

2020 Charter Review Ad Hoc Committee Report

Second Presentation on June 22, 2021

Committee Members:

Toby Hammett Futrell, Chair

Philip Ramirez, Vice-Chair

Chad Magill

Oscar Martinez

Rick Milby

Aaron Munoz

Shirley Thornton

Bob White

John Wilson

Introduction

- ▶ Council Appointed 9-Member Committee in May 2020
- ▶ 11 Months of Deliberation
- ▶ Considered Over 30 Potential Charter Revisions
- ▶ Presenting 6 Potential Propositions for Voter Consideration
- ▶ Submitting 4 Policy Recommendations, Conscious of What Belongs in the Charter and What Doesn't
- ▶ Items Under Consideration were Organized by:
 - ▶ Areas of Council Interest
 - ▶ Areas of Administrative Interest
 - ▶ Areas of Interest from Committee Members & Citizens

Methodology

▶ Objective:

To Judiciously Recommend Charter Revisions that Consider National Best Practices and are Value Added in Both Governing, as well as Operating Our City

▶ Guiding Values:

- ▶ Improving Operational Efficiency
- ▶ Advancing Public Accountability
- ▶ Respecting Our Council/Manager Form of Government

DISCOVER → **DISCUSS** → **DECIDE** → **PUBLIC FEEDBACK**



History & Research
Costs & Best Practices

Pros & Cons

Advisory &
Minority Opinions

Interactive Web Page

TIMELINE

- ▶ **May - July** Council Created Charter Committee & Gave Direction
- ▶ **July - May** Committee Worked Issues & Drafted a Preliminary Report
- ▶ **Late May** Preliminary Report Put on City Web Page for Public Comment
- ▶ **June** Polished Report
Worked on Draft Ballot Language & Actual Text Amendments
6/23/20 Council Report Presentation
- ▶ **July** Scheduled 1st Reading on 7/14/20 (Deadline 7/28/20)
Scheduled 2nd Reading on 7/21/20 (Deadline 8/11/20)

November 3, 2020

General Election, Including Charter Ballot Propositions

Let's Start with the Backdrop for the Most
Complicated & Interrelated Proposition the
Committee Undertook

Longer Staggered Council Terms

Longer Council Terms Are Considered Almost Every Two Years, But Not Brought Forward: WHY?

- ▶ 76% of Cities Nationally Have Longer than 2 Year Terms Compared to Only 33% of Texas Cities
- ▶ Texas State Constitutional Requirements for Moving Past 2 Year Terms:
 - ▶ Mandatory Elections for Vacancies
 - ▶ Resign to Run
 - ▶ Majority Vote for ALL Council Members
- ▶ Texas State Requirements Not Duplicated in Most Other States & Also Not Required of Other Local Elected Officials in Texas
- ▶ Majority Vote: Impact on Our 1983 Federal Court Order

**Discovery & Discussion Leads to Policy Recommendation #1
On Removing Barriers to Longer Terms**

Initial Policy Recommendation #1: Removing Barriers to Longer Terms

- ▶ Keeping our current mixed election system with 2-year non-staggered terms
- ▶ Exploring State Constitutional Amendment through the City's future legislative agendas & Texas Municipal League to eliminate the constitutional requirements tied to longer terms

Fast Forward to Separate, Later Discussion of Single Member Districts

- ▶ Mitigates Impact on 1983 Federal Court Order & Reopens Discussion on Longer Terms
- ▶ Hard Fought 5-4 Committee Decision To Create Proposed Proposition #1 to Combine Single Member Districts with 4-Year Staggered Terms
- ▶ Policy Recommendation #1 re: removing barriers to longer terms becomes a fall back consideration if the Council decides against putting Proposition #1 on the ballot or if voters reject at the ballot box

- ▶ **Proposed Proposition #1: Single Member Districts with Staggered 4-Year Council Terms**
- ▶ Change our current mixed election system with 2-Year Non-Staggered Terms
- ▶ Move to a new election system of 8 single member districts each elected by majority vote of their district voters and our Mayor elected at large, all with staggered 4-year terms.

Public Feedback:

63% Opposed Single Member Districts

68% Opposed 4-Year Staggered Terms

60% Opposed to Removing Barriers to Longer Terms

▶ Proposed Proposition #3: Term Limits

- ▶ Establishes lifetime City Council term limits, Removing Consecutive Service and Sitting Out Period
- ▶ No person shall serve more than 8 years as Council Member, or more than 8 years as Mayor or more than 12 years in any combination
- ▶ Any time served prior to the approval of this proposition shall count towards the lifetime term limit
- ▶ This provision shall not prohibit any Council Member or Mayor from beginning or completing any term that begins in 2020 or 2021
- ▶ No Person Shall be Eligible to Run for Election to a Term if Completion of that Term Would Cause that Person to Exceed the Lifetime Term Limit

Public Feedback & Public Confusion:
86% Favored Clarified Lifetime Term Limits

Proposed Proposition #2: Mayor and Council Compensation

- ▶ Increase Mayor's salary from \$9,000 to \$18,000
- ▶ Increase Council Members' salary from \$6,000 to \$12,000
- ▶ Include escalator every 2 years by that year's unadjusted U.S. All Items Consumer Price Index (CPI) for Urban Consumers
 - ▶ 37 Years Ago a Flat Council Salary was Put in the Charter Without an Escalator & Has Never Changed
 - ▶ Council is Making Less Today than the Council Who Served in 1983
 - ▶ Despite City Population growth of Over 100,000 & Increasingly Complex Challenges
 - ▶ So, Proposal Doesn't Fully Keep Up with the Present Value of Salaries Set Almost 4 Decades Ago
 - ▶ Escalator Doesn't Fully Keep Up with Future Inflation
 - ▶ But It's a Start

Public Feedback:
82% Opposed

- ▶ **Proposed Proposition #4: Initiative/Referendum Signature Requirement.** Clarify that signatures are required on the statements of intent to commence either initiative or referendum proceedings.

- ▶ Mirrors City's current practice
- ▶ Consistent with State's requirement

- ▶ **Proposed Proposition #5: Consistent Zoning Approval.** Delete requirement for two-third affirmative vote on zoning ordinances presented for Council approval 30 days before regular election until newly elected council takes office.

- ▶ These same items require a simple majority vote any other time of the year.

Public Feedback:

67% Favored Signature Requirement

55% Opposed Consistent Zoning Approval

Proposed Proposition #6: Removing a Council Member from Office

- ▶ Deletes provision that allows as few as 5 registered voters to initiate a Council action to remove a council member from office.
 - ▶ Bypasses Prescribed Citizen Recall Process in the Charter
- ▶ Requires 6 affirmative votes of other council members to remove an elected council member from office.
 - ▶ Currently, Only Requires a Simple Majority Vote of Council

Public Feedback:
57% Opposed

Policy Recommendations

- ▶ **Fall Back Recommendation #1: (Previously Discussed)**
Removing Barriers to Longer Terms

Public Feedback:

60% Opposed

- ▶ **Recommendation #2: Financial Transparency with**
Intra-Departmental Budget Transfers Within Same
Fund. Amend City Financial Policy to be included in the City's Quarterly Budget Report, presented to Council every 3 months and maintained on City's web site for public review.

Public Feedback:

70% Favored

Policy Recommendations

- ▶ **Recommendation #3: Financial Transparency with City Contracts.** Expand reporting of contracts under \$50,000 through City Financial Policy Amendment. Lower threshold to include more contracts reported and maintained in searchable format on City Website.

Public Feedback:

80% Favored

- ▶ **Recommendation #4: Council Staff Support.** The provision of dedicated, paid staff resources to support council members is better handled as a policy issue through annual budget process rather than through charter requirement.

Public Feedback:

50%/50% Split

We'd Like to Recognize the Hard Work of the
Your Staff Who Supported this Work:

Peter Zanoni

Rebecca Huerta

Miles Rislely

Lisa Aguilar

Kim Womack

*With a Very Special Recognition of
Norma Duran*

Questions?