

**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

Thursday, May 9, 2024

5:30 PM

Central Library

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

ABSENT: 2 - Adams, Martinez-Flores

PUBLIC COMMENT

Interim Assistant City Manager John Peterek instructed members of the public to keep their comments pertinent to the Items on the Agenda.

Paul Rodriguez, Director of Policy Development for UP Partnership, requested that the city take a competitive view of town development and recommended allocating 20% of the growth in the City's revenues for youth programs. Co-Chair Prosser Elder asked Rodriguez to redirect his comments to the Items posted on the agenda.

Patty Gibbons, President of Greater Harmony Hills Neighborhood Association, opposed changing City Council compensation and term length noting that it was important that City Council and their staff should actively work with their neighborhood association.

Denise Gutierrez Homer commented that members of City Council had questionable relationships with their donors and recommended that the Ethics Commission look at the issue and set policy. She recommended that City Councilmembers not work in Real Estate or with an Attorney and they should not take campaign money from developers, engineers, or construction companies. Homer noted that Charter Review Commissioner (CRC) Dwayne Robinson had worked for Mayor Nirenberg and the Ready to Work Political Action Committee.

Jeff Webster, President and Chief Executive Officer of the Greater San Antonio Chamber of Commerce, thanked the CRC for their work and spoke in support of removing term and compensation limits for the City Manager and increased compensation for City Council.

Raymond Zavala did not think non-San Antonio residents should serve on the CRC and supported the Ethics Review Board being firm and honest with the people. Zavala opposed increased compensation for City Council and the two, four-year terms and opposed changing the compensation rules for the City Manager.

Terry Zablocki recommended more transparency and trust of City Council and opposed pay for City Councilmembers.

Tex Morgan, Democratic Party Precinct Chair, commented that our community struggled with voter turnout at Mayor and City Council elections suggesting that City Council have four, three-year terms and three four-year terms for Mayor so that there was overlap of the City Council. He recommended that the CRC reconsider placing absolute amounts for compensation, instead he favored a multiplier based on the median income.

Lauro DeLeon recommended a longer term for the City Council and increased compensation for the City Council and City Manager.

Andrew Vicencio, US Army Retired noted that the pay rates for Police and Firefighters were paid less than \$65,000 per year and did not support increasing pay or terms for Mayor and City Council.

Briefing and possible action on the following items:

1. Briefing and discussion of the final recommendations from all Subcommittees in response to the Commission's charge.

Co-Chair Prosser Elder introduced the Item and explained that the Charter Review Commission (CRC) would vote at this meeting on the final recommendations from each Subcommittee in response to the Mayor's charges.

ETHICS OFFICER

Co-Chair Prosser Elder stated the charge was whether the City should be able to appoint an independent ethics auditor with a legal background. She reported that the Ethics Officer and Other Revisions Subcommittee's recommendation was that no City Charter amendment was recommended. Leave Ethics Auditor position as is because current structure fosters a balance between independence and collaboration.

Commissioner Perez moved to Approve the Subcommittee's recommendation. Commissioner Baugh seconded the motion. Motion carried unanimously.

OTHER REVISIONS RELATED TO ETHICS

Co-Chair Prosser Elder stated the charge as whether the Ethics Review Board (ERB) 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. She reported that the Subcommittee's recommendation was to amend 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 allowed the CRC to review the Subcommittee's recommended high-level definition of "conflicts of interest" as follows: "All City officials and employees are expected to uphold the highest standards of ethical conduct, ensuring that their actions do not lead to improper personal gain or an adverse effect on the city's interests. In support of this commitment, the City Council shall enact Ordinances to enforce this principle, covering areas such as official actions where significant private interests are involved, the acceptance of gifts, confidentiality, and advocacy for private interests. He noted that the ordinances will also provide requirements regarding mandatory financial disclosures.

"Significant private interests include any financial or non-financial interests, relationships, or affiliations that could reasonably be expected to interfere with an official's or employee's ability to act in the best interests of the city or that could create a perceived conflict of interest or appearance of impropriety."

Commissioner Potter moved to Approve the Subcommittee's recommendation. Commissioner Frisbie seconded the motion. Motion carried unanimously.

COUNCIL TERM LENGTH

Co-Chair Zammiello stated the charge as 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. He reported that the Council Compensation and Term Length Subcommittee recommended to amend the City Charter to include four-year terms to run currently for a total of eight years. Co-

Chair Zammiello noted that, if approved, this provision would go into effect after the next municipal election which was set for June 2025.

Commissioner Potter asked the Subcommittee if they had a specific conversation related to turnover and why the recommendation was to move to four-year terms. Commissioner Baugh responded that the Subcommittee looked at historical data related to re-election. Commissioner Casso noted that part of the charge was to look at whether terms should be staggered, and the Subcommittee determined concurrent terms were best.

Commissioner Potter still wanted three, three-year terms and while two-year terms were better for accountability, four-year terms were better for governing. She noted that the recall petition provision was still an option for voters that wanted to hold their officials accountable during the longer term.

Commissioner Baugh moved to Approve the Subcommittee's recommendation. Commissioner Salazar seconded the motion. Motion carried unanimously.

COUNCIL COMPENSATION

Co-Chair Zammiello stated the charge as whether City Councilmembers should be compensated on indexed terms that more accurately reflected the city's cost of living and lowered barriers to participation in City government. He reported that the Council Compensation and Term Length Subcommittee recommended to amend the City Charter to re-baseline City Council compensation to \$80,000 and to \$95,000 for Mayor compensation indexed to City of San Antonio wage increase percentage provided to civilian employees annually. Co-Chair Zammiello noted that, if approved, this provision would go into effect after the next municipal election which was set for June 2025.

Commissioner Casso moved to Approve the Subcommittee's recommendation. Commissioner Robinson seconded the motion. Motion carried unanimously.

CITY MANAGER TENURE

Co-Chair Prosser Elder stated the charge as whether the City Council should have the authority and discretion to hire, manage, and determine the length of service of the City Manager. She reported that the City Manager Tenure and Compensation Subcommittee's recommendation was to amend the City Charter to remove the language capping tenure for the City Manager.

Commissioner Garza moved to Approve the Subcommittee's recommendation. Commissioner Miller seconded the motion. Motion carried unanimously.

CITY MANAGER COMPENSATION

Co-Chair Prosser Elder stated the charge as whether the City Council should determine the compensation of the City Manager so that market and competitive indicators were taken into account. She reported that the City Manager Tenure and Compensation Subcommittee's recommendation was to amend the City Charter to remove the language capping the City

Manager's compensation.

Commissioner Casso moved to Approve the Subcommittee's recommendation. Commissioner Martinez-Flores seconded the motion. Motion carried unanimously.

COUNCIL DISTRICTS

Co-Chair Prosser Elder stated the charge as whether an increase in single-member Council districts would appropriately enhance representation for San Antonio residents. She reported that the Council Districts and Redistricting Subcommittee recommended no amendment to the City Charter to increase the number of council districts at this time. However, the Subcommittee recommended to amend the City Charter to add opportunity for redistricting if voters, through a future City Charter election, amended and increased the number of council districts noting that the City Charter currently stated that redistricting occurred after each Federal decennial census.

Commissioner Garza moved to Approve the Subcommittee's recommendation. Commissioner Perez seconded the motion. Motion carried unanimously.

REDISTRICTING

Co-Chair Prosser Elder stated the charge as 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. She reported that the Council Districts and Redistricting Subcommittee recommended to amend the City Charter to create a redistricting commission including a provision on who can be appointed to the commission and requirement for supermajority of City Council to amend the commission's proposed redistricting plan.

Commissioner Robinson moved to Approve the Subcommittee's recommendation. Commissioner Adams seconded the motion. Motion carried unanimously.

SPECIAL MEETINGS, SECTION 11

Co-Chair Zammiello stated the charge to 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). He reported that the Language Modernization Subcommittee recommended no substantial City Charter amendment, however, within the Language Modernization proposition, the Subcommittee recommended striking calling of the meeting by the City Clerk to reflect simply that a meeting should be scheduled.

Commissioner Salazar moved to Approve the Subcommittee's recommendation. Commissioner Perez seconded the motion. Motion carried unanimously.

LANGUAGE MODERNIZATION

Co-Chair Zammiello stated the charge as whether the City Charter should be generally amended to

update its language to more accurately reflect current processes, acknowledgments, and roles. He reported that the Language Modernization Subcommittee recommended amending 117 sections of the City Charter containing outdated and superseded provisions.

Commissioner Flores moved to Approve the Subcommittee's recommendation. Commissioner Perez seconded the motion. Motion carried unanimously.

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

Co-Chair Zammiello commented that there were various Items brought forward to the CRC from the Subcommittees or through public comment that might be outside the charges. He announced that those issues would be discussed at the May 20, 2024, meeting and included Rank Order Voting, Section 78 of the City Charter prohibiting City employees from participating in municipal political campaigns, or the UP Partnership funding proposition requesting 20% of the City's future revenue be dedicated to youth programs. Co-Chair Prosser Elder asked staff to assist with review of these issues and recommended that the Commission bring the handouts provided by the public back for discussion at the next meeting.

Commissioner Robinson asked if there would be any Commissioners taking the lead on any of the Items. Co-Chair Zammiello stated that there was no need for there to be a lead Commissioner as all Commissioners could bring their information and thoughts forward. Commissioner Perez requested an opinion from the City Attorney regarding political activities covered in section 78 and research by staff regarding the policies of peer cities. Commissioner Frisbie requested political activity policies of major cities in Texas. Co-Chair Prosser Elder requested that staff prepare a presentation.

Commissioner Potter requested staff information prior to the meeting. Peterek stated that they would provide the information as soon as possible.

Commissioner Perez wanted clarification on State Law related to political activities.

Commissioner Miller also requested State Law related to Rank Choice Voting. Prosser Elder clarified that staff would provide complete information.

Commissioner Martinez Flores requested information from peer cities for the 20% revenue dedication requested by UP Partnership. Commissioner Salazar requested a breakdown of the Budget to have a better idea of how the 20% for youth would impact the City's Budget. Commissioner Salazar requested a history of the political activity prohibition.

Commissioner Garza mentioned that he would not be able to attend the meeting on May 20, 2024, but would provide his written comments.

Co-Chair Prosser Elder cautioned to be fair to asking for too much work from the staff but thought it was important for the CRC to have complete information.

Commissioner Martinez-Flores suggested that the May 23, 2024, meeting might not be needed.

Commissioner Saenz requested clarification on the date when the CRC would present their recommendations to the City Council. Interim Assistant City Manager Peterek stated that the CRC presentation was slated for B Session on Wednesday June 5, 2024, at 2:00 p.m. and encouraged all CRC members to attend.

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

Approved

Bonnie Prosser Elder, Co-Chair

David Zammiello, Co-Chair

Respectfully Submitted

Debbie Racca-Sittre, City Clerk