GOVERNANCE COUNCIL COMMITTEE MEETING MINUTES
MAY 16, 2018 at 12:00 PM
CITY HALL, MEDIA BRIEFING ROOM

Committee Present:	Mayor Ron Nirenberg, *Chair* Councilmember Roberto Treviño, *District 1* Councilmember Rebecca Viagran, *District 3* Councilmember Rey Saldaña, *District 4* Councilmember Ana Sandoval, *District 7*
Staff Present:	Councilmember John Courage, *District 9;* Sheryl Sculley, *City Manager;* Andy Segovia, *City Attorney;* Leticia Vacek, *City Clerk;* Rod Sanchez, *Assistant City Manager;* Maria Villagómez, *Assistant City Manager;* Krista Cover, Joseph Harney, & Rogelio Peña, *City Attorney's Office;* Ben Gorzell, *Chief Financial Officer;* Lori Steward, *Director, Human Resources;* Michael Shannon, *Director, Development Services Department;* Alex Lopez, *Chief Equity Officer;* Thea Setterbo, *Government and Public Affairs;* John Peterek, *City Managers Office;* Brandon Smith, *Office of the City Clerk;* Denice F. Trevino, *Office of the City Clerk*
Others Present:	Greg Harman, *Sierra Club;* Joe Alderete III, *SAPFFA;* Andres Peña, *Kaufman Killen;*

CALL TO ORDER

Mayor Nirenberg called the meeting to order.

1. **Approval of the Minutes from the City Council Governance Committee Meeting of April 18, 2018.**

Councilmember Viagran moved to approve the Minutes from the City Council Governance Committee Meeting of April 18, 2018. Councilmember Saldaña seconded the motion. The motion carried.

Individual Briefings

2. **Consideration of Applicants to the Zoning Board of Adjustment At-Large Alternate Category (6 slots). [Leticia M. Vacek, City Clerk]**

Mrs. Vacek stated that the Zoning Board of Adjustment (ZBOA) was comprised of 11 members appointed by the Mayor and City Council. She noted that there were six slots open for the At-Large Alternate Positions. She added that the ZBOA heard waivers, variances, and appeals related to the enforcement of Chapter 28, signs and billboards, and Chapter 35, the Unified Development Code (UDC). She reported that initially six applications were received and three

additional applications were submitted and distributed to Committee Members. John Hillyer, Frank Quijano, Cyra Treviño, and Jesse Zuniga were interviewed by the Governance Committee.

Executive Session

Mayor Nirenberg recessed the meeting into Executive Session at 12:34 p.m. to discuss the appointment and duties of public officers and related legal issues pursuant to Texas Government Code Section 551.074 (personnel matters) and Texas Government Code Section 551.071 (consultation with attorney). Mayor Nirenberg reconvened the meeting at 12:54 p.m. and announced that no action was taken during Executive Session.

Councilmember Viagran asked if the three additional applicants were aware of the Committee meeting. Mrs. Vacek replied that they were not. Councilmember Viagran moved to postpone the item until the next Governance Committee Meeting. Councilmember Sandoval seconded the motion. The motion carried unanimously.

Chairman Nirenberg asked if the delay would affect the business of the Zoning Board of Adjustment. Rod Sanchez replied that it would not as the current members were on hold over until replaced.

3. **Update Regarding Solicitation of Proposals for the Development of Evaluations and Compensation Review of Executives Appointed by the Mayor and City Council. [Ben Gorzell, Chief Financial Officer; Trey Jacobson, Mayor Chief of Staff]**

Trey Jacobson stated that in February 2018, the Committee was briefed on the Request for Proposal (RFP) for the development of evaluations and compensation review of executives appointed by the Mayor and City Council. He noted that said executives included the City Manager, City Internal Auditor, City Clerk, and Presiding Judge of the Municipal Court. He stated that 267 firms were notified and three responsive bids were received. He noted that on May 3, 2018 the evaluation panel interviewed the three firms. He stated that the highest ranked firm's proposal would be brought before the full City Council for consideration mid-June.

No action was required for Item 3.

4. **Status Report on Council Consideration Request (CCR) from Councilmember Viagran-Request to Review Processes Related to Board and Commission Appointments. [Leticia M. Vacek, City Clerk]**

Mrs. Vacek stated that a Council Consideration Request (CCR) was submitted by Councilmember Viagran to request a review of processes and outreach strategies; assess the diversity; and enhance outreach, increase diversity and reduce implicit bias related to Board and Commission appointments. She reported that the Office of the City Clerk, the Equity Office. And Government and Public Affairs outreach were conducting an Equity Impact Assessment to the process associated with recruitment, appointment, and training of board and commission members.

Mrs. Vacek noted that the training associated with the Equity Impact Assessment would be incorporated into the Municipal Leadership Institute (MLI) training.

Maria Villagómez added that an Implementation Plan would be developed and staff anticipated completing all elements of the Equity Impact Assessment by July 2018. She stated that the Equity Impact Assessment was proposed to be brought before the Community Health and Equity Committee.

Councilmember Viagran asked when the Equity Impact Assessment would be brought before the Community Health and Equity Committee. Mrs. Vacek replied that the item would be brought forth in August 2018.

Councilmember Viagran moved to forward the results of the Equity Impact Assessment to the Community Health and Equity Committee for review. Councilmember Saldaña seconded the motion. The motion carried unanimously.

Councilmember Sandoval asked of the timeline for presentation of the results. Ms. Villagómez confirmed that the Equity Impact Assessment would be presented to the Community Health and Equity Committee in August 2018.

5. **Briefing on Council Consideration Request (CCR) from Councilmember Pelaez-Request Discussion of Net Neutrality and Open Internet Access Policies Due to the Recent Repeal of the Federal Communications Commission (FCC) Net Neutrality Order. [Ben Gorzell, Chief Financial Officer; Craig Hopkins, Chief Information Officer]**

Craig Hopkins stated that on March 13, 2018, Councilmember Pelaez submitted a Council Consideration Request (CCR) to discuss net neutrality and open internet access policies due to the recent repeal of the Federal Communications Commissions (FCC) Net Neutrality Order. He noted that in 2015 the FCC established the Net Neutrality Order preventing throttling, blocking, and paid prioritization. He stated that the Net Neutrality Order was recently repealed by the FCC. He noted that the CCR requested that staff provide recommendations on how the city would accomplish the following:

1. Procurement of applicable internet services from companies that do not block, throttle, or provide paid prioritization of content on sites that cities run to provide critical services and information to their residents.
2. Ensuring an open internet connection with any free or subsidized service we offer to our residents.
3. Avoiding paid prioritization when providing internet service directly to our residents, such as through free public Wi-Fi or municipal broadband.
4. To the extent permitted, requiring clear and accessible notices of filtering, blocking, and prioritization policies with enforceable penalties for violations to protect consumers from deceptive practices.

5. Monitoring the practices of internet service providers so consumers and regulators can know when a company was violating open internet principles or commitments.
6. Encouraging consumer use of internet service providers, including municipal options, that abide by open internet policies.

Mr. Hopkins recommended further discussion of the item at the next Innovation and Technology Council Committee meeting.

Councilmember Viagran moved to forward said item to the Innovation and Technology Council Committee. Councilmember Sandoval seconded the motion. The motion carried unanimously.

Mayor Nirenberg noted the importance of ensuring that all citizens have internet services.

ADJOURNMENT

There being no further discussion, Mayor Nirenberg adjourned the meeting at 1:17 pm.

ATTEST:

Ron Nirenberg, Mayor

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