



ETHICS REVIEW COMMISSION

REGULAR MEETING MINUTES Wednesday, June 13, 2018

The Ethics Review Commission (“Commission”) convened in a regular meeting on Wednesday, June 13, 2018, at City Hall, 301 W. 2nd Street, Room 1027 in Austin, Texas.

Chair Ben Stratmann called the meeting to order at 6:00 p.m.

Commissioners in attendance: Chair Ben Stratmann, Vice Chair Dennis Speight, Secretary Luis Soberon, Debra Danburg, Peter Einhorn, Tray Gober, Mary Kahle, Donna Beth McCormick, J. Michael Ohueri and Brian Thompson.

City Staff in Attendance: Lynn Carter, Commission Executive Liaison & Assistant City Attorney; Sue Palmer, Commission Staff Liaison; Ashley Glotzer, Division Chief and Assistant City Attorney; Lara Foss, Community Marketing Communications Consultant in the Communications and Public Information Office; and Keith Reeves, Station Manager from ATXN.

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).

No executive session occurred.

2. 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.

No speakers signed up for general citizen communication.

3. OLD BUSINESS

Discussion and possible action regarding the following:

- (a) Report and recommendations of the Working Group on Charter Review Commission’s recommendations.
- (b) Charter Review Commission recommendations.

Commissioner Danburg made a motion for a recommendation to Council, which included an amended report of the Ethics Review Commission's working group related to two recommendations of the Charter Review Commission, which motion was seconded by Commissioner Thompson. The motion passed on a unanimous vote. A description of the recommendation is set forth below:

1. Selection and qualification of members to the proposed Independent Ethics Review Commission (IERC):
 - (a) The City Auditor's Office should not be involved in the selection process of members to the proposed IERC.
 - (b) The proposed qualifications for IERC members should be loosened as the qualifications would result in a limited number of citizens who would be eligible to serve on the IERC.
2. The term of office of members to the proposed IERC: The five-year term length is too long, especially in light of the requirement that former members refrain from almost any political activity during their term and for two years after their term.
3. The cost of the proposed IERC and the "Democracy Dollars" program: The costs of the proposed IERC and the "Democracy Dollars" program and the source of the funds to satisfy these costs have not been adequately studied or substantiated.

Vote: 10-0-0

For: Chair Ben Stratmann, Vice Chair Dennis Speight, Secretary Luis Soberon, and Commissioners: Debra Danburg, Peter Einhorn, Tray Gober, Mary Kahle, Donna Beth McCormick, Michael Ohueri, and Brian Thompson.

Against: None

Abstain: None

Absent: None (Commissioner Meagan Harding resigned her position on June 11, 2018).

Commissioner Ohueri made a motion to amend the recommendation to Council related to the Charter Review Commission recommendations to add item number four, which would state: In regard to the appeals process available to citizens, the ERC believes there should be some serious consideration of an appeals process independent of the proposed IERC, which motion was seconded by Commissioner Danburg. The motion failed on a 3-4-3 vote. Members voting aye: Commissioners Gober, Kahle and Ohueri. Those voting nay: Commissioners Einhorn, McCormick, Thompson and Vice Chair Speight. Those abstaining: Commissioners Danburg, Soberon and Chair Stratmann.

4. NEW BUSINESS

Discussion and possible action regarding the following:

- (a) 2018 City Council Candidate Forums

The chair took up Item No. 4(a) out of order—near the beginning of the meeting. Carol Eckelkamp from the Austin Area League of Women Voters and City staff, Keith Reeves

and Lara Foss, made a presentation to the Commission on the planned 2018 City Council election candidate forums. No action was taken.

(b) Commission's Annual Internal Review Report (due on July 31, 2018)

Chair Stratmann provided an update on the draft annual internal review report. No action was taken. Chair Stratmann welcomed new commissioner, Tray Gober, and announced the resignation of former commissioner, Meagan Harding.

5. APPROVAL OF MINUTES FROM THE MAY 9, 2018 REGULAR COMMISSION MEETING

Vice Chair Speight made a motion to approve the minutes, which was seconded by Commissioner Soberon. The motion passed on a 9-0-1 vote. Commissioner Ohueri abstained.

6. FUTURE AGENDA ITEMS

ADJOURNMENT

Vice Chair Speight made a motion to adjourn, which was seconded by Commissioner Soberon. The motion passed on a unanimous vote.

The meeting was adjourned at 7:32 p.m.

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