

GOVERNANCE COUNCIL COMMITTEE MEETING MINUTES

**FEBRUARY 28, 2018 at 12:00 PM
CITY HALL, MEDIA BRIEFING ROOM**

Committee Present:	Mayor Ron Nirenberg, <i>Chair</i> Councilmember Roberto Treviño, <i>District 1</i> Councilmember Rebecca Viagran, <i>District 3</i> Councilmember Rey Saldaña, <i>District 4</i> Councilmember Ana Sandoval, <i>District 7</i>
Staff Present:	Sheryl Sculley, <i>City Manager</i> ; Andy Segovia, <i>City Attorney</i> ; Leticia Vacek, <i>City Clerk</i> ; Kevin Barthold, <i>City Auditor</i> ; Rogelio Pena, Ed Guzman, & Camila Kunau, <i>City Attorney's Office</i> ; Lori Steward, <i>Human Resources Director</i> ; Krystal Strong, <i>Human Resources Assistant Director</i> ; Marissa Bono, <i>Mayor's Staff</i> ; Tina Flores, <i>Compliance Auditor</i> ; Jeff Pullin, <i>Finance Department</i> ; Lina Rodriguez, <i>Executive Assistant to the City Clerk</i> ; John Peterek, <i>Assistant to the City Manager</i> ; Caitlin Krobot, <i>City Manager's Office</i> ; Brandon Smith, <i>Office of the City Clerk</i> ; Bianca Maldonado, <i>District 7 Staff</i> ; Zack Lyke, <i>District 9 Staff</i> ; Rebecca Podowski, <i>District 10 Staff</i>
Others Present:	Amy Hardberger, Eduardo Parra, & David McGee, <i>SAWS Board of Trustees Applicants</i> ; Byron Gipson & Therese Kenner-Chavez, <i>SAWS Employees</i> ; Dr. Adriana Garcia, <i>Ethics Review Board Chair</i> ; Iris Dimmick, <i>The Rivard Report</i> ; Josh Baugh, Scott Huddleston & Ron Cortes, <i>SA Express News</i> ; William Brooks, <i>Brown & Ortiz P.C.</i> ; Nettie Hinton, <i>Citizen</i>

CALL TO ORDER

Mayor Nirenberg called the meeting to order.

1. Consideration of Applicants to the San Antonio Water System (SAWS) Board of Trustees (3 slots) [Leticia M. Vacek, City Clerk]

Mayor Nirenberg explained that each interviewee would be given three minutes for prepared remarks followed by questions.

The following applicants were interviewed:

1. Amy Hardberger (Southwest Quadrant)
2. Eduardo Parra Pirela (Northwest Quadrant)
3. David McGee (Northeast Quadrant)

After the interviews and questions posed; Councilmember Sandoval moved to forward the recommendation of Amy Hardberger, Eduardo Parra Pirela, and David McGee to full Council. Councilmember Treviño seconded the motion. The motion carried unanimously.

2. A briefing on proposed changes to the Ethics Code and Municipal Finance Code. [Kevin Barthold, City Auditor]

Ethics Review Board (ERB) Chair Dr. Adriana Garcia explained that full City Council was briefed on all proposed changes at the November 8, 2017 'B' Session. At that meeting, the Council asked the ERB to consider four items for possible recommendations. The four items were: (1) Review expanding the disclosure requirements for campaign contributions to add third parties seeking City consent or support for economic development and housing projects; (2) Consider requiring occupation and employer disclosures for those making campaign contributions; (3) Reconsider the recommendation and consider disclosure of campaign contribution prohibitions from consultants, attorneys, and lobbyist involved in zoning cases; and (4) Evaluate current campaign contribution limits and consider a possible increase to same.

Dr. Garcia discussed the ERB's revised recommendation regarding campaign contribution prohibitions from consultants, attorneys, and lobbyist involved in zoning cases. She stated the ERB is now recommending disclosure of the contributions, rather than prohibition. She discussed the issue of expanding the disclosure requirements for campaign contributions to add third parties seeking City consent or support for economic development and housing projects. She stated the ERB is recommending disclosure contributions from third parties seeking City consent.

Dr. Garcia stated the ERB further considered requiring occupation and employer disclosures for those making campaign contributions and would recommend their original recommendation to not require said disclosures. She cited the discussion of the ERB in making this a requirement that could cause a "chilling effect" and unintentionally reducing citizen engagement in the political process.

Dr. Garcia then discussed the request to evaluate current campaign contribution limits and consider a possible increase to the current limits. She stated that upon further discussion, the ERB recommended that the Mayor create a committee to focus solely on this issue with ERB input or participation.

Mayor Nirenberg acknowledged the ERB's request to create a committee to evaluate current campaign contribution limits and consider a possible increase to the current limits and stated that his staff has begun preparations to form said committee. He inquired about the ERB recommendation of not requiring occupation and employer disclosures. Dr. Garcia explained the numerous discussions the ERB had concerning this request. The ERB determined they would not want to impose any disclosures that would unintentionally reduce citizen engagement in the political process.

Mayor Nirenberg inquired about the legality of discriminating or retaliating against employees based on political contributions. City Attorney Segovia noted that it is illegal for any employer to discriminate or retaliate against employees based on political contributions. However, he noted that the perception and unintended consequences were of concern to the ERB.

Councilmember Viagran inquired about the change in recommendation from Prohibition to Disclosure concerning contributions from consultants, attorneys, and lobbyists involved in zoning cases. City Auditor Barthold specified said disclosures would be part of the zoning change process. Councilmember Viagran agreed with the expansion of the disclosure requirements for campaign contributions to add third parties seeking City consent or support for Economic Development and Housing Projects to be forwarded and reviewed by the Mayor's Housing Task Force.

Councilmember Viagran moved to forward all ERB recommendations to a future 'B' Session after completion of further review from Mayor's Housing Task Force regarding zoning disclosure requirements and the Mayor's

formation of a committee to review the current contribution limits. Councilmember Saldaña seconded the motion. The motion carried unanimously.

3. A briefing pertaining to the development of evaluations and compensation review of executives appointed by the Mayor and City Council. [Ben Gorzell, Chief Financial Officer; Lori Steward, Director, Human Resources].

Human Resources Director Lori Steward presented the recommended Request for Proposal (RFP) to seek qualified consulting firms to assist in the annual evaluation and compensation review of executives appointed by the Mayor and City Council. She noted the anticipated date the RFP would be issued as March 6, 2018. Mrs. Steward recommended Evaluation Committee Members of: Trey Jacobson, Ben Gorzell, Maria Villagomez, Lori Steward, and one external member from an outside organization.

Mayor Nirenberg clarified that the goal is to have these evaluations and compensation review processes to utilize for the year 2019.

Councilmember Viagran inquired if staff could acquire best practices state-wide to have a reference point and also inquired about who would fill the external slot on the Evaluation Committee. Mrs. Steward stated that she was open to ideas or organizations to approach for this slot. Councilmember Sandoval requested an alteration to the Evaluation Committee of either a Councilmember or an additional external member from an outside organization.

Councilmember Sandoval moved to proceed with the RFP and changes to the Evaluation Committee to include either a Councilmember or an additional external member from an outside organization. Councilmember Viagran seconded the motion. The motion carried unanimously.

Next Scheduled Meeting: March 21, 2018.

Mayor Nirenberg reported that the next Governance City Council Committee Meeting would be held on March 21, 2018.

ADJOURNMENT

There being no further discussion, Mayor Nirenberg adjourned the meeting at 1:18 pm.

ATTEST:

Ron Nirenberg, Mayor

***Leticia M. Vacek, TRMC/CMC/MMC
City Clerk***