

MINUTES OF THE REGULAR MEETING OF THE
 CHARTER REVIEW COMMISSION OF THE
 CITY OF SAN MARCOS, TEXAS
 MARCH 2, 2017

Members Present:	Kama Davis Daniel Guerrero Paul Mayhew, Chair Amy Meeks Perry Moore Shane Scott
Members Absent:	Todd Salmi
City Attorney:	Michael Cosentino
Recording Secretary:	Tina Moreno
Others Present:	Jamie Lee Case

The meeting was called to order at 5:31 p.m. by Chair Mayhew.

Chair Mayhew introduced the Citizen Comment Period. None were present.

Chair Mayhew introduced the approval of the minutes of the Regular Meeting of February 16, 2017. A motion was made by Mr. Scott, seconded by Mr. Guerrero, to approve the minutes. The motion passed by the following vote:

For:	5 - Guerrero, Mayhew, Meeks, Moore, and Scott
Against:	0
Absent:	2 - Davis (arrived at 5:33 p.m.) and Salmi
Abstain:	0

Chair Mayhew introduced the next agenda item, "Section by section review of City Charter, including but not limited to Article 3 – The City Council, Article 4 – Administrative Services, and Article 5 – Nominations and Elections." A motion was made by Mr. Guerrero, seconded by Mr. Scott, to amend item (b) of **Sec. 3.11. – Procedure for passage of ordinances**, to read as follows: "The city attorney shall approve [by written instrument] the legality of all ordinances before they are submitted to the Council, or shall file with the city clerk written legal objections thereto." Mr. Guerrero amended his motion to strike the words "submitted to" and replace with "considered by," which was seconded by Mr. Scott. After discussion, Mr. Guerrero made a second amendment to strike the words "by written instrument," motion was seconded by Mr. Scott. After more discussion, the original motion was withdrawn by Mr. Guerrero and Mr. Scott. Mr. Guerrero made a new motion, seconded by Mr. Scott, to amend item (b) to read as follows: "The city attorney shall approve the legality of all ordinances adopted prior to consideration by the council, or shall file with the city clerk written legal objections thereto." The motion passed by the following vote:

For: 6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Scott
 Against: 0
 Absent: 1 - Salmi
 Abstain: 0

Mr. Guerrero made a motion, seconded by Mr. Scott, to amend **Sec. 4.02 – City clerk** to permit usage of electronic signatures. The amendment would read as follows: “The city council shall appoint a city clerk, who shall give notice of council meetings, shall keep the minutes of the proceedings of such meetings, shall authenticate by signature or electronic signature all ordinances and resolutions...”. The motion carried by the following vote:

For: 6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Scott
 Against: 0
 Absent: 1 - Salmi
 Abstain: 0

A motion was made by Mr. Guerrero, seconded by Mr. Scott, to amend **Sec. 5.04 – The official ballot** to read as follows: “The names of all candidates for office, except such as may have withdrawn, died, or become ineligible, shall be ~~printed~~ included on the official ballots without party designation.” The motion carried by the following vote:

For: 6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Scott
 Against: 0
 Absent: 1 - Salmi
 Abstain: 0

Mr. Guerrero made a motion, seconded by Mr. Scott, that item (b) of **Sec. 7.01 – Planning and zoning commission** be amended by removing the last sentence to reflect the effect of actions taken March 1, 2015: “~~Effective March 1, 2015 the ETJ member of the commission shall be deleted and a qualified city resident member shall be appointed.~~”. The motion carried by the following vote:

For: 6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Scott
 Against: 0
 Absent: 1 - Salmi
 Abstain: 0

A motion was made by Mr. Guerrero, seconded by Ms. Davis, that the following language be added to **Sec. 3.08 – The City council not to interfere in appointments or removals**: “If the mayor or a member of the city council violates Section 3.08 of the city charter the offending party or parties will be subject to an immediate review and censure by the city council.” After some discussion, the motion was withdrawn by Mr. Guerrero and Ms. Davis to allow further study into this item.

Chair Mayhew made a motion, seconded by Mr. Scott, to amend **Sec. 3.04 – Compensation and reimbursement** by adding the following sentence: “The city clerk shall post all receipts and corresponding paperwork for council reimbursement of travel and business expenses on the city’s

website.” After some discussion, the motion was withdrawn by Chair Mayhew and Mr. Scott to allow further study into this item.

Ms. Davis made a motion, seconded by Mr. Guerrero, to exclude term limits for mayor and city council members and not change the procedures in **Sec. 3.01- Number, selection and term**. The motion carried by the following vote:

For:	5 - Davis, Guerrero, Mayhew, Meeks, and Moore
Against:	1 - Scott
Absent:	1 - Salmi
Abstain:	0

Mr. Guerrero made a motion, seconded by Ms. Meeks, that all references of the term “city secretary” be replaced with “city clerk” throughout entire charter. The motion carried by the following vote:

For:	6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Scott
Against:	0
Absent:	1 - Salmi
Abstain:	0

A motion was made by Mr. Scott, seconded by Mr. Guerrero, to amend item (b) of **Sec. 4.01 – City Manager** and have the first sentence read as follows: “Term and salary: The city manager shall not be appointed for a definite term, but may be removed by a vote of the super majority of the entire council.” After some discussion, the motion was withdrawn by Mr. Scott and Mr. Guerrero. A new motion was made by Mr. Scott, seconded by Mr. Guerrero, for the sentence to read: “Term and salary: The city manager shall not be appointed for a definite term, but may be removed by a vote of ~~the majority~~ five members of the entire city council.” After more discussion, the motion was withdrawn by Mr. Guerrero, for the time being.

Chair Mayhew introduced the next agenda item, “Questions and Answers from Press and Public.” None were present.

Mr. Guerrero moved for adjournment at 8:10 p.m., seconded by Mr. Moore. The motion passed with the following vote:

For:	6 - Davis, Guerrero, Mayhew, Meeks, Moore, and Scott
Against:	0
Absent:	1 - Salmi
Abstain:	0


Chair