

# GOVERNANCE COUNCIL COMMITTEE MEETING MINUTES

APRIL 18, 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:	Councilmember John Courage, <i>District 9</i> ; Sheryl Sculley, <i>City Manager</i> ; Andy Segovia, <i>City Attorney</i> ; Leticia Vacek, <i>City Clerk</i> ; Kevin Barthold, <i>City Auditor</i> ; Dr. Sarah Baray, <i>Pre-K 4 SA CEO</i> ; Andie Rodriguez, <i>Pre-K 4 SA Staff</i> ; Ed Guzman, Camila Kunau, & Shreya Shah, <i>City Attorney's Office</i> ; Marissa Bono, <i>Mayor's Staff</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> ; Marissa Bono, <i>Mayor's Staff</i> ; Chrissy Q. McCain, <i>District 1 Staff</i> ; Susy Romero, <i>District 3 Staff</i> ; Edward Mungia, <i>District 4 Staff</i> ; Derek Roberts, <i>District 9 Staff</i> ; Rebecca Podowski, <i>District 10 Staff</i> ; Thea Setterbo, <i>Govt. &amp; Public Affairs Dept.</i>
Others Present:	Brandon Logan, Richard Perez, Dr. Tracy Hurley, & Jennifer Laster, <i>Pre-K 4 SA Applicants</i> ; Lisa Gomez, <i>SA Chamber</i> ; Ashley Harris, <i>Visit SA</i> ; Josh Baugh, <i>Express News</i>

## CALL TO ORDER

Mayor Nirenberg called the meeting to order.

### **1. Approval of the Minutes from the City Council Governance Committee Meetings of March 21, 2018 and April 4, 2018.**

Councilmember Saldaña moved to approve the Minutes from the City Council Governance Committee Meetings of March 21, 2018 and April 4, 2018. Councilmember Sandoval seconded the motion. The motion carried.

Councilmember Treviño entered the meeting at this time.

### **2. Deliberation and action regarding the reappointment to the Pre-K 4 SA Board of Director Members whose terms end on May 31, 2018 for City Council appointments for Districts 4, 6, and 8 and the appointment of new Members for City Council District 2 and 10 Board seats [Peter Zanoni, Deputy City Manager; Sarah Baray, Ph.D., CEO, Pre-K 4 SA].**

Deputy City Manager Peter Zanoni and Dr. Sarah Baray, CEO of Pre-K 4 SA, presented the applicants for discussion and began with a brief background of the Pre-K 4 SA program and its success since inception. Mr. Zanoni explained that Board Members serve two-year staggered terms. Appointees of even-numbered City

Council Districts served a term of two years beginning in 2016 and ending on May 31, 2018. The new two-year term would begin June 1, 2018 and end May 31, 2020; odd-numbered City Council Districts' appointees also serve a two-year term ending on May 31, 2019.

He then provided a short summary of each applicant's qualifications to serve on the Pre-K 4 SA Board of Directors. He further explained that City Council Districts 4, 6, and 8 had each recommended reappointing the existing Pre-K 4 SA Board of Directors Members to serve their respective Districts; and the incumbent Pre-K 4 SA Board Members had expressed a willingness to serve an additional term. He stated that City Councilmembers for Districts 2 and 10 had selected new individuals to serve their respective Districts on the Pre-K 4 SA Board of Directors.

Mayor Nirenberg thanked all applicants for their interest in serving on the Pre-K 4 SA Board of Directors and gave each applicant present an opportunity to introduce themselves and discuss their desire to serve.

**Pre-K 4 SA Board of Director Recommendations:**

District 2 – Brandon Logan

District 4 – Richard Perez

District 6 – Dr. Tracy Hurley

District 8 – Dr. Shari Albright

District 10 – Jennifer Laster

Councilmember Viagran thanked all applicants for their willingness to serve, she thanked Dr. Baray for her work as CEO, and she thanked Councilmember Saldaña for his advocacy of the program since its inception. She reiterated the importance of developing children from the age of 0-3 years old before they enter the Pre-K 4 SA program at the age of 4 years old. She inquired about the process of employee/teacher evaluations concerning their thoughts about the program. Dr. Baray stated that they utilize a staff survey and a Teacher Leader Group whom she meets with on a regular basis to discuss any issues as well as curriculum.

Councilmember Saldaña moved to forward the slate of applicants for approval to the Regular City Council Meeting of May 10, 2018. Councilmember Treviño seconded the motion. The motion carried unanimously.

**3. An update on the Mayor's Request for Review and Recommendations regarding Agency Agreements. [Andy Segovia, City Attorney; Kevin Barthold, City Auditor].**

City Attorney Andy Segovia and City Auditor Kevin Barthold briefed the Committee on the Mayor's Request for Review and Recommendations regarding Agency Agreements. Mr. Barthold explained that on November 29, 2017, Mayor Nirenberg delivered a memo asking the City Attorney's Office and City Auditor's Office: (1) to review standard contract provisions in City Agenda funding agreements to protect public dollars in City agency funding agreements; (2) to prepare provisions in contracts with non-profits so that significant contracts and real estate transactions are procured in a manner that is ethical and in accordance with policies that promote transparency and integrity of the contracting process; (3) to prepare recommendations to ensure that decisions made by City-formed non-profit or quasi-governmental organizations are subject to the review and jurisdiction of the Ethics Review Board; (4) to develop an annual training program for executives and board members regarding oversight responsibilities, especially with respect to City funds and transparency.

Mr. Segovia explained that as part of its implementation process to increase protection of public dollars, transparency, and integrity in the contracting process, the City Attorney's Office and the City Auditor's Office met with the Ethics Review Board (ERB) on January 23, 2018. The discussion focused on the scope and consequences of subjecting newly formed City non-profit organization or quasi-governmental organizations to the review and jurisdiction of the Ethics Review Board. They further developed and distributed a survey of

current non-profit organizations and boards to determine current practices and opportunities for training development or increased contractual controls where City funding is involved. They reviewed the subject matter and costs of in-person training courses offered in the community to determine the feasibility of those options. During assessment of the training course, necessary topics were reviewed for non-profit organizations and board members training to adequately fulfill legal, fiscal, and ethical responsibilities.

Mr. Segovia stated that the City Attorney's Office and City Auditor's Office will continue to conduct their survey of contract provisions within delegate agency, arts agency, grant funded, and other non-profit funding agreements. Additionally, they are compiling a list of local government corporations (LGCs) and other quasi-governmental organizations that the City has created or over which the City has some oversight or fiscal involvement. He recommended the results of the review be presented at a City Council "B" Session related to LGCs and non-profit contract compliance.

Mayor Nirenberg noted that his intent of the request was to perform a self-assessment and in particular focus on the LGCs, any City-funded or City-created organizations. He inquired of the survey and who it was sent to. Mr. Barthold responded that the survey was sent to all the current Delegate Agency Contracts with the City. Mr. Segovia noted that much more participation with non-profit organizations would continue during the Delegate Agency negotiations process. Mayor Nirenberg noted his thoughts about ensuring that LGCs are subject to the ERB and if not initially set up that way; we must make steps to change that for the future. Mr. Segovia stated that there will be opportunities in negotiations with these organizations to require ERB jurisdiction.

Councilmember Viagran noted the balance necessary for requiring protections for the City and citizens who are serviced by these organizations but also allowing normal operations to occur without being too onerous on organizations with limited funding and staff.

Councilmember Sandoval inquired if this review included non-profit organizations who lease real-estate from the City. Mr. Segovia stated that if the organization enters into a Delegate Agency Contract in addition to leasing from the City, they would be included in this review.

No action was necessary on said item.

**Next Scheduled Meeting: May 16, 2018.**

Mayor Nirenberg reported that the next Governance City Council Committee Meeting would be held on May 16, 2018.

**ADJOURNMENT**

There being no further discussion, Mayor Nirenberg adjourned the meeting at 12:55 pm.

**ATTEST:**

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***Ron Nirenberg, Mayor***

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