

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



Meeting Minutes
Charter Review Commission
Municipal Plaza Building
114 W. Commerce Street
San Antonio, Texas 78205

Commission Members

Bonnie Prosser Elder, Co-Chair | David Zammiello, Co-Chair
Elva Pai Adams | Josh Baugh | Luisa Casso | Mike Frisbie
Pat Frost | Frank Garza | Martha Martinez-Flores
Naomi Miller | Bobby Perez | Shelley Potter
Dwayne Robinson | Rogelio Saenz | Maria Salazar

Thursday, April 25, 2024

5:30 PM

Municipal Plaza Building

The Charter Review Commission convened a regular meeting at Central Library, 600 Soledad, Auditorium at 5:36 PM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Members present:

PRESENT: 15 – Prosser Elder, Zammiello, Adams, Baugh, Casso, Garza, Frisbie, Frost, Martinez-Flores, Miller, Perez, Potter, Robinson, Saenz, Salazar

ABSENT: None

Approval of Minutes

1. Approval of the minutes from the Charter Review Commission meeting on April 11, 2024.

Commissioner Garza moved to Approve the minutes of the April 11, 2024 Charter Review Commission meeting. Commissioner Robinson seconded the motion. The motion carried by the following vote:

Aye: Prosser Elder, Zammiello, Adams, Baugh, Casso, Garza, Frisbie, Frost, Martinez-Flores, Miller, Perez, Potter, Robinson, Saenz, Salazar

Public Comments

Individuals were allowed to sign up for live public comment the day of the meeting at the meeting location up to 15 minutes before the start of the meeting or prior using SASpeakUp up to 12:00 pm the day of the meeting. Those unable to attend the meeting could submit written comment by calling 311 or using SASpeakUp at <https://www.saspeakup.com/CharterReviewCommission> until 4:00 PM on the business day before the meeting. Comments could be provided in English or Spanish and interpretation services will be provided with advanced notice. Voicemail comments could be left at 210.207.6889. Voice messages were limited to 300 words transcribed. Comments that did not pertain to the agenda items were not presented to the Commission.

Raymond Zavala recommended more accountability for elected officials including having City Council meetings at night so Councilmembers could work in their regular jobs during the day and give the residents time to participate. He requested that the Public Comment Sessions be televised. He opposed funding for the Migrant Resource Center.

Grace Rose Gonzales commented that this last public meeting was held during Fiesta making it difficult for residents to participate and opposed requiring residents to use QR codes or submit their comments online. She stated that she had difficulty working with the Parks Department and others.

Rose Hill, President of the Government Hill Neighborhood Association, spoke in opposition to the Charter Amendments stating that residents were left out of the decision-making process and recommended including a voice for the neighborhood associations. She opposed increasing the pay for the City Councilmembers.

Anthony Cruz recommended expanding the City Council by 2030 to effectively serve the growing population and development of an independent Redistricting Committee. He recommended abolishing the policy that did not allow city employees to participate in municipal election campaigns other than to vote.

Jack M. Finger recommended adjusting recall petitions required down to 10% of those who turned out at the last election, not from the voter registry. Finger thought the free market should dictate pay for the City Manager. He opposed increasing the number of City Councilmembers and an increase to their term length as well as compensation.

Jecoa Ross commented that most residents of San Antonio lived below the poverty line, so he recommended more pay for the lowest paid workers rather than only affecting the highest paid employee not just the City Manager. He opposed changes to the three-signature memo process that allowed for the calling of a special meeting.

Chris Baecker opposed artificially raising any wages in the City government because small businesses had to compete for those workers. He did not recommend amending article 7, section 91 to designate money for specific causes because people could not afford to pay more taxes and taxes should be kept flat.

Mary Beveau opposed more money for the City Council because they needed to focus on growth and the wages of others and stand up for their council district. She recommended an independent Ethics Officer. She commented that petitions must be signed by eligible voters.

Rick Cortez supported longer terms such as two, 4-year terms and he thought it was important that the City Manager not have a term limit as the City Council could remove them at any time. He stated that there was competition for good leadership and the previous amendment hindered the City.

Eddie Rodriguez, representing CAST Schools Network, supported programs and funding for young people.

Jennifer Hendricks, a local family physician, opposed increasing City Councilmember salaries to \$100,000+ and supported keeping the two-year terms versus four-year terms and keeping the current term limits. She opposed increasing the number of representatives on City Council. She recommended keeping the legal integrity of the language.

Frank Fonseca with the Maverick Neighborhood Association opposed the City Charter changes including the increase in City Council pay and recommended changing the time of the City Council meetings to the evenings.

Terry Hubbard, a Coach at Essence Prep Public School, supported programs and funding for young people. Mary Turner and Si' An Hubbard, students at Essex Prep Academy, recommended that the City provide funding for school programs.

William Whiting advocated for Rank Choice Voting as a good governance tool to allow voters a means to increase voter participation and cooperation between leaders.

Ryan Garcia, local political science student, spoke in opposition to increasing terms from two to four years and recommended keeping term limits the same.

Denise Gutierrez Homer, Vice President of Infuse SA, recommended proper vetting of board applicants noting that the City Charter required board members to be residents of the City of San Antonio. She mentioned that department heads needed to have better background checks and recommended that all department heads be required to live in the City of San Antonio. The City Charter Board had persons seated that were not residents, according to Homer. She wanted the City Charter to include that it was not a sanctuary city. She opposed increasing the pay of the Councilmembers and recommended keeping the two year term limits.

Andrea Salazar youth prevention director at the San Antonio Council on Alcohol and Drug Awareness, spoke in support of providing youth programs to help families dealing with substance use as an upstream investment in mental health, behavioral health, education, and criminal justice. She requested that the City dedicate 20% of its future revenue growth to youth programs.

Members of Futuro San Antonio family advocacy team Daisy Martinez, Frances Guallardo, Bianca Del Conte, Sayda Mitchell-Morales senior manager of community development for KIPP public schools, and Ruben De Los Santos, Director of Education and Organizing at Futuro San Antonio, spoke in support of programs for youth including education, tutoring and dedicating 20% of the city's future revenues for youth programs.

Adrian Pecina-Rios, Community Engagement Organization of City Education Partners and Aracely Vargas Flores, a Spanish Facilitator at City Education Partners spoke in support of the

Up Partnership proposal to dedicate 20% of the city's future revenues for youth programs.

Ryan Lugalía-Hollon and Christina Martínez, with the Up Partnership recommended dedicating 20 % of the growth in the City of San Antonio's annual revenue compared to the previous year to additional grantmaking and initiatives dedicated to young people ages 0-24.

Guillermo Vazquez, representative of American Federation of State, County and Municipal Employees (AFSCME), presented an amendment to Article 6 Section 78 that prohibited City employees from running for office or participating in municipal election campaigns except to vote.

Patricia Reck, Aiden Robinson, and Andrew Gregory, City employees and members of AFSCME, recommended repeal of the prohibition on City employees participating in municipal political campaigns and asked to repeal section 78.

Jade Pacheco spoke in support of the four-year term limit and the pay increase only if that was their full-time job. She opposed extension of tenure or compensation of the City Manager and recommended that residents vote on City Manager compensation and tenure. She opposed any change to the three-signature memo process as it suppressed their voice.

Ananda Tomas opposed limiting topics on the ability for City Council to call a special meeting and changes to the three-signature memo process. She opposed removing the pay cap for the City Manager and recommended removal of the prohibition on employees participating in political campaigns.

Michael Anderson recommended modifying compensation for Mayor, City Council and City Manager to be based on the economic health of our city and suggested using median household income for a family of four which was \$88,600 and we could provide incentives and multipliers to reach different amounts. He recommended that elections be held every two years in November and opposed adding more council districts.

Susan Bayne stated that City Council pay should be set at the median income for the community. She recommended keeping four two-year terms for Mayor and City Council and opposed increasing the number of council districts to 12.

Katie Ferrier, representing the Greater San Antonio Chamber of Commerce, spoke in support of removing the tenure cap for the City Manager and allowing the City Council to set the City Manager's salary and length of service.

Lexie Johnson stated that Councilmember pay raises should come with the understanding that they should have no other jobs, and recommended not raising the City Manager's salary. Johnson opposed increasing signature requirements or setting parameters for special meetings and recommended removing employee's prohibition on participating in municipal election campaigns.

Isabelle Sanders opposed increasing signature requirements or setting parameters for special meetings. She emphasized pay equity.

Andrew Vicencio opposed increasing pay for City Council and suggested that the City Manager could

receive performance pay. He recommended keeping term limits for the City Manager and suggested a larger search for a replacement. Vicencio recommended that all candidates have access to senior centers and not just incumbent Councilmembers.

Andrea Flores, Gender Justice Organizer with Move Texas, spoke in support of using gender neutral language in the City Charter.

Co-Chair Zammiello thanked all members of the public for their time and for sharing their thoughts.

Commissioner Robinson commented on the excellent quality of the presentations by the two young people from Essex Prep School.

Briefing on the following items:

2. Briefing and discussion of the working recommendations from the following subcommittees:

Commissioner Potter requested that the Commission include discussion on Article 6, Section 78 on a future agenda. Co-Chair Zammiello assured Commissioner Potter that the Item would be discussed later. Commissioner Casso supported including discussion of the issue at a future meeting.

Commissioner Potter noted that she had been contacted regarding the terms for City Council and wanted the full Commission to discuss that. Co-Chair Zammiello confirmed that it was on the agenda.

Co-Chair Prosser Elder clarified that the Items on the agenda would be presented in detail by the Subcommittee chairs and the full Commission could deliberate on the recommendations for all charges.

a. City Manager Tenure and Compensation Subcommittee Report:

City Manager Tenure and Compensation Subcommittee Chair Pat Frost reviewed the charge of the Subcommittee which was to review the City Manager's tenure cap of eight years and compensation cap of 10 times the lowest paid full-time city employee. Frost stated that CPS Human Resources, a national Human Resources consulting firm surveyed other Bexar County governmental entities and comparator cities and found that the governing bodies of those agencies had the authority to make tenure and compensation decisions about their chief executive officer.

Commissioner Frost stated that the Subcommittee concluded that the City of San Antonio could not be competitive with a cap on City Manager tenure and compensation and recommended that City Manager pay not be tied to the lowest paid employee. He stated that the Subcommittee recommended updating Section 45 of the City Charter to remove language limiting compensation and insert: "in setting the City Manager's compensation the City Council shall take into consideration market and competitive indicators." The Subcommittee recommended removing language pertaining to the cap on tenure.

DISCUSSION

Co-Chair Zammiello commented that the essence of the charge was authority-based rather than an issue of the City Manager's compensation.

Commissioner Perez asked if any other governing body that the Subcommittee researched had a tenure cap. Commissioner Frost replied that there was no tenure cap in any of the comparisons which included: Brooks City Base, CPS Energy, Port San Antonio, San Antonio Water Systems (SAWS), University Health System, VIA Metropolitan Transit, Alamo College District, University of Texas at San Antonio, Bexar County, City of Austin, City of Dallas, City of Fort Worth, City of Phoenix, City of El Paso, City of Arlington, City of Plano, City of Laredo, Oklahoma City, City of Lubbock, City of Midland, City of Charlotte, North Carolina, and the Cities of San Diego and San Jose, California.

Commissioner Baugh suggested that giving the elected representatives of the City Council the authority to determine the salary and tenure of the City Manager was a key part of the democratic process.

Co-Chair Prosser Elder thanked the Subcommittee for their work.

b. City Council Districts and Redistricting Subcommittee Report:

City Council Districts and Redistricting Subcommittee Chair Frank Garza reviewed the charge of the Subcommittee which included asking whether an increase in single-member council districts would enhance representation and whether the redistricting process should be conducted by an independent board. He noted that most residents who provided feedback recommended no increase in the number of council districts.

The Subcommittee did not recommend increasing the number of council districts, nor putting a trigger population into the City Charter as El Paso had done, maintaining that future City Councils should make the determination and request a City Charter update in the future. However, Commissioner Garza stated that the Subcommittee suggested that City Charter language should be added to allow City Council to appoint members to the Redistricting Commission to reexamine City Council boundaries if voters decided to increase the number of council districts even if that time did not coincide with a Federal decennial census. It was also suggested that the 10 council districts receive more resources as the City grew.

Commissioner Garza stated that based on public survey results from the 2021 Redistricting Advisory Committee and community feedback as well as research into best practices, the Subcommittee concluded that a hybrid Redistricting Commission, versus an independent commission, would best serve San Antonio's redistricting process. The commission could be created any time the number of council districts increased but would be reviewed every 10 years with the Federal census, according to Garza.

Commissioner Garza stated that the Subcommittee recommended adding in the City Charter, Section 4A creating a hybrid redistricting commission composed of 11 total commission members (1 appointed by the Mayor and 10 appointed by each Councilmember). He added that all members would be required to be registered to vote in their respective council district and could not be an elected official to any local, State or Federal office or their immediate family

member nor an employee of the City of San Antonio, a Local Government Corporation governed by the City Council, or employed/supervised by a Councilmember at an outside employer.

The Subcommittee recommended establishment of restrictions on communication by an elected official or lobbyist with a member of the Redistricting Commission so that these communications either in verbal or written form, must be in public, however, neighborhood associations would be exempt and able to meet in private with a Redistricting Commission member, according to Commissioner Garza.

Commissioner Garza's Subcommittee recommended a process where the Redistricting Commission would create and present a plan to City Council. Under this process, the City Council could propose amending the recommended plan in an open meeting with a written explanation for the amendment and the proposed amendment would go back to the Commission for consideration. He noted that if the amendment was adopted by the Commission, then the amended plan could be adopted by City Council with a majority vote. Commissioner Garza stated that however, if the City Council's amended plan was rejected by the Commission, then either: 1) The original recommended plan could be adopted by a majority vote of City Council, or 2) The City Council's amended plan could be approved by three-fourths (9 votes) of the members of the City Council.

Commissioner Garza stated that the Subcommittee put a timeline on the process adding that if final action was not taken by the City Council within 45 days after the recommended plan was presented to the City Council for adoption, then, the recommended plan of the Redistricting Commission would become the final districting plan for the city.

DISCUSSION

Commissioner Baugh asked if the prohibition on lobbyists included lobbyists who were members of a neighborhood association. Commissioner Garza stated that the prohibition would only be in place if the lobbyist were paid by the neighborhood association.

Commissioner Casso asked if there might be other parameters regarding how meetings of the Redistricting Commission would operate. Commissioner Garza suggested that the Redistricting Commission would need to adopt its own rules and the Subcommittee did not want to include that detail in the City Charter.

Commissioner Robinson requested clarification that if a memorandum was sent by a City Councilmember that it would be made available to the public as well as the entire Commission. Commissioner Garza confirmed that it would be public. Commissioner Robinson expressed concern that the language "hybrid" was difficult to define and felt there could be issues with the City Council approving the recommendation from the Redistricting Commission.

Co-Chair Prosser Elder clarified that the additional resources recommended to the 10 council district offices instead of adding more council districts included the staffing and funds. She noted the prohibition on certain individuals from serving on the Redistricting Commission would simply remove those people from consideration by the City Council.

c. City Council Compensation and Term Subcommittee Report:

City Council Compensation and Term Subcommittee Chair Luisa Casso stated that her report would focus only on compensation. She noted that the Subcommittee's deliberation was not really about exact salary amounts, but a recognition of the skills and time needed to serve as a Councilmember. Commissioner Casso stated that the Subcommittee considered whether City Councilmembers should be compensated on terms that more accurately reflected the market and lowered barriers to participation in city government.

Commissioner Casso reported that the Subcommittee reviewed City Charters and salary levels from other cities, interviewed former Councilmembers, analyzed compensation data, and the evolution of the role of the Councilmember. Commissioner Casso stated that the Subcommittee discussed whether and how to index compensation, received input from subject matter experts on data sets, analysis, and business case.

Commissioner Casso noted that the Subcommittee assumed that the 2015 Charter Review Commission determined that the City Councilmember position should be compensated and had applied the 2015 San Antonio Area Median Income as the benchmark to establish City Council pay but did not include a mechanism to adjust pay based on changes in the cost of living. Commissioner Casso reported that the conclusion was that City Council compensation should be aligned to their responsibilities, duties, and attributes which were like an executive or management level job and a similar position in the private sector would pay \$120,000 to \$140,000.

The Subcommittee also considered public input, according to Commissioner Casso, and made an adjustment based on Bureau of Labor Statistics Median Income for Management and Professional Occupations in the San Antonio-New Braunfels Metropolitan Statistical Area for occupations with similar attributes as the Mayor and City Council which resulted in a 2023 median salary of \$81,763. Commissioner Casso stated that the Subcommittee recommended the pay for City Council at \$80,000 and for the Mayor at \$95,000 and the inclusion of an index that was the same as the wage increase provided to civilian employees annually for across the board adjustments. She stated that the index philosophy was that if the City Budget was healthy then the workforce and the city leaders could afford a wage increase, however, if the workforce did not receive a wage increase, neither should the elected officials.

Commissioner Casso justified the Subcommittee's recommendation by recognizing the value and complexity of the City Council/Mayor position, affirming that the City Council role was a compensated public service role which enabled Councilmembers to focus full-time on their responsibilities, allowed Councilmembers to sustain themselves during their time of services, attract qualified candidates to serve, and allowed for market updates.

DISCUSSION

Commissioner Frost complemented the Subcommittee on their thorough analysis and mentioned that the City had already lost a Councilmember due to low wages as she was not able to support her family on a Councilmember's salary.

Commissioner Robinson acknowledged that the Subcommittee had spoken to some former Councilmembers but one former Councilmember that he had individually spoken to had stated that her spouse asked her when she was going to go back to work as the wages were not

competitive or supportive of a family.

Commissioner Adams asked if the \$80,000 was a base salary amount for entry level Councilmembers or would those who got elected to a second term get an increase for longevity. Commissioner Casso clarified that this pay would not take effect until after the next municipal election so the current City Council would not benefit. Co-Chair Prosser Elder clarified that all Councilmembers would receive the same pay rate regardless of tenure. Commissioner Baugh stated that under the recommendation the indexing annually with the budget process would be applied to all Councilmembers regardless of tenure.

Co-Chair Zammiello stated that the problem was that the pay was a barrier to participation and the goal was to allow Councilmembers to spend full time on their work as a public servant. He commented that the narrative change helped to explain the value provided by their public service role.

Commissioner Perez asked what the salary number would be if the current salary was indexed to 2024. Commissioner Baugh stated that it would be closer to \$60,000 or \$65,000. Commissioner Perez asked how many times there had been no cost-of-living increases for City employees. Commissioner Baugh stated that he thought he remembered that there were four times in the last ten years that city employees did not receive an adjustment.

Commissioner Perez asked if a Councilmember could individually reject the pay increase or the salary for themselves. Commissioner Baugh cautioned against the discretion of not taking a raise as it would handicap a future Councilmember in that council district and set their wages low. Commissioner Perez suggested that Councilmembers should have the ability to exempt themselves from the adjustment. Commissioner Baugh opposed individuals being able to reject the pay increase as it would amplify barriers for representatives that could not afford to reject the pay increase and overly politicize the process. Commissioner Perez clarified that elected officials were not eligible for retirement through the Texas Municipal Retirement System (TMRS).

Commissioner Potter suggested that there could be times when there was a difference between how much of an increase employees in different classes could receive. Commissioner Baugh stated that the City could look at rank and file employees separate from executives. Interim Assistant City Manager John Peterek, First Assistant City Attorney Elizabeth Provincio and Commissioner Frisbie all clarified that there was merit pay separate from the across the board adjustment.

3. Discussion of subcommittee assignments and issues under consideration by Charter Review Commission including the process used by the Commission to make their final recommendations.

Co-Chair Zammiello stated that the Commission would have final proposed recommendation presentations by all Subcommittees in response to the Mayor's charge on May 6, 2024 and there would be another meeting May 9, 2024 for discussion and possible action on the final proposals. He stated that final discussions and actions to prepare for the June presentation to full City Council was planned for May 20, 2024 and May 23, 2024 and could include those parking lot issues.

Commissioner Frost asked if the report template would be updated. Co-Chair Zammiello stated that the Co-Chairs would review the template and coordinate with staff. Co-Chair Prosser Elder clarified that there was a later charge to look at the Special Meeting process and this would be discussed, not as a parking lot issue.

There being no further discussion, the meeting was adjourned at 8:39 p.m.

Bonnie Prosser Elder, Co-Chair
Respectfully Submitted

David Zammiello, Co-Chair

Debbie Racca-Sittre, City Clerk

DRAFT