



**REGULAR CALLED MEETING of the ETHICS REVIEW COMMISSION  
OCTOBER 26, 2022 at 6:00 P.M.  
AUSTIN CITY HALL, BOARDS & COMMISSIONS ROOM, #1101  
301 W 2<sup>ND</sup> STREET  
AUSTIN, TEXAS 78701**

**Some members of the Ethics Review Commission may be participating by videoconference.  
The meeting may be viewed online at:  
<http://www.austintexas.gov/page/watch-atxn-live>**

**Public Speakers:** Public comment will be allowed in-person or remotely via telephone. Speakers may only register to speak once, either in-person or remotely, and will be allowed up to three minutes to provide their comments. If participating remotely by telephone, a speaker must register no later than noon the day before the meeting. To register to speak remotely, contact Lizette Benitez at (512) 974-2915 or [lizette.benitez@austintexas.gov](mailto:lizette.benitez@austintexas.gov).

**CURRENT COMMISSIONERS:**

Chair Luis Soberon  
Debra Danburg  
Michael Lovins  
Sidney Williams

Vice-Chair Mary Kahle  
Betsy Greenberg  
Donna Beth McCormick  
Vacancy – Mayor’s nominee

Secretary Nguyen Stanton  
Raafia Lari  
Mikki Teneyuca

**AGENDA**

**CALL TO ORDER**

**PUBLIC COMMUNICATION: GENERAL**

There is no limit on the number of speakers who may speak on agenda items. There is a limit on the number of speakers who may speak on items not posted on the agenda—only the first ten speakers who register prior to the meeting being called to order will be allowed a three-minute allotment to address non-agenda items. For more information on public communication, please see the “**Notice Regarding Public Communication**” at the end of this agenda.

**EXECUTIVE SESSION**

1. 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 matter listed in this agenda. The Commission may go into Executive Session to discuss:

City Code Chapter 2-2 (Campaign Finance), Section 2-2-14 (Disclosure of Compliance with Chapter).

### **DISCUSSION AND ACTION ITEMS**

2. Respondent Richard Smith's amended request for postponement of October 26th preliminary hearing regarding a complaint filed by Julie Oliver against Richard Smith raising claimed violations of City Code Chapter 2-2-14 (Disclosure of Compliance with Chapter).

### **PRELIMINARY HEARING**

Consideration, discussion, and potential action regarding:

3. A complaint filed by Julie Oliver against Richard Smith, raising claimed violations of City Code Chapter 2-2 (Campaign Finance), Section 2-2-14 (Disclosure of Compliance with Chapter).
  - a. If the Commission votes to proceed to a final hearing, the Commission shall schedule a final hearing.
  - b. If the Commission votes to proceed to a final hearing, the parties may request certain persons or evidence for a final hearing.

### **DISCUSSION AND ACTION ITEMS**

4. Approval of a final statement and/or video of what the Commission does & how the public can use the Commission and/or a Statement on Equity, Access, and the need for reform by the Working Group on Race, Identity and Equity.

### **APPROVAL OF MINUTES**

5. Approve the minutes of the Ethics Review Commission Regular Meeting on September 28, 2022.

### **FUTURE AGENDA ITEMS**

### **ADJOURNMENT**

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 2 days (48 hours) before the meeting date.

Please call Lizette Benitez, Caroline Webster, or Meredith Mooney at the Law Department, at (512) 974-2268 for additional information; TTY users' route through Relay Texas at 711.

For more information on the Ethics Review Commission, please contact Caroline Webster at (512) 974-1353. For the 2022 meeting schedule, agendas, and additional information about the Commission, see: [Ethics Review Commission | AustinTexas.gov](https://www.austintexas.gov/ethics-review-commission)

## **ERC STANDARD PUBLIC COMMUNICATION INSTRUCTIONS**

### **NOTICE Regarding Public Communication**

Sign-in required: If appearing in person at the meeting, please sign in to speak with the staff liaison prior to the meeting being called to order. Please indicate the item or items on the agenda on which you are speaking, if you are speaking on an agenda item. A speaker who fails to indicate an agenda item on which the speaker desires to speak will be called to speak during **Public Communication**.

Time Limits: Speakers are limited to a maximum time limit of three minutes per speaker. A time period of six minutes will be allowed for a speaker who addresses the Commission through a translator or a speaker who needs an accommodation of a disability.

Public Communication Speakers: A maximum of ten persons may speak during Public Communication, at the beginning of the meeting on any topic, which are non-agenda items. Speakers will be called in the order in which the speaker signed up.

Public Communication or Public Testimony on a Numbered Agenda Item: A speaker who signs up to speak on a numbered agenda item will be called to speak at the beginning of the meeting, or secondly, at the beginning of the agenda item and will be called in the order in which the speaker(s) signed up. Speaker comments must be relevant to the agenda item.