

**MINUTES OF THE ETHICS ADVISORY COMMISSION
FRIDAY, JANUARY 21, 2005**

05-0319

AGENDA MEETING
CITY HALL ROOM 5ES
VICE-CHAIR CALVIN BLUIETT, PRESIDING

PRESENT: [5] Calvin Bluiett, Rebecca Bergstresser, Jim Clark, Linda Sorrells, Daniel Perez

ABSENT: [2] Margaret Donnelly, Gloria Tarpley

CITY STAFF: Assistant City Secretary Deborah Watkins, Michelle M. Calloway, Monesia Davis, Richard Etheridge

Dan Perez, Chair, notified the Commission that he would be arriving to the meeting late.

Vice-Chair Bluiett called the meeting to order at 9:24 AM.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

The Commission reviewed the December 17, 2004 minutes that were submitted for approval. Commissioner Bergstresser stated that the minutes should read "state of Texas" instead of "city of Austin". Vice-Chair Bluiett called for a motion to approve the December 17, 2004 minutes with that correction; so moved by Commissioner Clark and seconded by Commissioner Bergstresser. The motion passed unanimously.

The Commission reviewed the proposed *2005 Annual Report to the City Council*. Commissioner Sorrells asked if the words "city personnel" should be included in the sentence (located on page 4 under "Policy Change"). After discussion, it was determined that the word "resources", used in the report, is inclusive of "personnel". Vice-Chair Bluiett called for a motion to approve the *2005 Annual Report to the City Council* as presented; so moved by Commissioner Sorrells and seconded by Commissioner Clark.

Commissioner Tarpley was absent and therefore unable to make her scheduled presentation; it was determined that she would make the presentation at the next meeting. Systems Administrator Richard Etheridge of the City Secretary's Office made a presentation to the Commissioners concerning the EAC website.

At 9:35 AM Vice-Chair Bluiett noted that Chairman Perez had arrived and was participating in the meeting. Chairman Perez was asked to write a brief introduction for the website. It was determined that the website would include a disclaimer so that no person accessing it would think that anything on the site was serving to provide them with an opinion, and that any references to the Code would be literal.

Assistant City Secretary Deborah Watkins informed the Commissioners of the City Secretary's intent to create a page of "Frequently Asked Questions" (FAQ's) whose answers would adhere to the Code as closely as possible. It was determined that some of the FAQ's would be presented at the next meeting for review by the entire EAC. Additionally, at the advice of the City Attorney, some of the links currently provided in the website would be revisited (such as the Fraud Hotline and Elections links). It was pointed out that the Texas Ethics Commission provides a list of what types of complaints they handle and those they do not, and that possibly the EAC should consider doing the same. The Commission determined that they did not want their photos placed on the website.

Commissioner Clark mentioned that the sub-committee formed in a previous meeting (composed of Chairman Perez, Vice-Chair Bluiett and himself), had planned to meet with the Director of Business and Procurement and had not done so yet. He stated that the purpose of the meeting would be to investigate the role of the Ethics ordinance in procurement, and to determine whether there is any area in procurement where the EAC should recommend a change to the City Council, or whether there should be anything inclusive of the EAC included in packets of information that go out to vendors and suppliers; he asked the City Attorney her opinion of having this meeting.

City Attorney Satterthwaite stated that she had no problem with such a meeting and that it might be helpful if the sub-committee invited City Attorney Jesus Toscano or herself to attend the meeting. She also stated that there is a standard attachment included with all the city contracts that paraphrases the penal code, and also includes Chapter 22 Section 11 of the City Charter (which is either *attached to* the contract or *included in the body of* the contract).

The Commissioners agreed to continue to meet the 3rd Friday of each month.

After all business properly brought before the Ethics Advisory Commission had been considered, Vice-Chair Bluiett called for a motion to adjourn the meeting; so moved by Commissioner Clark and seconded by Commissioner Sorrells. The motion passed unanimously and the meeting adjourned at 10:30 AM.

Chair or Vice-Chair

The meeting agenda is attached to the minutes of this meeting as EXHIBIT A.

Ethics Advisory Commission
Friday, January 21, 2005, 9:00 AM
City Hall, 1500 Marilla Street
Room 5ES

AGENDA

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| I. Call to order | Daniel C. Perez, Chair |
| II. Approval of minutes
December 17, 2004 | Daniel C. Perez |
| III. Discussion of <i>2005 Annual Report to the
City Council</i> | Daniel C. Perez |
| IV. Introduction to the EAC (<i>promotional presentation</i>) | Mrs. Gloria Tarpley, Commissioner |
| V. EAC web page (<i>informational presentation</i>) | Mr. Richard Etheridge,
Systems Administrator
City Secretary's Office |
| VI. New Business | Daniel C. Perez |
| VII. Future calendar | Daniel C. Perez |
| VIII. Adjournment | Daniel C. Perez |