



ETHICS REVIEW COMMISSION

REGULAR MEETING MINUTES Wednesday, March 21, 2018

The Ethics Review Commission (“Commission”) convened in a regular meeting on Wednesday, March 21, 2018, at One Texas Center, 505 Barton Springs Road, Suite 500, in Austin, Texas. Chair Peter Einhorn called the meeting to order at 6:31 p.m.

Commissioners in attendance: Chair Peter Einhorn, Vice Chair Meagan Harding, Debra Danburg, Mary Kahle, Donna Beth McCormick, J. Michael Ohueri, Luis Soberon, Dennis Speight and Brian Thompson.

City Staff in Attendance: Division Chief and Assistant City Attorney, Cindy Crosby; Division Chief and Assistant City Attorney, Ashley Glotzer; Assistant City Attorney, Lynn Carter, Commission Staff Liaison, Sue Palmer; City Auditor, Corrie Stokes; Deputy City Auditor, Jason Hadavi; former Chief of Investigations (Auditor’s Office), Nathan Wiebe; and Senior Audit Investigator, Temitope Eletu-Odibo.

1. EXECUTIVE SESSION

The Ethics Review Commission may announce it will go into Executive Session pursuant to Chapter 551 of the Texas Government Code to receive advice from legal counsel on any matters specifically listed on this agenda (Private Consultation with Attorney-Section 551.071).

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

A complaint filed on April 25, 2017, by Jason Hadavi, formerly Nathan Wiebe, Office of the City Auditor, against Margo Frasier alleging violation of City Code Chapter 2-7 (Ethics and Financial Disclosure), including witness and evidentiary issues related to the final hearing on the complaint.

The Commission went into executive session at 6:33 p.m. on the above matter, and returned at 6:52 p.m.

2. FINAL HEARINGS

Discussion and possible action regarding the following:

The Commission will convene a final hearing under City Code Section 2-7-45 to consider a complaint filed on April 25, 2017, by Jason Hadavi, formerly Nathan Wiebe, Office of the City Auditor, against Margo Frasier alleging violation of City Code Chapter 2-7 (Ethics and Financial Disclosure).

At the conclusion of the final hearing, Commissioner Danburg made a motion to dismiss with a finding that no violation occurred, which was seconded by Commissioner McCormick. The motion passed on a vote of 7-2. Members voting aye: Chair Einhorn, Vice Chair Harding and Commissioners Danburg, McCormick, Ohueri, Speight and

Thompson. Members abstaining: Commissioners Kahle and Soberon. Secretary Robert “Ben” Stratmann was absent.

3. GENERAL CITIZEN COMMUNICATION

The first five speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

There were no speakers for general citizen communication.

4. NEW BUSINESS

Discussion of Charter Review Commission’s schedule of public hearings (The following dates and locations are subject to change: March 28 at 6:30 – Anderson High School (NW), 8403 Mesa Drive; April 3 at 6:30 - Dove Springs Recreation Center (SE); 5801 Ainez Drive, and Saturday, April 7, 2018 at 1:00 p.m. – City Hall, 301 W. 2nd Street.)

Commissioners discussed inviting Charter Review Commission representatives to provide an update to the Ethics Review Commission at the next Ethics Review Commission meeting.

5. APPROVAL OF MINUTES FROM THE FEBRUARY 7, 2018 REGULAR COMMISSION MEETING

Commissioner Speight made a motion to approve the minutes, which was seconded by Commissioner Thompson. The motion passed on a vote of 8-1-0. Members voting aye: Chair Einhorn, Vice Chair Harding and Commissioners Danburg, Kahle, McCormick, Soberon, Speight and Thompson. Commissioner Ohueri abstained. Secretary Robert “Ben” Stratmann was absent.

6. FUTURE AGENDA ITEMS

Discussed extending an invitation to the chair, vice chair or other members of the Charter Review Commission to the Ethics Review Commission’s April 11, 2018 meeting.

Preliminary hearing on Jason Hadavi v. Curtis Graves’ complaint.

ADJOURNMENT

Commissioner Speight made a motion to adjourn, which was seconded by Commissioner Oheuri. The motion passed on a unanimous vote. The meeting was adjourned at 9:58 p.m.

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least two (2) days (48 hours) before the meeting date. Please call Sue Palmer at the Law Department, at (512) 974-2915 for additional information; TTY users route through Relay Texas at 711.

For more information on the Ethics Review Commission, please contact Sue Palmer at (512) 974-2915 or Lynn Carter at (512) 974-2171.