

MINUTES OF THE REGULAR MEETING OF THE
CHARTER REVIEW COMMISSION OF THE
CITY OF SAN MARCOS, TEXAS
MARCH 30, 2017

Members Present:	Kama Davis Paul Mayhew, Chair Amy Meeks Perry Moore Todd Salmi
Members Absent:	Daniel Guerrero (resigned 3/29/17) Shane Scott
City Attorney:	Michael Cosentino
Recording Secretary:	Tina Moreno
Others Present:	Council Member Lisa Prewitt Christine Terrell Brett Thorne

The meeting was called to order at 5:35 p.m. by Chair Mayhew.

Chair Mayhew introduced the Citizen Comment Period. Brett Thorne was present but declined to speak during the Citizen Comment Period. (Christine Terrell arrived at 5:40 p.m. and Council Member Lisa Prewitt at 7:13 p.m.)

Chair Mayhew introduced agenda item, "Approve minutes of the previous meeting(s)." A motion was made by Mr. Moore, seconded by Ms. Meeks, to approve minutes of March 23, 2017. The motion passed by the following vote:

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

Chair Mayhew introduced the next agenda item, "Section by section review of City Charter, including but not limited to Article 10 – Tax Administration, Article 11 – Franchises and Public Service Companies, and Article 12 – General Provisions." A motion was made by Ms. Davis, seconded by Ms. Meeks, to make a grammatical correction in item (b)(1) of **Sec. 11.01 – Definitions; powers of the city council** by inserting a comma after the word "maintain". The item would read as follows:

(1) To buy, condemn, construct, lease, maintain, and operate public utility systems in the city;

The motion carried by the following vote:

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

A second motion was made by Ms. Davis, seconded by Mr. Salmi, to make a grammatical correction in item (b)(4) of **Sec. 11.01 – Definitions; powers of the city council** by inserting a comma after the word “welfare”. The item would read as follows:

(4) To regulate public service companies in the interest of public health, welfare, and safety.

The motion carried by the following vote:

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

Ms. Davis made another motion, seconded by Mr. Salmi, to make a grammatical correction in item (b)(2) of **Sec. 11.01 – Definitions; powers of the city council** by inserting a comma after the word “manufacture”. The item would read as follows:

(2) To sell, manufacture, and distribute the services and output of city public utility systems;

The motion carried by the following vote:

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

A motion was made by Ms. Davis, seconded by Mr. Salmi, to make a grammatical correction in the first sentence of **Sec. 11.02 – Power to grant franchise** by inserting a comma after the word “extend”. The sentence would read as follows: “The council shall have the power, by ordinance, to grant, renew, extend, and amend all franchises of all public utilities of every character operating within the city.” The motion carried by the following vote:

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

Mr. Salmi made a motion, seconded by Ms. Meeks, to make a grammatical correction in the first sentence of **Sec. 11.04 – Ordinance granting franchise; public hearing** by inserting a comma

after the word “extending”. The sentence would read as follows: “All ordinances granting, renewing, extending, or amending a public utility franchise shall be read at three separate regular meetings of the council...”. After some discussion, the motion was withdrawn by Mr. Salmi, for the time being. Another motion was made by Mr. Salmi, seconded by Ms. Davis, to amend the last sentence of **Sec. 11.04 – Ordinance granting franchise; public hearing**. The amendment would read as follows: “Notice of public hearing, including the full text of the ordinance shall be published once before the first reading, in a newspaper of general circulation in the city, and shall be made available at the San Marcos Public Library, at City Hall and on the city’s website, and the expense of such publication shall be borne by the applicant for the franchise.” The motion carried by the following vote:

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

A motion was made by Ms. Davis, seconded by Ms. Meeks, to amend the end of item (a)(2) of **Sec. 12.02 – Personal interest and code of ethics** by adding the following sentence: “The financial disclosures shall be updated within 30 days of any significant change in the interests of an official – even if such a change is temporary. For this part ‘significant’ means a change in interest that would tend to render the annual financial disclosure misleading or incomplete.” The motion carried by the following vote:

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

Ms. Davis made a motion, seconded by Mr. Salmi, to amend the first sentence of item (a)(3) of **Sec. 12.02 – Personal interest and code of ethics**. The amendment would read as follows: “No member of the city council, and no employee of the city shall have a financial interest in the sale to the city or purchase from the city of any land, materials, supplies or service, outside of the person's position with the city.” The motion carried by the following vote:

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

Another motion was made by Ms. Davis, seconded by Ms. Meeks, to add a sentence prior to the end of item (a)(3) of **Sec. 12.02 – Personal interest and code of ethics**. The sentence would read as follows: “Nor, for 24 months after serving as an officer of the city, may a person acquire such an interest. If the former employee or official acquires such an interest while employed by the city, or serving as a city official, the city may not take action on any application affecting such an interest for 24 months after the person leaves city employment or office, or for 24 months after the interest is acquired, whichever is longer.” After some discussion, the motion was withdrawn by Ms. Davis, for the time being.

Ms. Davis made one more motion, seconded by Ms. Meeks, to amend item (c)(2) of **Sec. 12.02 – Personal interest and code of ethics**. The amendment would read as follows: “Conduct hearings into allegations of violations of the city’s code of ethics or a state conflict of interest law, code of fair campaign practices, or violation of this charter according to the procedures set forth in the city’s ethic ordinance.” After some discussion, the motion was withdrawn by Ms. Davis for the time being.

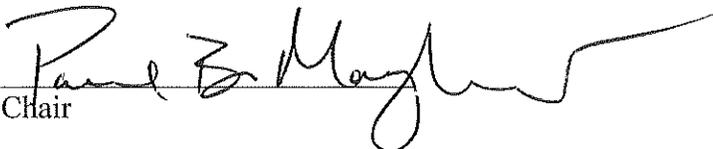
A motion was made by Mr. Salmi, seconded by Ms. Davis, to amend **Sec. 1.03 – Statement of goals**. The amendment would read as follows: “The goals of the city government are to safeguard the health, safety and welfare of the city’s residents, provide for a high quality of life including, but not limited to, neighborhood integrity, a clean and abundant water supply, a cost-efficient electricity supply, efficient police and fire departments, educational opportunities, effective road and transportation systems, a healthy business environment, well maintained parkland and recreational opportunities, foster intergovernmental liaison and communication, encourage responsible citizenship, promote sound community and economic development, promote high quality and affordable housing, conserve and protect the city’s natural resources and environment.” The motion carried by the following vote:

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

Chair Mayhew introduced the next agenda item, “Questions and Answers from Press and Public.” Ms. Terrell addressed the commission on **Sec. 12.01 – Public access to records**. She stated it lacked information on what the timeframe would be on receiving a response from the city and what the recourse would be for not receiving a timely response or any response at all. Mr. Cosentino responded that a complaint can be filed with the Texas Attorney General’s Office and that the obligation to provide information is to do so within a reasonable time. He also stated additional information can be found in Chapter 552 of the Texas Government Code. Ms. Terrell then asked if there is a policy in regard to having a travel companion on city business trips. Mr. Cosentino responded that the companion would have to pay his/her own way.

Ms. Meeks moved for adjournment at 7:41 p.m., seconded by Ms. Davis. The motion passed with the following vote:

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


Chair