



**ETHICS REVIEW COMMISSION  
MINUTES**

**REGULAR MEETING  
Wednesday, May 10, 2017**

The Ethics Review Commission (“Commission”) convened in a regular meeting on Wednesday, May 10, 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 6:01 p.m.

Commission Members in attendance: Chair Peter Einhorn, Vice Chair Meagan Harding, Donna Beth McCormick, Debra Danburg, J. Michael Ohueri, Paul Quinzi, Dennis Speight, and Brian Thompson (left at 7:00 p.m.). Secretary Robert “Ben” Stratmann and Commission Member Fredda Holmes were absent.

City Staff in Attendance: Assistant City Attorney Cindy Crosby, Commission Staff Liaison Sue Palmer, City Auditor Corrie Stokes, City Auditor’s Office Chief of Investigations Nathan Wiebe, and Audit Investigator Temitope Eletu-Odibo.

Items No. 1.a. and b.: EXECUTIVE SESSION

The Commission will go into executive session to discuss legal issues related to:

- a. A complaint filed on February 17, 2017, by Nathan Wiebe against Ashley Buchanan alleging violation of City Code Chapter 2-7 (Ethics and Financial Disclosure) (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
- b. A complaint filed on April 11, 2017, by Ross Wilson against Bryan King alleging violation of City Code Chapter 2-7 (Ethics and Financial Disclosure) (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

**The Commission went into executive session at 6:05 p.m. and returned from executive session at 6:43 p.m.**

Item No. 2: FINAL HEARING

Discussion and possible action regarding the following: the Commission will convene a final hearing under Section 2-7-45 of the City Code to consider a complaint filed on February 17, 2017, by Nathan Wiebe against Ashley Buchanan alleging violation of City Code Chapter 2-7 (Ethics and Financial Disclosure).

**Vice Chair Harding and Commission Member Ohueri voluntarily recused themselves from this item.**

**Chair Einhorn noted for the record that former City employee Don Pitts was not in attendance, despite being subpoenaed to appear. Commission Outside Counsel Tim Sorrells**

**stated that, just prior to the Commission meeting start time, Mr. Pitts' attorney informed him that Mr. Pitts would not be in attendance at the final hearing.**

**Commission Member Quinzi made a motion that a violation did not occur, which failed due to the lack of a second.**

**Commission Member Danburg made a motion that a violation did occur, which was seconded by Commission Member Lamon. The motion failed on a vote of 2-4. Those members voting aye were: Chair Einhorn and Commission Member Lamon. Those voting nay were: Commission Members Danburg, McCormick, Quinzi, and Speight. Secretary Stratmann and Commission Members Holmes and Thompson were absent, and Vice Chair Harding and Commission Member Ohueri voluntarily recused themselves.**

**Commission Member Danburg made a motion to reconsider the last vote, which was seconded by Commission Member Speight. The motion failed on a 3-3 vote. Those members voting aye were: Chair Einhorn and Commission Members Danburg and Speight. Those voting nay were: Commission Members Lamon, McCormick, and Quinzi. Secretary Stratmann and Commission Members Holmes and Thompson were absent, and Vice Chair Harding and Commission Member Ohueri voluntarily recused themselves.**

**Commission Member Lamon made a motion to reconsider the last vote, which was seconded by Commission Member Speight. The motion prevailed on a 5-1 vote. Those members voting aye were: Chair Einhorn and Commission Members Lamon, McCormick, Danburg, and Speight. Voting nay was: Commission Member Quinzi. Secretary Stratmann and Commission Members Holmes and Thompson were absent, and Vice Chair Harding and Commission Member Ohueri voluntarily recused themselves.**

**Commission Member Lamon made a motion that a violation did occur and that no sanction be issued, which was seconded by Chair Einhorn. The motion failed on a 5-1 vote, and the complaint was automatically dismissed. Those members voting aye were: Chair Einhorn and Commission Members Lamon, McCormick, Danburg, and Dennis Speight. Voting nay was: Commission Member Quinzi. Secretary Stratmann and Commission Members Holmes and Thompson were absent, and Vice Chair Harding and Commission Member Ohueri voluntarily recused themselves.**

**Item No. 3: PRELIMINARY HEARING**

**Discussion and possible action regarding the following: the Commission will convene a preliminary hearing under Section 2-7-44 of the City Code to consider a complaint filed on April 11, 2017, by Ross Wilson against Bryan King alleging violation of City Code Chapter 2-7 (Ethics and Financial Disclosure).**

**Commission Member Lamon made a motion that reasonable grounds do not exist to proceed with a final hearing, which was seconded by Commission Member Quinzi. The motion passed on a vote of 8-0, and complaint was dismissed. Secretary Stratmann and Commission Members Holmes and Thompson were absent.**

**Item No. 4: GENERAL CITIZEN COMMUNICATION**

**There were no speakers for general citizen communication.**

Item No. 5: APPROVAL OF MINUTES FROM THE APRIL 12, 2017 REGULAR COMMISSION MEETING.

**Commission Member Speight made a motion to approve the minutes from the April 12, 2017 regular Commission meeting, which was seconded by Vice Chair Harding. The motion passed on a vote of 8-0, with Secretary Stratmann and Commission Members Holmes and Thompson absent.**

Item No. 6: FUTURE AGENDA ITEMS

**Future agenda items discussed included: the preliminary hearing on the Wiebe-Fraser complaint.**

**Vice Chair Harding made a motion to adjourn, which was seconded by Commission Member Lamon. The meeting was adjourned at 9:08 p.m. without objection.**