

# GOVERNANCE COUNCIL COMMITTEE MEETING MINUTES

MAY 18, 2016 at 1:00 PM  
CITY HALL, MEDIA BRIEFING ROOM

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| Committee Present: | Mayor Ivy R. Taylor, <i>Chair</i><br>Council Member Rebecca Viagran, <i>District 3</i><br>Council Member Joe Krier, <i>District 9</i><br>Council Member Mike Gallagher, <i>District 10</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Committee Absent:  | Council Member Ron Nirenberg, <i>District 8</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Staff Present:     | Erik Walsh, <i>Deputy City Manager</i> ; Peter Zaroni, <i>Deputy City Manager</i> ; Lori Houston, <i>Assistant City Manager</i> ; Leticia M. Vacek, <i>City Clerk</i> ; Martha Sepeda, <i>Acting City Attorney</i> ; Ben Gorzell, <i>Chief Financial Officer</i> ; John Peterek, <i>Assistant to the City Manager</i> ; Jeff Coyle, <i>Director of Government and Public Affairs</i> ; Edward Guzman, <i>Assistant City Attorney</i> ; Jim Kopp, <i>Assistant City Attorney</i> ; Joe Frank Picazo, <i>SAPD</i> ; Valerie A. Esparza, <i>SAPD</i> ; Gary Gilbert, <i>SAPD</i> ; Steve Baum, <i>SAPD</i> ; Laura Elizabeth Morales, <i>Communications Strategist</i> ; Claryssa Cortez, <i>Management Fellow</i> ; Jennifer Ramirez, <i>Executive Assistant</i> ; Andrew Trexler, <i>District 1</i> ; Choco Meza, <i>District 5</i> ; Maribel Garcia, <i>District 5</i> ; Chris Stewart, <i>District 8</i> ; Zack Dunn, <i>District 8</i> ; Justin Renteria, <i>District 9</i> ; Paul Jimenez, <i>District 10</i> ; Rebecca Podowski, <i>District 10</i> ; Alexander J. Pytel, <i>Office of the City Clerk</i> |
| Others Present     | Council Member Roberto Treviño, <i>District 1</i> ; Council Member Shirley Gonzales, <i>District 5</i> ; Josh Baugh, <i>San Antonio Express-News</i> ; Russ Garcia, <i>Uber</i> ; Chris Miller, <i>Uber</i> ; Irma Gutierrez, <i>Office of Rep. Pete Gallego</i> ; John Wood, <i>American Traffic Solutions</i> ; Andres Pena, <i>Kaufman Killen</i> ; Rick Sorrells, <i>Dallas County Schools</i> ; Michael Marks, <i>SA Current</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## CALL TO ORDER

Mayor Taylor called the meeting to order.

### 1. Approval of the Minutes for the City Council Governance Committee Meeting of April 27, 2016

Councilmember Gallagher moved to approve the Minutes for the City Council Governance Committee Meeting of April 27, 2016. Councilmember Krier seconded the motion. The motion carried unanimously.

### 2. Report on Items considered by City Council Committees between April 25, 2016 – May 13, 2016

Councilmember Viagran asked that a briefing over the Office of Diversity and Inclusion be presented at a future City Council B Session.

Councilmember Krier stated the need for more time to consider issues related to the passage of the Budget. Mayor Taylor reported that City Staff would present options related to a revised Budget Timeline at the B Session scheduled for later in the day.

No action was required for Item 2.

### **3. Discussion and Possible Action on a Council Consideration Request from Councilmember Shirley Gonzales, District 5, on Gender Equity in Boards and Commissions**

Ms. Martha Sepeda reported that there are a number of Code Provisions regarding non-discrimination for Board and Commission appointments. She stated that the City is already prohibited from discriminating on the basis of race, color, national origin, religion, sex, sexual orientation, gender identity, veteran's status, age, and disability. She added that the imposition of a quota would be a cause for concern and could potentially be problematic. She noted that other cities do not have a quota requirement relating to Boards and Commissions.

Councilmember Gonzales reported that the issue was brought to her attention by feedback from Women's Organizations that desired more opportunities to serve on City Boards and Commissions. She stated that the majority of Board Members are men and that it was important to have more women serve by making it a priority to recruit women when there are vacancies on Boards and Commissions. She added that larger recruitment efforts were important to enhance gender balances on Boards and Commissions.

Mayor Taylor stated that the issue was important to discuss and that some strides had been made in enhancing gender balance. She reported that upon becoming Mayor; she established a LGBT Advisory Group that meets periodically and provides feedback. She added that the Group was hesitant to establish any quota system and felt that it was not a good solution to a gender equity challenge. She explained that it was often difficult to find candidates and especially challenging when categories were included as requirements to fill vacancies. She mentioned that Namibia has gender equity requirements for their City Councilmembers.

Councilmember Viagran stated that she would like to see more women serving on City Council and City Boards and Commissions. She reported that she had reviewed the appointments for District 3 and noticed that the majority of appointees are women. She explained that her priority in appointing Board Members was to ensure that they were residents of District 3 and added that a gender category could raise issues regarding the selection process. She noted that it was already difficult to get applicants based on the time commitments and the lack of compensation. She asked for some examples of education and outreach done to attract Board Applicants.

Mrs. Leticia Vacek reported that New Releases are provided to media outlets, posted at City Facilities, and provided to City Executives, and City Council Support Staff. She stated that she had made over 10 presentations in the last year and highlighted examples including: Latina Leadership Institute, AIA, and the Master's Leadership Class. She explained that a Best Practices Survey had been conducted in 2015 and that San Antonio was found to have the Best Practices in place. She added that additional outreach could be conducted by providing vacancies via email to targeted local businesses and organizations as well as providing same on pertinent City Department Websites. She mentioned that over 300 applications for the various boards had been received by the Office of the City Clerk since January 2016.

Councilmember Viagran suggested that the issue be reviewed with the Sunset Review Committee.

Councilmember Krier mentioned that there had never been a female Chairwoman of the Board for the Chamber of Commerce in its 93 years of history until Ms. Jamie Rochelle and her successor. He acknowledged the need for more balanced representation on City Boards and added that many Board candidates are disinclined to apply

based on the need to file Financial Disclosure Reports. He noted that the Home Owners Association Presidents of District 9 are overwhelming male. He suggested that the item be vetted by a Council Committee, or further examined before being presented to the City Council for consideration. He asked for information regarding the gender balance on Boards and Commissions.

Mrs. Vacek reported that out of 689 Current Board Members; 63% were male and 37% were female.

Councilmember Gallagher reported that he meets quarterly with all District 10 Appointees. He noted that many Board Members are Senior Citizens and highlighted the need for young people to become engaged in the Civic Process. He added that some Boards have very specific requirements for applicants and expressed concern that a gender quota could compromise a Councilmember's ability to choose the best candidate for a Board.

Councilmember Gonzales suggested that Councilmembers could ask for gender reports from the City Clerk while considering Board Appointments in order to ensure that Boards are balanced. She mentioned that some Boards are heavily male-dominated and added that female applicants could be appointed when gender balance is needed.

Mayor Taylor suggested that the Office of the City Clerk work with the Office of Diversity and Inclusion and the Office of the City Attorney in order to create a Marketing Plan for Boards and Commissions and present to the Governance Committee in order to include in the Sunset Review Committee. Councilmember Viagran moved to go forward with Mayor Taylor's suggestion. Councilmember Krier seconded the motion. The motion carried unanimously.

#### **4. A Briefing and possible action on a Council Consideration Request from Councilmember Alan Warrick, District 2, and Councilmember Ray Lopez, District 6, on possible Civil Penalty for Bus Stop-Arm Violations**

Mr. Erik Walsh reported that a Council Consideration Request (CCR) had been received from Councilmember Alan Warrick, District 2 and Councilmember Ray Lopez, District 6 asking City Staff to review best practices from Austin and Dallas and provide a recommendation on the creation of a Civil Penalty for passing a School Bus. He explained that cameras would be attached to school buses in order to take photos of vehicles illegally passing a bus. He stated that SAPD has issued 418 citations in the past three years with the maximum penalty being \$520 set by State Law. He added that the City of Dallas approved an ordinance in 2012 and the City of Austin in 2015 which levy a \$300 Civil Citation for offenders. He noted that the City of Dallas is involved in the Adjudication Process and employs a Hearings Examiner that oversees the Hearing Process. He detailed the process in Austin, where there is no City involvement in the issuance of Civil Citations, no revenue sharing, being that the local School Districts oversee the process through the solicitation of bids.

Mr. Walsh stated that City Staff recommended a process similar to the City of Austin's in which an ordinance would be presented for City Council consideration allowing local School Districts to go through the Procurement Process with two additions:

1. Standards of Adjudication – Excluding the Municipal Court, all School Districts would be required to include an Appeals Process.
2. Additional Revenue – Excluding the recovery of expenses would be used by the School Districts to enhance student safety.

Mr. Walsh added that the City Staff Recommendation included that the Item be presented to the Criminal Justice, Public Safety, and Services Council Committee as well as to the full City Council in June. This

schedule allows School Districts an opportunity to implement the project before the start of the next school year.

Councilmember Viagran moved to forward the Item to the Criminal Justice, Public Safety, and Services Council Committee for greater discussion and review. Councilmember Gallagher seconded the motion.

Councilmember Krier referenced a local traffic fatality when two young girls were killed crossing the street in District 9. He thanked Mr. Mike Frisbie for the work done by Transportation and Capital Improvements Department to ensure that School District Zones remain safe and added that the process would be beginning City-wide. He stated the need to ensure that school buses remain safe transportation options for children and noted that adding penalties for passing buses would help to deter unsafe driving.

Councilmember Gallagher expressed support for the issue. He expressed concern for any kind of delay based on the need to fully vet the item in Committee or at B Session prior to the school year. Mr. Erik Walsh reported that the Criminal Justice, Public Safety, and Services Council Committee was set to meet before the end of June.

The motion by Councilmember Viagran to forward the CCR to the Criminal Justice, Public Safety, and Services Council Committee and seconded by Councilmember Gallagher carried unanimously.

**5. Update on Transportation Network Companies (TNCs) and upcoming Rideshare Roundtables in preparation for a City Council briefing to evaluate TNC operations in San Antonio**

Mr. Erik Walsh reported that City Council had approved temporary operations for Transportation Network Companies (TNCs) and that surveys were currently being conducted with results to be presented at a later City Council B Session Meeting. He stated that the actual Operating Agreements require two roundtable discussions which are scheduled for May 18, 2016 and June 1, 2016. He noted that Councilmember Treviño and Councilmember Viagran would be in attendance. He explained that the discussions were designed to get feedback on three target areas: Safety, Options & Choice, and Equity from all ground Transportation Companies. He added that the TNC Operating Agreements end on different days and that City Staff recommended lining up all the ending dates so that issues can be addressed more comprehensively and on a permanent basis.

Councilmember Treviño stated that it was important to move forward and set the example for the State of Texas. He added that San Antonio had developed a TNC System that works.

Councilmember Viagran asked if there would be any impact to the Budget Process. Mr. Walsh replied that an update could be provided at an upcoming Budget Work Session.

Councilmember Krier reported that he had not received any complaints regarding Uber and Lyft. He stated that he voted on requiring fingerprinting for TNCs after meetings with the Mayor and Councilmember Treviño. Mr. Walsh added that more information would be presented at City Council B Session on June 15, 2016.

Councilmember Gallagher stated that there should be additional opportunities to inform citizens that there are options for riders to select drivers based on SAPD Background Checks. Mr. Walsh reported that each company that agreed to the Memorandum of Understanding had paid \$18,750 for the license to operate. He added that said money had been utilized to offset the cost of additional background checks with the balance of the funds used on advertising and social media in order to communicate the importance of background checks to the public.

No action was required for Item 5.

**ADJOURN**

There being no further discussion, Mayor Taylor adjourned the meeting at 1:59 pm.

**ATTEST:**

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

  
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*Ivy R. Taylor, Mayor*