



ETHICS REVIEW COMMISSION MINUTES

REGULAR CALLED MEETING Wednesday, May 11, 2016

The Ethics Review Commission (“Commission”) convened in a regular meeting on Wednesday, May 11, 2016, at City Hall, 301 W. 2nd Street, Room 1027, in Austin, Texas.

Commission Chair Peter Einhorn called the meeting to order at 6:04 p.m.

Commission members in attendance: Chair Peter Einhorn, Vice Chair Matthew Lamon, Secretary Robert “Ben” Stratmann, Debra Danburg, Meagan Harding, Donna Beth McCormick, J. Michael Ohueri, Paul Quinzi, Kenneth Smith, Dennis Speight, and Brian Thompson.

City Staff in Attendance: Commission Executive Liaison & Assistant City Attorney Cynthia Tom, Commission Staff Liaison Jessica Aranda, and Commission outside counsel Tim Sorrells.

Item No. 1: The Commission went into executive session at 6:06 p.m. to discuss legal issues related to a complaint by Thomas Clark against Council Member Sabino “Pio” Renteria, which was re-filed on April 22, 2016, and which was originally filed on February 18, 2016 and later supplemented on April 12, 2016, alleging violation of Chapter 2-2 of City Code (Campaign Finance) and Chapter 2-7 of City Code (Ethics and Financial Disclosure), and requesting relief under Chapter 2-1 of City Code (City Boards).

Commission Member Danburg present at 6:11 p.m.

The Commission returned from executive session at 6:43 p.m.

Item No. 2: The Commission convened a primary hearing under Section 2-7-44 of the City Code to consider a complaint by Thomas Clark against Council Member Sabino “Pio” Renteria, which was re-filed on April 22, 2016, and which was originally filed on February 18, 2016 and later supplemented on April 12, 2016, alleging violations of Chapter 2-2 of City Code (Campaign Finance) and Chapter 2-7 of City Code (Ethics and Financial Disclosure), and requesting relief under Chapter 2-1 of City Code (City Boards).

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 “Pio” Renteria, appeared in person and under oath and made a statement responding to the alleged violations of City Code.

Commission Member Lamon made a motion to dismiss the alleged violations of Sections 2-7-62, 2-7-63, and 2-7-64 of City Code because the respondent's interest in the subject matter of short term rental regulation was remote, which was seconded by Commission Member Smith. The motion passed on a 9-1-1 vote, with Commission Member Danburg voting nay and Secretary Stratmann abstaining.

The complainant, Thomas Clark, withdrew the remaining allegations in his complaint relating to alleged violations of Sections 2-7-1 and 2-7-2 of City Code.

Commission Member Speight made a motion that Vice Chair Lamon work with outside counsel to draft the order on preliminary hearing, which was seconded by Secretary Stratmann. The motion passed on a 10-0 vote, with Commission Member Danburg off the dais.

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

Item No. 4: Commission Member Speight made a motion to approve the minutes from the February 10, 2016 regular Commission meeting, which was seconded by Commission Member McCormick. The motion passed on a 9-0-1 vote with Commission Member Ohueri abstaining and Commission Member Danburg off the dais.

Item No. 5.a.: The Commission discussed the proposed bylaws revision regarding instituting new procedures for cancellation of regular Commission meetings. Commission Member Thompson made a motion to adopt the proposed bylaws amendments, which was seconded by Commission Member Speight. The motion passed on a 10-0 vote, with Commission Member Harding off the dais.

Item No. 5.b.: No action was taken regarding this item, relating to Chapter 2-7 of City Code (Ethics and Financial Disclosure) and a possible recommendation to Council regarding the Commission's complaint procedures.

Item No. 6: The Commission working group associated with reviewing and proposing amendments to Chapter 2-2 of City Code (Campaign Finance) and Article III, Section 8 of the City Charter (Limits on Campaign Contributions and Expenditures) provided updates to the Commission. Secretary Stratmann made a motion to add Commission Member Speight to the working group, which was seconded by Commission Member Smith. The motion passed on a 10-0 vote, with Commission Member Thompson off the dais.

Item No. 7: Commission Executive Liaison Tom provided a staff briefing on the 2016 City Council election candidate forum planning process.

Item No. 8: The Commission discussed future agenda items to include: a proposed recommendation for Council from the Chapter 2-7 working group regarding the Commission's complaint procedures, and an update from the campaign finance working group.

Commission Member Speight made a motion to adjourn the meeting, which was seconded by Commission Member Smith. The motion passed on a 9-0 vote with Secretary Stratmann and Commission Member and Thompson off the dais.

The meeting adjourned at 8:26 p.m.