

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



**Meeting Minutes**  
**Charter Review Commission**  
Central Library  
600 Soledad  
San Antonio, Texas 78205

**Commission Commissioners**

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

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**Monday, May 6, 2024**

**5:30 PM**

**Central Library**

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The Charter Review Commission convened a regular meeting at Central Library, 600 Soledad, Auditorium at 5:32 PM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Commissioners present:

**PRESENT: 13** – Prosser Elder, Zammiello, Baugh, Casso, Garza, Frisbie, Frost, Miller, Perez, Potter, Robinson, Saenz, Salazar

**ABSENT: 2** - Adams, Martinez-Flores

**Approval of Minutes**

1. Approval of the minutes from the April 25, 2024 Charter Review Commission meeting.

Commissioner Robinson moved to Approve the minutes of the April 25, 2024 Charter Review Commission meeting. Commissioner Potter seconded the motion. The motion carried by the following vote:

**Aye:** Prosser Elder, Zammiello, Baugh, Garza, Frost, Miller, Perez, Potter, Robinson, Saenz, Salazar

**Absent:** Adams, Casso, Frisbie, Martinez-Flores

**Briefing on the following items:**

2. Briefing and discussion of the final recommendations from all Subcommittees in response to the Commission's charge.
  - a. Special Meetings (City Charter, Article II, Section 11)
  - b. Ethics Officer and Other Ethics Revisions
  - c. City Council Commissioner Compensation and Term Length
  - d. City Manager Tenure and Compensation
  - e. Council Districts and Redistricting
  - f. Language Modernization

Co-Chair Zammiello opened the meeting by confirming that the full Charter Review Commission (CRC) would provide feedback on all charges and recommendations. He reviewed the guiding principles which included: 1) Answering the charge, 2) Focusing on the future, 3) Assuming a clean canvas, 4) Doing the homework through the Subcommittees, 5) Applying an analytical and data driven process, 6) Seeking best practices, 7) Sharing experience and expertise, and 8) Ensuring the process was transparent and everyone was heard.

Co-Chair Prosser Elder noted that four of the guiding principles were about the work (numbers 4, 5, 6, and 7) adding that everyone should be proud of the work and she recognized the assistance from the staff.

**SPECIAL MEETINGS (CITY CHARTER, ARTICLE II, SECTION 11)**

Co-Chair Zammiello introduced the first Item which was to revisit the work of the Language Modernization Subcommittee related to Special Meetings (City Charter, Article II, Section 11)

Language Modernization Subcommittee Chair Maria Salazar acknowledged that the Mayor's second charge requested the CRC to evaluate language that provided for special meetings of the City Council, and how those meetings should differ in purpose, use, and timing from the current policymaking process through Council Consideration Requests (CCR).

Salazar reported that according to the City Charter, Article II, Section 11, a special meeting could be called if three Councilmembers requested it in writing, however, special meetings at written request was rarely used (perhaps three times in past 15 years). She stated that special meetings other than Wednesdays and Thursdays set by the City Manager with Office of the City Attorney assistance were not uncommon and the standard means to place items on an agenda was through CCRs which required five Councilmember signatures. She indicated that an Ordinance was recently passed to expedite the CCR process which included referral to Council Committees, then to the City Council. Salazar added that by State Law, emergency meetings could be called if there was an imminent threat to health, safety, or welfare, provided there was a one hour notice to the public.

The Subcommittee recommended striking calling of a meeting by the City Clerk, as the City Manager's

Office (CMO) and the City Attorney's Office now managed council agendas. Commissioner Salazar stated that the provision as otherwise written served a public purpose in addition to other ways City Council could have Items brought before it for discussion.

Commissioner Garza explained that it was more difficult to set an agenda than to call a meeting and noted that the change was simply a cleanup noting that San Antonio was unique in that CMO prepared the agenda and in every other city he knew of the City Clerk scheduled the agenda. He offered that this was not a substantial change.

Commissioner Robinson stated that he was more concerned with setting the agenda than calling a meeting. Commissioner Baugh suggested that this tactic might be used when only three Councilmembers could not get the other two signatures for a CCR. Commissioner Garza explained that the current City Charter allowed three Councilmembers to call a special meeting, but recently there had been a 3-signature meeting memo drafted and one of the signatories withdrew their signature. Garza stated that to require five signatures, would be a substantive change that would require a separate discussion and ballot item. Commissioner Salazar stated that the Subcommittee also looked at how other cities defined special meetings and very few had such a provision but if they did, the Item was limited to being related to city business. She noted that given this was used so seldom, the Subcommittee did not recommend a substantial change. Interim Assistant City Manager, John Peterek, stated that the City Council was aware of the provision, but it was seldom used.

Commissioner Frost asked if the Subcommittee looked at different purposes for the calling of a special meeting. Commissioner Salazar stated that the Subcommittee found limited information about the purpose in the research. Commissioner Garza stated that they looked at whether it should be tied to a municipal question and the Subcommittee rejected that because it was a larger scope than the Subcommittee's Language Modernization. Commissioner Garza did not recommend adding the term municipal question due to definition in the City Code as well as public opposition. Co-Chair Prosser Elder commented that a special meeting could be defined as anything other than a regular meeting.

Commissioner Potter stated that the Subcommittee's charge was limited to Language Modernization and the charge exceeded the Subcommittee's purview. Commissioner Frost recommended limitation to municipal questions. Commissioner Baugh expressed concern that defining the term "Municipal interest" could be problematic and requested a definition of emergency. Co-Chair Prosser Elder stated that an emergency had a definition. Interim Assistant City Manager Peterek stated that the 3-signature process was not necessary to call a Special meeting if it was an emergency. Commissioner Saenz stated that the Subcommittee noted that the process had not been abused and was not overly burdensome as well as public opposition. Commissioner Baugh cautioned that just because it had not been used much in the last 15 years, we might be moving into different political times that might be more frequent in the future.

Commissioner Garza stated that this was not circumventing the CCR process because the City Charter controlled the CCR Ordinance which was a policy that the City Council could change at any time. He further disagreed that this would be abused as a weapon to call constant meetings. Commissioner Baugh clarified that the City had operated using a CCR process for policy which required five signatures simply to go to a City Council Committee rather than three signatures and expressed concern having just three signatures to move a discussion directly to the full City Council A Session and felt there was a

disparity between the two processes.

Commissioner Perez agreed with the Subcommittee's recommendation not to substantially change the number of signatures for a special called meeting noting that it would take six votes to approve anything so if there were only three signatures for a meeting, the meeting would not result in any policy without more support. He noted that the issue was that CCRs took too long to make it through the process. Co-Chair Prosser Elder clarified that the CCR process was established by Ordinance and every Councilmember knew about the 3-signature memo process to call a special meeting by City Charter.

Co-Chair Zammiello clarified that this issue would be taken separately from Language Modernization. Co-Chair Prosser Elder suggested that the Item was taken separately because it was a substantive policy change. Commissioner Frisbie suggested that the Subcommittee's recommendation was not a substantial change so why change it at all. Commissioner Garza stated that in San Antonio, the City Manager prepared the agenda not the City Clerk but in other cities the City Clerk did so this was simply a minor change to match practice. Co-Chair Zammiello stated that even though the recommended change was simply modernization of the language, the charge to look at the purpose, use, and timing for calling special meetings was a separate charge and would need to be discussed by the Commission and ultimately, the City Council as a separate issue. Co-Chair Prosser Elder suggested that the Subcommittee's recommended verbiage change should be included in the Language Modernization proposition. Commissioner Salazar agreed, stating that the Subcommittee saw it as an outdated process and removing the City Clerk as the preparer of the agenda was simply updating to reflect practice.

#### CITY MANAGER TENURE AND COMPENSATION

Co-Chair Prosser Elder provided an overview of the City Manager Tenure and Compensation Subcommittee's recommendation which was to remove the tenure and compensation cap on the City Manager tenure and provided City Council the authority and discretion to hire, manage, and determine the length of service of the City Manager. Specifically, the Subcommittee recommended removing language capping compensation and inserting: "in setting the City Manager's compensation the City Council shall take into consideration market and competitive indicators." City Manager Tenure and Compensation Subcommittee Chair Pat Frost clarified that their recommendation was about the position, not the person, and was meant to place the authority for tenure and compensation decisions with the hiring body (City Council).

Co-Chair Prosser Elder noted that there was significant public input on this subject and those comments were considered. Commissioner Potter asked why "taking into consideration market and competitive indicators" was necessary noting that in her experience in working with school boards in hiring a superintendent, the elected officials needed to be held accountable if the public did not like their decision. Commissioner Frost stated that this was included as guidance to the City Council.

Commissioner Saenz asked if there was still a ratio applied against the lowest paid worker to ensure lower paid workers received pay increases. Commissioner Frost stated that the Subcommittee intended to remove the tie to other employees and focused the City Council on competitive wages for the City Manager.

Commissioner Salazar appreciated that this was about the position and not the person and it set the

basis as to what we were asking the person to do; focusing on the work. Commissioners Robinson, Perez, Miller, Garza, Frisbie, and Casso supported the change. Commissioners Garza, Casso, and Baugh noted that this was consistent with other Chief Executive Officers and agreed with Commissioner Potter that Councilmembers should be held accountable for their hiring decisions. Commissioner Baugh asked if the tenure and salary restrictions would be removed immediately. Assistant City Attorney Camila Kunau clarified that the provisions would take effect once the election was canvassed.

Commissioner Baugh suggested removing market references. Co-Chair Prosser Elder noted that market and competitiveness was in the language of the charge and was included in the recommendation but not required. She observed that there was thought and compassion for the lowest paid City employees but suggested that this was a separate issue from the City Manager. Commissioner Saenz asked if there was an opportunity to include a recommendation to the City Council to not to forget the lowest paid employees, perhaps separate from the City Charter update recommendations. Commissioner Frisbie noted that the lowest hourly rate had been raised significantly over the past few years. Co-Chair Prosser Elder recommended keeping the recommendations structured to address the City Charter. Commissioner Frost supported removing market and competitive language because the most important feature was that the City Council would make the decision. Commissioner Perez agreed that removing references to market and competition would make the language cleaner. Co-Chair Prosser Elder asked if there was an objection to removing market and competitiveness. There was no objection.

Commissioner Salazar commented that the City Manager had a lot of authority, and she understood the tenure but supported it because the focus would return to the elected officials that comprised the hiring body.

Co-Chair Prosser Elder offered to include a comment regarding lowest paid employees separate from the official City Charter change recommendations.

#### ETHICS OFFICER AND OTHER ETHICS REVISIONS

Co-Chair Zammiello introduced the Ethics Officer and Other Ethics Revisions Subcommittee and reviewed the Subcommittee's recommendations. Co-Chair Zammiello stated that the Subcommittee did not recommend that the City appoint an independent ethics auditor with a legal background; but recommended leaving the Ethics Auditor position as it was in its current structure. Ethics Officer and Other Ethics Revisions Subcommittee Chair Mike Frisbie agreed with Co-Chair Zammiello's summary of the recommendation regarding the Ethics Officer. Chair Frisbie commented that the City of San Antonio had a strong Ethics Code of Ordinances but it could be strengthened by adding a conflict of interest statement in the City Charter. Chair Frisbie also recommended strengthening the ERB by ensuring sufficient funding, removing their term limits, and allowing the ERB to determine which cases it would hear.

All Commissioners of the CRC expressed their agreement with the recommendation, however, Commissioner Garza requested review of the specific language defining "conflicts of interest." Interim Assistant City Manager Peterek stated that the City Attorney's Office (CAO) would provide the definition and all legal language.

## COUNCIL DISTRICTS AND REDISTRICTING

Co-Chair Prosser Elder outlined the recommendations from the council districts and the Redistricting Subcommittee which concluded that an increase in council districts was not needed at this time. She stated that the Subcommittee recommended amending the City Charter to add opportunity for redistricting if voters through a future City Charter election, amended and increased the number of districts in addition to each Federal decennial census. Co-Chair Prosser Elder noted that the Subcommittee recommended creation of a hybrid Redistricting Commission with Commissioners representing each council district but restricted to ensure that Commissioners could act without interference from the elected official with the caveat that City Council would need to approve their plan within a reasonable time or changes to the recommendation would take a supermajority of City Council to approve (9 affirmative votes).

Council Districts and Redistricting Subcommittee Chair Frank Garza added that the Subcommittee strongly listened to the citizens and there was not an outcry to increase the number of council districts. He added that the process used after the 2020 Census was used as a model for the recommendation.

When polled by Co-Chair Prosser Elder, the majority of the CRC supported the recommendation. Commissioner Robinson commented that having been on the 2020 Redistricting Committee, he supported the hybrid recommendation but was concerned about the term “hybrid.” Chair Garza explained that the term hybrid would not appear on the ballot, this was simply a way to explain this to the CRC as it was somewhat independent.

Commissioner Salazar felt the principle was to ensure that the community had an opportunity to participate in defining council districts when the time came. Co-Chair Zammiello supported the extensive process conducted by the Subcommittee and thought the City Council would trust the redistricting process.

## CITY COUNCIL COMMISSIONER COMPENSATION AND TERM LENGTH

Co-Chair Zammiello introduced the City Council Compensation and Term Length Subcommittee and reviewed the Subcommittee’s recommendations. He reported that the Subcommittee recommended that Mayoral and City Council term lengths should be changed to two, four-year terms with a limit of eight years total. Co-Chair Zammiello noted that further, the Subcommittee recommended that the Mayor and City Council and should be elected concurrently (not staggered terms). He added that if approved, this proposal would go into effect after the next municipal election in June 2025.

As for City Council Commissioner Compensation Co-Chair Zammiello stated that the Subcommittee recommended that City Council compensation be re-baselined to \$80,000 and Mayor’s compensation should be re-baselined to \$95,000 which was \$15,000 more than Councilmembers. He noted that the Subcommittee also suggested that City Council compensation be indexed to the wage increase percentage provided to civilian employees annually. If approved, this proposal would go into effect after the next municipal election in June 2025.

City Council Commissioner Compensation and Term Length Subcommittee Chair Luisa Casso commented that the Subcommittee went through significant analysis and recommendations that she stated were based on strong research and standards such as the Bureau Labor and Statistics for management and professional positions with a focus on governance. Commissioner Casso indicated that

reducing the frequency of election cycles would allow Councilmembers to focus on serving the community rather than campaigning. She wanted the governing body to be more stable by reducing turnover and allowing officials to work full time for their community by providing wage comparable to their expected skills, workload, and responsibilities. Chair Casso stated that increases would be indexed annually at the same rate as civilian employees. She added that the Subcommittee settled on two, four-year terms because they thought after eight years, a Councilmember could become complacent.

Commissioner Baugh stated that there would be language included for current Councilmembers that might be in their third term. He mentioned that the median annual income was higher than the recommended amounts, and he felt our City Councilmembers should be compensated better than the Subcommittee recommended, but this was a good first step based on community feedback.

Commissioner Robinson commented that the recommended pay was in line with what some former Councilmembers had suggested. He noted that all San Antonio City Councilmembers have been committed to their work and their efforts were significant so he did not think having a longer term would make them serve the community less at the three or four-year mark.

Commissioner Frisbie noted that these were leadership positions overseeing City Management and lauded the use of the Bureau of Labor Statistics as a great tool to help the Subcommittee develop a strong recommendation.

Co-Chair Zammiello suggested that City Council compensation was a question of equity because it was important to have a City Council compensation level that would allow the best and brightest to afford to serve and this was an excellent first step to ensure residents who wanted to serve could focus on the task at hand. He stated that to him, it was less about compensation but more about removing barriers to serving. Chair Casso agreed with Co-Chair Zammiello but added that it was also about who we were as a community and how much we valued our leaders and how we presented ourselves in the future from an economic development perspective as well as equity.

Commissioner Baugh stressed that this was not about the current individual Councilmembers but more about the role of being a Councilmember, reducing barriers and making leadership accessible to others and allowing them to consider serving.

Commissioner Garza expressed concern that there was a new State Law (HB 3613 codified in Texas Local Government Code section 21.006 and effective in 2023) that could impact the four-year term. Co-Chair Zammiello suggested that the new law be explained. Kunau stated that the CAO consulted with outside counsel with significant experience in redistricting and was assured that the four-year terms were compliant. Co-Chair Prosser Elder asked if there was also an internal staff review. Kunau confirmed they did not believe there would be a legal challenge.

Commissioner Miller asked if the spirit of the recommendation to raise the City Council

compensation was to keep the City Council focused full time on running the city, and asked the Subcommittee to consider adding language confirming that being on City Council could be their only job. Commissioner Baugh stated that the Subcommittee considered restrictions on other employment, but it was not recommended because it would be hard to enforce and would prohibit business owners from running for office.

Commissioner Perez expressed that four, two-year terms were an excellent way to hold Councilmembers accountable so he did not support the four-year term. He asked why the salary was not indexed in 2015 when the City Charter amendment was passed to first include a salary for Mayor and City Council. Commissioner Baugh explained that just getting Councilmembers paid was an interim step.

Commissioner Potter stated that she struggled with the term limit recommendation as she could make an argument for both two-year and four-year terms noting that her concern was accountability at the four-year level. She asked about the recall provision. Commissioner Baugh stated that a recall petition signed by 10% of the registered voters in the council district would force a recall election. Commissioner Potter requested the actual numbers for 10% of registered voters per council district to determine if there was enough accountability. Commissioner Potter worried that in the second year of a four-year term they could become less accountable and recommended three, three-year terms as a middle ground.

Commissioner Robinson stated that his concern was when there were no term limits, and he supported a four- year term as it was consistent with Bexar County terms. He did not think Councilmembers would become complacent within the eight years.

Commissioner Saenz noted the significant number of Commissioners and the public that preferred keeping two-year terms. He stated that the question was whether a four-year term would bring complacency versus always campaigning due to the shorter terms noting that with two-year terms, if they did not perform, they would not get reelected. Commissioner Saenz appreciated the work of the Subcommittee and the adjustment of their recommendation on compensation based on public input. Commissioner Saenz also requested information on the recall process.

Commissioner Salazar appreciated that the Subcommittee recognized Councilmembers' responsibilities, obligations, and duties. He supported having raises tied to City staff pay increases to ensure that everyone was moving forward but was not sure about the term limit recommendation at first but tended to support it. Commissioner Salazar also requested information on the recall process.

Commissioner Potter supported the recommendation that salary increases were tied to raises for City employees. She clarified that her concern over the four-year term was not that Councilmembers would get complacent but that they would stop listening to constituents without the accountability that came with an election.

Commissioner Frisbie commented that he previously worked for a city that had four-year terms with no limits and another with four-year terms but limits as well as the City of San Antonio under its four two-year terms. He stated that when it came to infrastructure in the city, bonds went to the voters every five years which made City Council turnover every two years tough on the momentum related to long-term projects. He added that the Councilmembers typically had plans to continue serving the community in some way after their term so he suggested that this would motivate them to remain accountable.

Commissioner Baugh stated that in 2023 there were about a million voters, which meant about 10,000 signatures would be needed for a council district recall election to be called and warned against lowering the number of petition signatures too much which would result in trivializing the effort so just a few people could trigger a recall election simply because their favored candidate lost. Co-Chair Prosser

Elder clarified that staff would still provide the data on number of petition signatures required for a recall.

Co-Chair Prosser Elder reverted to the charge and guiding principles noting that the City had lost some very talented individuals due to the low compensation. Commissioner Chair Casso stated that the Subcommittee felt that compensation and tenure went hand in hand to remove barriers to participation and noted that the recommended compensation was still low.

Commissioner Miller asked if there would be two separate propositions or one. Kunau stated that terms and pay would be separate propositions on the ballot. Co-Chair Zammiello stated that the CRC intended to vote on the item as a package.

Commissioner Baugh preferred to vote on each Subcommittee's charge as a whole rather than splitting into different topics. Co-Chairs Zammiello & Prosser Elder agreed. Commissioner Salazar commented that there were qualified candidates seeking office because there was a pay increase in 2015.

#### LANGUAGE MODERNIZATION

Co-Chair Prosser Elder provided an overview of the Language Modernization Subcommittee recommendation which included outdated and superseded revisions to 105 areas of the City Charter, including 11 instances of gender specific pronouns. She noted that removal of 213 archaic terms such as herein, hereinafter, hereby, etc. as well as the change the term in section 4 from "wards" to council districts. Co-Chair Prosser Elder indicated that Section 16 and 17 removed reference to saving Ordinances in "well bound books" and keeping duplicate hard copies as both were outdated due to documents being posted online.

Co-Chair Prosser Elder reported that other changes included conforming with State Law to indicate that recall elections (Section 30) could only be on uniform election dates, removing reference to petition signatures being permitted to be made with "indelible pencil," adding the Chief Financial Officer to those required to be bonded, clarifying language related to Policemen to reflect licensed peace officers, and deleting the section related to penalties and interest on delinquent taxes.

Co-Chair Prosser Elder stated that Section 112 would rename Corporation Court to Municipal Courts and Judiciary and include the requirement that Judges reside in the City at least three years immediately preceding appointment as required by State Law. She noted that the Subcommittee recommended adding city boards and commissions Commissioners to those required to take the official oath of office, removing the outdated "Loyalty Oath" in Section 159, and revising the appointment process for the Ethics Review Board as those for other City boards.

Co-Chair Prosser Elder also noted that eight provisions and 17 amendments had been recommended for revisions by Human Resources related to civil service provisions and there were 12 provisions recommended for revisions and 18 total suggested amendments recommended by Finance, Budget, and Public Utilities to reflect today's terminology. Co-Chair Prosser Elder concluded that the review of the City Charter in such detail had been a heavy lift for the Subcommittee and thanked them for their work.

Co-Chair Zammiello noted that there was a redline version of the changes. Commissioner Casso asked how these would be voted upon. Commissioner Garza stated that there would be one ballot proposition. Co-Chair Prosser Elder clarified that language modernization would be one vote for language modernization.

Commissioner Salazar clarified that the Subcommittee did not think neutralizing the gender terms would open up any legal challenge and thought it made the City Charter cleaner and easier to read. Commissioner Miller asked how this would be presented to voters and was curious about how voters might have access to the language. Kunau stated that the proposed changes would be in the Ordinance and available at every polling place and staff would provide paper copies upon request. Commissioner Saenz cautioned against using the term redline.

Co-Chair Prosser Elder polled the CRC and most supported the recommendation. Co-Chair Zammiello and Co-Chair Prosser Elder thanked the Subcommittees and their Chairs for their work as well as the candid conversation at the meeting.

3. Discussion of issues under consideration by Charter Review Commission including the presentation of the Commission's final recommendations to City Council.

Co-Chair Prosser Elder and Co-Chair Zammiello outlined the next steps which included final proposals from each Subcommittee related to their charge to be presented to the CRC for discussion and possible action on May 9, 2024. Additional meetings were planned for May 20, 2024, and May 23, 2024, to conduct final discussion and actions to prepare for the June 6, 2024, presentation to the full City Council

There being no further discussion, the meeting was adjourned at 7:52 p.m.

**Approved**

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*Bonnie Prosser Elder, Co-Chair*

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*David Zammiello, Co-Chair*

**Respectfully Submitted**

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*Debbie Racca-Sittre, City Clerk*