



# City of San Marcos

## Meeting Minutes Ethics Review Commission

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Tuesday, March 9, 2021

5:30 PM

Virtual Meeting

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### I. Call To Order

**With a quorum present, the regular meeting of the Ethics Review Commission was called to order by Michael Cosentino at 5:30 p.m. on Tuesday, March 9, 2021.**

### II. Roll Call

**Present:** 5 - Commissioner Chavez, Commissioner Lollar, Commissioner Rhodes, Commissioner Teehan, and Commissioner Walden

**Absent:** 2 - Commissioner Chandler (arrived at 6:23 p.m.) and Commissioner Rowe

### III. 30 Minute Citizen Comment Period

There were no speakers.

#### 1. Administer Oaths of Office.

**Ms. Moreno administered the Oaths of Office to newly appointed members present. The Oath of Office was conducted with Commissioner Chandler upon his arrival at 6:23 p.m.**

#### 2. Election of Chair.

**Commissioner Teehan nominated Commissioner Lollar as Chair. There were no other nominations. The nomination passed by the following vote:**

**For:** 5 - Commissioner Chavez, Commissioner Lollar, Commissioner Rhodes, Commissioner Teehan, and Commissioner Walden

**Against:** 0

**Absent:** 2 - Commissioner Chandler (arrived at 6:32 p.m.) and Commissioner Rowe

#### 3. Election of Vice-Chair.

**Commissioner Walden nominated herself for Vice-Chair. Commissioner Teehan seconded the nomination. There were no other nominations. The nomination passed by the following vote:**

**For:** 5 - Chair Lollar, Commissioner Chavez, Commissioner Rhodes, Commissioner Teehan, and Commissioner Walden

**Against:** 0

**Absent:** 2 - Commissioner Chandler (arrived at 6:32 p.m.) and Commissioner Rowe

4. Consider approval, by motion, of the February 11, 2021 special meeting minutes.

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

**For:** 5 - Chair Lollar, Commissioner Chavez, Commissioner Rhodes, Commissioner Teehan, and Commissioner Walden

**Against:** 0

**Absent:** 2 - Commissioner Chandler (arrived at 6:32 p.m.) and Commissioner Rowe

5. Distribute, review, and discuss Code of Ethics with newly appointed and current ERC members.

This item was discussed and no action taken.

6. Review, discuss and take action, as appropriate, on Ethics Review Commission recommendations sent to City Council.

This item was discussed and no action taken.

**A motion was made by Commissioner Walden, seconded by Commissioner Chavez, to have a brief recess. The motion carried by the following vote:**

**For:** 5 - Chair Lollar, Commissioner Chavez, Commissioner Rhodes, Commissioner Teehan, and Commissioner Walden

**Against:** 0

**Absent:** 2 - Commissioner Chandler (arrived at 6:23 p.m.) and Commissioner Rowe

**The Commission reconvened to Open Session at 6:28 p.m.**

7. Discuss and take action, as appropriate, on changing and approving Ethics Review Commission Rules of Procedure.

This item was discussed and no action taken.

8. Discuss and take action, as appropriate, on the Ethics Review Commission Rules of Procedure for Hearings.

**A motion was made by Commissioner Teehan, seconded by Commissioner Rhodes, to accept the changes made this evening to the COSM's Ethics Review Commission Rules of Procedure for Hearings. The motion carried by the following vote:**

**For:** 6 - Chair Lollar, Commissioner Chandler, Commissioner Chavez,

Commissioner Rhodes, Commissioner Teehan, and Commissioner Walden

**Against:** 0

**Absent:** 1 - Commissioner Rowe

9. Discuss and take action, as appropriate, on amendments to the Code of Ethics, including but not limited to Sec. 2.444 – Complaints, review and hearing; sanctions for violations.

**A motion was made by Commissioner Teehan, seconded by Commissioner Chavez, to have a brief recess. The motion carried by the following vote:**

**For:** 6 - Chair Lollar, Commissioner Chandler, Commissioner Chavez, Commissioner Rhodes, Commissioner Teehan, and Commissioner Walden

**Against:** 0

**Absent:** 1 - Commissioner Rowe

**The Commission reconvened to Open Session at 7:47 p.m.**

**A motion was made by Commissioner Teehan, seconded by Commissioner Chavez, to craft a Resolution to amend Sec. 2.444 (a)(2) to include verbiage to provide the Rules of Procedure for Hearings at the time the city attorney acknowledges receipt of an ethics complaint. The motion carried by the following vote:**

**For:** 6 - Chair Lollar, Commissioner Chandler, Commissioner Chavez, Commissioner Rhodes, Commissioner Teehan, and Commissioner Walden

**Against:** 0

**Absent:** 1 - Commissioner Rowe

10. Discuss and take action, as appropriate, on creating an informational video for the Ethics Violation Complaint Form, to be placed on the City's website.

This item was discussed and no action taken.

#### IV. Discussion and Recommendations for Future Agenda Items.

ERC regular meeting on June 8, 2021:

- review, discuss, and take action, as appropriate, on ERC recommendations sent to City Council
- review and discuss 2020 Annual Financial Disclosure Forms for Council, Council Appointees, and P&Z Commission
- discuss and take action, as appropriate, on creating an ERC informational presentation, including but not limited to completing an Ethics Violation Complaint Form, to be placed on the City website

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 8:24 p.m.**



Michael Cosentino, Staff Liaison



Jonathan Lollar, Chair