



ETHICS REVIEW COMMISSION

MEETING MINUTES Wednesday, June 10, 2020

The Ethics Review Commission (“Commission”) convened in a regular meeting on Wednesday, June 10, 2020, Austin, Texas via Videoconference.

Chair Mary Kahle called the meeting to order at 3:02 p.m.

Commissioners in attendance: Chair Mary Kahle, Vice-Chair Luis Soberon, Secretary Kenneth “Tray” Gober, and Commissioners Debra Danburg, Betsy Greenberg, Raafia Lari, Robin Lerner, Donna Beth McCormick, J. Michael Ohueri, and Nathan Ryan. Commissioner Pedro A. Villalobos was absent.

City Staff in Attendance: Lynn Carter, Commission Executive Liaison & Assistant City Attorney, Bailey Hamer, Paralegal, Law Department and Tara Olson, Marketing and Communication Consultant, Communications and Public Information Office.

CITIZEN COMMUNICATION

Each person who signed up to speak prior to the meeting being called to order and who designated this item on which to speak, or who did not designate an agenda item on which to speak will be allowed three minutes to speak.

One speaker, Carlos León, spoke during Citizen Communication.

1. NEW BUSINESS

Discussion and possible action regarding the following:

- (a) 2020 Austin city council candidate forums.

Tara Olson, Communications and Public Information Office, and Commissioner McCormick reported to the Commission on the planned 2020 City Council election candidate forums.

Chair Kahle made a motion that the 2020 candidate forum schedule posted as backup for this meeting be approved by the Commission and that the Commission also approve holding the candidate forums virtually if necessitated by limitations on social gatherings, in the Mayor’s emergency orders (or Travis County Judge’s emergency orders whichever applies to the venue); by recommendation of the Public Health Director, Dr. Escott; or by lack of availability of a location for the event as a result of the COVID-19 Pandemic or other public health or safety emergency.

Commissioner Greenberg made a motion to amend Chair Kahle’s motion to make attending the candidate forums virtually an option regardless of whether an in-person candidate forum takes place. The motion to amend was seconded by Commissioner Danburg and passed on a unanimous vote of 10-0 of the members in

attendance. **Voting in favor: Chair Kahle, Vice-Chair Soberon, Secretary Gober, and Commissioners Danburg, Greenberg, Lari, Lerner, McCormick, Ohueri, and Ryan. Commissioner Villalobos was absent.**

Commissioner Ryan then seconded Chair Kahle’s motion as amended which motion was to approve the 2020 candidate forum schedule posted as backup for this meeting and that the Commission also approve holding the candidate forums virtually if necessitated by limitations on social gatherings and that an option for persons to attend virtually be made available regardless of whether a candidate forum is held in-person or virtually so that persons who are at high-risk or otherwise may attend virtually. The motion passed on a unanimous vote of 10-0 by the members in attendance. Voting in favor: Chair Kahle, Vice-Chair Soberon, Secretary Gober, and Commissioners Danburg, Greenberg, Lari, Lerner, McCormick, Ohueri, and Ryan. Commissioner Villalobos was absent.

(b) Election of Commission officers.

Chair Kahle made a motion to nominate Commissioner Soberon to serve as the new chair of the Ethics Review Commission, which was seconded by Commissioner Danburg. The motion passed on a unanimous vote of 10-0 of the members present. Voting in favor: Chair Kahle, Vice-Chair Soberon, Secretary Gober, and Commissioners Danburg, Greenberg, Lari, Lerner, McCormick, Ohueri, and Ryan. Commissioner Villalobos was absent.

Chair Soberon elected for former chair Kahle to continue as presiding officer of the June meeting.

Commissioner Lerner made a motion to nominate Commissioner Ohueri to the position of vice-chair, which was seconded by Commissioner Ryan. The motion passed on a unanimous vote of 10-0 of the members present. Voting in favor: Chair Soberon, Secretary Gober, and Commissioners Danburg, Greenberg, Kahle, Lari, Lerner, McCormick, Ohueri, and Ryan. Commissioner Villalobos was absent.

Chair Soberon made a motion to nominate Secretary Gober to the position of secretary, which was seconded by Commissioner Lerner. The motion passed on a unanimous vote of 10-0 of the members present. Voting in favor: Chair Soberon, Vice-Chair Ohueri, Secretary Gober, and Commissioners Danburg, Greenberg, Kahle, Lari, Lerner, McCormick, and Ryan. Commissioner Villalobos was absent.

(c) Working group status reports and/or recommendations.

i. Working group one (Commissioners Greenberg, Ohueri, and Lerner) on the following subjects:

- Commission sanctions including effectiveness, past cases, and recommendations.
- Potential amendments to City Code, Chapter 2-7 (Ethics and Financial Disclosure).

Vice-chair Ohueri stated that his working group, which includes Commissioners Greenberg and Lerner, plan to meet on Friday, June 19, 2020.

ii. Working group two (Chair Soberon, Secretary Gober, and Commissioner Lari) on the following subjects:

- Commission procedures including effectiveness, past cases, and recommendations.

- Scope of work of the Commission (powers, duties, and obligations), including effectiveness, past cases, and recommendations.
- Potential amendments to the Rules of the Ethics Review Commission.
- Best practices for city attorney opinions including effectiveness, past cases, and recommendations.

Chair Soberon stated that his working group, which includes Secretary Gober and Commissioner Lari, would provide a report or update by the next meeting.

2. APPROVAL OF MINUTES: FEBRUARY 12, 2020 REGULAR COMMISSION MEETING

Chair Soberon made a motion to approve the minutes, which was seconded by Commissioner Danburg

The motion passed on a vote of 9-0-1. Voting in favor: Chair Soberon, Secretary Gober, and Commissioners Danburg, Greenberg, Kahle, Lari, Lerner, McCormick, and Ryan. Vice-Chair Ohueri abstained. Commissioner Villalobos was absent.

3. FUTURE AGENDA ITEMS

Commissioner Kahle and Chair Soberon joined to add working group status reports and/or recommendations to the next meeting agenda. Commissioner Greenberg suggested, and was joined by Commissioner Ryan, that working group status reports be included as a standing item on meeting agendas until the working groups finish their current tasks.

Commissioner Lari suggested an agenda item on race, identity, and equity, which was agreed to by Vice-Chair Ohueri and other Commissioners. Commissioner Lari expounded on the agenda item as helping focus the Commission's evaluation of racial injustice and how the Commission can be inclusive and operate more fairly and effectively in light of racial injustice. Vice-Chair Ohueri supported this item, as well as inviting the Equity Officer to participate in a Commission meeting on this topic, and Commissioner Danburg agreed with adding this topic as an agenda item.

Commissioner Greenberg suggested, with the agreement of Commissioner Ryan and Danburg, to add an agenda item on public access to open meetings – how meetings are being handled in this current situation where some do not have access to computer technology.

The executive liaison will invite the Equity Officer to a future meeting and follow-up with the homeless officer and Austin libraries in preparing for the above agenda items.

Vice-Chair Ohueri thanked Mary Kahle for her service as Chair of the Commission, and Ms. Kahle was applauded by the Commissioners for her service.

ADJOURNMENT

The meeting adjourned at 3:56 p.m.