

**CITY COUNCIL GOVERNANCE COMMITTEE MEETING
MINUTES**

WEDNESDAY, AUGUST 19, 2015

1:00 P.M.

CITY HALL, MEDIA BRIEFING ROOM

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| Council Present: | Mayor Ivy R. Taylor, <i>Chair</i> Councilmember Rebecca Viagran, <i>District 3</i> Councilmember Ron Nirenberg, <i>District 8</i> Councilmember Joe Krier, <i>District 9</i> Councilmember Mike Gallagher, <i>District 10</i> |
| Staff Present: | Sheryl Sculley, <i>City Manager</i> ; Peter Zaroni, <i>Deputy City Manager</i> ; Martha Sepeda, <i>Acting City Attorney</i> ; Leticia Vacek, <i>City Clerk</i> ; Joe Niño, <i>Deputy City Attorney</i> ; Anthony Treviño, <i>Interim Chief of Police</i> ; Ed Guzman, <i>Assistant City Attorney</i> ; Camila Kunau, <i>Assistant City Attorney</i> ; John Bull, <i>Presiding Judge, Municipal Court</i> ; Dan Kassahn, <i>Judge, Municipal Court</i> ; Janet Martin, <i>Acting Director, Department of Parks and Recreation</i> ; Fred Garcia, <i>Court Clerk, Municipal Court</i> ; John Peterek, <i>City Manager's Office</i> ; Brandon Smith, <i>Office of the City Clerk</i> ; Denice Trevino, <i>Office of the City Clerk</i> |
| Also Present: | Councilmember Shirley Gonzales, <i>District 5</i> ; Rudy Morales, <i>Legislative Director, SAPFFA</i> |

CALL TO ORDER

Mayor Taylor called the meeting to order.

- 1. Approval of the Minutes for the City Council Governance Committee Meeting of May 20, 2015.**

Councilmember Krier moved to approve the minutes of the May 20, 2015 Governance Committee Meeting as submitted. Councilmember Nirenberg seconded the motion. Motion carried unanimously.

- 2. Report on Items Considered by City Council Committees Between May 16, 2015 and August 14, 2015.**

Mayor Taylor stated that this item was included to provide information on upcoming agenda items. There were no questions regarding the upcoming agenda items.

Individual Briefings

- 3. A Briefing and Possible Action on a request from District 8 Councilmember Ron Nirenberg on the Establishment of a Committee Charged with Oversight of the San Antonio Municipal Court System. [Martha G. Sepeda, Acting City Attorney]**

Martha Sepeda noted that a Council Consideration Request (CCR) for said item was brought before the Committee in April 2015. She stated that Municipal Courts were created by Texas State Law, the Charter of the City of San Antonio and by the Texas State Constitution. She noted that full term Judges were appointed in even-numbered years and the Presiding Judge was appointed in odd-numbered years with all appointed for a 2-year term. She stated that the San Antonio Municipal Court charge was limited to the disposition of Class C Misdemeanors. She noted that Judges were required to be U.S. Citizens and to reside in the City of San Antonio for 3 years prior to their appointment. She reported that Municipal Court oversees 300,000 cases per year. She reviewed the history of oversight of the Municipal Courts and noted that most recently a Municipal Court Advisory Committee (MCAC) comprised of Citizen Members provided oversight of the Municipal Courts. She noted that said Advisory Committee has been inactive since 2010. She stated that the cities of Dallas, Houston, Austin and Ft. Worth appointed Council Committees to oversee the appointment of Judges. She stated that staff recommends that the MCAC be re-configured to a Subcommittee of the Criminal Justice, Public Safety and Services Council Committee (CJPSSCC). She noted that staff recommended that said Subcommittee be comprised of two Councilmembers and one Citizen Member. She stated that in the past the City Attorney's Office provided administrative support in the appointment of Judges. She noted that the selection of members of said Subcommittee could be made by the Mayor or the CJPSSCC. She added that the 2-year terms would expire on April 30, 2016 with the appointment process to begin in January 2016.

Councilmember Nirenberg suggested that the Subcommittee report to the Criminal Justice, Public Safety and Services or the Neighborhoods and Livability Council Committee.

Councilmember Krier asked Ms. Sepeda if the background of the Citizen Member should be specifically defined and asked of the mechanism for selection of a District Court Judge. Judge Bull stated that having a member with a judicial perspective would be helpful. Councilmember Krier suggested that staff work through the details of procuring a Non-Municipal Court Judge.

Councilmember Gallagher suggested the appointment of a Non-Sitting Judge. Councilmember Viagran expressed support for selection of a Citizen Member who was not a present or former District Court Judge. Councilmember Nirenberg stated that this request was made to ensure consistent oversight of the Municipal Courts. Councilmember Nirenberg moved to approve the establishment of a Subcommittee of the CJPSSCC to provide oversight of the Municipal Courts and to add an Ex Officio, Non-Municipal Court Judge or a former Non-Municipal Court Judge to the membership and to forward to the full City Council for consideration. Councilmember Gallagher seconded the motion. Motion carried unanimously.

4. A Briefing on the Rules and Procedures for the Scheduling and Consideration of Items at City Council and Council Committee Meetings. [Martha G. Sepeda, Acting City Attorney]

Mrs. Sepeda reviewed the history of the previous processes which had been utilized to bring items before the City Council for consideration. She noted that since 2007 the Council Consideration Request (CCR) Process had been utilized. She reviewed the following steps in the CCR Process: 1) The sponsoring Councilmember signs and submits a memorandum signed by four other Councilmembers to the Office of the City Clerk; and 2) The City Clerk submits said memorandum to the Mayor, City Council and the City Manager. She reported that CCRs were brought before the Mayor and the Governance Council Committee which would potentially set general City-Wide

Policy, have financial implications, or require staff assistance. She stated that requests to expend Contingency Funds, for temporary street closures or District Board/Commission Appointments are submitted directly to the City Council. She noted that the City Manager may bring items before the City Council related to daily business conducted by the City of San Antonio. She added that City Councilmembers may motion from the dais to vote on an item for consideration by the City Council. She reported that the CCR Process was comparable with those of other cities with some variations. She noted that there were no provisions made for CCRs in State Law or in the State Constitution other than that the agenda served as public notice.

Mayor Taylor stated that she supported the established process. She noted that CCRs were brought before the Governance Council Committee and then distributed to the appropriate Council Committee. Mayor Taylor stated that the responsibility was placed on City Councilmembers to ensure that CCRs have merit. Councilmember Gallagher expressed his support of the existing CCR Process.

Councilmember Krier expressed concern that Sections 3 and 4 of Ordinance 2007-01-11-0054 differed. He recommended that Section 3 be revised to agree with Section 4 and that all CCRs be routed through the Governance Council Committee.

Mrs. Sculley stated that the recommended revisions to Section 3 would be made and brought back to the Committee for consideration.

Councilmember Nirenberg cautioned against revisions to Section 3 of said Ordinance as checks and balances were built in. He noted that he was not in agreement with changing the process for making District Board appointments. He stated that he was in favor of revisions which would introduce the CCPF Process.

Mrs. Vacek clarified that At-Large appointments were processed via the City Council Committees and District appointments were brought directly before the full City Council.

Councilmember Viagran spoke in support of thorough vetting of CCRs. Mayor Taylor noted that Committee Chairs were authorized to set the committee's agenda. She stated that staff would review revisions to be made to said Ordinance at the next meeting.

No action was required for Item 4 at this time.

Consent Items

5. Briefing and Staff Recommendation on a Request from District 5 Councilmember Shirley Gonzales on Creating a Vision Zero Action Plan. [Peter Zanon, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

Mike Frisbie stated that Councilmember Gonzales submitted a CCR to create a Vision Zero Action Plan in June 2015. He recommended that said item be forwarded to the Transportation, Technology and Utilities Council Committee as well.

Councilmember Viagran requested that this item be brought before the Criminal Justice, Public Safety and Services Council Committee.

Councilmember Nirenberg moved to approve to forward said item to the Transportation, Technology and Utilities Council Committee. Councilmember Gallagher seconded the motion. Motion carried unanimously.

6. Briefing and Staff Recommendation on a Request from District 5 Councilmember Shirley Gonzales Regarding the Prohibition of Alcohol in the Following Parks: Amistad, Father Albert Benavides, Calderon Boys and Girls Club, Cassiano, Elmendorf Lake, Kelly Area, Morrill, Roosevelt and Juan Vidaurri Parks. [Janet A. Martin, Acting Director, Parks and Recreation]

Janet Martin reported that the CCR was submitted by Councilmember Gonzales in June 2015 requesting an Ordinance which would prohibit alcohol consumption in the following Parks:

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| 1. Amistad; | 6. Kelly Area Park; |
| 2. Benavides, Father Albert; | 7. Morrill; |
| 3. Calderon Boys' and Girls' Club; | 8. Roosevelt; |
| 4. Cassiano; | 9. Juan Vidaurri |
| 5. Elmendorf Lake; | |

Councilmember Viagran noted that said CCR would be brought before the Parks and Recreation Board and the Neighborhoods and Livability Council Committee for consideration. She asked if there could be an exemption made for events at said parks. Ms. Martin replied that a request for exemption could be submitted to the Director of Parks and Recreation.

Councilmember Gallagher asked how the change would be advertised. Councilmember Gonzales stated that the change, if approved, would be advertised with the utilization of signage and additional enforcement by Park Police.

Xavier Urrutia noted that the parks listed were next to each other and the areas were very condensed and would be very manageable.

Councilmember Viagran moved to approve forwarding said item to the Parks and Recreation Board and the Neighborhoods and Livability Council Committee for consideration. Councilmember Krier seconded the motion. Motion carried unanimously.

7. Consideration on Council District 7 and Council District 9 Pre-K 4 SA Board Appointments. [Peter Zanoni, Deputy City Manager; Kathleen Bruck, CEO, Pre-K 4 SA]

Peter Zanoni stated that there were two vacancies on the Pre-K 4 SA Board of Directors in Districts 7 and 9. He noted that City Councilmembers for City Council Districts 7 and 9 have selected the following individuals to serve on the Pre-K 4 SA Board of Directors: 1) District 7 recommended Frances M. Guzman to replace John Folks; and 2) District 9 recommended Gogi Dickson to replace Comelia A. Black.

Councilmember Nirenberg asked of resumes for the two applicants. Mr. Zanoni stated that said resumes would be provided to Committee Members. He provided a brief synopsis on both applicants.

Councilmember Krier moved to approve and forward the nomination for appointment of Frances M. Guzman and Gogi Dickson to the Pre-K 4 SA Board of Directors. Councilmember Nirenberg seconded the motion. Motion carried unanimously.

Consideration for Future Meetings

8. Next Meeting Scheduled: August 26, 2015

Mayor Taylor stated that a special meeting of the Governance Council Committee would be held to consider applicants to the San Antonio Water System Board of Trustees on August 26, 2015.

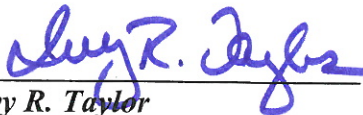
Adjournment

There being no further discussion, Mayor Taylor adjourned the meeting at 2:10 p.m.

ATTEST:



Leticia Vacek, TRMC/MMC/CMC
City Clerk



Ivy R. Taylor
Mayor

