

MINUTES OF THE REGULAR MEETING OF THE  
CHARTER REVIEW COMMISSION OF THE  
CITY OF SAN MARCOS, TEXAS  
May 3, 2017

- Members Present: Kama Davis  
Paul Mayhew, Chair  
Amy Meeks  
Perry Moore  
Jude Prather  
Todd Salmi  
Shane Scott
- City Attorney: Michael Cosentino
- Recording Secretary: Tina Moreno
- Others Present: Brett Thorne

The meeting was called to order at 5:32 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.

Chair Mayhew introduced agenda item, "Approve minutes of the previous meeting(s)." A motion was made by Mr. Scott, seconded by Ms. Meeks, to approve minutes of April 20, 2017. The motion passed by the following vote:

- For: 7 - Davis, Mayhew, Meeks, Moore, Prather, Salmi, and Scott
- Against: 0
- Absent: 0
- Abstain: 0

Chair Mayhew introduced the next agenda item, "Section by section review of City Charter, including but not limited to Article 12 – General Provisions." A motion was made by Ms. Meeks, seconded by Mr. Prather, to amend **Sec. 1.03 – Statement of goals** to 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 affordable housing, conserve and protect the city's natural resources and environment and, in particular the San Marcos River, its springs, aquifer, and tributaries." After some discussion, an amendment to the motion was made by Mr. Prather, seconded

by Ms. Davis, to include the Blanco River. After brief discussion, the motion to amend was withdrawn by Mr. Prather. After more discussion, the main motion carried by the following vote:

For:	5 - Davis, Mayhew, Meeks, Moore, and Prather
Against:	0
Absent:	0
Abstain:	2 - Salmi and Scott

Ms. Meeks made a motion, seconded by Ms. Davis, to add a sentence to item (d) of **Sec. 7.01 – Planning & zoning commission**. The amendment would read as follows:

(d) In making appointments to the commission, council shall seek to ensure broad citizen representation which includes geographic, professional, gender, racial, and viewpoint diversity. A person may not be appointed to the Commission if that person has a substantial interest in, or receives income from, the development or sale of real property. The commission shall establish bylaws to govern rules of procedure and the annual election of officers. All meetings of the commission shall be open to the public.

After some discussion, the motion was withdrawn by Ms. Meeks. A new motion was made by Ms. Meeks, seconded by Mr. Scott, to amend item (d) of **Sec. 7.01 – Planning and zoning commission** to read as follows:

(d) In making appointments to the commission, council shall seek to ensure broad citizen representation which includes geographic, professional, gender, racial, and viewpoint diversity. No more than two professional realtors may be appointed to the commission. The commission shall establish bylaws to govern rules of procedure and the annual election of officers. All meetings of the commission shall be open to the public.

The motion carried by the following vote:

For:	4 - Davis, Meeks, Moore, and Scott
Against:	3 - Mayhew, Prather, and Salmi
Absent:	0
Abstain:	0

Ms. Meeks made a motion, seconded by Ms. Davis, to amend **Sec. 3.17 – Expulsion or removal of city officials** by adding a new item and labeling it item (c), which would read as follow:

(c) No member of city council, including the mayor, shall make any intimation or promise of current or future financial gain, promotion, or other benefit to any employee, public official, or their family members. Nor shall any member of city council, including the mayor, intimidate, or intimate current or future financial loss, job loss, or demotion to any employee, public official, or their family members. Any such action may be grounds for removal.

After some discussion, the motion failed by the following vote:

For: 2 - Davis and Meeks  
 Against: 5 - Mayhew, Moore, Prather, Salmi, and Scott  
 Absent: 0  
 Abstain: 0

A motion was made by Ms. Meeks, seconded by Ms. Davis, to create a new section under **ARTICLE VII – MUNICIPAL PLANNING AND ZONING**, which would read as follows:

**Sec. 7.05. – Disqualification from voting.**

- (1) A member shall disqualify himself or herself from voting whenever he or she finds that he or she has a personal or monetary interest in the property under review, or that he or she will be directly affected by the decision of the Commission.
- (2) A member shall disqualify himself or herself from voting whenever any applicant, or the applicant’s agent, has sought to influence the vote of the member on an application, other than in the public hearing.

After discussion, the motion was withdrawn by Ms. Meeks.

Ms. Meeks made another motion, seconded by Ms. Davis, to amend subsection (a) of **Sec. 12.02 – Personal interest and code of ethics** by creating item (5) and have it read as follows:

(a)(5) No city official may receive loans, contributions, promises of financial support, or any other form of financial gain from another city official.

After brief discussion, an amendment to the motion was made by Ms. Meeks, seconded by Ms. Davis, to replace the first listing of “city official” with “city council member”. The amendment would read as follows:

(a)(5) No city ~~official~~ council member may receive loans, contributions, promises of financial support, or any other form of financial gain from another city official.

After discussion, the amended motion carried by the following vote:

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

However, the main motion failed by the following vote:

For: 2 - Davis and Meeks  
 Against: 5 - Mayhew, Moore, Prather, Salmi, and Scott  
 Absent: 0  
 Abstain: 0

A motion was made by Ms. Davis, seconded by Ms. Meeks, to amend **Sec. 5.03 – Filing for office** by adding the following sentences to the end of this section: “All campaign contributions and reports filed by candidates shall be printed electronically, not hand-written, so that they are legible. The City Clerk shall enforce this and retain the records.” After brief discussion, the motion was withdrawn by Ms. Davis. A new motion was made by Mr. Salmi, seconded by Chair Mayhew to amend **Sec. 5.03 – Filing for office** by adding the following sentence to the end of this section: “All campaign contributions and reports filed by candidates shall be legible.” The motion carried by the following vote:

For:	7 - Davis, Mayhew, Meeks, Moore, Prather, Salmi, and Scott
Against:	0
Absent:	0
Abstain:	0

Ms. Davis made a motion, seconded by Mr. Prather, to create a new section under **ARTICLE IV. – ADMINISTRATIVE SERVICES**, which would read as follows:

**Sec. 4.07 – Publication of appointed public official’s salaries.**

The salary of each public official appointed by the city council, which include the city attorney, city manager, city clerk, presiding municipal judge, and city auditor shall be published on the city website.

After some discussion, a motion to amend was made by Ms. Davis, seconded by Mr. Scott, to include all employees. After more discussion, the motion to amend was withdrawn by Ms. Davis and Mr. Scott. The main motion was also withdrawn by Ms. Davis. A new motion was made by Ms. Davis, seconded by Mr. Prather, to have the new section read as follows:

**Sec. 4.07 – Publication of appointed public official’s salaries.**

The salary of each position shall be published on the city website.

After discussion, the motion was withdrawn by Ms. Davis. Ms. Davis made a new motion, seconded by Mr. Scott, to have the new section read as follows:

**Sec. 4.07 – Publication of ~~appointed public official’s~~ salaries.**

The salary of each position shall be published on the city website.

After brief discussion, the motion was withdrawn by Ms. Davis. A new motion was made by Ms. Davis, seconded by Mr. Scott, to have the new section read as follows:

**Sec. 4.07 – Publication of salaries.**

The salary of each city position shall be published on the city website.

The motion carried by the following vote:

For: 4 - Davis, Meeks, Prather, and Scott  
 Against: 3 - Mayhew, Moore, and Salmi  
 Absent: 0  
 Abstain: 0

Ms. Davis made a motion, seconded by Ms. Meeks, to create a subsection labeled item (1) to **Sec. 5.03 – Filing for office** and have it read as follows:

- (1) City employees, city officials and candidates for office (or businesses in which they have a substantial interest) shall not contribute, either monetarily or in kind, to the campaigns of other candidates for city office.

After some discussion, the motion was withdrawn by Ms. Davis. Another motion was made by Ms. Davis, seconded by Ms. Meeks, to have a new subsection (1) of **Sec. 5.03 – Filing for office** read as follows:

- (1) City employees, city officials and candidates for office (or businesses in which they have a substantial interest) shall not contribute, either monetarily or in kind, to the campaigns of ~~other~~ candidates for city office.

After further discussion, the motion was withdrawn by Ms. Davis. A new motion was made by Ms. Davis, seconded by Ms. Meeks, to create a subsection labeled item (2) to **Sec. 5.03 – Filing for office** and have it read as follows:

- (2) Candidates for city office shall not accept monetary or in kind contributions from any person or entity in excess of \$250.

After additional discussion, the motion was withdrawn by Ms. Davis. Another new motion was made by Ms. Davis, seconded by Ms. Meeks, to create a subsection labeled item (1) to **Sec. 5.03 – Filing for office** and have it read as follows:

- (1) Candidates for city office shall not accept monetary ~~or in kind~~ contributions from any person or entity in excess of ~~\$250~~-\$1,000.

After brief discussion, the motion tied by the following vote:

For: 3 - Davis, Meeks, and Scott  
 Against: 3 - Mayhew, Moore, and Prather  
 Absent: 0  
 Abstain: 1 - Salmi

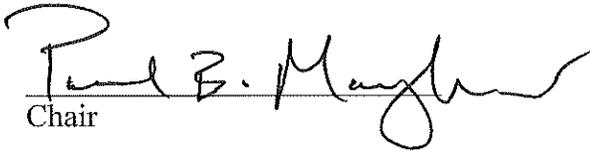
A motion was made by Ms. Davis, seconded by Ms. Meeks, to amend subsection (a)(2) of **Sec. 12.02 – Personal interest and code of ethics** by adding a sentence to the end of this section, which would read as follows: “Each financial disclosure of outside earnings shall be made to the nearest \$100,000 increment. City officials who do not make such disclosures shall have 30 days to conform to this Section of the Charter or shall be subject to review by the Ethics Commission or subject to removal by City Council.” After discussion, the motion was withdrawn by Ms. Davis.

Chair Mayhew introduced the next agenda item, "Consider approval of the 2017 Charter Review Commission's recommendations and report to City Council." After some discussion, Chair Mayhew, Mr. Moore, and Mr. Salmi were appointed to a subcommittee to prepare the final report, which will be reviewed and approved at the commission's next and final meeting (date to be determined).

Chair Mayhew introduced the next agenda item, "Questions and Answers from Press and Public." None were present (Mr. Thorne left early).

Mr. Scott moved for adjournment at 7:33 p.m., seconded by Ms. Davis. The motion passed with the following vote:

For:	7 - Davis, Mayhew, Meeks, Moore, Prather, Salmi, and Scott
Against:	0
Absent:	0
Abstain:	0

  
Chair