



City of San Marcos

Regular Meeting Agenda

Ethics Review Commission

Tuesday, November 9, 2021

5:30 PM

City Hall Conference Room

630 E. Hopkins

This will be a hybrid (in-person/virtual) meeting.

To view the meeting, please go to <https://us02web.zoom.us/j/89950674405> or

Dial in at: 888 788 0099 (toll free) or 877 853 5247 (toll free) or

One tap mobile: US: +13462487799,,89950674405#,,,,*065237#

Meeting ID: 899 5067 4405 Passcode: 065237

I. Call To Order

II. Roll Call

III. 30 Minute Citizen Comment Period

Persons wishing to participate (speak) during the Citizen Comment portion of the meeting must submit their comments or request to speak to tmoreno@sanmarcostx.gov no later than 12:00 p.m. the day of the meeting. Please indicate if you would like to speak in person or virtually. Written or oral comments shall have a time limit of three (3) minutes each.

1. Consider approval, by motion, of the October 12, 2021 regular meeting minutes.
2. Discuss and take action, as appropriate, on possible Resolution to send to City Council recommending an amendment to Sec. 2.461 – *Definitions* in Division 3. Financial Disclosure, under Code of Ethics.
3. Discuss and take action, as appropriate, on the status of draft Resolutions sent to Council.

IV. Discussion and Recommendations for Future Agenda Items

Board Members may provide requests for discussion items for future agenda in accordance with the board's approved bylaws. No further discussion will be held related to topics proposed until they are posted on a future agenda in accordance with the Texas Open Meetings Act.

V. Question and Answer Session with Press and Public

This is an opportunity for the Press and Public to ask questions related to items on this agenda. Persons wishing to participate in the Q&A session remotely must email tmoreno@sanmarcostx.gov no later than 12:00 p.m. the day of the meeting. Comments shall have a time limit of three (3) minutes each.

VI. Adjournment

Notice of Assistance at the Public Meetings

The City of San Marcos is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days (48 hours) before the meeting date. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 855.461.6674 or sent by e-mail to ADArequest@sanmarcostx.gov.

For more information on the Ethics Review Commission, please contact Tina Moreno at 512.393.8151 or tmoreno@sanmarcostx.gov.



City of San Marcos

Meeting Minutes Ethics Review Commission

Tuesday, October 12, 2021

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 Lollar at 5:32 p.m. on Tuesday, October 12, 2021.

II. Roll Call

Present: 6 - Chair Lollar, Commissioner Chandler, Commissioner Garcia, Commissioner Rhodes (virtual), Commissioner Rowe, and Commissioner Teehan

Absent: 1 - Commissioner Walden

III. 30 Minute Citizen Comment Period

There were no speakers.

1. Consider approval, by motion, of the August 10, 2021 regular meeting minutes.

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

For: 6 - Chair Lollar, Commissioner Chandler, Commissioner Garcia, Commissioner Rhodes, Commissioner Rowe, and Commissioner Teehan

Against: 0

Absent: 1 - Commissioner Walden

2. Review, discuss and take action, as appropriate, on amending the Annual Financial Disclosure Form, including but not limited to defining the term "fair market value."

This item was discussed and no action taken.

3. Discuss and take action, as appropriate, on possible Resolution to send to City Council recommending amendments to Sec. 2.463 – Information required on financial disclosure statements, under Code of Ethics.

A motion was made by Commissioner Teehan, seconded by Commissioner Rowe, to accept the Commission's definition for "fair market value" and to have a Resolution crafted to amend Sec. 2.461 – Definitions to incorporate the proposed definition as follows: Fair market value means the appraised value reflected on the most recent certified

appraisal roll by the appraisal district in the county where the property is located. **The motion carried by the following vote:**

For: 6 - Chair Lollar, Commissioner Chandler, Commissioner Garcia, Commissioner Rhodes, Commissioner Rowe, and Commissioner Teehan

Against: 0

Absent: 1 - Commissioner Walden

IV. Discussion and Recommendations for Future Agenda Items.

ERC regular meeting on November 9, 2021:

- discuss and take action, as appropriate, on possible Resolution to send to City Council recommending an amendment to *Sec. 2.461 – Definitions* in Division 3. Financial Disclosure, under Code of Ethics

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 6:17 p.m.

Michael Cosentino, Staff Liaison

Jonathan Lollar, Chair

ERC RESOLUTION NO. 2021-3

A RESOLUTION OF THE ETHICS REVIEW COMMISSION OF THE CITY OF SAN MARCOS, TEXAS RECOMMENDING AN AMENDMENT TO SECTION 2.461 OF THE SAN MARCOS CITY CODE TO PROVIDE A DEFINITION OF THE TERM “FAIR MARKET VALUE” FOR THE PURPOSE OF REPORTING THE VALUE OF REAL PROPERTY ON FINANCIAL DISCLOSURE STATEMENTS FILED BY CITY OFFICIALS AND COUNCIL APPOINTEES

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 San Marcos City Code, Section 2.461, to read as follows:

Sec. 2.461. Definitions.

In this division:

Board member means a member of a board or commission whose membership is wholly appointed by the city council, including any temporary board or commission.

Business entity means a corporation, partnership, sole proprietorship, firm, holding company, joint stock company, receivership, trust or any other entity organized for profit.

Candidate means every person who declares for or files for any city office to be filled by election.

Compensation means any benefit received in return for labor, services, property or investment.

Fair market value means the appraised value reflected on the most recent certified appraisal roll by the appraisal district in the county where the property is located.

Family member means the spouse and any dependent children of any official or candidate.

Gift means a benefit received other than as compensation, but not including campaign contributions reported as required by state law.

Identification means, for an individual, the person's name, street address, city and state. For any entity other than an individual, the term "identification" means the name, address, city and state of the entity's principal location or place of business; the type or nature of the entity's principal location or place of business; the type or nature of the entity; the date on which it came into existence; the state of incorporation, if any; and the names of the partners or officers of the entity.

Income means a benefit received.

Source of income means any business entity, employment, investment or activity which earned or produced income, including interest, dividends, royalties or rents.

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

passage.

ADOPTED on November 9, 2021.

Jonathan Lollar
Chair

Attest:

Tina Moreno
Recording Secretary