

GOVERNMENT ACCOUNTABILITY

Auditor: Austin official violated ethics rules

Waste advisory board member accused of conflict of interest.

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A member of Austin's Zero Waste Advisory Commission violated ethics rules by voting on items that relate to a company she works for and by failing to disclose the business relationship, according to an investigation by the city auditor's office.

Daniela Ochoa Gonzalez's case will be reviewed Tuesday by the city's Ethics Commission. That group could start a hearings process that could lead to civil penalties later on, such as a reprimand. Only the

City Council could remove Gonzalez.

Council Member Mike Martinez, who appointed Gonzalez to the waste commission in 2012, said Monday that he was unaware of her potential conflict of interest and has asked her to resign. He plans to try to appoint a new commissioner later this week, he said.

The waste commission's chairman, Rick Cofer, said he's also asked Gonzalez to step down.

Gonzalez told the American-Statesman on Monday that she had no conflict of interest and did not cast votes that favored the company she worked for, Texas Dispos-

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al Systems. She plans to explain her position in more detail at Tuesday's meeting. She said she stopped working for TDS in November because the work she'd been hired to do – waste assessments of local school districts – was finished.

"There was no improper motives and my actions caused no harm, so hopefully there will be an opportunity for this to be clarified," she said.

The Zero Waste Advisory Commission meets once a month to review city policies related to trash and recycling and

to advise the City Council on those issues. The commission's members are volunteers who don't get paid.

Gonzalez owns SOLURSO, a firm that offers consulting services about recycling, composting and other functions to meet so-called zero waste goals of reducing the trash sent to landfills.

She was appointed to the seven-member waste commission Dec. 6, 2012 and signed a consulting agreement nine days later with Texas Disposal Systems. That company is one of the biggest players in the Central Texas waste industry; it owns a large landfill, recycling

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and composting facility in Creedmoor, southeast of Austin.

On Jan. 5, 2013, Gonzalez completed an ethics training about conflict-of-interest rules that is required of all commission members. Her first zero waste commission meeting was Jan. 9, 2013.

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Gonzalez should have disclosed her business

relationship with Texas Disposal Systems to the city clerk's office, but didn't, according to an auditor's office report dated April 18.

Gonzalez inappropriately discussed or voted on three items before the commission in February, April and August of 2013 that relate to TDS' work, the auditors said. The setup was especially problematic because TDS was Gonzalez's only source of income, she told city auditors.

On one of the three items, the commission was considering an Austin Energy waste disposal contract. TDS officials urged the commission to extend an existing contract with TDS rather than pick another company. The commission voted to approve the other company; Gonzalez was present but did not vote, according to the meeting minutes.

For the other two items, TDS officials asked that the definition of "composting facilities" be changed in a proposed recycling ordinance, and said stakeholders should be allowed to give more input on a policy that would require better re-

cycling at special events. Gonzalez took part in and voted on those items, according to meeting minutes.

Texas Disposal Systems' CEO Bob Gregory said by email Monday that he wasn't aware of the allegations about Gonzalez and that TDS requires its contractors to comply with Austin's ethics rules.

Gonzalez wouldn't say the total amount she was paid by TDS, but said the rate was \$27.50 an hour and totaled less than \$5,000 from April 2012 to April 2013.

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