



City of San Marcos

Meeting Minutes

Ethics Review Commission

Monday, August 12, 2019

5:30 PM

City Hall Conference Room

I. Call To Order

With a quorum present, the regular meeting of the Ethics Review Commission was called to order by Chair Taylor at 5:31 p.m. on Monday, August 12, 2019 in the City Hall Conference Room, 630 E. Hopkins Street, San Marcos, Texas 78666.

II. Roll Call

Present: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Absent: 0

III. 30 Minute Citizen Comment Period

There were no speakers.

1. Consider approval, by motion, of the May 14, 2019 regular meeting minutes.

A motion was made by Commissioner Garcia, seconded by Commissioner Baker to approve the minutes. The motion carried by the following vote:

For: 6 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, and Commissioner Walden

Against: 0

Abstain: 1 - Commissioner Turri (absent May 14th)

2. Consider a Resolution to send to City Council recommending a requirement for yearly ethics training for appointed and elected officials and board and commission members.

A motion was made by Commissioner Walden, seconded by Commissioner Garcia, to submit ERC's draft Resolution 2019-2 (see attachment) to Council for approval. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

3. Review and discuss initial and resubmitted 2018 Annual Financial Disclosure Forms from Council, Council Appointee, and Planning & Zoning Commissioners.

Council Appointee:

A motion was made by Commissioner Garcia, seconded by Commissioner Lollar, to accept the amended form for City Manager Lumbreras. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

Council:

A motion was made by Commissioner Rice, seconded by Commissioner Turri, to accept the amended form for Council Member Derrick. The motion carried by the following vote:

For: 6 - Chair Taylor, Commissioner Baker, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

Abstain: 1 - Commissioner Garcia (uncertainty with indirect financial interest)

A motion was made by Commissioner Garcia, seconded by Commissioner Lollar, to accept the amended form for Council Member Gonzales. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

A motion was made by Commissioner Lollar, seconded by Commissioner Rice, to accept the amended form for Mayor Hughson. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

A motion was made by Commissioner Baker, seconded by Commissioner Lollar, to accept the amended form for Council Member Marquez. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

A motion was made by Commissioner Turri, seconded by Commissioner Garcia, to accept the amended form for Council Member Mihalkanin. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

A motion was made by Commissioner Lollar, seconded by Commissioner Garcia, to accept the amended form for Council Member Prewitt. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

A motion was made by Commissioner Garcia, seconded by Commissioner Rice, to accept the amended form for Council Member Rockey Moore. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

Planning & Zoning Commission:

A motion was made by Commissioner Rice, seconded by Commissioner Baker, to accept the amended form for P&Z Commissioner Baker. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

A motion was made by Commissioner Lollar, seconded by Commissioner Rice, to accept the amended form for P&Z Commissioner Dillon. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

A motion was made by Commissioner Rice, seconded by Commissioner Lollar, to accept the amended form for P&Z Commissioner Garber. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

A motion was made by Commissioner Garcia, seconded by Commissioner Lollar, to accept the amended form for P&Z Commissioner Haverland. The motion carried

by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

A motion was made by Commissioner Garcia, seconded by Commissioner Lollar, to accept the amended form for P&Z Commissioner McCarty. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

A motion was made by Commissioner Garcia, seconded by Commissioner Turri, to accept the amended form for P&Z Commissioner Moore. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

A motion was made by Commissioner Lollar, seconded by Commissioner Garcia, to accept the amended form for P&Z Commissioner Rand. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

A motion was made by Commissioner Baker, seconded by Commissioner Turri, to accept the initial and amended AFD Form for P&Z Commissioner Kelsey. The motion carried by the following vote:

For: 7 - Chair Taylor, Commissioner Baker, Commissioner Garcia, Commissioner Lollar, Commissioner Rice, Commissioner Turri, and Commissioner Walden

Against: 0

4. Review and discuss proposed draft lobbying ordinance prepared by ERC's lobbying subcommittee.

This item was discussed and no action taken. However, ERC provided consensus to add this agenda item to their special meeting scheduled for Monday, September 9, 2019.

5. Review and strengthen Sections 2.422, 2.423, and 2.424, and additional sections under Code of Ethics including, but not limited to, lobbying and campaign finance.

This item was discussed and no action taken.

IV. Discussion and Recommendations for Future Agenda Items.

ERC special meeting on Monday, September 9, 2019:

- review, discuss, and take action, as appropriate, on the draft lobbying ordinance
- vote on ERC's regular meeting date for November 2019, due to conflict with City holiday (Veterans Day on Monday, November 11th)

ERC regular meeting on Monday, October 14, 2019:


- discuss and take action, as appropriate, on possible Resolution amending the Annual Financial Disclosure Form and any relevant code sections

V. Question and Answer Session with Press and Public.

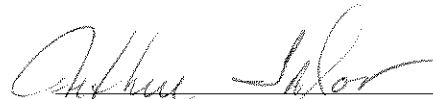
None were present for questions and answers from press and public.

VI. Adjournment

The Regular Meeting of the Ethics Review Commission meeting was unanimously adjourned at 7:55 p.m.



Michael Cosentino, Staff Liaison



Arthur Taylor, Chair

ERC RESOLUTION NO. 2019-2

A RESOLUTION OF THE ETHICS REVIEW COMMISSION OF THE CITY OF SAN MARCOS, TEXAS RECOMMENDING AN AMENDMENT TO THE SAN MARCOS CODE OF ETHICS TO REQUIRE YEARLY ETHICS TRAINING FOR APPOINTED AND ELECTED CITY OFFICIALS AND CITY BOARD AND COMMISSION MEMBERS

RECITALS:

1. The Ethics Review Commission (the "Commission") is required by Section 2.443 of the San Marcos City Code to meet at least once per year to review the Code of Ethics and is authorized to make recommendations to the city council regarding amendments.
2. The Commission has determined that the Code of Ethics currently contains no provisions that require elected and appointed city officials and board and commission members to receive ethics training.
3. The Commission finds that adopting an amendment to the Code of Ethics to require recurrent ethics training would remind elected and appointed officials and board and commission members of the ethics ordinances and requirements governing their service to the city and help prevent inadvertent ethics violations from occurring.

BE IT RESOLVED BY THE ETHICS REVIEW COMMISSION OF THE CITY OF SAN MARCOS, TEXAS:

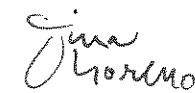
PART 1. The Commission hereby recommends that the City Council discuss and consider amending the Code of Ethics to require appointed and elected city officials and city board and commission members to attend yearly ethics training.

PART 2. This resolution shall be in full force and effect from and after its passage.

ADOPTED on August 12, 2019.


Arthur Taylor
Chair

Attest:


Tina Moreno
Recording Secretary