



City of San Marcos

Regular Meeting Agenda

Charter Review Commission

Monday, March 1, 2021

5:30 PM

Virtual Meeting

Due to COVID-19, this will be a virtual meeting.

To view the meeting, please go to <https://us02web.zoom.us/j/85849639452> or

Dial in at: 888 788 0099 (Toll Free) or 877 853 5247 (Toll Free) **Webinar ID: 858 4963 9452** or

iPhone one-tap: US: +13462487799,,85849639452# or +12532158782,,85849639452#

- I. Call To Order
- II. Roll Call
- III. 30 Minute Citizen Comment Period

Persons wishing to participate (speak) during the Citizen Comment portion of the meeting must email tmoreno@sanmarcostx.gov no later than 12:00 p.m. on the day of the meeting. A call in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer. Comments shall have a time limit of three (3) minutes each. Any threatening, defamatory or other similar comments are prohibited by Chapter 2 of the San Marcos City Code.

 1. Consider approval, by motion, of the February 22, 2021 regular meeting minutes.
 2. Review, discuss, and take action, as appropriate, on amending Sec. 1.03 – Statement of goals, under Article I – Form of Government and Boundaries.
 3. Continue section by section review of San Marcos' City Charter, including but not limited to, Article V – Nominations and Elections, Article VI – Initiative, Referendum, and Recall, and Article VII – Municipal Planning and Zoning.
- IV. Discussion and Recommendations for Future Agenda Items

Board Members may provide requests for discussion items for future agenda in accordance with the board's approved bylaws. No further discussion will be held related to topics proposed until they are posted on a future agenda in accordance with the Texas Open Meetings Act.
- V. Question and Answer Session with Press and Public

This is an opportunity for the Press and Public to ask questions related to items on this agenda. Each speaker will be provided up to three (3) minutes to speak.
- VI. Adjournment

Notice of Assistance at the Public Meetings

The City of San Marcos is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days (48 hours) before the meeting date. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 855.461.6674 or sent by e-mail to ADArequest@sanmarcostx.gov.

For more information on the Ethics Review Commission, contact Tina Moreno at 512.393.8151 or tmoreno@sanmarcostx.gov.



City of San Marcos

Meeting Minutes

Charter Review Commission

Monday, February 22, 2021

5:30 PM

Virtual Meeting

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.

Michael Cosentino, Staff Liaison

John Thomaidēs, Chair

DRAFT

Sec 1.03 – Statement of goals.

The goals of the government of the City of San Marcos, Texas are as follows:

First and foremost, to safeguard the health, safety and welfare of all city residents.

Also, to provide for a high quality of life including, but not limited to:

- A sustainable and consistent neighborhood integrity throughout the city and the ETJ.
- A clean and abundant water supply.
- A cost-efficient electric supply.
- A safe and effective stormwater and wastewater system.
- A well supported and effective police and fire departments.
- An abundant and diverse educational opportunity for all citizens.
- A well maintained, efficient and effective road and public transportation system.
- A diverse and healthy environment encouraging local and entrepreneurial businesses.
- Consistently well maintained and expanding community parkland and recreational facilities.
- Fostering liaison and communication between governmental, civic and public entities.
- Encouraging and promoting community involvement and responsible citizenship.
- Promoting sound community and economic development.
- Promoting high quality affordable housing for all citizens.
- Protecting our unique environment and natural resources.
- Protecting the unique ecosystem that is San Marcos River, it's springs, aquifer and tributaries.