



## **ETHICS REVIEW COMMISSION MINUTES**

**REGULAR MEETING  
Wednesday, March 8, 2017**

The Ethics Review Commission (“Commission”) convened in a regular meeting on Wednesday, March 8, 2017, at City Hall, 301 W. 2<sup>nd</sup> Street, Room 1027, in Austin, Texas.

Commission Chair Peter Einhorn called the meeting to order at 6:02 p.m.

Commission Members in attendance: Chair Peter Einhorn, Vice Chair Matthew Lamon (left meeting at 7:04 p.m.), Secretary Robert “Ben” Stratmann, Donna Beth McCormick (present at 6:45 p.m.), Debra Danburg, Meagan Harding, J. Michael Ohueri, Paul Quinzi, and Brian Thompson. Commission Member Dennis Speight was absent.<sup>1</sup>

City Staff in Attendance: Commission Executive Liaison and Assistant City Attorney Cynthia Tom, Commission Staff Liaison Sue Palmer, and City Auditor Corrie Stokes.

Item No. 1: There was one speaker during general citizen communication. Community Technology and Telecommunications Commission Chair Lemuel Williams spoke regarding South by Southwest passes received by City staff and officials.

Item No. 2.a.: Commission Member Thompson briefed the Commission regarding Council Member Pool’s proposed amendments to City Code Chapter 2-2 (Campaign Finance), Section 2-2-2 (Definitions) and Section 2-2-7 (Commencement of Campaign Period), and how they relate to provisions of the City Charter, Article III (Elections), Section 8 (Limits on Campaign Contributions and Expenditures) that are being challenged in federal appeals court.

Commission Member Harding and Chair Einhorn discussed adding Commission Member Thompson to the Commission’s existing campaign finance working group.

Commission Member Thompson made a motion to send the proposed ordinance amendments to the Commission’s campaign finance working group for consideration, which was seconded by Commission Member Harding. The motion passed on a 7-1 vote. Those members voting aye were: Chair Einhorn, Secretary Stratmann, and Commission Members Danburg, Harding, Ohueri, Quinzi, and Thompson. Voting nay was: Vice Chair Lamon. Commission Members McCormick and Speight were absent.

The Commission also discussed potential reform of the Austin Fair Campaign Finance Fund provisions found in City Code Chapter 2-2.

---

<sup>1</sup> Note: Fredda Holmes was appointed to the Commission on March 2, 2017, but had not yet qualified to begin her service at the time of the March 8, 2017 meeting.

Item No. 2.b: Ms. Tom and Ms. Stokes briefed the Commission regarding recent amendments to City Code Chapter 2-3 (City Auditor) and Chapter 2-7 (Ethics and Financial Disclosure), approved by the City Council in Ordinance No. 20170209-005, and how some of the amendments differed from what was recommended by the Commission.

Ms. Stokes also asked the Commission to consider recommending changes to which City boards are required to file statements of financial information under City Code Chapter 2-7. Chair Einhorn stated that the Commission's Chapter 2-7 working group would look at the issue.

Item No. 2.c.: This item, regarding revision of the Commission's complaint form and instructions relating to complaints filed in accordance with City Code Chapter 2-7 of (Ethics and Financial Disclosure), was postponed until the next Commission meeting.

Item No. 2.d.: Ms. Tom briefed the Commission regarding the proposed revisions to the Commission's bylaws to incorporate recent amendments to City Code Chapter 2-7.

Secretary Stratmann made a motion to approve the revised bylaws, which was seconded by Commission Member Harding. The motion passed on an 8-0 vote, with Vice Chair Lamon and Commissioner Speight absent.

Item 2.e.: Ms. Tom briefed the Commission on the need to revise the Commission's hearing rules, given the recent ordinance amendments to the Commission's complaint and hearing procedures in City Code Chapter 2-7. Chair Einhorn stated that the Commission's Chapter 2-7 working group would look at the issue.

Item 2.f.: Ms. Tom briefed the Commission regarding an ambiguity in City Code Section 2-1-24 (City Boards: Conflict of Interest and Recusal) as it relates to Section 2-7-47 (Ethics and Financial Disclosure: Prosecution), which was not addressed by Ordinance No. 20170209-005, and recommended that the Commission make a policy recommendation to Council regarding this matter. Chair Einhorn discussed the Chapter 2-7 working group looking at this issue in the future and bringing a recommendation back to the full Commission.

Item No. 3: Secretary Stratmann made a motion to approve the minutes from the June 11, 2016 Special Called Meeting, the August 10, 2016 Regular Meeting, and the January 11, 2017 Special Called Meeting with an amendment to show that Commission Member Harding was not present at the January 11, 2017 meeting. Commission Member Thompson seconded the motion, which passed on an 8-0 vote. Vice Chair Lamon and Commission Member Speight were absent.

Item No. 4: No future agenda items were discussed.

Commission Member Danburg made a motion to adjourn, which was seconded by Commission Member McCormick. The motion passed on a vote of 8-0, with Vice Chair Lamon and Commission Member Speight absent. The meeting was adjourned at 7:56 p.m.