



## **ETHICS REVIEW COMMISSION**

## **MEETING MINUTES**

**Wednesday, November 10, 2021**

The Ethics Review Commission (“Commission”) convened in a special called meeting on Wednesday, November 10, 2021, at Austin Energy, Assembly Room 1111, 4815 Mueller Blvd., Austin, Texas.

Chair Luis Soberon called the meeting to order at 6:11 p.m.

Commissioners in attendance: Chair Luis Soberon and Commissioners Debra Danburg, Betsy Greenberg, Raafia Lari, Michael Lovins, Donna Beth McCormick, and Sidney Williams were present at City Hall at roll call. Commissioner Nguyen Stanton arrived shortly after roll call; Secretary Robin Lerner arrived within about 5 minutes of the call to order.

Members absent: Vice-Chair Mary Kahle and Commissioner Mikki Teneyuca.

City Staff in Attendance: Lynn Carter, Assistant City Attorney and Commission Executive Liaison, and Meredith Mooney, Executive Assistant, Law Department.

## **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.

**No public speakers registered to speak.**

### **1. NEW BUSINESS**

Discussion and possible action regarding the following:

- a. Review and evaluation of the dollar limits established in Chapter 2-2 (Campaign Finance) and consider making recommendations to the city council as to those limits.

**Item 1(a) was discussed; no action was taken.**

### **2. OLD BUSINESS**

Discussion and possible action regarding the following:

- a. Statement of What the Commission Does & How the Public can use the Commission and Statement on Equity, Access, and the Need for Reform by the Working Group on Race, Identity, and Equity.

**Item 2(a) was discussed; no action was taken.**

- b. Content of the agenda for future meetings, including description of Commission's jurisdiction and/or functions.

**Item 2(b) was briefly discussed; no action was taken.**

- c. Working group status reports and/or recommendations on the following.

1. Working Group on Sanctions, Procedures, and other Issues (Chair Soberon and Commissioners Greenberg, Stanton, and Teneyuca) on the following subjects:

- Commission sanctions including effectiveness, past cases, and recommendations.
- Potential amendments to City Code, Chapter 2-7 (Ethics and Financial Disclosure).
- 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.
- Dollar Limits in Chapter 2-2 (Campaign Finance Code)
- Campaign Finance Brochure
- Possible budget proposal to create an ombudsperson for complaint assistance and/or campaign finance issues.

2. Working Group on Race, Identity, and Equity (Commissioners Kahle, Lari, and Soberon) status report and/or recommendations on: addressing issues of race, identity, and equity including:

- (i) planning for presentations or trainings by the Equity Office;
- (ii) helping focus the Commission's evaluation of racial injustice and how the Commission can operate more fairly and effectively in light of racial injustice.

**Item 2(c) on Working Group Status Updates was discussed. Chair Soberon made a motion, which was seconded by Commissioner McCormick, to request assistance from City staff to send out a survey to former commissioners, outside counsel, past complainants, respondents, and counsel to a past complainant or respondent, which survey would state in part, "In an effort to improve the Ethics Review Commission (ERC) process, we have created a survey to collect your thoughts about what can be improved and what's working well. The feedback collected in this survey will be specifically used to guide the ERC on what areas to focus on. The survey results will be**

anonymous and will be subject to open records. For additional information about the Ethics Review Commission, please visit the Ethics Review Commission website”, [URL web address].

Commissioner Stanton made a motion to amend the motion to add a parenthetical after each of the three questions in the survey: What do you think can be improved? (For example, membership, operations, complaint process, hearings, penalties, jurisdiction.)”

Chair Soberon seconded the motion to amend. The motion to amend passed on the unanimous vote of the nine members present. Voting in favor: Chair Soberon, Secretary Lerner, and Commissioners: Danburg, Greenberg, Lari, Lovins, McCormick, Stanton, and Williams. Vice-Chair Kahle and Commissioner Teneyuca were absent.

Action was then taken on Chair Soberon’s motion, as amended. Chair Soberon’s motion included a request that City staff assist with the survey. The survey terms as stated in the motion are reflected in Exhibit “A” to these minutes. The motion passed on the unanimous vote of the nine members present. Voting in favor: Chair Soberon, Secretary Lerner, and Commissioners: Danburg, Greenberg, Williams, Lari, Lovins, McCormick, and Stanton. Vice-Chair Kahle and Commissioner Teneyuca were absent.

### **3. APPROVAL OF MINUTES: OCTOBER 27, 2021 SPECIAL-CALLED COMMISSION MEETING**

Discussion and possible action regarding the minutes for:

- (a) the October 27, 2021 special-called commission meeting.

**No action was taken as the minutes were not completed.**

### **4. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS**

Chair Soberon announced that a new complaint has been received and would be on the agenda either at the next meeting on December 8, 2021, or within the 60-day deadline in accordance with the Commission’s procedures.

### **ADJOURNMENT**

**The meeting adjourned at 8:29 p.m.**

# Ethics Commission Review

In an effort to improve the Ethics Review Commission (ERC) process, we have created a survey to collect your thoughts about what can be improved and what's working well. The feedback collected in this survey will specifically be used to guide the ERC on what areas to focus on. The survey results will be anonymous and will be subject to open records. For additional information about the ERC visit the ERC webpage <http://www.austintexas.gov/content/ethics-review-commission>.

1.What do you think can be improved with the Ethics Review Commission? For example: (Membership/Operations/Complaint Process/Hearings/Penalties/Jurisdiction)

2.What do you think is working well with the Ethics Review Commission? For example: (Membership/Operations/Complaint Process/Hearings/Penalties/Jurisdiction)

3.Any additional comments or suggestions for the Ethics Review Commission? For example: (Membership/Operations/Complaint Process/Hearings/Penalties/Jurisdiction)

Submit