

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



DRAFT

Meeting Minutes

City Council B Session

City Hall Complex
114 W. Commerce
San Antonio, Texas 78205

Wednesday, February 18, 2015

2:00 PM

Municipal Plaza Building

The City Council of San Antonio convened in the "B" Room of the Municipal Plaza Building. City Clerk Leticia Vacek took the Roll Call with the following Councilmembers present:

Present 11 - Mayor Taylor, Trevino, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier, and Gallagher

1. Report of the Charter Review Commission regarding recommended amendments to the City Charter. [Martha G. Sepeda; Acting City Attorney; Charles Cotrell, Chair, Charter Review Commission]

Dr. Charles Cotrell, Chair of the Charter Review Commission (CRC) presented the CRC's Proposed City Charter Amendments. He recognized the CRC Members and stated that they had served on three subcommittees: 1) Council Compensation; 2) Mayoral Vacancy; and 3) Superseded and Obsolete Language. He noted that they had held seven CRC Meetings; two Public Hearings; and provided opportunity for citizens to comment at five Citizens to be Heard Sessions. He stated that they had looked at other cities of comparable size with Single Member Districts when making their recommendations.

Councilmember Medina excused himself from the meeting at this time.

Ms. Patricia Rodriguez, Chair of the City Council Compensation Subcommittee outlined their recommendations. She stated that the County Judge received an annual salary of \$126,000 and the Bexar County Commissioners received \$107,000. She noted that the average pay of Peer Cities was \$72,390 per year for Mayor and \$55,990 for City Councilmembers. She stated that the CRC recommended that City Councilmembers receive a salary equivalent to the Median Household Income (MHI) in San Antonio totaling \$45,722 and the Mayor should receive \$61,725 (MHI+35%). She indicated that the Mayor currently receives \$4,040 per year and the City Councilmembers receive \$1,070 per year. She added that if approved by the voters, the new salary would be effective July 1, 2015 and that the City Councilmembers elected in 2015 would be eligible for the increased compensation. She stated that they recommended a separate ballot proposition to adjust compensation every 10 years using data provided by the United States Census Bureau.

Sharon De La Garza, Chair of the Mayoral Vacancy Subcommittee stated that they had held robust discussions regarding filling Mayoral and City Council Vacancies. She noted that they recommended that if more than 120 days remain in a term, an election will be held for all vacancies including the Mayor. She stated that the City Council would appoint an individual to serve out the remainder of the term if less than 120 days remain in the term. She added that if the City Council appointed one of its members as Mayor; this would trigger the Council Vacancy Process.

Frank Garza, Chair of the Superseded and Obsolete Language Subcommittee stated that he had reviewed provisions of the City Charter that have been superseded by State Law, have become outdated, or contain obsolete terms. He mentioned that 21 Charter Revisions were being recommended within one Charter Provision and highlighted a few of the recommendations. These include: 1) Sections 50, 60, and 61 contain outdated references to City Departments. The recommended amendment will provide for the Public Works Department to be renamed. 2) Sections 104, 105, and 106 contain outdated terms. The proposed amendment will provide for a gender neutral reference to the Director of Finance and the City Manager, update the reference to the fiscal year, and update technology used with respect to the disbursement of funds.

Dr. Cotrell reported that they had reviewed amending the Terms of Office and Staggered Council Terms but did not feel they could provide a viable recommendation due to time constraints.

Mayor Taylor thanked the CRC for their work and commended Dr. Cotrell for his leadership. She stated that her goal was to have a standing CRC to review and make recommendations to the City Charter.

Councilmember Gallagher stated that he was pleased to have served on the CRC and

commended Dr. Cotrell for his leadership. He noted that he would like for CRC to continue to review the City Charter and make additional recommendations in the future.

Councilmember Viagran asked of the pay of City Councilmembers in other Texas Cities. Ms. Rodriguez referenced the comparison (Slide 5) and stated that they utilized cities of comparable size and with Single Member Districts. Councilmember Viagran asked how often the CRC would make recommendations. Dr. Cotrell replied that the CRC would remain in place and hoped to make recommendations every two years. Councilmember Viagran asked of the number of revisions recommended by City Staff that were not included. Mr. Garza replied that there were some recommendations not included that would have required substantive change and would have to be placed as a stand-alone item on the ballot.

Councilmember Saldaña thanked the CRC for their work and stated that he was pleased that the City Charter was being updated. He noted that in the 1950's, the MHI was \$3,300 and the City Council Compensation was reasonable for that time. He spoke of the challenges for City Councilmembers not receiving compensation and the sacrifices that must be made. He noted that Council Pay was long overdue and hoped the citizens would vote favorably.

Councilmember Warrick asked if the CRC used a Regional or National Comparison of other cities. Dr. Cotrell replied that they had received a list of the 50 Largest Cities in the United States but had not used all as a comparison as they were not Council-Manager Forms of Government. Councilmember Warrick asked of Councilmembers having another full time job. Dr. Cotrell replied that he did not believe that there was anything in the City Charter that would prohibit a Councilmember to work elsewhere. Councilmember Warrick asked of the pending questions related to term limits. Sharon De La Garza responded that not all of the CRC Members agreed that term limits should be extended and that there were also questions about the length of the terms.

Councilmember Krier commended Dr. Cotrell for his commitment to San Antonio over the years and asked if any polls had been conducted. Dr. Cotrell replied that they had not done so due to time constraints. Councilmember Krier expressed concern that there had not been more citizen input and stated that he would not accept the salary if approved by the voters. He asked if there had been any discussions regarding the Charter Provision related to petitions and the requirement for a Circulator Signature on each page. Dr. Cotrell replied that they had not reviewed that provision. Mr. Garza added that Circulator Signatures were required on petitions submitted using the City Charter Process for Initiative and Referendum. City Clerk Leticia Vacek stated that the question was whether or not the Circulator Signature was required on a petition page. Councilmember Krier stated that he hoped to avoid any confusion in the future. Ms. Sepeda stated that she did not believe that the Charter needed to be amended and would be a substantive change that would require

individual placement on the ballot.

Councilmember Nirenberg asked of the charge of the CRC. Dr. Cotrell replied that the ordinance passed by the City Council recommended that the CRC review Council Pay, Council Terms, and Obsolete Language. He noted that there were other issues that needed to be addressed but they could not do so at this time due to the timeline. Councilmember Nirenberg spoke of utilizing the Governance Council Committee to make policy recommendations to the CRC. He asked of making the Compliance Auditor accountable to the Ethics Review Board. Dr. Cotrell stated that they had not studied that issue but could do so in the future. Councilmember Nirenberg asked if there was consideration given to removing the current Council from receiving pay if approved by the voters. Dr. Cotrell replied that they had reviewed same but felt that it should be implemented as soon as the voters approved it. Ms. Rodriguez added that this was the right thing to do and they had provided their best recommendation. Councilmember Nirenberg asked if a Mayor Vacancy could be filled by someone outside of the current City Council. Ms. De La Garza replied that was the recommendation of the CRC. Councilmember Nirenberg commended Dr. Romero's UTSA Students for their work.

Mayor Taylor acknowledged Texas Land Commissioner George P. Bush who entered the meeting.

Councilmember Gonzales thanked the CRC for their work and stated that she was pleased with their recommendations. She asked how many times that City Council Pay had been placed on a ballot. Martha Sepeda replied that the issue had been placed on the ballot in 1994 and 2004 and both were not approved.

Councilmember Viagran asked of the budget for City Council Pay. Ms. Rodriguez stated that the current amount of City Council Staff Salaries was .27% of the Total City Budget. She noted that it would increase slightly if Council Pay was approved.

Councilmember Gallagher stated that he was pleased with using the MHI since it was already established. He noted that there was still work for the CRC to accomplish.

Mayor Taylor stated that many of the people she had spoken with did not know that the City Council did not receive a full-time salary. She asked of the funding source for City Council Pay. Mrs. Sculley replied that there could be an additional appropriation in the Budget or could come out of the current Budget as it was a very small amount. Mayor Taylor stated that she was pleased to be having this discussion publicly. She concurred with Councilmember Nirenberg regarding utilizing the Governance Committee to make policy recommendations. She thanked the CRC for their work and presentation.

Mayor Taylor recessed the meeting into Executive Session at 3:40 pm to discuss the following:

- A. Deliberations regarding economic development negotiations and discuss related legal issues pursuant to Texas Government Code Sections 551.087 (economic development) and 551.071 (consultation with attorney).
- B. Deliberate the purchase, exchange, lease or value of real property and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).
- C. Discuss legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D. Discuss legal issues relating to the regulation of transportation network companies and rideshare mobile apps pursuant to Texas Government Code Section 551.071 (consultation with attorney).

RECONVENED

Mayor Pro Tem Krier reconvened the meeting at 6:00 pm and announced that no action was taken in Executive Session. He addressed Citizens to be Heard.

CITIZENS TO BE HEARD

Mayor Pro Tem Krier called upon the citizens registered to speak.

Dr. Karla Sizer addressed the City Council and spoke in support of the Memorial Designation of Military Drive being named after her son, Specialist Dane R. Balcon.

Donna De Leon spoke of Tejano Leader and Mayor of San Antonio, Jose Miguel Arciniega of whom she was a descendant. She stated that she was working to include his portrait on the Wall of Mayors in the Municipal Plaza Building.

Mary Jane Page expressed concern with CPS Energy Smart Meters and the cost for opting out of the program.

Michael Caddell expressed concern with the installation of CPS Energy Smart Meter and noted the importance of opting out of the program without a fee.

Henry Rodriguez addressed the Council regarding the importance of opting out of the Smart Meter Program without a fee and inviting citizen input in the issue.

George Alejos commented on the quality of life of the citizens reliant on SAWS and proposed an amendment to the City Charter allowing property owners to opt out of the Smart Meter Program.

Nikki Kuhns expressed concern with the installation of Smart Meters and urged the City Council to lend their approval for the Charter Revision regarding same.

Philip Sevilla expressed concern with the Planned Parenthood Facility located at 2140 Babcock Road and urged the City Council to stop the opening of abortion centers in the city.

Lupe Rodriguez expressed concern for the safety of homeowners as Smart Meters are installed and with the rising utility prices.

Susan Straus expressed support for a no-cost opt-out option of the installation of Smart Meters.

Jim Keller expressed concern for the safety and privacy of homeowners due to Smart Meters and spoke of the dangers of hacking associated with a smart grid.

Dagne Florine spoke against CPS Energy Smart Meters.

Mark Perez expressed concern with businesses operating without the proper permits and the lack of follow-up from city staff.

Bob Martin spoke in favor of a no-cost opt-out option for Smart Meters and expressed concern with rising energy prices.

Eli Danze spoke against the expansion of abortion facilities and noted the impact on Christian Values.

Michael Knuffke spoke against the Planned Parenthood Facility located at 2140 Babcock Road and urged the City Council to enforce zoning restrictions at the facility.

Rosario Zarb-Cousin spoke to Section 9 of the City Charter and proposed an amendment to enforce protections on religious freedoms.

Lenor Ramirez expressed concern with the Planned Parenthood Facility located at 2140

Babcock Road and spoke of having resources available to those considering an abortion to make an informed decision.

Donna Scott spoke in opposition to the Planned Parenthood Facility located at 2140 Babcock Road.

Beth Walker recommended changing the recall provision requirement to be no less than 25% of total votes cast in the last municipal election, in keeping with other Texas Cities.

Bobbie Mueller spoke in favor of amending the City Charter to require the Supervisor of Public Utilities to safeguard public health and noted the importance of scientific research that is not funded by the industry.

Nancy Woodard spoke in opposition to the installation of Smart Meters.

Sheila Hemphill spoke of investigations currently underway in the State of California concerning the dangers of failing to properly identify health risks associated with the installation of Smart Meters.

John Cope spoke against lax zoning regulations and the harm they can do to property values. He urged the City Council to uphold zoning restrictions at the Planned Parenthood Facility located at 2140 Babcock Road.

Elliot Weser expressed concern regarding the dangers associated with the installation of Smart Meters to the environment and consumers. He noted there was increased risk to homeowner privacy.

Sylvia Villarreal spoke against the expansion of the Planned Parenthood Facility located at 2140 Babcock. She stated that it was important to upholding zoning restrictions at the facility.

Nazirite Ruben Flores Perez expressed concern with the Planned Parenthood Facility at 2140 Babcock Road. He noted further concern regarding the dangers of soil contamination.

Regina Gonzales requested assistance from the City Council to allow Holy Cross Cheerleaders to take part in the Fiesta Parade to recognize their recent National Championship.

Joy Cavazos urged the City Council to review the Fiesta Guidelines and allow Holy Cross Cheerleaders to take part in the Fiesta Parade to celebrate their recent National Championship.

Betty Eckert expressed her desire for more government transparency and noted concerns with the Planned Parenthood Facility located at 2140 Babcock Road.

Raymond Zavala spoke against the installation of Smart Meters and noted concerns for senior citizens who cannot afford to opt-out.

Rhett Smith spoke of the importance of having citizens present at the Charter Review Commission Meetings and gave the remainder of his time to Ms. Sheila Hemphill. Ms. Hemphill spoke against the installation of Smart Meters and noted the biases of industry-funded research.

Antonio Diaz spoke against the use of deadly force and police abuse in San Antonio and noted the importance of government transparency.

Cynthia Brehm expressed concern for the health and privacy of homeowners amidst the installation of Smart Meters.

Faris Hodge, Jr. submitted written testimony regarding Uber abandoning San Antonio due to the new restrictions. He wrote that the Boston Marathon Bombing Trial was beginning. He asked what Veterans thought of the movie, "American Sniper." He wrote that Bexar Towing could face big fines. He recognized the new Director of The Alamo, Rebecca Bridges Dinnin. He wrote that the non-profit Lighthouse was adding clients and planned to expand their staff.

ADJOURNMENT

There being no further discussion, Mayor Pro Tem Krier adjourned the meeting at 8:01 pm.

APPROVED

IVY R. TAYLOR
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/MMC
CITY CLERK