

# **ETHICS REVIEW BOARD MEETING MINUTES TUESDAY, APRIL 16, 2019**

A meeting of the Ethics Review Board (ERB) was held on Tuesday, April 16, 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:** Bob Wise, Jr., Patrick Lang, Ruben De Leon, Kristi Villanueva, Wade Shelton, Ron Van Kirk, and Paula McGee

**Ethics Members Absent:** Magdalena Alvarado, Michael Soto, and Victoria Moreno-Herrera

**Staff Present:** Kevin Barthold, *City Auditor*; Camila Kunau, *Assistant City Attorney*; Maria Perez, *Compliance Auditor*; Melinda Uriegas, *Assistant City Clerk*; Lina Rodriguez, *Executive Assistant to the City Clerk*; and Rosalinda Diaz, *Sr. Administrative Assistant*

## **CALL TO ORDER**

Chairwoman 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.

Chairwoman McGee welcomed Kristi Villanueva, District 6, and Maria Perez, Compliance Auditor, to the ERB Meeting.

At this time, the ERB addressed Item 2.

### **2. Swearing in and Administration of Oath of Office for Board Member Kristi Garza Villanueva (District 6).**

Ms. Lina Rodriguez, Executive Assistant to the City Clerk administered the Oath of Office to Kristi Villanueva, District 6.

Mrs. Villanueva introduced herself to the ERB.

No action was required for Item 2.

### **1. Approval of the minutes of the Ethics Review Board Meeting held on February 12, 2019.**

Mr. De Leon moved to approve the minutes of the Ethics Review Board Meeting held on February 12, 2019. Mr. Van Kirk seconded the motion. Motion carried unanimously by those present.

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

Mr. Barthold stated that the Report contained the requirements outlined per the Ethics Code. He noted that the ERB Opinion was inserted in Attachment A-2 and that the Lobbyist List was updated as requested by the Board.

Mr. Shelton moved to approve the 2018 ERB Annual Report. Mr. De Leon seconded the motion. Motion carried unanimously by those present.

Items 4 and 5 were discussed jointly.

### **4. Discussion and possible action on candidates who have not submitted their Personal Financial Statement (PFS) and Financial Disclosure Report (FDR) Addendum.**

### **5. Discussion and possible action on candidates who have not submitted their 30-day Campaign Finance Reports.**

Chairwoman McGee stated that she had received a memo from Leticia Vacek, City Clerk, notifying her that three individuals had not submitted their FDR Addendum as required by the Ethics Code. She added that the City Clerk had notified the three individuals by certified mail that an extension was granted for them to complete their FDR Addendum by the new deadline. She reported that presently, two individuals had not completed their required PFS and FDR Addendum and 17 individuals had not filed their 30-day Campaign Finance Report.

Chairwoman McGee noted that no action was taken in the past on individuals who failed to submit their Reports since the Ethics Code does not contain any guidelines to address the issue. She asked for the Board's opinion regarding what actions, if any, the Board should take on the non-submission of the Reports.

Ruben De Leon suggested that a letter from the ERB be sent by certified mail to the individuals with outstanding Reports.

Camila Kunau outlined the guidelines in the Texas State Law and the City Codes concerning individuals who fail to submit a PFS, FDR Addendum and Campaign Finance Report by the required deadlines. She stated that the Board could adopt a policy or amend the Ethics Code to address the failure to submit the required Reports. She recommended that the letter from the ERB notifying individuals of their outstanding reports be informative and educational in nature.

Discussion ensued on the action the ERB should take regarding the non-compliance Reports. The Board agreed to send certified letters to the individuals who had not yet submitted their Reports.

Chairwoman McGee requested that the City Auditor's Office and the City Attorney's Office draft a letter for the ERB to send to the individuals who had not submitted their required Reports.

Mr. Lang requested that the letter introduce the ERB and include information on where to obtain and submit the required Reports.

Ms. Kunau proposed that the letter containing information regarding the various Reports be provided to individuals by the Office of the City Clerk at the time they file for a place on the ballot. She noted that to avoid sending the letter by certified mail; the individual could sign receipt of the letter at the Office of the City Clerk. The Board was in favor of the proposal.

Melinda Uriegas outlined the due dates and governance of the PFS and FDR Addendum. She stated that the PFS was governed by the Local Government Code and the FDR Addendum was governed by the Ethics Code. She noted that the City Clerk was only authorized to only give an extension for the FDR Addendum.

Mr. De Leon moved that the ERB send a letter by certified mail to the individuals who have not complied with the required Reports. Mr. Wise seconded the motion. Motion carried unanimously by those present.

Chairwoman McGee requested that the City Auditor's Office and the City Attorney's Office prepare an acknowledgement letter that would be provided to individuals filing for a place on the ballot.

Mr. Barthold introduced Maria Perez as the new Compliance Auditor.

#### **6. Citizens to be Heard.**

There were no citizens registered to speak.

**Executive Session: Attorney-Client matters may be discussed on any of the items listed above under Section 551.071 (consultation with attorney) pursuant to Texas Government Code Section and Texas Government Code.**

The Executive Session was not held.

#### **ADJOURNMENT**

There being no further discussion, Chairwoman McGee adjourned the meeting at 6:47 pm.



*Paula McGee, Chair*

Respectfully Submitted,



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