



City of San Marcos

Meeting Minutes

Ethics Review Commission

Tuesday, November 8, 2022

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 5:54 p.m. on Tuesday, November 8, 2022.

II. Roll Call

Present: 4 - Chair Lollar, Commissioner Chandler, Commissioner Rios (Remote), and Commissioner Teehan

Absent: 3 - Commissioner Armer, Commissioner Garcia, Commissioner Rowe

NOTE: Commissioners Armer and Rowe attempted to gain entry, but front doors were locked, and departed.

III. 30 Minute Citizen Comment Period

There were no speakers.

1. Consider approval, by motion, of the October 11, 2022 regular meeting minutes.

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

For: 4 - Chair Lollar, Commissioner Chandler, Commissioner Rios, and Commissioner Teehan

Against: 0

Absent: 3 - Commissioner Armer, Commissioner Garcia, Commissioner Rowe

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

These items were discussed and no action taken. Chair Lollar discussed and reminded, that the Lobbying Ordinance was voted down, and there has not been any request to bring it up again. Also the Council is working on recommendations for direction on Code of Ethics to go over Annual Financial Disclosure Forms and a mechanism for people to make complaints regarding contributions made. Commissioner Teehan discussed a fine being incorporated for members who do not provide an AFD in the time allotted. City Attorney Michael Cosentino explained the two actions that can be taken. 1. File a complaint under Oath, and with a Notary with the ERC. 2. For any city ordinance that requires certain behavior, the failure to perform can be prosecuted

as a Class C Misdemeanor. An application for complaint can be filled out and the matter is then referred to a misdemeanor prosecutor for review who can bring forward a criminal charge.

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 :

No motion or vote was made by the present Ethics Review Committee members to accept the AFD Form of P & Z Council Member Lupe Costilla, due to the AFD not being notarized. Efforts will continue to obtain Notary signature.

Council:

A motion was made by Commissioner Teehan, seconded by Commissioner Chandler, to accept the Amended AFD Form of Council Member Saul Gonzales. The motion carried by the following vote:

For : 4 - Chair Lollar, Commissioner Chandler, Commissioner Rios, and Commissioner Teehan

Against: 0

Absent: 3 - Commissioner Armer , Commissioner Garcia and Commissioner Rowe

IV. Discussion and Recommendations for Future Agenda Items.

ERC regular meeting on March 14, 2023

- Approval Motion Minutes
- Election of new ERC Chair
- Keep same verbiage on Agenda Items #1, #3, #4 ("Review , discuss, and take action, as appropriate") Keep Item #2 but change/add some wording, will be further discussed
- Review, Discuss, and take action, as appropriate, on Ethics review Commission recommendations to City Council
- Review, Discuss, initial and / or amended 2021 Annual Financial Disclosure Forms for Council and P & Z Commission

V. Question and Answer Session with Press and Public.

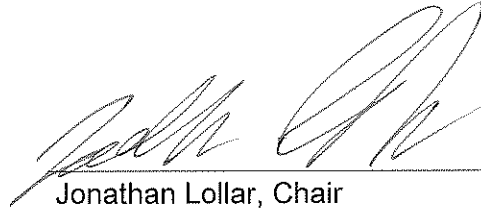
None were present for questions and answers from press and public.

VI. Adjournment

The Regular Meeting of the Ethics Review Commission meeting was unanimously adjourned at 6:40 p.m.



Michael Cosentino, Staff Liaison



Jonathan Lollar, Chair