



City of San Marcos

Special Meeting Agenda

Ethics Review Commission

Tuesday, May 9, 2023

5:30 PM

City Hall Conference Room

630 E. Hopkins

The Commission member presiding over the meeting will be present at this location.

This will be a hybrid (in-person/virtual) meeting.

To view the meeting, please go to: <https://us02web.zoom.us/j/84154453919> or

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

One tap mobile: US: +13462487799,,85198572644#,,,,*93074#

Meeting ID: 417 982 8041 Passcode: 93074

I. Call To Order

II. Roll Call

III. Citizen Comment Period

Persons wishing to participate (speak) during the Citizen Comment portion of the meeting must email 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. Administer Oaths of Office.

2. Election of Chair and Vice Chair

3. Consider approval, by motion, of the November 8, 2022 regular meeting minutes.

4. Review, discuss, and take action, as appropriate, on an amended 2021/2022 Annual Financial Disclosure Form from a Planning & Zoning Commissioner.

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

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.

For more information on the Ethics Review Commission, contact Monika Lacey at 512.393.8151 or mlacey@sanmarcostx.gov.



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.

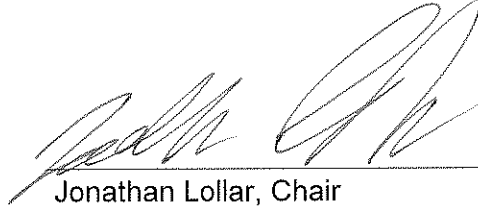
None were present for questions and answers from press and public.

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

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

NOTES

1. This report covers the reporting period from January 1 – December 31: 2023 2022
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 13209 Austin, TX 78711	Retirement Benefits	\$3,462/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 & 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 VESPER 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**

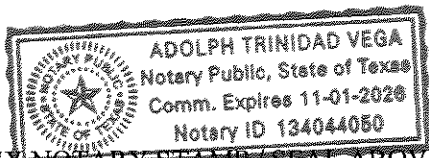
Name of franchise holder	Description of financial interest held [stock, mortgage, note etc.]	Value of financial interest [by reporting category]

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.



AFFIX NOTARY STAMP / SEAL ABOVE

Lupe Costilla

Signature of Local Government Officer/Appointed Official

Sworn to and subscribed before me, by the said Lupe Costilla, this the 6th day of January, 2023, to certify which, witness my hand and seal of office.

Adolph Trinidad Vega
Signature of officer administering oath

Adolph Trinidad Vega
Printed name of officer administering oath

Administrative Coordinator
Title of officer administering oath