



# City of San Marcos

## Meeting Minutes

### Charter Review Commission

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Monday, February 22, 2021

5:30 PM

Virtual Meeting

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#### I. Call To Order

**With a quorum present, the regular meeting of the Charter Review Commission was called to order by Chair Thomaides at 5:32 p.m. on Monday, February 22, 2021.**

#### II. Roll Call

**Present:** 6 - Chair Thomaides, Commissioner Mayhew, Commissioner Sambrano, Commissioner Sparks, Commissioner Kelsey (arrived at 5:40 p.m.), and Commissioner Garcia (arrived at 7:21 p.m. due to Parking Advisory Board meeting)

**Absent:** 1 - Commissioner Taylor

**Others Present:** 2 - Lisa Marie Coppoletta and Jamie Lee Case

#### 1. Consider approval, by motion, of the February 8, 2021 regular meeting minutes.

**A motion was made by Commissioner Mayhew, seconded by Commissioner Sparks, to approve the minutes. The motion carried by the following vote:**

**For:** 4 - Chair Thomaides, Commissioner Mayhew, Commissioner Sambrano, and Commissioner Sparks

**Against:** 0

**Absent:** 3 - Commissioner Taylor, Commissioner Kelsey (arrived at 5:40 p.m.), and Commissioner Garcia (arrived at 7:21 p.m.)

#### III. 30 Minute Citizen Comment Period

**Lisa Marie Coppoletta addressed the Commission with concerns about how this specific board is being run. She began with a compliment to the Commission for including agenda item: questions and answers from press and public on their agendas. She then explained the dislike of having to participate as an attendee in virtual meetings. Ms. Coppoletta also gave the following recommendations: all commissioners be required to use their camera during a virtual meeting to be visible, city staff be trained to properly run a virtual meeting, all virtual meetings be uploaded to the city's website to avoid filing an open records request, and the need to amend the Charter to include hard-core qualifications for board and commission appointments.**

#### 2. Continue section by section review of San Marcos' City Charter, including but not limited to Article III – The City Council and Article IV – Administrative Services.

**A motion was made by Chair Thomaides, seconded by Commissioner Mayhew, to propose amending the term of office of Mayor to a 4-year term. The motion carried by the following vote:**

- For:** 5 - Chair Thomaides, Commissioner Kelsey, Commissioner Mayhew, Commissioner Sambrano, and Commissioner Sparks
- Against:** 0
- Absent:** 2 - Commissioner Garcia (arrived at 7:21 p.m.) and Commissioner Taylor

**A motion was made by Chair Thomaides, seconded by Commissioner Kelsey, to propose adding a term limit to the office of Mayor to allow two (2) consecutive terms to be served. The motion carried by the following vote:**

- For:** 4 - Chair Thomaides, Commissioner Kelsey, Commissioner Sambrano, and Commissioner Sparks
- Against:** 1 - Commissioner Mayhew
- Absent:** 2 - Commissioner Garcia (arrived at 7:21 p.m.) and Commissioner Taylor

**A motion was made by Commissioner Sambrano, seconded by Commissioner Kelsey, to propose the Mayor's transition process (to a 4-year term) to begin in the year 2024. The motion carried by the following vote:**

- For:** 5 - Chair Thomaides, Commissioner Kelsey, Commissioner Mayhew, Commissioner Sambrano, and Commissioner Sparks
- Against:** 0
- Absent:** 2 - Commissioner Garcia (arrived at 7:21 p.m.) and Commissioner Taylor

**A motion was made by Commissioner Sambrano, seconded by Commissioner Kelsey, to propose a term limit for council members to allow three (3) consecutive terms to be served. The motion carried by the following vote:**

- For:** 4 - Chair Thomaides, Commissioner Kelsey, Commissioner Sambrano, and Commissioner Sparks
- Against:** 1 - Commissioner Mayhew
- Absent:** 2 - Commissioner Garcia (arrived at 7:21 p.m.) and Commissioner Taylor

**A motion was made by Commissioner Mayhew, seconded by Commissioner Kelsey, to amend item (b) of Sec. 4.01 – City manager. The amendment would 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 five four members of the entire council.” The motion carried by the following vote:**

- For:** 5 - Chair Thomaides, Commissioner Kelsey, Commissioner Mayhew, Commissioner Sambrano, and Commissioner Sparks
- Against:** 0
- Absent:** 2 - Commissioner Garcia (arrived at 7:21 p.m.) and Commissioner Taylor

**A motion was made by Commissioner Mayhew, seconded by Commissioner Kelsey, to amend item (c)(2) of Sec. 4.01 – City Manager. The amendment would read as**

**follows: “To appoint an assistant or assistants ~~with the approval of the city council,~~ and to supervise, direct and control all administrative units of the city, except those supervised by other appointees of the council.” The motion carried by the following vote:**

- For:** 5 - Chair Thomaides, Commissioner Kelsey, Commissioner Mayhew, Commissioner Sambrano, and Commissioner Sparks
- Against:** 0
- Absent:** 2 - Commissioner Garcia (arrived at 7:21 p.m.) and Commissioner Taylor

**A motion was made by Commissioner Mayhew, seconded by Commissioner Sparks, to amend item Sec. 4.02 – City clerk. The amendment would read as follows: “The city clerk may appoint an assistant or assistants ~~with the approval of the city council.~~” The motion carried by the following vote:**

- For:** 5 - Chair Thomaides, Commissioner Kelsey, Commissioner Mayhew, Commissioner Sambrano, and Commissioner Sparks
- Against:** 0
- Absent:** 2 - Commissioner Garcia (arrived at 7:21 p.m.) and Commissioner Taylor

**A motion was made by Commissioner Mayhew, seconded by Commissioner Kelsey, to amend item Sec. 4.03 – Municipal court. The amendment would read as follows: “The presiding judge shall appoint a municipal court clerk and any assistants ~~with the approval of the city council.~~” The motion carried by the following vote:**

- For:** 5 - Chair Thomaides, Commissioner Kelsey, Commissioner Mayhew, Commissioner Sambrano, and Commissioner Sparks
- Against:** 0
- Absent:** 2 - Commissioner Garcia (arrived at 7:21 p.m.) and Commissioner Taylor

**A motion was made by Commissioner Mayhew, seconded by Commissioner Sparks, to amend item Sec. 4.04 – City attorney. The amendment would read as follows: “The city attorney may appoint an assistant or assistants ~~with the approval of the city council.~~” The motion carried by the following vote:**

- For:** 5 - Chair Thomaides, Commissioner Kelsey, Commissioner Mayhew, Commissioner Sambrano, and Commissioner Sparks
- Against:** 0
- Absent:** 2 - Commissioner Garcia (arrived at 7:21 p.m.) and Commissioner Taylor

**A motion was made by Commissioner Mayhew, seconded by Commissioner Sambrano, to amend item Sec. 4.02 – City clerk to remove the residency requirement for city clerk by striking the following sentence: “~~The city clerk shall establish his or her principal physical residence in the city, within 90 days after appointment, and shall have his or her principal physical residence in the city continuously thereafter while holding that office.~~” The motion failed by the following vote:**

- For:** 3 - Chair Thomaides, Commissioner Mayhew, and Commissioner Sombrano
- Against:** 3 - Commissioner Garcia, Commissioner Kelsey, and Commissioner Sparks
- Absent:** 1 - Commissioner Taylor

**A motion was made by Chair Thomaides, seconded by Commissioner Sparks, to amend item Sec. 4.02 – City clerk. The amendment to the residency requirement would read as follows: “The city clerk shall establish his or her principal physical residence in the city extraterritorial jurisdiction of the city or Hays County, within 90 days after appointment, and shall have his or her principal physical residence in the city extraterritorial jurisdiction of the city or Hays County continuously thereafter while holding that office.”**

**The motion carried by the following vote:**

- For:** 5 - Chair Thomaides, Commissioner Garcia, Commissioner Mayhew, Commissioner Sambrano, and Commissioner Sparks
- Against:** 1 - Commissioner Kelsey
- Absent:** 1 - Commissioner Taylor

**A motion was made by Commissioner Mayhew, seconded by Commissioner Sparks, to amend item (b) of Sec. 4.03 – Municipal court to remove the residency requirement for the presiding judge by striking the following sentence: “~~The presiding judge shall establish his or her principal physical residence in the city within 90 days after appointment, and shall have his or her principal physical residence in the city continuously thereafter while holding that office.~~”** The motion carried by the following vote:

- For:** 4 - Chair Thomaides, Commissioner Mayhew, Commissioner Sambrano and Commissioner Sparks
- Against:** 2 - Commissioner Garcia and Commissioner Kelsey
- Absent:** 1 - Commissioner Taylor

#### IV. Discussion and Recommendations for Future Agenda Items.

March 1, 2021:

- review, discuss, and take action, as appropriate on Sec. 1.03 – Statement of goals, under Article I – Form of Government and Boundaries
- continue section by section review of San Marcos' City Charter

#### V. Question and Answer Session with Press and Public.

**Lisa Marie Coppoletta shared a compliment with the Commission on the great job they are doing as a team and thanked them for their service. She then inquired as to why city elections are not held in the month of May. Chair Thomaides advised that there is a state statute that allows for a one-way change on election months, with a restriction on returning to the month of May once the move is made to the month of November.**

#### VI. Adjournment

**The Regular Meeting of the Charter Review Commission meeting was unanimously adjourned at 7:51 p.m.**



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Michael Cosentino, Staff Liaison



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John Thomaidis, Chair