

AN ORDINANCE 2014 - 09 - 11 - 0674

ESTABLISHING THE COMPOSITION AND STRUCTURE OF THE CHARTER REVIEW COMMISSION, AND AMENDING SECTION 4 OF ORDINANCE NO. 2014-08-07-0519 REGARDING THE APPOINTMENT OF MEMBERS TO THE COMMISSION.

* * * * *

WHEREAS, the City Council established a Charter Review Commission on August 7, 2014, for the purpose of developing propositions for the May, 2015 ballot, including Council pay, the process for filling a mayoral midterm vacancy, and revisions of provisions of the Charter that have been superseded by changes in state and federal laws; and

WHEREAS, Mayor Ivy R. Taylor, at the City Council Governance Committee meeting on Wednesday, August 20, 2014, submitted a proposal regarding the potential composition of the Charter Review Commission; and

WHEREAS, the Governance Committee recommended a more detailed concept be taken before the full Council for consideration; and

WHEREAS, the current recommendation is that the composition of the Commission be thirteen individuals, comprised of 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, all to be appointed by the Mayor without further Council action required; and

WHEREAS, adoption of this recommendation requires an amendment of Section 4 of Ordinance No. 2014-08-07-0519, which provided that appointments would be made by subsequent City Council action, no later than September 30, 2014; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Composition of the Charter Review Commission.

(a) The City Council approves the composition of the thirteen-member Charter Review Commission, to be comprised of:

- 7 community representatives;
- 2 former elected City officials;
- 1 former City employee;
- 1 individual with expertise in municipal law;
- 1 individual with expertise in human resources management; and
- 1 individual with expertise in municipal finance.

(b) City staff in the City Manager's Office, Office of the City Attorney, and various departments shall be available as resources to support the efforts of the Commission, as requested.

(c) In order to support its work, the Commission may also seek voluntary technical or specific professional assistance from individuals in the community representing certain technical disciplines or areas of special expertise.

SECTION 2. Mission.

(a) For purposes of the 2015 City Charter amendment election, the Charter Review Commission is charged with reviewing the Charter of the City of San Antonio to identify obsolete, inconsistent, or unwieldy sections or terms; to study the issues of Council pay, and the filling of the office of the Mayor in the event of a midterm vacancy; and make other suggestions for amendment that it finds advisable. The Commission shall bring all recommended amendments to the City Council for consideration.

(b) The Commission is further charged with the continued review of the Charter, and to bring recommendations to the City Council for consideration for future Charter amendment elections.

SECTION 3. Eligibility, Appointment, and Terms.

(a) In order to be qualified to serve, all applicants for the Charter Review Commission must be qualified electors of the City of San Antonio, and maintain that status throughout the term of their appointment.

(b) Section 4 of Ordinance No. 2014-08-07-0519, which provided for appointment to the Commission by subsequent Council action no later than September 30, 2014, is amended to provide that all members of the Commission shall be appointed by the Mayor, for two-year terms of office, coterminous with that of the City Council. Initial appointments shall be for the remainder of current unexpired terms, to expire May 31, 2015.

SECTION 4. Vacancy. In the event a vacancy occurs on the Commission, the Office of the City Clerk shall advertise for applications to the Charter Review Commission in the same manner as described in Chapter 2, Article IX, Section 2-526 of the City Code of the City of San Antonio. The new member shall serve out the remainder of the unexpired term of the office.

SECTION 5. Meetings. Meeting times and locations will be determined by the Commission and the Mayor, following the appointment of the Committee. All meetings shall be held in accordance with the Texas Open Meetings Act.

SECTION 6. Chair and Vice Chair. The Chair of the Commission shall be appointed by the Mayor. The Commission may elect a Vice Chair from among its members, to serve in the absence of the Chair. The terms of the Chair and Vice Chair shall run coterminous with their appointed terms on the Commission.

SECTION 7. Application of Other Laws.


(a) **City Code provisions for Boards and Commissions.** To the extent not in conflict with this Ordinance, the City's Rules for Boards and Commissions, codified in Chapter 2, Article IX of the City Code of the City of San Antonio apply to the Commission.

(b) **Financial Disclosure Report.** All Charter Review Commission members shall be subject to the requirements of the City's Ethics Code, as applicable to City Officials. All Commission members must file a Financial Disclosure Report with the Office of the City Clerk upon appointment, and annually thereafter, throughout the member's term. Failure to file a Financial Disclosure report within the time required by the City's Ethics Code will be considered an automatic removal, without any further action by the City Council.

SECTION 8. Compensation. Commission members shall not be entitled to compensation for service on the Charter Review Commission.

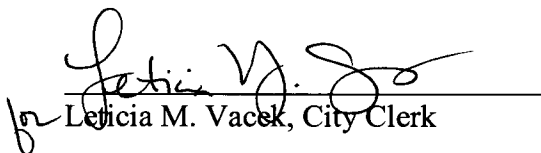
SECTION 9. Effective Date. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 11th day of September 2014.




M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Robert F. Greenblum, City Attorney

Agenda Item:	4						
Date:	09/11/2014						
Time:	09:27:43 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance establishing the composition and structure of a Charter Review Commission. [Carlos Contreras, Assistant City Manager]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Diego Bernal	District 1		x				
Keith Toney	District 2		x				x
Rebecca Viagran	District 3		x			x	
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Mari Aguirre-Rodriguez	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				



Charter Review Commission

Agenda Item #4

Carlos J. Contreras, III
Assistant City Manager

September 11, 2014

Outline

- **Creation & Structure**
- **Charge**
- **Council Consideration**
- **Composition**
- **Staff Recommendation**

Creation & Structure

- Creation
 - The City Council established the Charter Review Commission on August 7, 2014
- Structure
 - A 13-member City Commission to be appointed by the Mayor
 - The Charter Review Commission is subject to the Open Meetings Act and the Boards & Commissions Rules
 - Committee members must be qualified voters of the City

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Term of Appointment

- 2-year term of office
- Coterminous with the City Council
- Initial appointments shall be for the remainder of current unexpired terms, to expire May 31, 2015

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Charge

The Commission is charged with:

- **Reviewing the City Charter**
- **Identifying sections or provisions that may be obsolete, inconsistent or unwieldy**
- **Preparing recommendations for consideration by City Council, including:**
 - **Mayoral mid-term vacancy;**
 - **Council compensation; and**
 - **Other issues as advisable**

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City Council Review

- **The City Council will review the Charter Commissions recommendations and take action when needed.**
- **City Council action is required before any issue or proposal is placed on a ballot for consideration by the voters.**

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Composition



The Commission shall consist of 13 members as follow:

- **Community Representatives (7)**
- **Former Elected City Officials (2)**
- **Former City Employee (1)**
- **Individual with Expertise in Municipal Law (1)**
- **Individual with Expertise in Human Resources Management (1)**
- **Individual with Expertise in Municipal Finance (1)**

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Staff Recommendation

Staff recommends City Council approval of the Charter Review Commission composition and Mayoral appointment of its members

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