

MINUTES

ETHICS REVIEW COMMISSION MEETING FEBRUARY 2, 2009 5TH FLOOR AMERICAS CONFERENCE ROOM - 5:00 P.M.

MEMBERS PRESENT

Gerald Mangrum, Mayoral
Richard D. Pineda, District #1
Yusuf Faran, District #3
Rodney Hansen, District #5
Paul Harrington, District #6
Alexander Neill, District #7
Isela Pena, District #8

MEMBERS ABSENT

Raymundo Rodriguez, District #2
Andre Ewing, District #4

OTHERS PRESENT

Elaine S. Hengen, Senior Assistant City Attorney
Bonnie Garcia, Recording Secretary

I. CALL TO ORDER

Seeing a quorum, Chair Gerald Mangrum called the meeting to order at 5:02 p.m.

II. APPROVAL OF MINUTES FOR JANUARY 8, 2009.

Typo correction noted on minutes of January 8, 2009. Dr. Pineda moved to approve the minutes of January 8, 2009. Mr. Neill seconded motion and the motion passed unanimously.

III. DISCUSSION AND ACTION RELATING TO POSSIBLE COMMITTEE ASSIGNMENTS.

Chair Mangrum mentioned that there are a few commission members who need to be reappointed. Based on certain terms of some commission members that will expire in February, a tentative panel consisting of 3 members will be appointed. Chair Mangrum, Mr. Neill, and Mr. Harrington appointed to serve on the Tentative Panel.

IV. DISCUSSION AND ACTION REGARDING FINAL DRAFT OF PROPOSED REVISIONS TO THE ETHICS ORDINANCE AND RECOMMENDATIONS TO THE RULES LEGISLATIVE REVIEW COMMITTEE AND CITY COUNCIL.

Chair Mangrum asked if anyone had any comments or objections to identified changes as proposed. The circled page number at the bottom of the page marks the current changes on the draft. If there are no objections, then only the pages as marked by a circle with the page number circled will be reviewed.

Ms. Hengen explained to Commission members that she reviewed the final draft and did some final tweaking of some of the language. On page 5 explains at what point and time the Commission makes its selective Chair and Vice-Chair. The change was to add that the first meeting on or after April 1st, allowing City Council time to appoint the vacancies that will come up in February.

Ms. Hengen explained the change on page 7 is to B9, making the change after looking at the language in 2.92070-B2 and comparing that language which refers to a ticket or admission to event, and tickets as being a reportable gift. Therefore, a ticket won't automatically become something that is acceptable every time. The ticket would have to be reported as a reportable gift meeting and falling under additional criteria.

Ms. Hengen explained the change on page 10, under 2.92060A referring to the language pertaining to board members, because board members are officers and correctly clarifying what a board member can and cannot do when they leave their position of sitting on a City Board. This language now clearly says that a board member cannot become a registered lobbyist for 12 months. Although, it allows an exception to appear before the City Council or a City Board, as long as no lobbying is involved.

Ms. Hengen explained the change on page 14, under item 4, the language "Except as provided below in subsections b, c and d, any gift, benefit or other economic gain or economic advantage that has a value of more than ten (\$10) dollars and which was conferred on account of the official status of the recipient or in connection with official city business".

Ms. Hengen explained the changes on page 19 were done in response to a discussion that was had at the last meeting concerning appropriately addressing all the parameters in which the commission would set rules for hearings, and explaining certain rights of the complainant and the respondent. Language was added that the Commission could set limitations regarding testimony from non-relevant or cumulative witnesses.

Upon reviewing the changes, the Commission agreed that the final draft as proposed is ready to be presented to the LRC.

Motion made by Dr. Pineda to present the drafted recommendations to the Rules LRC, seconded by Mr. Neill. All in favor and motion passed unanimously.

Dr. Pineda handed out to each member a draft of the letter to the Mayor and Council concerning the transparency issue of the Housing Authority Board and the Regional Mobility Authority. Dr. Pineda will finalize letter and forward to Ms. Hengen. Once signed, Ms. Hengen will deliver letter to Mayor and Council.

Dr. Pineda made the motion to approve the letter as edited with minor changes, and letter will be delivered upon obtaining signature. Seconded by Mr. Harrington, all in favor and motion passed unanimously.

V. DISCUSSION AND ACTION REGARDING THE 2008 ANNUAL REPORT.

Ms. Hengen provided members with a draft of the 2008 Annual Report. Annual Report includes membership and the work undertaken, 4 meetings in 2008, meetings in January, September, October and December for working on proposed amendments to the Ethics Ordinance. Meeting held in January 2008 was a follow-up hearing concerning complaint of City Representative Rachel Quintana. A copy of the 2008 Annual Report is provided as an attachment to the minutes.

Chair Mangrum made the motion that the 2008 Annual Report be adopted and presented to City Council, with compliments of job well done. Ms. Pena seconded, all in favor and the motion passed unanimously.

VI. SCHEDULING OF NEXT MEETING(S).

Chair Mangrum proposed that the next meeting be held April 20th. Motion made by Chair Mangrum and seconded by Dr. Pineda to schedule the next meeting for April 20, 2009 at 5:00 pm. All in favor and motion passed unanimously.

VII. ADJOURNMENT

Motion made by Dr. Pineda and seconded by Mr. Harrington to adjourn the meeting. All in favor and motion passed unanimously. Meeting adjourned at 5:36 p.m.