

ETHICS REVIEW BOARD MEETING MINUTES TUESDAY, MAY 8, 2018

A meeting of the Ethics Review Board (ERB) was held on Tuesday, May 8, 2018 at 6:00 pm in the Media Briefing Room of City Hall, 100 Military Plaza, San Antonio, Texas with the following present:

Ethics Members Present: Patrick Lang, Ruben De Leon, Adriana Garcia, Magdalena Alvarado, Linda Jackson, Michael Soto, Victoria Moreno-Herrera, Wade Shelton, Ron Van Kirk, and Paula McGee

Ethics Members Absent: Melanie Castillo

Staff Present: Andy Segovia, *City Attorney*; Leticia Vacek, *City Clerk*; Leticia Saenz, *Deputy City Clerk*; Elizabeth Provencio, *First Assistant City Attorney*; Camila Kunau, *Assistant City Attorney*; Tina Flores, *Compliance Auditor*; Thea Setterbo, *Government & Public Affairs*; and Rosalinda Diaz, *Sr. Administrative Assistant*

Others Present: Greg Brockhouse, *Councilmember, District 6*; Joe Galli, *WOAI*; Henry Ramos, *Kens5*; Mario Hune, *District 6 Staff*; Ivalis Meza, *Mayor's Office*; Nettie Hinton, *Citizen*; Esteban Stipnieks, *Citizen*

CALL TO ORDER

Chairwoman Garcia called the meeting to order at 6:00 pm.

ROLL CALL

Mrs. Diaz called the roll noting that a quorum was present.

1. Discussion regarding the ERB's jurisdiction on open government complaints.

Chairwoman Garcia stated that said item was placed on the agenda so that the ERB could discuss the complaint process and receive a legal opinion regarding the ERB's jurisdiction on complaints. Vice-Chair McGee added that since the ERB was in the process of proposing amendments to the Codes; this would be a good time to discuss whether or not the Code should be amended to address other types of complaints.

Andy Segovia read a portion of Section 167 of the City Charter regarding the ERB's jurisdiction and powers. He stated that the ERB could discuss how to broaden the Code but that there were certain State Statutes the City Council could not delegate to the ERB. He explained that since the Open Meetings Act was a State Law; the two entities with jurisdiction to investigate and enforce that law were the District Courts and District Attorney.

Discussion ensued among the ERB Members regarding the Open Meetings Act and possible changes to the Ethics Code. Chairwoman Garcia recognized Councilmember Brockhouse. Councilmember Brockhouse stated that he had asked the District Attorney's Office to investigate whether a closed-session discussion held on May 3, 2018 violated the Texas Open Meetings Act. He added that the public may complain to the ERB about the meeting.

Discussion ensued and the ERB decided to create a Panel to explore potential changes to the complaint process. Chairwomen Garcia stated that she would assign and notify the members selected to the Panel.

No action was required for Item 1.

2. Discussion and possible action of potential revisions to the Ethics Code and Municipal Campaign Finance Code.

Chairwoman Garcia stated that the B Session presentation to the Mayor and City Council scheduled for May 16, 2018 had been cancelled. She noted that she would notify the ERB of the new date once it was re-scheduled. She added that due to the meeting date change; the implementation date for the Codes would be moved from July 1, 2018 to January 1, 2019 to allow for training.

No action was required for Item 2.

3. Citizens to be Heard.

Chairwoman Garcia called upon the citizens registered to speak.

Nettie Hinton expressed concerns with the land and businesses around the Hays Street Bridge.

Esteban Stipnieks noted concerns with the Open Meetings Act potentially being violated and his family heritage.

Executive Session: Attorney-Client matters may be discussed on any of the items listed above under Section 551.071 (consultation with attorney) of the Texas Open Meetings Act.

The Executive Session was not held.

ADJOURNMENT

There being no further discussion, Chairwoman Garcia adjourned the meeting at 6:49 pm.



Adriana Garcia, Chair

Respectfully Submitted,



Rosalinda G. Diaz, Office of the City Clerk