

2024 - 0023



OFFICE OF THE CITY COUNCIL

COUNCIL CONSIDERATION REQUEST

TO: Debbie Racca-Sittre, City Clerk
FROM: Councilmember Teri Castillo, District 5
COPIES: Erik Walsh, City Manager; Andy Segovia, City Attorney
SUBJECT: Appointment Process Improvements
DATE: Thursday, July 11, 2024

Issue for Proposed Consideration

After coordinating this Council Consideration Request (CCR) with the City Manager, I respectfully request for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

Requesting consideration of the Appointment Process Improvements CCR.

Brief Background

State and local law can limit City Council's input on appointments to boards and commissions for which the Mayor has the sole power to appoint members. The decisions made by entities, such as the San Antonio Housing Commission, the Opportunity Home San Antonio Board, and the Charter Review Commission, impact every single district. It is equitable and within the spirit of the Council-Manager system for the City Council to have as much input on these decisions as legally possible.

For instance, the Housing Commission, formerly called the San Antonio Housing Commission to Protect and Preserve Dynamic and Diverse Neighborhoods, used to be comprised of 15 members. The Mayor appointed five members to the Commission and each member of the City Council appointed one member to the Commission¹. The current ordinance governing appointments to the Housing Commission allows only the Mayor the ability to make nomination and appointments (with initial consultation with the City Council) for the at-large positions. However, the "consultation" became moot as subsequent appointments to the commission "may

¹ [Ordinance 2015-05-14-0420](#) (Section 3)

be made by the Mayor without further action by City Council.² Effectively, the current ordinance governing the Housing Commission removed the voice of each district on a public oversight board which is charged with guiding the implementation of the key housing recommendations and engaging the public in the development of affordable housing policy.

City Council should also have input on board appointments to our local housing authority via the Opportunity Home San Antonio Board of Commissioners. While State law limits the power to appoint members to Public Housing Oversight Boards³, COSA should establish a formal internal process which allows City Council a chance to provide input and guidance to the Mayor before the Mayor makes appointment(s). The public housing authority board formerly consisted of eleven-members, which allowed one housing authority commissioner to represent each city council district and the Mayor's office. This was changed in 2003 when then Mayor Ed Garza requested the number of commissioners be lowered from eleven members to five⁴ - removing the district-specific representation. Not only would a more inclusive appointment process be more representative of the will and needs of the entire city - it would also help increase attention and transparency, which could help prevent federal violations like the one that occurred in 2016⁵.

The Charter Review Commission has also shifted away from the purview of the City Council. The Charter Review Committee, appointed by City Council in 1990, contained 23 appointees "representing each of the 10 Council districts, the business community, neighborhood organizations, organized labor, and members with acknowledged technical expertise."⁶ In 2014, the composition of the Charter Review Commission, by ordinance, changed to "thirteen individuals...all to be appointed by the Mayor without further Council action required."⁷ As part of the process set forth in 1990, the City Council provided the committee with its charges. Today, charges are provided to the Commission by the Mayor. Once again, meaningful City Council governance and citywide participation was consolidated to one member of the body.

There has been a transformation in the appointment mechanisms listed above from engaging the entire council to excluding them all together. Council must work to restore these more inclusive and transparent processes as they better serve the entire city.

Request

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

² [Ordinance 2018-11-15-0919](#) (Sections 3 & 4) and [Ordinance 2019-01-17-0030](#) (Sections 3 & 4)

³ [Texas Local Government Code Sec. 392.031](#)

⁴ [Memo from Mayor Ed Garza \(page 6-11\)](#) & [Ordinance 97717](#) (approved May 29, 2003). Note: Membership was increased from five to seven members in August 2003 via ordinance 97717. The district specific representations did not return.

⁵ For more than 15 months Mayor Ivy Taylor had a conflict of interest because her husband collected Section 8 rent subsidies from San Antonio Housing Authority (SAHA). SAHA said later it was a violation of federal housing policy since the mayor appoints commissioners to the agency's board and is prohibited by federal law and the local ethics code from having any interest in contracts with the authority. The issue was resolved in November 2016, when the Housing Authority of Bexar County absorbed the vouchers in questions from SAHA.

⁶ [1993 Charter Review Committee Final Report \(pg. 11\)](#)

⁷ [Ordinance 2014-09-11-0674](#)

Requesting COSA staff research and propose measures that can be implemented which provide the City Council with more input and residents with more comprehensive representation on appointments to specific boards and commissions for which only the Mayor has ability to appoint members.

Specifically, this CCR asks COSA to:

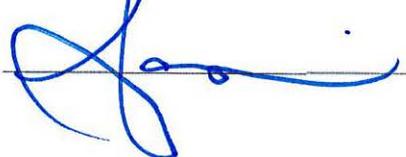
- explore and make recommendations, including expanding membership to councilmembers and restoring district-specific representation, for the Opportunity Home San Antonio Board, San Antonio Housing Commission, the Charter Review Commission, and other entities as requested throughout the policymaking process.
- determine if language used in local ordinances governing appointments to the entities listed above is aligned with best governance practices. For example, "Appointments may be made without further action by City Council."

Submitted for Council consideration by: Teri Castillo

Councilmember Teri Castillo

Supporting Councilmember s' Signatures (exactly 4)

District

1.		<u>6</u>
2.		<u>7</u>
3.		<u>10</u>
4.		<u>4</u>

