

CITY COUNCIL GOVERNANCE COMMITTEE MEETING

January 28, 2004

2:00 p.m.

City Hall Media Briefing Room

The meeting was called to order at 2:00 p.m. by Chair, Mayor Ed Garza, with the following members present: Perez, Hall, Castro, Schubert; Absent: None.

Staff members present: Erik Walsh, Terry Brechtel, Andrew Martin, Yolanda Ledesma, Helen Valkavich

- I. Discussion of proposals to amend the San Antonio City Charter at a May 2004 election as requested by Mayor Edward D. Garza.

Mr. Santiago Garcia, aide to Councilwoman Radle, read a statement on her behalf concerning term limits and pay issues as they relate to the currently serving Council members. In her statement, Councilwoman Radle advocated for the current Council members to serve two (2) two-year terms, and to not accept any pay.

Mayor Garza spoke to the recommendations of the Citizens' Committee on Charter Review, specifically the concerning the suggested terms limits of three (3) three-year terms, and pay.

Discussion took place on the options for the terms of office.

Councilman Perez spoke to the importance of the involvement of the Committee, noting that the terms suggested were not his first choice but that he would support the Committee's recommendation.

Councilman Hall spoke in favor of two 4-year terms, however noted that the three 3-year terms offered an opportunity for accountability during the election process.

Mayor Garza stated there were different opinions and that there could be some controversial issues with the Council members. He noted that the four year terms could be an issue, and that the two year cycle should not be a problem. He stated that the Committee was looking for a way to bring two options forward, and recommended to look at other 3-year term cities similar to San Antonio.

Councilman Perez made a motion to accept the Committee recommendation. Councilman Hall seconded the motion. Committee concurred with the recommendation.

Councilman Hall then spoke to the issue of the lifetime ban, noting that 9 years was a good period for public service, and that the public should be allowed to vote on this.

Councilman Schubert noted that with the three 3-year option, someone could be in office for 18 years.

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Councilman Castro spoke in support of removal of the lifetime ban, and spoke to the sentiment of the community at the time the term limits and lifetime ban were imposed.

Councilman Perez stated that a number of citizens brought this subject forward, and noted that the public needed to vote and have an opportunity to say yes or no. He made a motion to include the question of the lifetime ban removal on the ballot. Councilman Hall seconded the motion. The Committee concurred with the recommendation.

In response to Mayor Garza regarding the application to the current Council, City Attorney Andrew Martin stated that if terms are changed, the effective date has to be included in the proposition language, and the same with all provisions.

With respect to the structure of the questions on the ballot, Mr. Martin explained the language of the City Charter, and stated that it could be done as a part of all issues or a single issue, that it could be lumped in one question, but ultimately it was up to the Council, however emphasized that the Charter needed to make sense.

Councilman Hall stated that the three issues, terms, lifetime ban and retroactivity needed to be on the ballot in order to give the public the right to vote on them. He added that it would be a mistake to look at Council separately, not a good policy, and that it made better sense to look at whole picture, look at Council as a whole and build language based on that. He emphasized that language should apply to all, and that there be uniformity of the application, and most importantly, to allow the public to vote.

Councilman Castro spoke to the past Charter elections and how they have been close, noting that the single member districting barely passed. He recommended that caution be exercised and to not risk offending the voters.

Councilman Hall stated that public perception was key, and he did not want to jeopardize the chance of the ballot reform. He stated it was important to look at what is stated and how it is applied.

Discussion continued on the options to be placed on the ballot, its application and the effective date.

Councilman Perez stated that he was elected for two years, with a possibility of running again. He added he believed he was being effective in his service, and would embrace the opportunity of serving again. He stated he was in favor of uniformity, and would consider allowing the public to vote and decide on all issues.

Mayor Garza requested that different options of structuring the language be presented to them, however stressed that they needed to be clear so the voters would know what they were voting on, the language to be simple and clear with a goal to make it understandable for the voters.

Discussion took place on the application and effective dates.

Mayor Garza encouraged dialogue on these topics to increase interest and ultimately higher voter turnout.

In response to Councilman Schubert on the terms, Mr. Martin stated that the language could be structured to address "consecutive". With regard to staggering of terms, he stated it would make it more complicated.

Councilman Hall reiterated to keep the language as simple as possible.

Councilman Schubert stated that staggering was good for terms of four years but not for 3-year terms.

Councilman Hall spoke on the effect of voter turnout by having staggered terms.

Councilman Schubert cited the enormous costs to have an election every year.

Mayor Garza requested a motion to have staff draft the language on the propositions, in three different ways for the three questions: 1) three 3-year terms; 2) application equally to current Council members; 3) lifetime ban. He requested that staff present the proposed ballot language by the following week.

Councilman Hall made a motion to have the language drafted for the three issues cited. Council Perez seconded the motion. Committee members concurred with the recommendation.

Salary Issue

Mr. Martin spoke to the recommendation of the Citizens Committee on Charter with respect to the Council pay. He stated they recommended that it be based on the median family income as reported by the U.S. Census in their decennial report, noting the recommendation was 75% of the median family income for Council members (\$30,998), and 100% for the Mayor (\$41,331). He added that the numbers should be maintained until the next decennial census when new numbers are presented.

Councilman Hall spoke in favor of moving with the ballot language, however noted that he was more in favor of the average median individual income.

Councilman Perez spoke to a process that would address the drawing of the salary should the Council member not be in attendance at the meeting, stressing that it should be tied to attendance.

Mr. Martin stated that the language of the Charter could be designed in a way to resolve it and based on the number of meetings held per year.

Discussion continued on the pay issue, with reference made to excused absences and how it would be handled; the recall provision which would assist with accountability.

Councilman Perez recommended that it be crafted on a per meeting amount, however the larger issue was on Council pay. He stated that he was comfortable with the Citizens' Committee recommendation. He made a motion to move forward with this issue. Councilman Schubert seconded the motion. Committee members concurred with the recommendation.

Committee members recommended that a meeting be held the following week to review the language.

Meeting was adjourned at 3:15 p.m.

Mayor Edward Garza, Chairman

Yolanda Ledesma
Acting City Clerk