



# City of San Marcos

## Regular Meeting Agenda

### Ethics Review Commission

Tuesday, November 8, 2022

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/89000106334> or

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

One tap mobile: US: +13462487799,,85198572644#,,, \*665253#

Meeting ID: 890 0010 6334 Passcode: 665253

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 email [mlacey@sanmarcostx.gov](mailto:mlacey@sanmarcostx.gov) no later than 12:00 p.m. on the day of the meeting. A call-in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer, if needed. Comments shall have a time limit of three (3) minutes each. Any threatening, defamatory or other similar comments are prohibited by Chapter 2 of the San Marcos City Code.*

1. Consider approval, by motion, of the October 11, 2022 regular meeting minutes.
2. Review, discuss, and take action, as appropriate, on Ethics Review Commission recommendations to City Council.
3. Review, discuss, and take action, as appropriate, on amended 2021 Annual Financial Disclosure Forms from Council and Planning & Zoning Commissioners.
4. Review, discuss, and take action, as appropriate, on amendment suggestions made by the City Council.
5. Discuss and confirm Ethics Review Commission meeting Dates for 2023

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. Each speaker will be provided up to three (3) minutes to speak.*

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](mailto:ADArequest@sanmarcostx.gov).

For more information on the Ethics Review Commission, contact Monika Lacey at 512.393.8151 or [mlacey@sanmarcostx.gov](mailto:mlacey@sanmarcostx.gov).



# City of San Marcos

## Meeting Minutes Ethics Review Commission

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Tuesday, October 11, 2022

5:30 PM

City Hall Conference Room

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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 Chair Lollar at 5:38 p.m. on Tuesday, October 11, 2022.**

### II. Roll Call

**Present:** 5 - Chair Lollar, Commissioner Garcia, Commissioner Rios, Commissioner Rowe , and Commissioner Teehan

**Absent:** 2 - Commissioner Armer and Commissioner Chandler

### III. 30 Minute Citizen Comment Period

There were no speakers.

1. Consider approval, by motion, of the August 9 , 2022 regular meeting minutes.

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

**For:** 5 - Chair Lollar, Commissioner Garcia, Commissioner Rios, Commissioner Rowe, and Commissioner Teehan

**Against:** 0

**Absent:** 2 - Commissioner Armer and Commissioner Chandler

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

These items were discussed and no action taken. It was mentioned that the lobbying ordinance was voted down by Council, after amendments were made to ordinance. The two outstanding Annual Financial Disclosure forms were discussed, and the Commission was made aware of reminders sent. The Commission asked the city attorney what sanctions are available for officials who fail to submit annual financial disclosure forms in compliance with the ethics ordinance. The city attorney stated that the sanctions include: 1. Filing a complaint with the Ethics Review Commission for violation, which requires a signed complaint under oath before a notary; and . 2. Filing of a Class C Misdemeanor Complaint in municipal court which is subject to a fine, upon conviction, of up to \$500.00.

3. Review, discuss, and take action, as appropriate, on amended 2021 Annual Financial Disclosure Forms from Council and Planning and Zoning Commissioners.

NOTE: Items 3 and 4 were a combined discussion.

4. Review, discuss and take action as appropriate on a remaining for a 2021 Annual Financial Disclosure Form from a Planning & Zoning Commissioner.

Planning and Zoning Commissioners:

**A motion was made by Commissioner Rios, seconded by Commissioner Rowe, to accept the Amended AFD Form of Planning and Zoning Commissioner William Agnew. The motion carried by the following vote:**

**For :** 5 - Chair Lollar, Commissioner Garcia, Commissioner Rios, Commissioner Rowe, and Commissioner Teehan

**Against:** 0

**Absent:** 2 - Commissioner Armer and Commissioner Chandler

**A motion was made by Commissioner Teehan, seconded by Commissioner Rios, to accept the Amended AFD Form of Planning and Zoning Commissioner David Case. The motion carried by the following vote:**

**For :** 5 - Chair Lollar, Commissioner Garcia, Commissioner Rios, and Commissioner Rowe, Commissioner Teehan

**Against:** 0 -

**Absent:** 2 - Commissioner Armer and Commissioner Chandler

City Council Members

**A motion was made by Commissioner Rowe, seconded by Commissioner Rios, to accept the Amended AFD Form of City Council Member Mark C. Gleason. The motion carried by the following vote:**

**For :** 5 - Chair Lollar, Commissioner Garcia, Commissioner Rios, and Commissioner Rowe, Commissioner Teehan

**Against:** 0 -

**Absent:** 2 - Commissioner Armer and Commissioner Chandler

**Notes regarding pending AFD Forms:**

- **The 2021 AFD Form for P&Z Commissioner Costilla was still not provided, at the time of this meeting.**
- **An amended AFD Form from City Council Member Saul Gonzales had not been received as of the date of this meeting.**

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

ERC regular meeting on November 8, 2022:

- Review, discuss, and take action, as appropriate, on Ethics Review Commission recommendations to City Council
- Review and discuss initial and/or amended 2021 Annual Financial Disclosure Forms.
- Keep Agenda Items #1 - #4
- Approval of Motion Minutes

#### 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 6:16 p.m.**

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Michael Cosentino, Staff Liaison

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Jonathan Lollar, Chair

City of San Marcos  
 City Council/Council Appointee/P&Z Commissioner  
 Annual Financial Disclosure Form

OCT 12 2022

CITY OF SAN MARCOS  
 CITY ATTORNEY'S OFFICE

NOTES

1. This report covers the reporting period from January 1 – December 31: \_\_\_\_\_
2. Do not leave items blank. If item is not applicable, mark NA or NONE.
3. Attach information on additional pages, if necessary, or use keyboard button ENTER to expand field/item.

Name: Lupe Costilla

Residence address: 1203 Barbara Drive

Title of position held with the City: Planning & Zoning Commissioner

Name of spouse: Salvador NA or NONE

Names of all dependent children: N/A NA or NONE

Names under which you, your spouse, or any of your dependent children do business: NA or NONE

1. Salvador & Lupe Costilla

2. Salvador & Guadalupe Costilla

3. \_\_\_\_\_

NOTE – You may use the following reporting categories to describe amounts and values:

- Category I – At least \$100.00 but less than \$10,000.00
- Category II – At least \$10,000.00 but less than \$20,000.00
- Category III – At least \$20,000.00 but less than \$50,000.00
- Category IV – At least \$50,000.00 but less than \$75,000.00
- Category V – At least \$75,000.00 but less than \$100,000.00
- Category VI – \$100,000.00 or more – MUST report to nearest \$100,000.00  
 (For example: \$125,000 would be reported to \$100,000)

1. Identify each source of income amounting to more than \$100.00 received in the reporting period by you, your spouse, or any of your dependent children: NA or NONE

Name & full address of income source	Nature of income [e.g., salary, dividends, rent, etc.]	Amount of income [by reporting category]	Income of [e.g., self, spouse, or dependent child]
Employee Retirement System of Texas PO Box 13207 Austin, TX 78711	Retirement Benefits	\$ 462/Annual	self
Social Security Adm. 601 E. 12th St Kansas City Mo 64106-2859	Social Security Benefits	\$ 17,556/Annual	self
State Street Retiree Services for Signify Pension Plan Phillips Pension Center PO Box 622 Des Moines, IA 50306-0622	Pension	\$ 18,104/annual	spouse

2. Identify each option held, owned, acquired or sold by you, your spouse, or any of your dependent children during the reporting period: NA or NONE

Nature of option [real estate, stock, etc.]	Amount of transaction [by reporting category]	Name & full address of other parties to the transaction

3. Identify each business entity, nonprofit entity or union in which you, your spouse, or any of your dependent children was a partner, manager, officer, member of the board of directors, proprietor or beneficiary during the reporting period: NA or NONE

Name & full address of business or nonprofit entity or union	Position held
San Marcos Citizen's Police Academy Alumni Association	President

4. Identify each business entity, nonprofit entity or union in which you, your spouse, or any of your dependent children had an ownership interest with a fair market value of more than \$100.00 at any time during the reporting period: NA or NONE

Name & full address of business or nonprofit entity or union	Description of ownership interest [e.g., owner, partner, stockholder]	Value of ownership interest [by reporting category]	Number of shares held/shares issued [if applicable]	Net gain or loss from sale of stock [by reporting category]

5. Identify any real property in the City or ETJ in which you, your spouse, or any of your dependent children had an interest as owner, beneficial owner (holder of a mortgage), business owner (partner in a partnership; or board member, officer or owner of more than 5% of stock of a corporation), or a leaseholder:

NA or NONE

Full address or legal description	Name & full address of owner(s) [if other than you, your spouse or children]	Fair market value [by reporting category] and present use	For leased property, annual rental amount [by reporting category]	Homestead exemption on this property?
1203 Barbara Dr San Marcos, TX 78666	Salvador E Guadalupe Costilla 1203 Barbara San Marcos, TX 78666	\$ 249,000	N/A	Yes

6. Identify persons, business entities or guarantors to whom you, your spouse, or any of your dependent children owed a debt of more than \$100.00 during the reporting period (not including debts owed to persons related within the second degree of consanguinity or affinity, or loans to a political campaign which were reported as required by law):

NA or NONE

Name & full address of person, business entity or guarantor to which debt was owed	Amount of debt [by reporting category]	Amount of repayment during reporting period [by reporting category]
First Federal Bank PO Box 8068 Virginia Beach, VA 23450	\$ 87,000	\$ 16,800
Security Federal Credit Union 21102 VES 81 N San Antonio, TX	\$ 18,000	\$ 6,250

7. Provided this information is not privileged by law, identify persons, business entities or guarantors who owed you, your spouse, or any of your dependent children a debt of more than \$100.00 during the reporting period (not including debts owed by persons related within the second degree of consanguinity or affinity):

NA or NONE

Name & full address of person, business entity or guarantor that owed the debt	Amount of debt [by reporting category]	Amount of repayment during reporting period [by reporting category]

Name & full address of person, business entity or guarantor that owed the debt	Amount of debt [by reporting category]	Amount of repayment during reporting period [by reporting category]

8. Identify the source of each gift or accumulation of gifts from one source of more than \$100.00 in value received during the reporting period by you, your spouse, or any of your dependent children, or received by another person for the use and benefit of you, your spouse, or any of your dependent children (not including (1) a gift received from a relative if given because of kinship, or (2) a gift received by will, by intestate succession or as distribution from an inter vivos or testamentary trust established by a spouse or ancestor):

NA or **NONE**

Name & full address of source of gift(s)	Description of gift(s)	Amount or value of gift(s) [by reporting category]

9. Provided this information is not privileged by law, if you were the owner of 5% or more of any business entity during the reporting period, list all customers from whom the entity received at least 10% of its gross income during the reporting period:

NA or **NONE**

Name and full address of customer



10. Identify any financial interest in any franchisee of the City held during the reporting period by you, your spouse, or any of your dependent children [note: franchise holders are A) Spectrum Cable, B) Pedernales Electric Cooperative, C) Bluebonnet Electric Cooperative, D) CenterPoint Energy, and E) SiEnergy]:

NA or NONE

Name of franchise holder	Description of financial interest held [stock, mortgage, note etc.]	Value of financial interest [by reporting category]

11. Identify any transaction during the reporting period by you, your spouse, or any of your dependent children with any holder of any franchise issued by the City, other than as a customer or patron:

NA or NONE

Name of franchise holder	Description of transaction	Value of transaction [by reporting category]

**AFFIDAVIT** I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to a family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a), Local Government Code.

*Rupe Cortila*

Signature of Local Government Officer/Appointed Official

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said \_\_\_\_\_, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to certify which, witness my hand and seal of office.

\_\_\_\_\_  
Signature of officer administering oath

\_\_\_\_\_  
Printed name of officer administering oath

\_\_\_\_\_  
Title of officer administering oath