

# **ETHICS REVIEW BOARD MEETING MINUTES TUESDAY, FEBRUARY 12, 2019**

A meeting of the Ethics Review Board (ERB) was held on Tuesday, February 12, 2019 at 6:00 pm in the Municipal Plaza Building, "C" Room, 114 W. Commerce, First Floor, San Antonio, Texas with the following present:

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

**Ethics Members Absent:** Bob Wise, Jr. and Michael Soto

**Staff Present:** Kevin Barthold, *City Auditor*; Leticia Vacek, *City Clerk*; Camila Kunau, *Assistant City Attorney*; Tina Flores, *Assistant to the Director*; and Rosalinda Diaz, *Sr. Administrative Assistant*

## **CALL TO ORDER**

Vice-Chair Paula McGee called the meeting to order at 6:00 pm.

## **ROLL CALL**

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

Mrs. McGee stated that she would be facilitating the meeting due to the resignation of Adriana Garcia.

### **1. Approval of the minutes of the Ethics Review Board Meeting held on November 27, 2018.**

Vice-Chair McGee requested the following revisions to the ERB minutes for November 23, 2018: Item No. 2 on the first paragraph of Page 2 - change the word weather to whether and wavier to waiver.

Mr. Van Kirk moved to approve the minutes of the Ethics Review Board Meeting held on November 27, 2018 with the recommended changes. Mr. Shelton seconded the motion. Motion carried unanimously by those present.

### **2. Discussion and possible action regarding the election of a Chair and Vice-Chair of the Ethics Review Board.**

Vice-Chair McGee opened the floor for nominations for the position of Chair. Mr. Shelton moved to nominate Mrs. McGee as Chair. Ms. Jackson seconded the motion. There being no other nominations for Chair; the motion carried unanimously by those present.

Chairwoman McGee opened the floor for nominations for the position of Vice-Chair. Ms. Jackson moved to nominate Mr. Lang as Vice-Chair. Mr. Shelton seconded the motion. There being no other nominations for Vice-Chair; the motion carried unanimously by those present.

Mr. Barthold noted that the Chair and Vice-Chair terms would expire in April 2019.

Mrs. Leticia Vacek, City Clerk administered the Oath of Office to Chairwoman McGee and Vice-Chair Lang.

### **3. Review and discussion of the 2018 ERB Annual Report.**

Mr. Barthold outlined the information in the draft of the 2018 ERB Annual Report. He noted that the Report was a requirement of the Ethics Code. He requested that the Board review the Report and make any recommend changes before the next ERB Meeting.

Mrs. Flores requested that the waiver listed on Page 1 of the Annual Report under "Summary of Ethics Review Board Annual Activity," (fourth bullet) be referenced in the Attachment A Table. The Board was in agreement and requested that Mr. Barthold update the draft report.

Mr. Shelton noted that a few of the Registrants listed in Attachment C, "Registered Lobbyists as of December 31, 2018" were missing their assigned Agents. The Board requested that the Office of the City Clerk provide an updated list.

No action was required for Item 3.

### **4. Citizens to be Heard.**

There were no citizens registered to speak.

### **5. Executive Session: Deliberate the appointment, employment and duties of the Compliance Auditor, and discuss legal issues pursuant to Texas Government Code Section 551.074 (personnel matters) and Texas Government Code Section 551.071 (consultation with attorney).**

Chairwoman McGee recessed the meeting at 6:16 pm to convene in Executive Session, pursuant to Texas Government Code Section 551.074 (personnel matters) and Texas Government Code Section 551.071 (consultation with attorney) of the Texas Open Meetings Act.

Chairwoman McGee reconvened the Ethics Review Board meeting at 6:33 pm and announced that no action was taken in Executive Session.

Chairwoman McGee created a Panel to review the applications received for the Compliance Auditor Position. She assigned herself, Mr. Lang, Ms. Alvarado, Mr. De Leon, and Mr. Van Kirk to the Panel. She noted that Ms. Moreno-Herrera would serve as an alternate if necessary.

Mr. Barthold noted that he received 49 applications for the Compliance Auditor Positon. He outlined the process for the Panel to review the applications. He reminded the Board to be mindful of the Open Records procedures when communicating by email.

## ADJOURNMENT

There being no further discussion, Chairwoman McGee adjourned the meeting at 6:41 pm.

  
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*Paula McGee, Chair*

Respectfully Submitted,

  
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*Rosalinda G. Diaz, Office of the City Clerk*