



Ron Nirenberg
Mayor

March 28, 2018

TO: Members of City Council

FROM: Mayor Ron Nirenberg

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Andy Segovia, City Attorney; Kevin Barthold, City Auditor

SUBJECT: City Council Charter Review Commission

The purpose of this memo is to announce changes to the Charter Review Commission, along with a revised charge and schedule that would permit City Council to consider ballot propositions to amend the charter during a possible November 2018 election.

In 2014, the City Council created the Charter Review Commission by ordinance. At that time, the Commission was charged with updating and reviewing specific changes to the City Charter, which were successfully addressed in the May 2015 municipal election. The Commission was further charged with continuous review of the Charter over time. However, charter elections may only occur every two years.

All thirteen Commissioners are appointed by the Mayor, and all the terms for the current Commissioners are expired. In accordance with the Ordinance I sought feedback from City Council on appointments, and ultimately requested your suggestions by February 23. I appreciate your feedback and have also thought carefully about how to ensure diversity of perspectives on the Commission.

I hereby appoint the following individuals to the Charter Review Commission:

Bonnie Prosser Elder (Chair; Expertise in Municipal Law)

Drew Galloway

Dr. Tom Brereton

Patti Radle (Former Elected City Official)

Don Gonzales (Expertise in Municipal Finance)

Marc Druck (Former City Employee)

Frank Garza (Expertise in Municipal Law)

Dr. Charles Cottrell (Expertise in Human Resource Management)

Dr. Henry Flores

Dr. Gloria Rodriguez

Phyllis Ingram

Margaret Wilson-Anaglia (Former City Employee)

Bonnie Conner (Former Elected City Official)

Gyna Juarez is also appointed as a non-voting alternate member. Short bios on each of the commissioners and the alternate are attached to this memorandum.

I recently received an update on the work of the Commission, including an overview of their efforts to collect community input. A copy of the update memorandum is attached. It is clear that the Commission has already dedicated many hours to this effort, and I am truly grateful for their contributions to this endeavor.

To permit the Commission to complete its work by early August, I request that the Commission focus its efforts exclusively on the issues below for additional consideration. The Commission should submit its recommendations to the Governance Committee by June 21, 2018:

Subcommittee	Issue
Development	Planning Commission Composition – Whether the composition of the commission should be changed to eleven members, excluding ex-officio members, such that each member is appointed by each Council district and the Mayor.
Public Finance	Affordable Housing – Whether Art. VII, Sec. 100 of the Charter should allow the City to borrow “for permanent public improvements or for any other public purpose.” This was proposed originally to permit issuance of debt to support affordable housing.
Ethics	Ethics Reviews Board Composition and Appointment – Whether any changes should be made to the composition and appointment of the ERB.
	Other Ethics Revisions – Whether the Ethics Review Board should be autonomous with independent oversight and power to compel testimony, and whether any additional recommendations would strengthen the effectiveness, authority, and/or jurisdiction of the Board.
	Ethics Officer - Whether the City should be able to appoint an independent ethics auditor with a legal background.
Governance	Term Length and Staggering – Whether Mayor and Council terms should be extended to four years with a limit of 2 terms, and whether terms should be staggered.
	Election Date – Whether City elections should be moved to November of even numbered years to coincide with state and federal elections.
	Residency – Whether to require candidates for municipal elections to provide additional proof of residency.

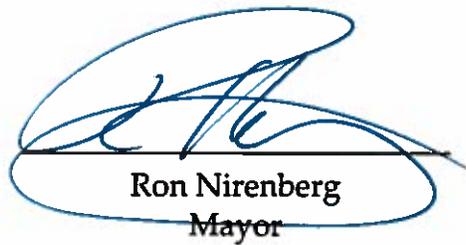
Although the last item on residency would not require a charter amendment, the Governance Committee referred the item to the Commission for its consideration.

The Commission should consider these questions in the context of a single goal – for our system to meet the highest standard in both actual function and appearance for ethics and accountability.

Finally, I request that the Commission inform its recommendations with community input on these questions as well as guidance from Common Cause Texas, a non-profit, non-partisan organization that works to strengthen public participation and ensure that public officials and public institutions are accountable and responsive to citizens.

I have stated many times that the City of San Antonio should be the “gold standard” of ethics in governance. I believe we as a City are closer than ever to meeting that standard with

our governance structure and advancements like the Office of Municipal Integrity. I request that the Commission convene as soon as possible to continue and complete its important work.



Ron Nirenberg
Mayor

**CITY OF SAN ANTONIO
OFFICE OF THE CITY MANAGER**

TO: Sheryl Sculley, City Manager
FROM: John Peterek, Assistant to the City Manager
COPY: Ron Nirenberg, Mayor; Trey Jacobson, Chief of Staff
SUBJECT: SAN ANTONIO CHARTER REVIEW COMMISSION
DATE: March 7, 2018



In 2014, the Mayor and City Council authorized by Ordinance formation of a Charter Review Commission (CRC) to review the City of San Antonio's Charter and recommend changes in order to meet the needs of the residents. The CRC is made up of 13 individuals: seven community members, two former elected city officials, one former City employee, and three individuals with expertise in municipal law, human resources management and municipal finance. The last Charter amendment election was held in May 2015. In that election, voters approved a requirement for any future streetcar or light-rail plan to have voter approval; an annual salary for councilmembers; a requirement of a special election for council vacancies with more than 120 days remaining in a term; and removal of outdated language in the Charter and provisions superseded by laws.

The CRC was reactivated by Mayor Taylor in December 2016 to consider potential amendments to the Charter. In order to receive input from residents, the CRC held three public hearings on May 24, June 7, and June 14, 2017. The hearings were publicized through the City's media channels, Rivard Report, La Prensa, and San Antonio Express-News. Hearings were also live-streamed, with the video archived online. In total, 66 residents spoke during the hearings to voice their comments and concerns and some residents spoke multiple times. Residents were also able to submit comments and suggested amendments in writing. A total of 18 recommendations were received (see the chart below). Some amendment suggestions were specific; others were general in nature.

Upon reviewing the ideas raised in the initial public comment period, the CRC members divided into four subcommittees to discuss and make recommendations to the whole committee. The subcommittees and the issues discussed are as follows:

Development	Bond Issuance	Ethics, Sunset, and Council Size	Governance
<ul style="list-style-type: none"> • Planning Commission Composition (addressed 10 times by residents) • Recall, Initiative, and Referendum Thresholds (addressed 11 times by residents) • Historic Preservation/Burial Site Development (addressed 2 times by residents) • Indigenous Peoples Recognition (addressed 1 time by resident) 	<ul style="list-style-type: none"> • Affordable Housing (addressed 16 times by residents) • Financial Transparency (addressed 8 times by residents) 	<ul style="list-style-type: none"> • Ethics Reviews Board Composition (addressed 3 times by residents) • Number of Council Districts (addressed 4 times by residents) • Sunset of Boards and Commissions (addressed 1 time by resident) 	<ul style="list-style-type: none"> • Term Length (addressed 22 times by residents) • Staggering (addressed 5 times by residents) • Election Date (addressed 18 times by residents) • Residency (addressed 5 times by residents) • Method of Voting (ranked, e.g.) (addressed 2 times by residents) • Public Campaign Finance (addressed 3 times by residents) • Form of Government (addressed 2 times by residents) • Council Attorney (addressed 1 time by resident) • Authority to File Suit Against Government Entities (addressed 1 time by resident)

The subcommittees met with their members from June 29, 2017 through August 25, 2017 and discussed the issues put forth. The full Commission met seven times between December 2016 and August 2017. The subcommittee recommendations presented in the attached summary have been preliminarily discussed by the full Commission but are not the final recommendation of the full commission. On October 18, 2017, the Governance Committee received an update on the CRC progress, but no recommendations were presented.

Charter Review Commission

Bonnie Prosser Elder (Chair, Expertise in Municipal Law)

General Counsel, VIA Metropolitan Transit; Active member of a number of civic organizations including Jack and Jill of America, San Antonio Chapter-LINKS, Inc., Junior League of San Antonio, and the Texas Women's Forum. District 9 resident.

Margaret Wilson-Anaglia (Former City Employee)

Re-appointment to the Charter Review Commission; Currently serves as President/CEO of Al's Gourmet Nuts; Port San Antonio Board; Provides 30 years of experience in economic development and business development. District 1 resident.

Tom Brereton

High level professional expertise in urban development issues, city and regional planning, and local government finance; Diverse background and successful experience in local politics and intergovernmental political processes; Substantial achievements in neighborhood organization and consensus building for community development objectives; Advisor to former San Antonio mayors. District 9 resident.

Dr. Charles Cottrell (Expertise in Human Resource Management)

Currently serves as Professor of Political Science at St. Mary's University; Dr. Cottrell brings 50 years of professional experience at St. Mary's University that includes time as Dean of Arts and Sciences, Dean of Humanities and Social Sciences, Vice-President of Academics and Provost, and President of St. Mary's University. District 1 resident.

Marc Druck (Former City Employee)

Licensed Attorney with Windstead PC. Former City Ethics Auditor (Dec. 2103 – Jan. 2016); Volunteer services include work with the San Antonio Humane Society. District 1 resident.

Dr. Henry Flores II

Re-appointment to the Charter Review Commission; Distinguished University Research Professor of Political Science at St. Mary's University; Community service experience includes work with various non-profit organizations in San Antonio, including MALDEF and Haven for Hope. District 9 resident.

H. Drew Galloway (Community Representative)

Executive Director of MOVE San Antonio; Held positions on various boards, including, SA 2020, New Leaders Council, and UTSA Center for Civic Engagement; Archer Fellow (2014); National President of Archer Fellowship Alumni Association (2017). District 10 resident.

Frank Garza (Former City Employee; Expertise in Municipal Law)

Partner with Davidson, Troilo, Ream and Garza, PC.; Former San Antonio City Attorney (1995-2002); Currently serves as city attorney to various jurisdictions; Volunteer and Community experience include work with Big Brothers and Sisters Consejo Education Foundation and University Hospital Foundation. District 1 resident.

Don Gonzales (Expertise in Municipal Finance; Expertise in Municipal Law)

Managing Director and Manager of the San Antonio office of Estrada Hinojosa & Company, Inc., and also serves on its Board of Directors; Certified Public Accountant with over twenty-five years of financial consulting and investment banking experience serving governmental entities. District 9 resident.

Phyllis Ingram (Community Representative)

Current Children's Shelter Foundation Trustee; League of Women Voters-San Antonio Area, Nominating Committee Chair. District 8 resident.

Patti Radle (Former Elected City Official)

Co-Executive Director for Inner City Development; President, San Antonio ISD Board of Trustees; Former City Councilwoman, District 5. District 5 resident.

Dr. Gloria Rodriguez (Community Representative)

Founder and Past President and CEO of AVANCE, Inc. Author of *Raising Nuestros Ninos: Bringing Up Latino Children in a Bicultural World*; Holds various professional certifications from National Higher Institutions, including the Executive Public Management Training Certificate from Harvard University John F. Kennedy School of Government. District 7 resident.

Gyna Juarez (Alternative: Community Representative)

PRC8 Director of the San Antonio Council on Alcohol and Drug Abuse. Bachelor of Arts in Journalism from Texas A&M University in 2003 and a Masters of Public Administration (MPA) from the University of Texas San Antonio (UTSA) in 2009. District 4 resident.