records Manager Bob Guz, and Commission Outside Counsel Tim Sorrells.

Item No. 6.a: Chair Einhorn took up Item No.6.a. out of order. Chair Einhorn introduced new member Debra Danburg to the Commission.

Item No. 1: The Commission went into executive session at 6:07 p.m. to discuss legal issues related to a complaint filed on February 18, 2016, by Thomas Clark against Council Member Sabino Renteria alleging violations of Chapter 2-1 of City Code (City Boards).

The Commission returned from executive session at 6:26 p.m.

Item No. 2: The Commission convened a preliminary hearing under Section 2-7-44 of the City Code to consider a complaint filed on February 18, 2016, by Thomas Clark against Council Member Sabino Renteria alleging violations of Chapter 2-1 of City Code (City Boards).

Commission Outside Counsel Tim Sorrells described the proceeding.

The complainant, Thomas Clark, appeared in person and under oath and made a statement regarding the alleged violations of City Code.

The respondent, Council Member Sabino Renteria, appeared in person and under oath and made a statement responding to the alleged violations of City Code.

Vice Chair Lamon made a motion that the Commission dismiss the complaint because the section alleged to be violated is inapplicable to the respondent and that the Commission permit the complainant to amend his complaint and refile it prior to the Commission meeting in May, which was seconded by Commission Member Speight. The motion passed on an 8-0 vote. Commission Members Harding, Ohueri, and Smith absent.

Vice Chair Lamon made a motion to reconsider the previous vote, which was seconded by Commission Member Speight. The motion passed on an 8-0 vote. Commission Members Harding, Ohueri, and Smith absent.

Vice Chair Lamon made a motion that the Commission dismiss the complaint because the section alleged to be violated is inapplicable to the respondent and that the Commission permit the complainant to amend his complaint and refile it with the City Clerk's Office within 10 business days from April 13, 2016, so that the complaint can be taken up and considered at the next Ethics Review Commission meeting on May 11, 2016, which was seconded by Commission Member Speight. The motion passed on an 8-0 vote. Commission Members Harding, Ohueri, and Smith absent.

Item No. 4: Chair Einhorn took up Item No.4. out of order. Commission Member Speight made the motion to approve the March 9, 2016 Regular Commission meeting minutes, which was seconded by Commission Member Quinzi. The motion passed on an 8-0 vote. Commission Members Harding, Ohueri, and Smith absent.

Item No. 3: There were no speakers for general citizen communication.

Item No. 5.a.: City Clerk Jeanette Goodall and City Records Manager Bob Guz provided a staff briefing on revisions to City campaign finance forms. Commission Member Stratmann made the motion to approve the revisions presented by the City Clerk's Office, which was seconded by Commission Member Quinzi. The motion passed on an 8-0 vote. Commission Members Harding, Ohueri, and Smith absent. Commission Member Thompson made the motion to allow the City's Clerk's Office to make non-substantive changes if needed to the campaign finance forms, which was seconded by Commission Member Speight. The motion passed on an 8-0 vote. Commission Members Harding, Ohueri, and Smith absent. The working group associated with Chapter 2-2 of City Code (Campaign Finance) also provided an update to the Commission.

Item No. 6.c.: Chair Einhorn took up Item No. 6.c. out of order. City Clerk Goodall provided a staff briefing on the revisions of the Commission Campaign Finance Candidate and Officeholder Brochure. Commission Member Speight made the motion to approve the brochure, which was seconded by Commission Member Stratmann. The motion passed on an 8-0 vote. Commission Members Harding, Ohueri, and Smith absent.

Item No. 5.b.: Executive Liaison Cynthia Tom provided an update on regular meeting cancellation guidelines and procedures to the Commission. Commission Member Speight made the motion that a working group consisting of the Commission Chair and Vice Chair come back with a Bylaws change recommendation regarding meeting cancellations at the next meeting, with was seconded by Commission Member Stratmann. The motion passed on an 8-0 vote. Commission Members Harding, Ohueri, and Smith absent.

Item No. 6.b.: The Commission held Officer Elections. Commission Member McCormick made the motion that Commission Member Einhorn be re-elected Chair, that Commission Member Lamon be re-elected Vice Chair, and that Commission Member Stratmann be elected Secretary,

which was seconded by Commission Member Speight. The motion passed on a 7-0-1 vote, with Commission Member Stratmann abstaining. Commission Members Harding, Ohueri, and Smith absent.

Item No. 6.d.: The Commission discussed the existing Chapter 2-7 (Ethics & Financial Disclosure) working group bringing to the full Commission a draft recommendation to Council regarding Chapter 2-7 of City Code and the Commission's complaint procedures at a future Commission meeting.

Item No. 7: Future Agenda items discussed included: possible Preliminary Hearing on refiled complaint, meeting cancellation provision, report on the venues for candidate forums, update from campaign finance working group, and discussion on contribution expenditure limits.

Commission Member McCormick made a motion to adjourn the meeting, which was seconded by Commission Member Speight. The motion passed on an 8-0 vote. Commission Members Harding, Ohueri, and Smith absent. The meeting was adjourned at 8:11 p.m.