

**State of Texas  
County of Bexar  
City of San Antonio**



**Meeting Minutes  
City Council B Session**

Council Briefing Room  
City Hall  
100 Military Plaza  
San Antonio, Texas 78205

**2023 – 2025 Council Members**

Mayor Ron Nirenberg

Dr. Sukh Kaur, Dist. 1 | Jalen McKee-Rodriguez, Dist. 2  
Phyllis Viagran, Dist. 3 | Dr. Adriana Rocha Garcia, Dist. 4  
Teri Castillo, Dist. 5 | Melissa Cabello Havrda, Dist. 6  
Marina Alderete Gavito, Dist. 7 | Manny Pelaez, Dist. 8  
John Courage, Dist. 9 | Marc Whyte, Dist. 10

**Wednesday, June 5, 2024**

**2:00 PM**

**Council Briefing Room**

The City Council convened a B Session meeting in the Council Briefing Room beginning at 2:07 PM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Council Members present:

**PRESENT: 11** – Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

**ABSENT:** None

**ITEMS**

1. Report of the Charter Review Commission regarding recommended changes to the City Charter. [Andy Segovia, City Attorney; Bonnie Prosser Elder & David Zammiello, Co-Chairs, Charter Review Commission]

City Manager Erik Walsh introduced Charter Review Commission (CRC) Co-Chairs David

Zammiello and Bonnie Prosser Elder and thanked the Commission and staff for their work. City Attorney Andy Segovia provided background on the work of the CRC and a timeline for the City Council to order a City Charter Election.

Co-Chair Prosser-Elder reviewed the Commission's charge included in the Mayor's memorandum from November 14, 2023 which requested the Commission to focus its efforts exclusively on the following issues: 1) Ethics Officer and Other Ethics Revisions, 2) City Council Member Compensation and Term Length, 3) City Manager Tenure and Compensation, 4) Council Districts and Redistricting, 5) Language Modernization. She noted that through a second memorandum issued on January 22, 2024, Special Meetings were added. (City Charter, Article II, Section 11) to the Commission's charge.

Co-Chair Prosser-Elder listed Commission members and thanked them as well as the City staff for their work. In addition to the Co-Chairs, She stated that Commission Members included: Elva Pai Adams, Josh Baugh, Luisa Casso, Frank Garza, Mike Frisbie, Pat Frost, Martha Martinez-Flores, Naomi Miller, Bobby Perez, Shelley Potter, Dwayne Robinson, Dr. Rogelio Sáenz, and María Salazar.

The CRC operated under eight guiding principles, according to Co-Chair Prosser Elder and these were: 1) Answer the charge, 2) Focus on the future, 3) Assume a clean canvas, 4) Do the homework (subcommittee work is key), 5) Apply analytical and data-driven processes, 6) Seek best practices, 7) Share experience and expertise, and 8) Be transparent and listen.

Co-Chair Zammiello outlined the meeting protocols that were followed by the CRC and provided a roadmap of the process which began on December 18, 2023, and was concluded on May 20, 2024. He noted that there were 60 different Subcommittee working meetings and listed the five Subcommittees and their respective chairs: 1) Ethics officer and Other Ethics Revisions chaired by Mike Frisbie, 2) City Council Compensation and Term Length chaired by Luisa Casso, 3) City Manager Tenure and Compensation chaired by Pat Frost, 4) Council Districts and Redistricting chaired by Frank Garza, and 5) Language Modernization including Special Meetings was chaired by Maria Salazar.

Co-Chair Zammiello reported that the CRC recommended no City Charter amendment, related to the Ethics Auditor position the current structure fostered a balance between independence and collaboration. Co-Chair Zammiello stated that the CRC recommended amending the City Charter to add the following: a high-level definition of "conflicts of interest", requirement to appropriate sufficient funding for ERB to fulfill all duties, remove term limits for ERB members, and increase ERB discretion to determine whether to accept or refuse complaint cases when complaints have been otherwise resolved.

Co-Chair Zammiello stated that the CRC recommended amending the City Charter to include four-year terms for City Council to run concurrently for a total of eight years. He noted that the CRC also recommended to amend the City Charter to re-baseline City Council compensation to \$80,000 and to re-baseline the Mayor's compensation to \$95,000 and indexed to the City's wage increase percentage provided to civilian employees annually.

Co-Chair Prosser Elder reported that the CRC recommended amending the City Charter to remove the language capping tenure and compensation for the City Manager. She noted that the research performed indicated that no other cities or entities had placed a cap on compensation for the City Manager.

Co-Chair Prosser Elder noted that the CRC also recommended keeping the language that allowed redistricting after the decennial census. However, the CRC recommended amending the City Charter to create a redistricting commission including a provision on who could be appointed to the commission and a requirement for a supermajority of City Council to amend the Redistricting Commission's proposed plan.

Co-Chair Prosser Elder stated that the CRC recommended 117 updates to language to modernize it including gender neutral pronouns and removal of outdated references. Co-Chair Zammiello noted that the CRC recommended removing the City Clerk from the process of calling special meetings to match the current process where the City Manager and City Attorney managed the agenda.

Co-Chair Zammiello reported that five out of the 12 meetings of the CRC hosted public comment and there were also ten community presentations made to collect feedback. He provided a chart of topics brought up at the public comment sessions as well as through online comment. Co-Chair Prosser Elder noted that the top three topics that were outside of the charge were 1) Dedicating 20% of future revenue growth for youth programs, 2) Ranked choice voting, and 3) City employee participation in City of San Antonio municipal elections. She stated that these were significant issues that deserved more analysis than the CRC would be able to complete and recommended a future dialogue.

Co-Chair Prosser Elder outlined the social media, email, and direct outreach efforts to solicit public input. She concluded the presentation by stating that the CRC responded to the charge, applied a research-based approach, embraced the guiding principles and protocols, enabled community engagement, and resulted in unanimous approval of all Commission recommendations. Co-Chairs Prosser Elder and Zammiello thanked each other for their leadership.

#### DISCUSSION:

Mayor Nirenberg thanked the Co-Chairs for the presentation and the work of the entire Commission in a transparent and accessible manner. He also thanked the staff that supported the Commission. Mayor Nirenberg noted that he was termed out next summer and none of the proposed changes would impact him. He supported the ethics recommendations and suggested an index to City Council pay based on Area Median Income (AMI). Mayor Nirenberg supported the four-year term for City Council with the eight-year cap to decrease political distractions during the term. He supported restoring the City Council's ability to hire and determine compensation of the City Manager.

Mayor Nirenberg fully supported an independent redistricting board and the language modernization. He felt that reserving a share of revenue growth for youth development deserved

more study and proposed that staff develop a draft policy before including something in the City Charter which would be permanent. Mayor Nirenberg supported allowing employees to participate in the municipal political process and requested that staff review what other cities were doing to help craft a policy.

Councilmember Pelaez thanked the Commission for their work and supported a deeper dive into Section 78 of the City Charter which prohibited civilian employees from participating in the political process which was afforded to uniform personnel. Councilmember Pelaez noted that Section 78 was put in place many decades ago and disenfranchised our employees. Councilmember Pelaez handed out proposed language amending Section 78 which was largely written by the American Federation of State, County, and Municipal Employees (AFSCME) Union with one extra sentence recommended by the Councilman that would prohibit members of City Council from soliciting a City employee or officer to take an active part in a political campaign after that employee or officer has indicated that he or she wishes to not take an active part in such campaign.

Councilmember Rocha Garcia thanked the Commission and the City Attorney's Office for their work. She appreciated the CRC for highlighting the public comments that were outside the charge and thanked the Commissioners for listening to the public. Councilmember Rocha Garcia supported redistricting after the next census noting the large geographic size of Districts 3 and 4. She agreed with the Mayor that City Council compensation should be indexed to the AMI. Councilmember Rocha Garcia supported the modernization of language. She supported looking at options to support youth in a greater way and suggested reviewing the proposed dedication of 20% growth in revenues to youth as well as a review of Section 78.

Councilmember Rocha Garcia asked if the recommendation related to ethics would include assurances that Councilmembers could not directly or indirectly influence complaints against them that were brought to the Ethics Review Board (ERB) and that their appointee on the ERB would be independent. Co-Chair Zammiello explained that the CRC felt it was not necessary to move the Ethics Auditor position away from the Office of the City Auditor and noted that State Law did not allow the City Council to create a board that they did not oversee. City Attorney Andy Segovia stated that Section 2-85 of the City Ethics Code governed the review of complaints regarding ethics violations.

Councilmember Rocha Garcia asked how the CRC decided when to utilize a Subject Matter Expert (SME) and noted that only Patrick Lang, Chair of the ERB, was invited as a SME. Co-Chair Prosser Elder stated that the Subcommittees determined if they needed more resources or expertise. Chair of the Ethics Subcommittee, Mike Frisbie stated that the Chair of the ERB provided excellent feedback and the Subcommittee did not feel it was necessary to bring in other members of the ERB.

Councilmember McKee-Rodriguez thanked the CRC for ensuring that the government would have an excellent City Charter. He suggested that the City needed excellent leadership at all levels. Councilmember McKee-Rodriguez noted that City staff and the City Manager expected that they could be in their job as long as they and their respective City Councils meshed. He

expressed concern that we could lose excellent City Manager candidates due to limits of pay and terms. Councilmember McKee-Rodriguez suggested that a natural way to increase City Manager's pay was to raise the pay of the lowest paid workers. He also requested a comparison of peer cities and how much it would cost to raise all employees' pay to make our City Manager's pay competitive.

Councilmember McKee-Rodriguez supported the two, four-year terms noting that it took a while to get comfortable navigating the system of City Hall and referenced voter fatigue, noting that only five major cities in the nation operated with the two-year terms. Councilmember McKee-Rodriguez supported the recommendations of the Ethics Subcommittee.

Councilmember McKee-Rodriguez noted that he had to take a part-time job as a teacher this year to earn some extra money, but the council district expected that he commit to a full-time commitment as a Councilmember noting that the State Legislature was dysfunctional due to its members earning a meager \$7,000 per year. He supported a smaller pay increase for City Council maybe indexing to a three-person household AMI versus a four-person household and he mentioned that his wages were not enough to raise a family and so were many others in the community commenting that all members of the community needed higher wages.

Councilmember McKee-Rodriguez supported the AFSCME recommendation to remove Section 78 but expressed concern with the extra sentence added by CM Pelaez.

Councilmember Viagran supported the recommendations of Ethics Officer and other revisions and supported looking at the definition of conflicts of interest. She stated that City Council Compensation should be linked to San Antonio area AMI and asked what the salary would be if the City Council had received the same cost of living increase as City employees over the past 10 years since the City Council salary was set in place. She noted that City Council did not get the same retirement that employees received noting that eight years without retirement was a concern.

Councilmember Viagran supported removal of compensation and the tenure cap of the City Manager noting that there was no similar cap on the City Auditor, City Clerk or Municipal Court Presiding Judge who all reported to Mayor and City Council. She supported the right of employees to participate in municipal campaigns but expressed concern that managers and supervisors could unduly influence their employees so they should be protected and recommended surveying employees. She supported employees being able to work on behalf of candidates and take part in union activities.

Councilmember Viagran supported the recommendation to redistrict at each decennial census but expressed concern with an independent redistricting commission noting that people from the South Side were often left out of the conversation and their Councilmember was their representative. She supported the language modernization recommendations. Councilmember Viagran noted that there were many programs for youth through the school districts and colleges so those should be considered not just City funding.

Councilmember Cabello Havrda thanked the members of the Commission for their work but would have liked to have had the ability to add to the charges and wished there had been more flexibility in listening to the public to take up issues. She supported the Ethics recommendations and the term limits but did not think the increase in compensation should apply to any Councilmembers currently in office. She supported giving City Council authority over City Manager pay and tenure.

Councilmember Cabello Havrda asked why the CRC did not recommend a fully independent Redistricting Commission. Commissioner Frank Garza explained that the CRC wanted to empower the Redistricting Commission and if the City Council would have final say over redistricting with a simple majority vote, however, if the City Council did not want to go with the Redistricting Commission's recommendation it would take a supermajority vote of nine Councilmembers to pass. She supported a fully independent Redistricting Commission that would remove politics from the process.

Councilmember Cabello Havrda supported language modernization but asked why the City Clerk was being removed from the Special Meetings Section. Co-Chair Zammiello explained that it was changed to match current practice. Councilmember Cabello Havrda recommended keeping the City Clerk as a part of the Special Meeting process because the City Clerk was independent of the Agenda process and so she did not want to change Section 11 of the City Charter.

Councilmember Cabello Havrda asserted that City employees should have the right to participate fully in municipal elections noting that most metropolitan areas did not restrict employees from this participation, and she considered it to be a fundamental right of civic engagement. She noted that she had sent a memorandum in January 2024 to the Mayor asking the CRC to review this issue as a part of their charge but was pleased that the City Manager was recommending that staff take a look at this today.

Councilmember Alderete Gavito thanked the Commission for their work and for the recommendations. She supported the Ethics recommendations. She asked what would be the remedy if a council district elected a candidate that knew how to win a campaign but did not know how to govern effectively so she expressed concern with the four-year term length, noting that she had been able to work hard and accomplish much in her first year and recommended keeping the two-year term limit to allow residents an easy way at the ballot box to hold representatives accountable.

Councilmember Alderete Gavito did not think City Council should be paid lavishly, but supported paying elected officials a living wage to ensure working class residents that did not come from a wealthy background could afford to serve noting that her predecessor Ana Sandoval resigned from City Council to take another job to be able to support her family. Councilmember Alderete Gavito noted that she worked over 80 hours a week but was only getting paid what she made straight out of college.

Councilmember Alderete Gavito supported removing the caps for City Manager pay and tenure which would help the City's bond rating and save the City money in the long run, noting that City Council should be responsible for holding the City Manager accountable. She supported

keeping the 10 council districts and suggested that as the City grew, each council district should be able to increase their staff accordingly.

Councilmember Alderete Gavito supported City staff having the same ability as any other citizen to participate in elections and the political process and recommended inclusion of AFSCME's proposed language.

Councilmember Whyte supported staff being able to participate in the political process. He expressed concern with the removal of the City Clerk from Special Meetings and asked City Manager Erik Walsh if the City Clerk was a part of the process currently. City Manager Walsh explained that the City Clerk notified the City Manager of the request for a Special Meeting and the City Manager's Office posted the meeting which was an effective process. Councilmember Whyte did not recommend making changes to the City Charter that were unnecessary but suggested making Section 11 more specific to include a definitive time period to call a Special Meeting.

Councilmember Courage thanked the Commission for their work and generally supported the recommendations. He commented that the voters would be looking at what the CRC proposed as well as what the City Council would ultimately decide to put forward to the voters, if anything, adding that the proposed changes needed to be reasonable.

Councilmember Courage supported the four-year term to help reduce politics that went into the work of the City Council and suggested it took several years to accomplish large policy changes noting that General Obligation Bonds were voted on every five years. He pointed out that there was a recall provision in the City Charter in case the constituents were not satisfied with their representative.

Councilmember Courage supported giving City Council the discretion to hire and fire the City Manager and if the residents were dissatisfied, they needed to replace their Councilmember. He suggested that to get a professional and qualified City Manager at 10 times the salary of the lowest employee was not reasonable but maybe 10 times the average city employee wage would be more reasonable to the voters.

Councilmember Courage recommended indexing City Council pay in a reasonable and appropriate manner as compared to the cost of living in San Antonio and what other residents earned. He expressed concern that almost doubling the salaries of City Councilmembers the \$80,000 per year would be considered excessive to voters and recommended a more measured approach.

Councilmember Courage did not support changing Section 78 of the Charter related to prohibition of political activity by employees as he was concerned that employees might be placed under undue influence if we opened the ability for all employees to fund their employer by contributing to their campaign.

Councilmember Castillo thanked the Commission for their work and residents for their comments. She noticed the largest amount requested from the community was for a dedicated resource to support youth. She mentioned that there were more youth aged 15-19 signing up for Ready to

Work than any other age groups and mentioned the excellent work of the San Antonio Youth Commission and suggested that there was great opportunity to increase support for our youth.

Councilmember Castillo supported affording City employees the same rights and privileges as any other resident to participate in the political process and supported the recommended City Charter amendment by AFSCME.

Councilmember Castillo agreed that there should be a timeline for the special meetings. She supported connecting the census to the redistricting timeline and supported the recommendations for the City Council and Mayor to appoint Redistricting Commissioners. She recommended using the City's Area Median Income (AMI) when reviewing City Council pay. She supported keeping the City Manager's pay tied to the lowest paid employee as it meant more money for those at the bottom. Councilmember Castillo recommended debundling the propositions on the ballot so that residents could better understand the proposals. City Attorney Andy Segovia stated that there would be different categories for each proposal to be voted upon separately. Councilmember Castillo recommended that City Council Compensation be a different proposition from terms as she recommended keeping two-year terms to hold Councilmembers accountable to the voters, noting that a lot could be accomplished in two years.

Councilmember Kaur thanked the Commission for their work and commitment to the process. She requested clarification on the community input process and asked the difference between the SA SpeakUp list and the Neighborhood Engagement Brief (NEB). Laura Mayes, Director of the Communications & Engagement Department explained that the SA SpeakUp list was comprised of residents that asked to receive communications and the NEB consisted of neighborhood association leaders and other stakeholders and explained that there were opportunities to participate in the survey, in writing, and at the meetings. Councilmember Kaur recommended an extensive community engagement process for every type of feedback process.

Councilmember Kaur supported the recommendations related to ethics. She supported the four-year term for stability in the council district, increasing City Council pay, and keeping the City Manager's compensation competitive. Councilmember Kaur recommended that the Redistricting Commission include diverse representation. She agreed with modernization of language and wanted to ensure that ballot language was clear. Councilmember Kaur recommended more dialogue about political activity, Rank Choice Voting and youth funding noting that these were a key concern of the public.

Councilmember Pelaez commented that City Council staff were not restricted from being active in political campaigns and commented that if employees felt undue influence, they could file a complaint with the ERB. Councilmember Pelaez noted that the City of Dallas still had the prohibition like San Antonio, but other large cities did not. He asked if the City Council recommendations would be presented to the community at town halls. Interim Assistant City Manager John Peterek noted that there had been extensive public input opportunities and the next step was for the City Council to decide what was placed on the ballot. Councilmember Pelaez asked if Councilmembers were restricted from engaging the public. Segovia stated that once the recommendations became propositions the City Council could engage the public.



Councilmember Rocha Garcia asked when the changes would take effect. Segovia explained that the changes would not apply to this City Council as constituted today. Councilmember Rocha Garcia supported keeping the three-signature memo process for calling Special Meetings the same. She recommended increasing staff or council districts to support the growth of our City. Segovia noted that adding staff to the council district offices would be a discussion during the Budget process.

Councilmember Alderete Gavito supported ensuring that the ballot language was clear and that the City Manager's tenure and salary would be separate from that of the City Council. Segovia recommended that each be separated and that would be eight different propositions.

Councilmember McKee-Rodriguez supported not allowing Councilmembers to solicit employees to donate or participate in their campaign and recommended a survey of employees regarding political activity. He commented that even with longer terms for the City Council he noted that there was still an opportunity for a recall election but acknowledged that this might be seen more with longer terms. Councilmember McKee-Rodriguez noted that longer terms would give prospective City Council aides more consistent employment. He noted that a Councilmember's good work was a way to campaign all the time and suggested that capital projects and other programs took a long time to see them through.

Mayor Nirenberg thanked the City Council for the healthy deliberation and the members of the Commission for their work. He stated that the next steps were for the City Council to order the election on August 8, 2024, and he would lay out in a memorandum the general agreement from today.

## **EXECUTIVE SESSION**

Mayor Nirenberg recessed the meeting into Executive Session at 4:17 p.m. to discuss the following:

- A. Economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).
- B. The purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072 (real property).
- C. Legal issues related to litigation involving the City pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D. Legal issues relating to emergency preparedness pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- E. Legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Nirenberg reconvened the meeting in Open Session at 5:58 p.m. and announced that no

official action had been taken in Executive Session.

## **ADJOURNMENT**

There being no further discussion, the meeting was adjourned at 5:58 p.m.

**Approved**

**Ron Nirenberg  
Mayor**

**Debbie Racca-Sittre  
City Clerk**