

Charter Review Commission



May 6, 2024
Central Library

Agenda

- Approval of Minutes
- Guiding Principles
- Special Meetings (City Charter, Article II, Section 11)
- Discussion and review of proposed recommendations:
 - City Manager Tenure and Compensation
 - Ethics Officer and Other Ethics Revisions
 - Council Districts and Redistricting
 - Language Modernization
 - City Council Member Compensation and Term Length
- Process Check-In
- Adjournment

Guiding Principles

As a Charter Review Commission, we operated under eight guiding principles:

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
8. Be transparent and listen



City Charter, Article II, Section 11

Special Meetings

Special Meetings - Section 11

Charge: Evaluate language that provides for special meetings of the City Council, and how those meetings should differ in purpose, use, and timing from the current policymaking process (Council Consideration Requests)

Conclusions:

- Special meeting called if three councilmembers request in writing
- Special meetings at written request rarely used (perhaps three times in past 15 years)
- Special meetings other than Wednesdays and Thursdays not uncommon, set by City Manager with Office of the City Attorney assistance
- Standard means to agendize items on Council Committees, then Council, through Council Consideration Requests: five Council signatures, ordinance recently updated to expedite process
- Emergency meetings can be held if imminent threat to health, safety and welfare, one hour notice required by state law

Special Meetings - Section 11_(continued)



Charge: Evaluate language that provides for special meetings of the City Council, and how those meetings should differ in purpose, use, and timing from the current policymaking process (Council Consideration Requests)

Recommendation:

- *No amendments other than striking calling of meeting by City Clerk, as City Manager's Office and City Attorney's Office now manage*
- *Provision as otherwise written serves a public purpose in addition to other ways Council can have items brought before it for discussion*

Sec. 11. Meetings of the Ccouncil.

All meetings of the council shall be held at such times as may be prescribed by ordinance or resolution; but not less than one regular meeting shall be held each week, unless postponed for reasons to be spread on the minutes which shall be kept of all Council meetings. Special meetings of the Council shall be ~~called by the City Clerk~~ scheduled upon the written request of the Mayor, the City Manager or three members of the Council. All meetings of the Council and of any Council Committees ~~thereof~~ shall be in compliance with the Texas Open Meetings Act as it may be amended from time to time.

Subcommittee Proposed Recommendations

- **City Manager Tenure and Compensation**
- **Ethics Officer and Other Ethics Revisions**
- **Council Districts and Redistricting**
- **Language Modernization**
- **City Council Member Compensation and Term Length**

City Manager Tenure and Compensation



Chair:

- Pat Frost

Members:

- Elva Pai Adams
- Martha Martinez-Flores
- Naomi Miller
- Dwayne Robinson

City Manager Tenure - Whether the City Council should have the authority and discretion to hire, manage, and determine the length of service of the City Manager

City Manager Compensation - Whether the City Council should determine the compensation of the City Manager so that market and competitive indicators are taken into account

City Manager Tenure and Compensation



City Manager Tenure – Whether the City Council should have the authority and discretion to hire, manage, and determine the length of service of the City Manager

- *Yes, remove language cap on tenure*

City Manager Compensation – Whether the City Council should determine the compensation of the City Manager so that market and competitive indicators are taken into account

- *Yes, remove language cap on compensation and insert: “in setting the City Manager’s compensation the City Council shall take into consideration market and competitive indicators”*

Ethics Officer and Other Revisions



Chair:

- Mike Frisbie

Members:

- Elva Pai Adams
- Josh Baugh
- Bobby Perez
- Shelley Potter

Ethics Officer - Whether the City should be able to appoint an independent ethics auditor with a legal background

Other Ethics Revisions - Whether the Ethics Review Board should be autonomous with independent oversight and power to compel testimony, and whether any additional recommendations would strengthen the effectiveness, authority, and/or jurisdiction of the board

Ethics Officer and Other Revisions



Ethics Officer – Whether the City should be able to appoint an independent ethics auditor with a legal background

- *Yes, but not required nor recommended*
- *Leave Ethics Auditor position as is*
- *Current structure fosters a balance between independence and collaboration*

Ethics Officer and Other Revisions (continued)



Other Ethics Revisions – Whether the Ethics Review Board should be autonomous with independent oversight and power to compel testimony, and whether any additional recommendations would strengthen the effectiveness, authority, and/or jurisdiction of the board

- *Yes, the current ERB structure has a high level of independence, oversight authority and has the power to compel testimony, Charter Sec. 167(c)(7)a*
- *Yes, improvement recommendations as follows:*
 - *Add high level definition of “conflicts of interest”*
 - *Appropriate sufficient funding for ERB to fulfill all duties*
 - *Remove term limits for ERB members*
 - *Increase ERB discretion to determine whether to accept or refuse complaint cases when complaints have been otherwise resolved*

Council Districts and Redistricting



Chair:

- Frank Garza

Members:

- Naomi Miller
- Bobby Perez
- Dr. Rogelio Saenz
- Maria Salazar

Council Districts - Whether an increase in single-member Council districts would appropriately enhance representation for San Antonio residents

Redistricting - Whether the decennial Council redistricting process should be conducted by an independent, autonomous citizens committee and how such a committee's membership shall be appointed

Council Districts and Redistricting



Council Districts – Whether an increase in single-member Council districts would appropriately enhance representation for San Antonio residents

- *No, an increase in Council districts is not needed at this time.*
 - *Recommend amending the Charter to add opportunity for redistricting if voters through a future Charter election, amend and increase the number of districts. Charter currently states redistricting occurs after each Federal decennial census.*

Redistricting – Whether the decennial Council redistricting process should be conducted by an independent, autonomous citizens committee and how such a committee's membership shall be appointed

- *Yes, a hybrid redistricting commission, versus an independent commission, would best serve San Antonio's redistricting process. Charter would define who can be appointed to commission and requirement for supermajority of Council to amend the commission's proposed plan.*

Language Modernization



Chair:

- Maria Salazar

Members:

- Frank Garza
- Shelley Potter
- Rogelio Saenz

Language - Whether the Charter shall be generally amended to update its language to more accurately reflect current processes, acknowledgments, and roles

Language Modernization



Language – Whether the Charter shall be generally amended to update its language to more accurately reflect current processes, acknowledgments, and roles

- *Yes, identified 105 sections containing outdated and superseded provisions*
- *He/him/his/she/her/hers – change to they/their or omit as appropriate (approx. 111)*
- *Archaic terms – herein, hereinafter, hereby, etc. - remove and replace (approx. 213)*
- *Creation, composition and powers: Section 4 – delete “wards”, a term not used to describe breakdown of City into Council districts*
- *Recording of ordinances: Section 16 - outdated requirement to record ordinances in well bound books; ordinances are saved electronically*
- *Adopted Codes: Section 17 – Clerk is required to keep two copies on file. Codes are now online, only one copy needed*

Language Modernization (continued)



Language – Whether the Charter shall be generally amended to update its language to more accurately reflect current processes, acknowledgments, and roles

- *Recall election: Section 30 – may only be on uniform election dates, amend to reflect state law*
- *Form of Petitions: Section 36 – remove reference to signatures permitted to be made with “indelible pencil” as not required by law*
- *Finance Department: Section 55 - Add Chief Financial Officer to those required to be bonded*
- *Authority and duties of police officers: Section 58 - “officers and policemen of the police department” changed to “City employees licensed as peace officers by the State of Texas”, to clarify it applies only to the Police, Airport Police and Park Police Departments; “policemen” change to “uniformed members”*
- *Delinquent taxes: Section 96 – penalties and interest on delinquent taxes; delete / reserve section*

Language Modernization (continued)



Language – Whether the Charter shall be generally amended to update its language to more accurately reflect current processes, acknowledgments, and roles

- *Corporation Court: Section 112 – rename to Municipal Courts and Judiciary*
- *Section 112: revise requirement that Judges reside in the City at least three years immediately preceding appointment to be required by state law for San Antonio judges (currently three years, but could change)*
- *Oath of Office: Section 138 – add city boards and commissions to those required to take the official oath of office*
- *Loyalty Oath: Section 159 – delete and reserve section as City has used state promulgated oaths*
- *Appointment of Ethics Review Board: Section 166 – revise to be same manner as other City boards (nomination by memo, action by Council at one meeting rather than nomination at one meeting and appointment at the next)*

Language Modernization (continued)



Language – Whether the Charter shall be generally amended to update its language to more accurately reflect current processes, acknowledgments, and roles

- *Support HR recommendations for amendments to civil service provisions*
 - *8 provisions recommended for revisions*
 - *17 total suggested amendments*
- *Support Finance, Budget, and Public Utilities recommendations to bring provisions current and reflect today's terminology*
 - *12 provisions recommended for revisions*
 - *18 total suggested amendments*

City Council Compensation and Term Length



Chair:

- Luisa Casso

Members:

- Josh Baugh
- Mike Frisbie
- Martha Martinez-Flores
- Dwayne Robinson

City Council Member Compensation -

Whether City Council members should be compensated on indexed terms that more accurately reflect the city's cost of living and lower barriers to participation in City government

City Council Term Length - Whether Mayor or Mayor and Council terms should be extended to four years with a limit of two terms, and whether such terms should be staggered

City Council Compensation and Term Length



City Council Term Length – Whether Mayoral or Mayoral and Council terms should be extended to four years with a limit of two terms, and whether such terms should be staggered

- *Yes, Mayoral and Council term lengths should be changed to two – four-year terms*
- *Total years of service should remain at eight*
- *Mayor and Council and should be elected concurrently - not stagger terms*

Note: If approved, this proposal would go into effect after the next municipal election – June 2025

City Council Compensation and Term Length



City Council Member Compensation – Whether City Council members should be compensated on indexed terms that more accurately reflect the city’s cost of living and lower barriers to participation in City government

- *Yes, City Council compensation should be **re-baselined** to \$80,000 and Mayor compensation should be **re-baselined** to \$95,000 (+\$15,000 from Council)*
 - *Data source Bureau Labor and Statistics – management and professional positions*
 - *Expert guidance provided by Dr. Steve Werling*
- *Yes, City Council compensation should be indexed to City of San Antonio wage increase percentage provided to civilian employees annually*
 - *Rationale – ties any future council compensation adjustments to same rates received by CoSA civilian employees*

Note: If approved, this proposal would go into effect after the next municipal election – June 2025

Process Check-In

Roadmap



Meeting Date	
May 6	Presentation by all subcommittees of final proposals in response to Mayor's charge
May 9	Discussion and possible action on final proposals in response to Mayor's charge
May 20 and 23*	Final discussion and actions to prepare for June presentation to full City Council

*All May dates should be held for general CRC meetings

Next Meeting



Thursday, May 9, 2024 – discussion and possible action on all subcommittee recommendations

- 5:30 p.m. – 7:30 p.m.
- Central Library



Thank You
End of Presentation