

City of San Antonio



AGENDA

Charter Review Commission

Thursday, February 8, 2024

5:30 PM

Central Library, 600
Soledad, Auditorium

A full list of Charter Review Commission meeting dates, times and locations can be found at <https://SASpeakUp.com/CharterReviewCommission>.

The Charter Review Commission will meet in the Central Library, 600 Soledad, Auditorium beginning at 5:30 PM. Once convened, the Charter Review Commission will take up the following items no sooner than the designated times.

Once a quorum is established, the Charter Review Commission shall consider the following:

Approval of Minutes

1. Approval of the minutes from the January 25, 2024 Charter Review Commission.

Briefing on the following items:

2. Presentation from staff related to public engagement.
3. Discussion of the following subcommittee assignments and issues to be considered by the Charter Review Commission.
 - a. Ethics officer and other ethics revisions
 - b. City Council compensation and term length
 - c. City Manager tenure and compensation
 - d. Council districts and redistricting
 - e. Language modernization

ADJOURNMENT

At any time during the meeting, the Charter Review Commission may meet in executive session for consultation with the City Attorney's Office concerning attorney client matters under Chapter 551 of the Texas Government Code.

ACCESS STATEMENT

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For additional information on the Charter Review Commission, please visit

<https://www.sa.gov/Directory/Departments/CAO/City-Charter/Charter-Review-Commission>

Posted
on: 02/02/2024 06:19 PM

**State of Texas
County of Bexar
City of San Antonio**



Meeting Minutes
Charter Review Commission
Municipal Plaza Building
114 W. Commerce Street
San Antonio, Texas 78205

Commission Members

Bonnie Prosser Elder, Co•Chair | David Zammiello, Co•Chair
Elva Pai Adams | Josh Baugh | Luisa Casso | Mike Frisbie
Pat Frost | Frank Garza | Martha Martinez•Flores
Naomi Miller | Bobby Perez | Shelley Potter
Dwayne Robinson | Rogelio Saenz | Maria Salazar

Thursday, January 25, 2024

5:30 PM

Central Library

The Charter Review Commission convened a regular meeting at Central Library, 600 Soledad, Auditorium at 5:37 PM. City Clerk Debbie Racca•Sittre took the Roll Call noting a quorum with the following Members present:

PRESENT: 13 – Prosser Elder, Zammiello, Baugh, Casso, Garza, Frisbie, Frost, Martinez•Flores, Miller, Perez, Potter, Robinson, Saenz

ABSENT: 2 - Adams, Salazar

Approval of Minutes

1. Approval of the minutes from the Charter Review Commission meeting on January 8, 2024.

Naomi Miller noted that she was marked absent on the January 8, 2024 minute, but had actually arrived late, only missing the vote on the minutes.

Bobby Perez moved to approve the minutes as amended to reflect Miller as present, Frank Garza seconded the motion.

The motion carried by the following vote:

Aye: Prosser Elder, Zammiello, Baugh, Casso, Garza, Frisbie, Frost, Martinez•Flores,
Miller, Perez, Robinson, Saenz
Absent: Adams, Potter, Salazar

Shelly Potter arrived after the vote on the minutes.

Briefing on the following items:

2. Discussion of the following subcommittee assignments and issues to be considered by Charter Review Commission.

- a. Ethics officer and other ethics revisions
- b. City Council compensation and term length
- c. City Manager tenure and compensation
- d. Council districts and redistricting
- e. Language modernization

Co-Chair Zammiello opened the meeting by providing an overview of the Roadmap and timeline which began with a plan for the Subcommittees to report their progress and preliminary recommendations during the Charter Review Commission (CRC) meetings of January 25, February 8, and February 22, 2024.

Co-Chair Prosser Elder requested reports from the Subcommittees. All Subcommittees submitted written reports which are attached to the minutes for the official record.

Ethics Officer and Other Revisions Subcommittee Chair Mike Frisbie provided an overview of the charge and reported on progress made to date. Commission Members discussed the role of the Ethics Review Board as they had recommended changes to the Ethics Code.

City Council Compensation and Term Length Subcommittee Chair Luisa Casso began by providing an overview of the charge and noted that the Subcommittee had met several times with robust conversations regarding both topics. Casso stated that the Subcommittee had reviewed research regarding comparison cities throughout the United States; including term length and the implementation of any changes. According to Casso, the Subcommittee had discussed potentially using a market analysis for compensation as well as benchmarking.

Casso stated that the Subcommittee had requested subject matter experts (SME) to help with additional research. Co-Chair Zammiello commented that the Subcommittee Chairs had the discretion to reach out to SMEs and solicit information and assistance. Co-Chair Prosser Elder recommended that any an SME be unbiased and capable to assist the Subcommittee and the Commission on their decisions.

City Manager Tenure and Compensation Subcommittee Chair Pat Frost provided an overview of the charge and reported on the progress made to date.

Council Districts and Redistricting Subcommittee Chair Frank Garza reported that the Subcommittee met last week and focused on the first issue regarding whether an increase in single member districts would appropriately enhance representation for San Antonio residents.

Dr. Rogelio Saenz reported on behalf of the Language Modernization Subcommittee Chair Maria Salazar. He stated that the Subcommittee had conducted a brief review of archaic words and gender specific language but were expecting more input from staff. Assistant City Attorney Camila Kunau stated that the City Attorney had sent a memo to all City departments requesting input by February 2, 2024; this input would be shared with the Subcommittee. Co•Chair Prosser Elder suggested that the Subcommittee look for potential conflicts in addition to outdated verbiage.

Saenz reported that Mayor Nirenberg sent the Charter Review Commission a memo requesting a review of the language found in Article II, Section 11 that provided for Special Meetings of City Council upon receiving a 3•Signature Memorandum. Members of the Commission briefly discussed the memorandum, a copy of which is attached to the minutes to be included in the official record.

Co•Chair Prosser Elder outlined the next steps for Subcommittees to continue to meet and bring back their reports to the Commission.

Co•chair Zammiello stated that staff had provided quality work and thanked them for their assistance. Co-Chair Prosser Elder offered assistance from the Co•Chairs.

The next meeting was scheduled for February 8, 2024.

ADJOURNMENT

There being no further discussion and no objection to adjournment, the meeting was adjourned at 6:16 p.m.

Approved

Bonnie Prosser Elder, Co•Chair

David Zammiello, Co•Chair

Respectfully Submitted

Debbie Racca•Sittre, City Clerk

Charter Review Commission



February 8, 2024
Central Library

Agenda



- Approval of Minutes
- Staff Briefing – Communications & Engagement Plan
- Subcommittee Reports:
 - Ethics officer and other ethics revisions
 - City Council compensation and term length
 - City Manager tenure and compensation
 - Council districts and redistricting
 - Language modernization
- Adjournment

Approval of Minutes



Charter Review Commission

Communications & Engagement Plan

February 8, 2024

About Communications & Engagement



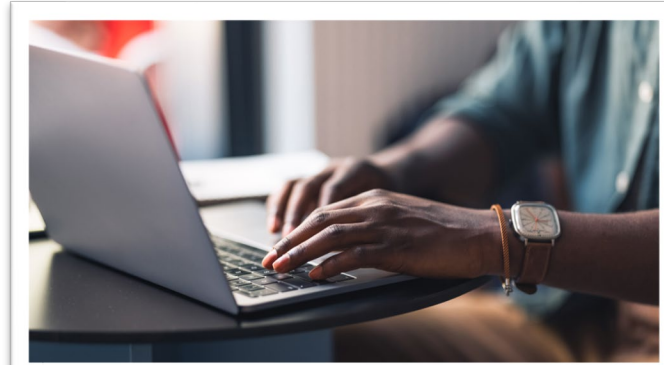
- Central hub of communications & engagement for City of San Antonio
 - Communications
 - Engagement
 - Open Government
 - TVSA
 - Creative Services
- Campaign Experience
 - Bonds
 - Budget
 - Census
 - Redistricting
 - COVID-19 Response
 - SAPD & Me



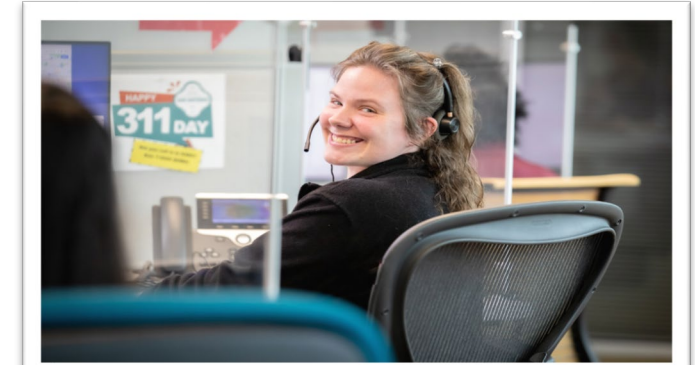
How to take part in Public Comment



Attend in Person



SASpeakUp.com



Call 311



Charter Review Commission

Engagement Plan



SASPEAKUP

#1: Direct to SASpeakUp



Online Comments

- Residents can leave comments 24/7 on the site



Sign Up to Speak

- Residents can sign up to speak at Charter Review Public Meetings



#2: Email Stakeholders

Stakeholder Group Lists



1. COSA curated lists
2. Neighborhood Associations
3. Community Organizations
4. Neighborhood Leadership Academy Participants
5. Faith-Based Organizations
6. Council District Office



#3: Address Digital Divide



Flyers

- English & Spanish
 - Libraries
 - Senior Centers
 - Community Centers
 - Council District Office

Digital Divide



3-1-1

- Option to leave comment with operator

Charter Review Commission

Communications Plan

Press Release

Issued to all local media outlets

- Announces dates and times of public comment
- Will explain how public can make public comment
- CRC should be prepared to provide comment to media requesting interviews

Social Media Posts



- City accounts
 - Facebook (117,000+)
 - Instagram (34,500+)
 - X (195,000+)
 - Nextdoor
- City Department and City Council Offices
- English and Spanish translation
- Paid ads



City-wide Text Messages

- 32,000+ subscribers
- Will include a link explaining how to take part in public input
- Will request Council Districts distribute



Charter Review Video Explainers



Four 30-second explainer videos posted to social media channels & broadcast on TVSA

- What is the City Charter?
- Process to change the City Charter?
- **How to give public input?**
- How it becomes an item on the ballot?

Media Interviews



Multiple types of media

1. TV (Morning shows, talk show opportunities)
2. Radio
3. Print/Online

COMMUNICATIONS AND ENGAGEMENT



Melissa Escamilla
Senior Management Coordinator
Engagement Team
Engagement@sanantonio.gov

Luke Simons
Communications Manager
Communications Team
Communications@sanantonio.gov



Thank You



Subcommittee Reports

Ethics Officer and Other Revisions



Chair:

- Mike Frisbie

Members:

- Elva Pai Adams
- Josh Baugh
- Bobby Perez
- Shelley Potter

Ethics Officer - Whether the City should be able to appoint an independent ethics auditor with a legal background

Other Ethics Revisions - Whether the Ethics Review Board should be autonomous with independent oversight and power to compel testimony, and whether any additional recommendations would strengthen the effectiveness, authority, and/or jurisdiction of the board

City Council Compensation and Term Length



Chair:

- Luisa Casso

Members:

- Josh Baugh
- Mike Frisbie
- Martha Martinez-Flores
- Dwayne Robinson

City Council Member Compensation - Whether City Council members should be compensated on indexed terms that more accurately reflect the city's cost of living and lower barriers to participation in City government

City Council Term Length - Whether Mayor or Mayor and Council terms should be extended to four years with a limit of two terms, and whether such terms should be staggered

City Manager Tenure and Compensation



Chair:

- Pat Frost

Members:

- Elva Pai Adams
- Martha Martinez-Flores
- Naomi Miller
- Dwayne Robinson

City Manager Tenure - Whether the City Council should have the authority and discretion to hire, manage, and determine the length of service of the City Manager

City Manager Compensation - Whether the City Council should determine the compensation of the City Manager so that market and competitive indicators are taken into account

Council Districts and Redistricting



Chair:

- Frank Garza

Members:

- Naomi Miller
- Bobby Perez
- Dr. Rogelio Saenz
- Maria Salazar

Council Districts - Whether an increase in single-member Council districts would appropriately enhance representation for San Antonio residents

Redistricting - Whether the decennial Council redistricting process should be conducted by an independent, autonomous citizens committee and how such a committee's membership shall be appointed

Language Modernization



Chair:

- Maria Salazar

Members:

- Frank Garza
- Shelley Potter
- Rogelio Saenz

Language - Whether the Charter shall be generally amended to update its language to more accurately reflect current processes, acknowledgments, and roles

Next Steps



- **Subcommittees:**
 - Continue to meet
 - Work with COSA staff to gather what you need
 - Prepare status reports for next meeting
- **Next meeting:**
 - Thursday, February 22, 2024
 - 5:30 p.m. – 7:30 p.m.
 - Central Library



Thank You
End of Presentation

Charter Review Commission
Subcommittee Status Report

Subcommittee:	Ethics Officer And Other Ethics Revisions
Charge:	Ethics Officer - Whether the City should be able to appoint an independent ethics auditor with a legal background Other Ethics Revisions - Whether the Ethics Review Board should be autonomous with independent oversight and power to compel testimony, and whether any additional recommendations would strengthen the effectiveness, authority, and/or jurisdiction of the board
Reporting Period:	February 8, 2024

Members in attendance:

Subcommittee met on January 30, 2024. All subcommittee members attended as well as staff from the City Auditor’s and City Attorney’s Offices.

Meeting agenda:

- Staff presentations covering Ethic Complaints from 2014 – 2023, Ethic Officer Research for various comparable cities, and best practice research for ethics in Texas.
- Committee questions and discussion
- Discussion on plan for the next few meetings

Discussion summary:

- The City Auditor presented documents Staff was asked to provide in response to questions from the Subcommittee members at the last meeting.
- Documents that address the categories of complaints, the status of those complaints, and a summary of each complaint to the Ethics Review Board (ERB) since 2014 were presented. As explained by Staff, many complaints are returned due to lack of jurisdiction of the ERB and the most common complaints are related to campaign finance reform. Subcommittee members discussed the nature of the complaints and how often the complaints went before the ERB for resolution.
- Documents that address how other equivalent cities in both Texas and outside Texas structure their ethics section were presented. Specifically, Staff pointed out which cities had Ethics Officers and their duties and how certain Cities structure their ethics review boards. Subcommittee members discussed the pros and cons on moving the Ethics/Compliance officer to its own position versus the position being under either the City Auditor’s Office, the City

Charter Review Commission Subcommittee Status Report

Attorney's Office, or the City Manager's Office. Members also discussed what duties an Ethics Officer would be responsible for. Finally, Members discussed term limits for ERB members and their pros and cons.

- Staff also provided the Model City Charter section on ethics and Texas Ethics Commission summary pamphlet for some best practice information on ethic codes and ethic boards in Texas.

Resources consulted (for example, guests or experts invited to speak, benchmarks, or reports):

- For first meeting Subcommittee relied on City Auditor and Legal staff
- Reports on Ethics Complaints by category and status as well as a summary of each complaint for 2014 -2023
- Ethics Officer research comparison
- Best practice documents including the Model City Charter from the National Civic League and a general overview of power and duties of the Texas Ethics Commission

Next steps including requests or deliverables needed from staff:

- The Chair requested Staff bring in multiple subject matter experts to provide some best practice information to Subcommittee Members for the next meeting on the Subcommittee. Staff is working on scheduling.
- The next Subcommittee meeting will be scheduled based on availability of subject matter experts.

Document Index

Charter Commission

Subcommittee: Ethics

A	<ul style="list-style-type: none"> • COSA Charter – Ethics Review Board
B	<ul style="list-style-type: none"> • COSA Ordinance – Ethics Review Board <ul style="list-style-type: none"> ○ Includes Sec. 2-84 on Compliance Auditor and City Attorney roles.
C	<ul style="list-style-type: none"> • COSA Charter – Independent Internal Audit Dept
D	<ul style="list-style-type: none"> • 2022 ERB Annual Report <ul style="list-style-type: none"> ○ Includes history of ERB.
E	<ul style="list-style-type: none"> • Ethics Review Board Recommended Code Revisions <ul style="list-style-type: none"> ○ This document outlines the process undertaken by the ERB and details regarding the proposed code amendments.
F	<ul style="list-style-type: none"> • 2018 – 2024 Code Summaries <ul style="list-style-type: none"> ○ Provides a comprehensive summary of the current code, proposed changes, and associated justifications.
G	<ul style="list-style-type: none"> • ERB Presentation 01.10.24 <ul style="list-style-type: none"> ○ Slides from B Session presentation.
H	<ul style="list-style-type: none"> • Ethics Boards and Commissions Chart <ul style="list-style-type: none"> ○ Comparison chart showing various cities, the name of their board/commission, whether they are charter based and whether they have subpoena/testimony power.
I	<ul style="list-style-type: none"> • ERB Independence <ul style="list-style-type: none"> ○ Summary overview of information regarding independence from Charter and Ordinance. ○ Includes high level bullet points on pros and cons.
J	<ul style="list-style-type: none"> • ERB Appointments <ul style="list-style-type: none"> ○ Summary overview of ERB Appointment information from Charter and Ordinance, as well as a brief note on models where appointments are made by outside entities. ○ Includes high level bullet points on pros and cons.
K	<ul style="list-style-type: none"> • Ethics Complaint Submissions 2014-2023 <ul style="list-style-type: none"> ○ Summary overview of ethics complaint submissions for past 10 years.

<p style="text-align: center;">L</p>	<ul style="list-style-type: none"> • Ethics Complaint Submissions by Category <ul style="list-style-type: none"> ○ Summary of ethics complaint submissions by category for past 10 years.
<p style="text-align: center;">M</p>	<ul style="list-style-type: none"> • Ethics Complaint Submissions by Status <ul style="list-style-type: none"> ○ Summary of ethics complaint submissions by status for past 10 years.
<p style="text-align: center;">N</p>	<ul style="list-style-type: none"> • ERB Meeting Summary <ul style="list-style-type: none"> ○ Count of Ethics Review Board Meetings (including panels) for past 10 years.
<p style="text-align: center;">O</p>	<ul style="list-style-type: none"> • Model City Charter – National Civic League <ul style="list-style-type: none"> ○ Excerpts from 9th Edition Model City Charter publication, includes introduction and Article VIII which references Board of Ethics. ○ https://www.nationalcivicleague.org/wp-content/uploads/2021/12/Model-City-Charter%E2%80%94949th-Edition.pdf
<p style="text-align: center;">P</p>	<ul style="list-style-type: none"> • Texas Ethics Commission – Summary Pamphlet <ul style="list-style-type: none"> ○ Summary pamphlet with overview of the Texas Ethics Commission including general overview of powers and duties.
<p style="text-align: center;">Q</p>	<ul style="list-style-type: none"> • Ethics Officer Research <ul style="list-style-type: none"> ○ Summary on Ethics Officer research for various cities.

Ethics Complaint Submissions
2014 - 2023

Date Filed	Category	Status	Heard by ERB	Summary
Dec 14, 2023	Not within ERB Jurisdiction	Returned	No	The complaint alleged discrimination based on national origin as related to various interactions at two local senior centers. After review it was determined complaints regarding discrimination fall under the City's Non-Discrimination Ordinance, which is outside the scope of the City's Ethics Code. Since the matter is not within the jurisdiction of the Ethics Review Board it was returned to the complainant. (Note: A copy of the complaint was provided to the Office of Equity and complainant was provided contact information for their office.)
Sep 21, 2023	Not within ERB Jurisdiction	Returned	No	The complaint alleged a vendor had provided the City with a falsified engineering report in reference to a building permit. After review it was determined that individual was not a City Employee nor a City Official and the business in question was not a City of San Antonio entity nor under the City's control. As such the matter was outside of the scope of the City's Ethics Code and therefore not within the purview of the Ethics Review Board. Therefore, the complaint was returned to the complainant.
Jul 26, 2023	Campaign Finance	Resolved	No	The complaint alleged candidate violated Municipal Campaign Finance Code by contributing personal funds to their campaign in excess of the allowable contribution limit and had also accepted a contribution from an external party in excess of the allowable contribution limit. After review it was determined that when candidates use their personal funds for campaign purposes, the funds are considered to be loans and not subject to the limits under Sec. 2-302 of the Municipal Campaign Finance Code. It was further determined, that the in reference to the contribution from the external party, the funds in excess of the contribution limit were returned; therefore the error was considered corrected.
Jun 20, 2023	Unfair Advancement of Private Interests	Pending	NA	The complaint alleged that City employees had interfered with a mediation request that was filed with Bexar County Dispute Resolution Center. A preliminary review found that respondent was on extended medical leave and has not returned to the office. As such, matter is pending and investigation will resume when and if employee returns.
May 16, 2023	Not within ERB Jurisdiction	Returned	No	The complaint alleged violation of Texas Election Code requirements as related to the misleading use of office title. It was determined that the Texas Ethics Commission was the entity responsible for administration, interpretation, and enforcement of all matters that fall under Election Code (EC) Title 15 and as such the concerns fell outside the jurisdiction of the ERB. Therefore, the complaint was returned to the complainant.
May 08, 2023	Not within ERB Jurisdiction	Returned	No	The complaint contained general allegations regarding the interpretation and enforcement of building related ordinances outlined in Chapter 10 of the City Code. Additionally, it alleged violations by a builder related to International Mechanical Code (IMC) and International Energy Conservation Code (IECC). After review it was determined complaints regarding building related ordinances, including compliance with IMC and IECC, are outside of the scope of the City's Ethics Code and are therefore not within the jurisdiction of the Ethics Review Board. Therefore, the complaint was returned to the complainant.

Ethics Complaint Submissions
2014 - 2023

Date Filed	Category	Status	Heard by ERB	Summary
Apr 14, 2023	Campaign Finance and Use of Public Resources	Returned	No	The complaint alleged a candidate violated Campaign Finance Rules and Texas Election Code. Complaint further alleged prohibited use of Public Resources. After review, it was determined: The candidate filed an amended report within 10 days per Section 2-307 (e); The candidate was had filed a personal finance statement in a timely manner; use of Public Resources was related to a neighborhood association meeting and the space and supplies provided were not public property nor public resources; and neighborhood associate meetings do not fall under the jurisdiction of the City of San Antonio. Therefore, the complaint was returned to the complainant.
Mar 14, 2023	Not within ERB Jurisdiction	Returned	No	The complaint alleged multiple violations of the Texas Election Code including misleading use of office title and requirements related to political advertising. Additionally, complaint also alleged violations of IRS rules related to political activities by non-profit entities. It was determined that the Texas Ethics Commission was the entity responsible for administration, interpretation, and enforcement of all matters that fall under Election Code (EC) Title 15 and rules related to political involvement by 501(c)(3) non-profits are governed by the IRS. As such the concerns fell outside the jurisdiction of the ERB. Therefore, the complaint was returned to the complainant.
Feb 06, 2023	Campaign Finance	Returned	No	The complaint alleged violations of the Municipal Campaign Finance Code including failure to file required reports. The officeholder filed an amended report within 10 days per Section 2-307 (e). Therefore, the complaint was returned to the complainant.
Mar 10, 2022	Not within ERB Jurisdiction	Returned	No	The complaint alleged violations regarding procedural issues associated with a Building Standards Board hearing. After review, it was determined that hearing procedures related to violations of and appeals to the San Antonio Property Maintenance Code are outlined in Chapter 6, Article VIII, Division III of the City of San Antonio Municipal Code, which is not within the jurisdiction of the Ethics Review Board. As such, the complaint was returned to the complainant.
Oct 22, 2021	Campaign Finance	Letter of Notification	Yes	The complaint alleged the Mayor violated several provisions of the Municipal Campaign Finance Code including: 1) acceptance of contributions in excess of the \$1,000 limit per person, per election cycle, 2) acceptance of contributions during the pre-election moratorium, and 3) failure to report occupation and employer for contributors. A Panel of the ERB was convened to review the matter and found that the errors had been mostly corrected and contributions returned; however, the corrections were not made within 10 business days as required by Sec. 2-307 of the Municipal Campaign Finance Code. A Letter of Notification was issued by the Board to document the violations and advise that future violations may lead to more serious sanctions. Note: The complaint also included allegations regarding contributions from prohibited entities, including corporations and non-profits. It was determined that these items fell outside of the jurisdiction of the Ethics Review Board and as such were not considered by the Panel.

Ethics Complaint Submissions
2014 - 2023

Date Filed	Category	Status	Heard by ERB	Summary
Jul 07, 2021	Not within ERB Jurisdiction	Returned	No	The complaint alleged concerns regarding working relationships within a City department, including allegations of ostracism, insubordination, retaliation and discrimination. After review, it was determined that the allegations were outside the scope of the City's Ethics Code and therefore were not within the jurisdiction of the Ethics Review Board. As such, the complaint was returned to the complainant who was encouraged to contact their Human Resources Employee Relations Business Partner.
Jun 03, 2021	Not within ERB Jurisdiction	Returned	No	The complaint alleged general concerns regarding the hiring practice by a local medical facility. After review, it was determined that the individual listed in the complaint was not a City Official nor a City Employee. Furthermore, the noted medical facility was not a City of San Antonio entity nor under the City's control. As such these matters are not subject to the City of San Antonio's Ethics Code. Therefore, the complaint was returned to the complainant.
Apr 28, 2021	Campaign Finance	Returned	No	The complaint alleged violations of Section 2-309(d) of the Municipal Campaign Finance Code as related to two campaign contributions. After review, it was determined that the contributions in questions were made prior to the initiation of the noted rezoning request and as such fell outside of the scope of Section 2-309(d). Therefore, the complaint was returned to the complainant.
Apr 19, 2021	Not within ERB Jurisdiction	Returned	No	The complaint included allegations related to privacy concerns and financial fraud. After review, it was determined that the individual listed in the complaint was not a City Official nor a City Employee, and thus not subject to the City of San Antonio's Ethics Code. Therefore, the complaint was returned to the complainant.
Feb 12, 2021	Not within ERB Jurisdiction	Returned	No	The complaint alleged privacy violations and harassment as related to an outside medical facility and an attorney working with the facility. After review, it was determined that the individuals listed in the complaint were not City Officials nor City Employees. Furthermore, the noted medical facility was not a City of San Antonio entity nor under the City's control. As such these matters are not subject to the City of San Antonio's Ethics Code. Therefore, the complaint was returned to the complainant.
Dec 14, 2020	Not within ERB Jurisdiction	Returned	No	Complainant submitted a total of twelve (12) complaints that included allegations regarding harassment, privacy violations, and dereliction of duties by both city staff and staff of outside agencies. The complaint also alleged improper police procedure/conduct. It was determined that the complaints did not represent matters that are administered under the City Ethics Code and/or were actions taken by individuals who were not city employees/officials. Therefore, the complaint was returned to the complainant.
Dec 10, 2020	Not within ERB Jurisdiction	Returned	No	The complaint included allegations that a registered lobbyist made a false statement during a Zoning Commission meeting and as such, the determination of the Zoning Commission was compromised. Evidence provided for the assessment did not support the complaint. Furthermore, it was determined that recommendations made by the Zoning Commission are outside the jurisdiction of the ERB. Therefore, the complaint was returned to the complainant.

Ethics Complaint Submissions
2014 - 2023

Date Filed	Category	Status	Heard by ERB	Summary
Nov 24, 2020	Not within ERB Jurisdiction	Returned	No	The complaint alleged a local organization was in violation of Texas Election Code requirements related to campaign treasurer appointments and political advertisements. It was determined that the Texas Ethics Commission was the entity responsible for administration, interpretation, and enforcement of all matters that fall under Election Code (EC) Title 15 and as such the concerns fell outside the jurisdiction of the ERB. Therefore, the complaint was returned to the complainant.
Aug 17, 2020	Unfair Advancement of Private Interest - Self Corrected	Resolved	Yes	The complaint alleged a City Councilmember violated of Sec. 2-44 of the Ethics Code as related to information shared in an online district newsletter. Prior to review by the ERB Panel, the matter was acknowledged by the City Councilmember and action was taken to remedy the matter. The ERB panel determined the matter was resolved.
Apr 16, 2020	Not Notarized	Returned	No	The complaint included allegations that a city employee harassed an individual and used their city position to impede an individual's private interest. The complainant further alleged violations of Texas Administrative Code 157.36. It was determined that the complaint was not notarized as required by Section 2-83 (c). Therefore, the complaint was returned to the complainant.
Feb 04, 2020	Campaign Finance	Returned	No	The complaint alleged violations of the Municipal Campaign Finance Code including incomplete/incorrect reporting and contributions in excess of allowable limits. The candidate filed an amended report within 10 days per Section 2-307 (e). Therefore, the complaint was returned to the complainant.
Oct 22, 2019	Nepotism / Residency	Dismissed	Yes	The complaint alleged a Councilmember violated the City Ethics Code by contracting with an individual believed to be a member of their household. Furthermore, it was alleged that the same Councilmember did not reside in the District they represented, a violation of the Texas Election Code and City Charter. Outside Counsel was retained and after a thorough investigation, the ERB determined that there was not sufficient evidence to substantiate a finding related to the complaint regarding contracting with an alleged member of the household. The ERB also determined that the complaint regarding residency should be dismissed for lack of jurisdiction per Section 2-82 of the City Ethics Code. Therefore, both complaints were dismissed by the ERB.
Oct 21, 2019	Not within ERB Jurisdiction	Returned	No	The complaint alleged harassment by a city employee as related to an administrative citation. It was determined that as per Section 2-82, the complaint did not represent a matter that is administered under the City Ethics Code and thus fell outside the jurisdiction of the ERB. Therefore, the complaint was returned to the complainant.
Sep 23, 2019	Not within ERB Jurisdiction	Returned	No	The complaint alleged that a Council staff member had made promises related to home repairs that were not completed. Additionally, the complaint alleged that damage was done to the home by an independent building contractor. It was determined that as per Section 2-82, the complaint did not represent a matter that is administered under the City Ethics Code and thus fell outside the jurisdiction of the ERB. Therefore, the complaint was returned to the complainant.

Ethics Complaint Submissions
2014 - 2023

Date Filed	Category	Status	Heard by ERB	Summary
Jul 08, 2019	Not within ERB Jurisdiction	Returned	No	The complaint alleged general allegations of terrorism, conspiracy, and telephone hacking by employees from various external businesses. After thorough investigation, it was determined that the individuals listed in the complaint were not city officials nor city employees, and thus not subject to the City of San Antonio's Ethics Code. Therefore, the complaint was returned to the complainant.
Jun 07, 2019	Not Notarized	Returned	No	The non-notarized complaint was filed as a follow-up to a 2017 complaint related to actions of an employee of the San Antonio Housing Authority (SAHA). It was determined the complaint did not represent a matter that is administered under the City Ethics Code since SAHA employees are not city officials nor city employees. Furthermore, the complaint was not notarized as required by Section 2-83 (c). Therefore, the complaint was returned to the complainant.
May 23, 2019	Not within ERB Jurisdiction	Returned	No	The complaint alleged a violation of the City of San Antonio Charter as related to the maintenance of alleyways. It was determined that as per Section 2-82, the complaint did not represent a matter that is administered under the City Ethics Code and thus fell outside the jurisdiction of the ERB. Therefore, the complaint was returned to the complainant.
Feb 25, 2019	Not Notarized	Returned	No	The complaint alleged that a City Councilmember violated Sec. 2-44 of the City Ethics Code, as well as a San Antonio Department of Human Services (DHS) Policy during a visit to a city managed senior center. It was determined that the complaint was not notarized as required by Section 2-83 (c). Therefore, the complaint was returned to the complainant.
Feb 22, 2019	Not within ERB Jurisdiction	Returned	No	The complaint alleged a violation of Section 2-43 of the City Ethics Code related to the closure and rerouting of a neighborhood street. It was determined that as per Section 2-82, the complaint did not represent a matter that is administered under the City Ethics Code and thus fell outside the jurisdiction of the ERB. Therefore, the complaint was returned to the complainant.
Feb 15, 2019	Not within ERB Jurisdiction	Returned	No	The complaint alleged multiple violations of the City Ethics Code, including Sections 2-44, 2-46, 2-47, 2-51, and 2-54, as related to potential employment within the City of San Antonio. It was determined the matter was outside the jurisdiction of the Ethics Code as it was related to employee relation / human resource processes. Therefore, the complaint was returned to the complainant.
Dec 10, 2018	Not within ERB Jurisdiction	Returned	No	The complaint alleged the anonymous security guards placed objects citing websites in a vehicle, and then used the vehicle as a weapon. The complaint cited general allegations of domestic terrorism and that SAPD alphabet call letters were a secret code. It was determined that the security guards were not City officials nor City employees subject to the City of San Antonio Ethics Code. The complaint was returned to the complainant.
Dec 07, 2018	Not within ERB Jurisdiction	Returned	No	The complaint alleged the anonymous security guards placed objects citing websites in a vehicle, and then used the vehicle as a weapon. The complaint cited general allegations of domestic terrorism and that SAPD alphabet call letters were a secret code. It was determined that the security guards were not City officials nor City employees subject to the City of San Antonio Ethics Code. The complaint was returned to the complainant.

Ethics Complaint Submissions
2014 - 2023

Date Filed	Category	Status	Heard by ERB	Summary
Dec 06, 2018	Not within ERB Jurisdiction	Returned	No	The complaint alleged the anonymous security guards placed objects citing websites in a vehicle, and then used the vehicle as a weapon. The complaint cited general allegations of domestic terrorism and that SAPD alphabet call letters were a secret code. It was determined that the security guards were not City officials nor City employees subject to the City of San Antonio Ethics Code. The complaint was returned to the complainant.
Nov 30, 2018	Not within ERB Jurisdiction	Returned	No	The complaint alleged the anonymous security guards placed objects citing websites in a vehicle, and then used the vehicle as a weapon. The complaint cited general allegations of domestic terrorism and that SAPD alphabet call letters were a secret code. It was determined that the security guards were not City officials nor City employees subject to the City of San Antonio Ethics Code. The complaint was returned to the complainant.
Sep 11, 2018	Not within ERB Jurisdiction	Returned	No	The complaint alleged that the City Manager and City Councilmembers held an illegal meeting at a public venue violating the Texas Open Meeting Act. Outside Counsel was retained and determined that the allegations made were not within the jurisdiction of the ERB. Therefore, the complaint was returned to the complainant.
Sep 10, 2018	Not within ERB Jurisdiction	Returned	No	The complaint alleged that the City Manager and City Councilmembers held an illegal meeting at a public venue violating the Texas Open Meeting Act. Outside Counsel was retained and determined that the allegations made were not within the jurisdiction of the ERB. Therefore, the complaint was returned to the complainant.
Sep 07, 2018	Use of Public Resources	Dismissed	Yes	The complaint alleged that a City Council Member and their field office staff used City resources to promote a political event in violation of Section 2-49. Outside Counsel was retained and after a thorough investigation the ERB determined that there was not sufficient evidence to substantiate finding a violation of the Ethics Code. Therefore, the complaint was dismissed by the ERB.
Aug 28, 2018	Not Notarized	Returned	No	The complaint alleged that City Council Member's supported a paid sick leave ordinance which violated the principles of communism, Tax Code, and Open Meetings Act. It was determined that the complaint was not notarized as required by Section 2-83 (c). Therefore, the complaint was returned to the complainant.
Jul 30, 2018	Not Notarized	Returned	No	The complaint alleged that a City Councilmember served on the Board of Directors of the Bexar County Appraisal District and therefore was a conflict of interest or a case of dual office holding. Outside Counsel determined that the complaint was not notarized as required by Section 2-83 (c). Additionally, it was determined that the allegations made were not within the jurisdiction of the ERB. The complaint was returned to the complainant.
Jun 22, 2018	Not within ERB Jurisdiction	Returned	No	The complaint alleged that security officers sabotaged vehicles, threatened physical harm and made derogatory and discriminatory remarks. It was determined that the security guards were not City officials nor City employees subject to the City of San Antonio Ethics Code. The complaint was returned to the complainant.

Ethics Complaint Submissions
2014 - 2023

Date Filed	Category	Status	Heard by ERB	Summary
Feb 05, 2018	Campaign Finance	Returned	No	The complaint alleged violations of the Municipal Campaign Finance Code Section 2-302 stating that a City Councilmember accepted campaign contributions in excess of the limits imposed. The City Councilmember filed an amended report within 10 days per Section 2-307 (e). The complaint was returned to the complainant.
Sep 07, 2017	Not within ERB Jurisdiction	Returned	No	The complaint was filed against an employee of the San Antonio Housing Authority (SAHA). It was determined that the SAHA employee was not a city official nor city employee thus not subject to the City of San Antonio's Ethics Code. The complaint was returned to the complainant
Apr 24, 2017	Conflict of Interest	Returned	No	The complaint alleged that a City Councilmember violated the Code of Federal Regulations and the San Antonio Housing Authority Administrative Plan neither of which fall under the purview of the ERB. The complaint appears to re-urge information and actions made part of a prior complaint alleging a conflict of interest. Outside Counsel was retained and after a thorough investigation determined that the complaint did not comply with the Ethics Code requirement in that it did not allege the violation of an applicable standard of conduct. Therefore, the complaint was returned to the complainant
Apr 17, 2017	Conflict of Interest	Returned	No	The complaint alleged that a City Councilmember did not properly disclose information on their Personal Financial Statement. The complaint further alleged that the Councilmember accepted money in exchange for favorable votes related to zoning, planning and property development. Outside Counsel was retained and after a thorough investigation determined that the complaint did not comply with the Ethics Code requirement in that it did not allege the violation of an applicable standard of conduct. Therefore, the complaint was returned to the complainant
Feb 27, 2017	Not within ERB Jurisdiction	Returned	No	The complaint alleged that a city employee did not fulfill their duties under the Ethics Code. Outside Counsel was retained; after a thorough investigation determined that the complaint did not comply with the Ethics Code requirement in that it did not allege the violation of an applicable standard of conduct. Therefore, the complaint was returned to the complainant.
Feb 09, 2017	Not within ERB Jurisdiction	Returned	No	The complaint alleged that a candidate for City Council resided outside the boundaries of the district in which the candidate was running for office. The allegations fell outside of the purview of the ERB. The complaint was returned to the complainant.
Feb 08, 2017	Not within ERB Jurisdiction	Returned	No	The complaint alleged violations of the ethics code Section 2-49 and Section 2-50 stating that a candidate for City Council engaged in campaigning activities at a senior center. It was determined that the candidate was not a city official nor city employee thus not subject to Section 2-49 or Section 2-50. The complaint was returned to the complainant.
Dec 15, 2016	Conflict of Interest	Returned	No	The complaint alleged a violation of section 2-43 conflict of interest, section 2-43 (b) recusal and disclosure and section 2-44 unfair advancement of private interest of the ethics code. City staff conducted an investigation into the matter, and concluded that the allegations contained in the complaint could not have been substantiated. Accordingly, the complaint was returned to the complainant.

Ethics Complaint Submissions
2014 - 2023

Date Filed	Category	Status	Heard by ERB	Summary
Dec 05, 2016	Not within ERB Jurisdiction	Returned	No	The complaint alleged that SAPD declined to investigate allegations and refused to return calls. All allegations fell outside of the purview of the ethics complaint process, so the complaint was returned to the complainant.
Dec 05, 2016	Conflict of Interest	Returned	No	The complaint alleged that various Board/Committee Members had a conflict of interest due to their private and/or business relationships with employers and/or non-profit affiliation. City staff conducted an investigation into the matter, and concluded that the allegations contained in the complaint could not have been substantiated. Accordingly, the complaint was returned to the complainant.
Dec 02, 2016	Not within ERB Jurisdiction	Returned	No	The complaint alleged that SAPD declined to investigate allegations and yelled at the Complainant. All allegations fell outside of the purview of the ethics complaint process, so the complaint was returned to the complainant.
Nov 28, 2016	Not within ERB Jurisdiction	Returned	No	The complaint alleged that SAPD declined to investigate allegations and made slanderous statements about the Complainant. All allegations fell outside of the purview of the ethics complaint process, so the complaint was returned to the complainant.
Aug 17, 2016	Use of Public Resources	Dismissed	Yes	<p>On August 17, 2016, a panel of the whole of the Ethics Review Board convened to consider and conduct a hearing on the ethics complaint filed by Will McLeod against City Councilmember Shirley Gonzales, District 5. The complaint alleged that Mrs. Gonzales violated several provisions of the Ethics Code when “she engaged in partisan political activity, including endorsements of candidates running for elective office” using District 5 City Council Facebook page. The Complaints allege that Mrs. Gonzales violated Sections 2-49 and 2-50 of the Ethics Code.</p> <p>Based on the Findings of Fact, the Board concluded that Respondent Shirley Gonzales’s actions did not violate Sections 2-49 and 2-50 of the Ethics Code. The Board unanimously voted to DISMISS the complaint. It was further the opinion of the Board that the City of San Antonio should not allow the City operated web pages to contain “links” to private web pages that could be used to promote private interest including political activity. The Board recommends that the City place a “Disclaimer” whenever a link on the City’s website takes you from the City’s official website to a non-city website.</p>
Mar 24, 2016	Campaign Finance	Returned	No	The complaint alleged violations of the municipal campaign finance code (“MCFC”). After a thorough investigation by outside counsel, the complaint was rejected because 1) the MCFC does not govern discretionary contracts sought through the SAWS procurement process 2) the contract was not a high profile discretionary contract with the City, and 3) MCFC authorizes acceptance of campaign contributions from “any individual or single entity” without regard to familial relations between contributors.
Oct 01, 2015	Not within ERB Jurisdiction	Returned	No	<i>The complaint alleged future malfeasance on the part of multiple members of the San Antonio Public Library Board of Trustees and city staff. Because the ethics code does not permit complaints to allege hypothetical or anticipated infractions, the complaint was rejected.</i>

Ethics Complaint Submissions
2014 - 2023

Date Filed	Category	Status	Heard by ERB	Summary
Sep 30, 2015	Unfair Advancement of Private Interest / Gifts	Dismissed	Yes	On September 30, 2015, a panel of the Ethics Review Board convened to consider the ethics complaint filed by Nicholas de la Garza against City Council Member Raynaldo T. "Ray" Lopez. The complaint alleged that Mr. Lopez, through his actions with respect to one or more charity golf tournaments, violated Sections 2-44 and 2-45 of the ethics code. The panel received a briefing from independent counsel regarding the evidence germane to the inquiry. After considering the complaint and the information provided by the independent counsel, the panel unanimously voted to DISMISS the complaint in full due to 1) a lack of evidence sufficient to substantiate a finding of a violation of the Ethics Code. Moreover, the panel cautioned Mr. de la Garza with respect to the filing of frivolous complaints.
Jul 13, 2015	Campaign Finance	Dismissed	Yes	On July 13, 2015, a panel of the Ethics Review Board convened to consider the ethics complaint filed by Brandon Burkhart against Jesus Reyes, former candidate for San Antonio City Council District 1. The complaint alleged that Mr. Reyes violated Division 3 of the Municipal Campaign Finance Code. The panel received a briefing from staff and received copies of the documents germane to the analysis of the complaint, including Mr. Reyes' campaign finance report due April 9, 2015, and his Correction Affidavit, which he filed on April 17, 2015. The Panel unanimously voted to DISMISS the complaint in full because the evidence provided did not reflect that Mr. Reyes knowingly violated any provisions of Division 3 of the MCFC. Further, the evidence appeared to reflect that any errors remaining after Mr. Reyes filed his Correction Affidavit amounted to only scrivener's errors.
Jun 10, 2015	Not within ERB Jurisdiction	Returned	No	<i>The complaint alleged a violation of section 141 of the city charter. City staff conducted an investigation into the matter, and concluded that the allegations contained in the complaint could not have been substantiated. Accordingly, the complaint was rejected.</i>
Jun 09, 2015	Not within ERB Jurisdiction	Returned	No	<i>The complaint alleged a violation of section 141 of the city charter. City staff conducted an investigation into the matter, and concluded that the allegations contained in the complaint could not have been substantiated. Accordingly, the complaint was rejected.</i>
May 16, 2015	Campaign Finance	Withdrawn	No	<i>The complaint alleged multiple violations of the MCFC. The complaint was withdrawn subsequently by the complainant.</i>
May 06, 2015	Financial Disclosure	Returned	No	<i>The complaint alleged multiple violations of section 2-74 of the ethics code. However, the complaint was rejected because the allegations were either 1) time-barred or 2) cured by sections 2-82(b)(1) and 2-79 the ethics code, respectively.</i>
Apr 27, 2015	Not within ERB Jurisdiction	Returned	No	<i>The complaint alleged multiple instances of wrongdoing, including voter fraud, hate speech, defamation, and violation of the Texas election code. All allegations fell outside of the purview of the ethics complaint process, so the complaint was rejected.</i>
Mar 31, 2015	Campaign Finance	Returned	No	<i>The complaint alleged multiple violations of the municipal campaign finance code ("MCFC"). After a thorough investigation by staff, the complaint was rejected because 1) several allegations were not within the scope of the MCFC, and 2) the germane documents did not substantiate the allegations.</i>

Ethics Complaint Submissions
2014 - 2023

Date Filed	Category	Status	Heard by ERB	Summary
Jun 27, 2014	Not within ERB Jurisdiction	Returned	No	<i>The complaint alleged that a Councilmember violated Sections 2-41 and 2-44 of the City's Ethics Code by way of his actions concerning the approval of amendments to a zoning request. In essence, the complaint alleged procedural defects in the process pertaining to the approval of amendments to master plans and/or zoning requests. Even if accepted as true, the issues raised were not violations of the City's Ethics Code, and were, therefore, not within the purview of the ERB.</i>
Jun 27, 2014	Not within ERB Jurisdiction	Returned	No	<i>The complaint did not indicate which particular sections of the Ethics Code allegedly were violated. However, the complaint, in essence, appeared to allege procedural defects in the process pertaining to the approval of amendments to master plans and/or zoning requests. Even if accepted as true, the issues raised were not violations of the City's Ethics Code, and were, therefore, not within the purview of the ERB.</i>
Jun 24, 2014	Not within ERB Jurisdiction	Returned	No	<i>The complaint alleged that employees of the Development Services Department and City Attorney's Office violated Sections 2-41, 2-44(a), and 2-72 by way of their noncompliance with sections of the San Antonio Unified Development Code and Texas Local Government Code. In essence, the complaint alleged procedural defects in the plat approval process. Thus, the issues raised in the complaint were not within the purview of the ERB.</i>
Jun 19, 2014	Conflict of Interest	Returned	No	<i>The complaint alleged that a Councilmember violated Section 2-43(a)(6) of the City's Ethics Code by instructing the Zoning Commission to approve a request for rezoning. Section 2-43(a)(6) of the Ethics Code prohibits a City official from taking any official action that he or she knows is likely to affect the economic interest of an entity in which the official, or the official's first or second-degree relative, has an economic interest. The complaint, including the attachments and exhibits thereto, did not reflect that any entity that may have benefited from the Councilmember's alleged conduct was an entity in which the Councilmember, or his first or second-degree relative, had an economic interest. Thus, the complaint did not allege facts that could support a finding that the Councilmember violated Section 2-43(a)(6) of the ERB.</i>
Apr 08, 2014	Conflict of Interest	Returned	No	<i>The complaint alleged that by voting to approve an increase in the rates charged by the San Antonio Water System on November 21, 2013, a Councilmember violated §2-43 of the Ethics Code. An investigation revealed the following: 1) that the Councilmember no longer served as President of the relevant Water Supply Corporation and received no compensation from the Water Supply Corporation; and 2) that both SAWS and the Water Supply Corporation had certificates of convenience and necessity issued by the state, and neither may have encroached upon the other's authorized distribution areas without consent of the other or of the state. Thus, the vote to raise SAWS' rates did not provide a competitive advantage to the Water Supply Corporation, and the Councilmember's vote could not have likely affected the economic interest of the parties identified in Section 2-43(a) of the Ethics Code.</i>

Ethics Complaint Submissions
2014 - 2023

Date Filed	Category	Status	Heard by ERB	Summary
Mar 07, 2014	Nepotism	Dismissed	Yes	On March 7, 2014, a panel of the Ethics Review Board convened at Frances Barrera's request to reconsider the dismissal of the ethics complaint filed against several employees of the San Antonio Police Department. See Opinion 14-01. Upon review of Ms. Barrera's written request for reconsideration, the Panel determined that no additional evidence substantiating the complaint had been provided by the complainant. Therefore, the Panel upheld its decision rendered in Opinion 14-01, and the complaint filed May 15, 2013 remained DISMISSED .
Mar 07, 2014	Not within ERB Jurisdiction	Returned	No	<i>The complaint alleged that misconduct on the part of an SAPD detective violated the complainant's rights under the U.S. Constitution. These allegations did not constitute a violation of the Ethics Code or any other law administered or enforced by the ERB.</i>
Feb 11, 2014	Nepotism	Dismissed	Yes	On February 11, 2014, a panel of the Ethics Review Board convened to consider the ethics complaint filed against several employees of the San Antonio Police Department. SAPD employee Frances Barrera filed the complaint on May 15, 2013, alleging that several employees within the San Antonio Police Department were in the line of supervision of relatives, used their position to unfairly advance the interests of family members, and were directly involved in the hiring of relatives, in violation of Section 2-44 of the City of San Antonio Ethics Code. The complaint also alleged that several employees within the SAPD misappropriated City resources in violation of Section 2-49 of the Ethics Code. The complaint had been deferred on June 11, 2013, by a panel of the Board, pending investigation by the SAPD, Human Resources Department, and the City's Office of Municipal Integrity. The Panel received a briefing from staff regarding the final reports of the investigations conducted by the City regarding these allegations. The Panel unanimously voted to DISMISS the complaints in full due to 1) a lack of evidence sufficient to substantiate a finding of a violation of the Ethics Code as it pertains to nepotism, and 2) resolution of the actions giving rise to the allegations pertaining to misappropriation of City resources.
Feb 11, 2014	Unfair Advancement of Private Interests	Dismissed	Yes	On February 11, 2014, a panel of the Ethics Review Board convened to consider the ethics complaint filed against an employee of the San Antonio Municipal Airport HVAC Department. Bruce White filed the complaint on June 28, 2013, alleging that the employee used his position to advance unfairly the interests of a tenant at the Airport, in violation of Section 2-44 of the City of San Antonio Ethics Code. The complaint had been deferred on July 10, 2013, by a panel of the Board, pending investigation by the Human Resources Department and the City's Office of Municipal Integrity. The Panel received a briefing from staff regarding the final reports of the investigations conducted by the City regarding these allegations. After considering the complaint and the results of the investigations, the Panel unanimously voted to DISMISS the complaint in full due to 1) a lack of evidence sufficient to substantiate a finding of a violation of the Ethics Code, and 2) resolution of the actions giving rise to the allegations in the complaint.

**Ethics Complaint Submissions
By Category**

	Campaign Finance / Financial Disclosure	Conflicts of Interest	Nepotism	Unfair Advancement of Private Interests	Use of Public Resources	Returned - Not Notarized	Returned - Not within ERB Jurisdiction	Total
2014	0	2	2	1	0	0	4	9
2015	4	0	0	1	0	0	4	9
2016	1	2	0	0	1	0	3	7
2017	0	2	0	0	0	0	4	6
2018	1	0	0	0	1	2	7	11
2019	0	0	1	0	0	2	6	9
2020	1	0	0	1	0	1	3	6
2021	2	0	0	0	0	0	4	6
2022	0	0	0	0	0	0	1	1
2023	3	0	0	1	1	0	5	10
Total	12	6	3	4	3	5	41	74

Note: April 2023 case included allegations related to Campaign Finance and Use of Public Resources; therefore, counts were included in both categories.

**Ethics Complaint Submissions
By Status**

Heard by ERB

	Dismissed / Resolved	Letter of Notification		Pending	Resolved	Returned	Withdrawn	Total
2014	3	0		0	0	6	0	9
2015	2	0		0	0	6	1	9
2016	1	0		0	0	6	0	7
2017	0	0		0	0	6	0	6
2018	1	0		0	0	10	0	11
2019	1	0		0	0	8	0	9
2020	1	0		0	0	5	0	6
2021	0	1		0	0	5	0	6
2022	0	0		0	0	1	0	1
2023	0	0		1	1	7	0	9
Total	9	1		1	1	60	1	73

ERB Meeting Summary
(Includes Panel Meetings)

Year	Count
2014	4
2015	3
2016	6
2017	19
2018	7
2019	5
2020	2
2021	2
2022	12
2023	2
Total	62



National Civic League

Model City Charter

9th
edition
2021



A Publication of the National Civic League

Model City Charter
Ninth Edition
National Civic League

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Letter from our Co-Chairs

November 2021

The Model City Charter was first introduced to the public in 1900, a time of sweeping social and political reforms. The early versions of the model focused on addressing some of the most pressing challenges facing those growing cities—structural inefficiency, political corruption and the need for a merit system for public employees.

Given the challenges facing our communities in 2021, it is only fitting that this revised and updated edition of the Model City Charter addresses the need for heightened attention to the role of public engagement in local governance and the need to improve equity.

One of the results of the model-makers' early focus on professionalism and integrity is the relatively high trust levels among the public for local government in comparison to federal and state governments, as well as many other institutions. Part of this trust at the local level is due to the great work by city and county officials to engage the public and improve equity.

The Model City Charter has been used by cities and towns for over 120 years to structure their municipal governments and draft or revise their charters. With the last major revision occurring in 2000, we were honored to lead a year-long process involving dozens of thought-leaders and organization representatives to update the document and emphasize key principles, such as equity and civic engagement.

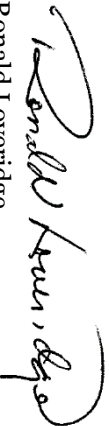
The new Model continues to advocate professional, nonpartisan city governance, with mayors and legislative bodies that work together with a manager to run city departments and solve public problems. While not all activities need to become part of the charter, we make a strong case that cities and towns need to structure all of their activities to reflect social equity and civic engagement, involving all the members of their community in civic affairs.

Please join us in the coming years in revisiting your charters to ensure that they reflect the values that we hold dear, that inclusive local governance involving everyone in our communities working together in a civil, pragmatic manner, can help our cities and towns thrive and contribute to addressing not only local matters but also the challenges that face our nation.

Signed,



Clarence Anthony, CEO &
Executive Director,
National League of Cities



Ronald Loveridge,
National Civic League
Former Mayor, City of Riverside, California



Marc A. Ott, CEO/Executive Director
International City/County Management Association



Kendra Stewart, Past President, Board Member,
American Society for Public Administration

INTRODUCTION

The Model City Charter is the product of more than 100 years of interaction of thought leaders on urban governance, practitioners in city government, and scholars who conduct research on local government. In the early editions, the thought leaders guided the others on how government should be organized. In later editions and now, they work together to refine recommendations about the ideal features city governments should have in order to achieve the highest level of governmental performance. Increasingly, community activists have been involved in the charter review process as well. In the new edition, the perspectives of all contributors are combined to develop the best current recommendations for promoting ideal city governments.

In preparing to review and revise the Model City Charter, the National Civic League recognized the need to better integrate a newer mission of promoting civic engagement and social equity with the older mission of emphasizing efficiency, expertise, and ethics. At the time of this revision, cities are operating in a context of increased consciousness around issues of inequities based on race, ethnicity, sexuality, gender, and socio-economic standing.

While national attention to police misconduct and the COVID-19 pandemic provide important background to the emphasis on equity in this edition of the Model City Charter, more persistent challenges such as disparities in access to and quality of education, housing, employment, economic opportunity, and technology motivate the emphasis on equity. Accordingly, this edition of the Model City Charter highlights the importance of using a social equity lens—paying careful attention to race, ethnicity, and other social characteristics when analyzing problems, looking for solutions, and defining success—throughout local government and stresses the urgency with which local government must govern for equity.

Current conditions also elevate the importance of active efforts to engage the public in governmental processes and community problem-solving efforts. Opportunities for community engagement have been present from the beginning of democratic governance as voters have selected officials in elections and approved certain programs in referenda. Select community members could take part in advisory bodies. These opportunities for participation have expanded but have tended to be exchanges between government and residents—providing information and receiving and soliciting resident input—rather than active engagement of residents through incorporation and collaboration.

Incorporating a full range of residents in the community regardless of their citizenship status means working directly with them throughout the governmental process to ensure that public concerns and aspirations are consistently understood and considered by staff. Collaboration involves partnering with residents in each aspect of the decision-making process, from identifying issues, developing alternatives, choosing the preferred solution, and implementation. Residents have received programs and services, but they can also be involved in addressing many community problems that can only be solved with active resident participation. Local governments have unique institutional mediating structures that can be established and leveraged toward this purpose.

As has been the case since the second edition in 1915, the ninth edition promotes the council-manager form of government as the core organizational feature. This form introduced a new

governance model to American government that is based on a unitary system rather than the separation of powers, a framework that frequently results in conflicts between branches of government. All powers of the city are vested in a popularly elected council, which appoints a professional manager who is continuously responsible to the public and removable by the council. It has improved the quality of the governmental process and city government performance.

Over the next six editions of the model charter, many revisions were made to strengthen the political leadership of the mayor, increase the representativeness of the council, promote civic participation, and encourage the development of regional approaches to issues that overlapped the boundaries of urban areas. These refinements to the model and innovations by local officials have strengthened the form. This new edition of the model charter continues the interaction of theory and practice. It reviews the structure now used by a majority of cities with more than 10,000 residents and examines changes that have been introduced by some governments to respond to new challenges.

The new edition offers further enhancements for local governments to consider. It is an important guide for all cities and towns whether they need to change their form of government or revise their existing charters. It proposes refinements and identifies the importance of incorporating new features and commitments. For those council-manager cities that face a movement to change the form of government to the mayor-council form based on separation of powers, the model charter will guide them in asserting the advantages of the council-manager form and countering misleading arguments in favor of abandonment. As always, it provides the arguments to support adopting the council-manager form for cities that use a different form.

The council-manager plan combines democratic governance with the capability to operate city government with the values of effectiveness, efficiency, and economy. The council-manager form promoted these “three e’s,” a capable governing body, and a city manager accountable to the council. The manager would promote these values by proposing sound policy options to the council and by using professional expertise and experience to ensure that the city administration accomplished council-approved policies effectively while achieving the highest level of efficiency and economy in use of resources. Now it is widely recognized that the development of policy proposals should also promote equity and the process of adopting, implementing, and assessing policies should engage a full range of residents.

Commitment to Social Equity

It is important to recognize that a long history of discrimination and the challenge of fully incorporating new and recently recognized groups into American society requires more than treating all equally, although equality would address many shortcomings. Access to services, quality of services, and expanded engagement can be promoted by equal treatment. Promoting equity also requires a recognition of disparities in conditions that affect the level of need, the effectiveness of programs, and the impact of policies on different population groups. Many governments have increased the diversity of their staffs, but still do not include persons with diverse characteristics at all levels of the organization or in making a full range of decisions or recommendations. A commitment to inclusion is needed to address these shortcomings. Fundamentally, equity cannot be assured unless government officials are aware of and seek to alleviate disparities across groups with different characteristics. A comprehensive and continuous assessment of access, quality, and

impact of services is needed. Some pioneering governments are incorporating a commitment to social equity, but most governments need to do more.

Attention to social equity is found in additions throughout the Model City Charter. Adopting an equity lens will reshape decisions and activities across all departments and programs. Advancing equity throughout local governments requires a fundamental reorientation of day-to-day operations.

To support such efforts, municipalities may consider creating a department, office, or agency whose sole task is to provide support to other divisions in local government with respect to the adoption of an equity lens. Given the breadth of implementation required for an equity lens to be applied—and the importance and urgency of the issue—an equity office is best organized as a direct report to the city manager’s office. That said, equity will be best advanced through the organization if each unit has designated an individual or a small team to serve as a lead resource within their department and a liaison to the city manager’s equity office. This office should be tasked with supporting the implementation of an equity lens, through the development of trainings, tools, communications, and other activities related to equity. (A companion publication is attached as an appendix that can be used as a resource for cities to implement equity recommendations.)

Expanding Public Engagement

There has been a long-standing commitment to increasing public engagement and participation. The need to expand provision of information to residents and opportunities for input was recognized in the Eighth Edition of the Model City Charter. There is increasing awareness, however, that new approaches are needed to engage residents in ongoing interactions with officials that go beyond one-way communication out of and into government.

Provisions should be made for resident input, and governments should provide information to the public, but more interaction is needed. Officials need to better understand the concerns residents have and how they would suggest addressing them at early stages in developing a proposal. They need to understand how programs and service delivery are affecting residents of all kinds in all parts of the jurisdiction. They need to be included as partners in assessing and helping to improve service delivery and in solving problems in their communities.

Community advisory boards are one tool to promote engagement, but the presence of these boards cannot be used to exclude other residents from being involved. Engagement means that residents and officials will know and understand each other better. Engagement also entails having an approach to involving residents that welcomes their participation in the implementation or “coproduction” of services and solutions to problems. Combining the two new e’s, some local governments are developing principles of equitable engagement to ensure that all persons and groups have meaningful opportunities to be involved. The emphasis on engagement also indicates that existing provisions in the Model Charter regarding transparency need to be observed.

The Model City Charter includes a new Article VII on the Role of Public Engagement in Governance. It identifies the forms of engagement that should be promoted in local government and the principles that should guide the city’s public participation processes. Finally, the article outlines the components that should be examined and the inclusive process that should be used to evaluate the public participation strategy and process. Public participation processes should expand the

capacity for meaningful resident engagement by developing collaborative working relationships and expanded knowledge of government.

The Case for the Council-Manager form and Features that Enhance its Performance

Although the council-manager form was once thought of as being fit only for small cities, it is now used by 61 percent of cities over 100,000 in population and five of the 11 cities with over a million residents.¹ Since 1990, local governments in 32 of America's 317 cities over 100,000 in population have grappled with the question of whether they should change from council-manager to mayor-council form or vice versa and held a referendum to change the form of government. The council-manager form has been replaced with the mayor-council form in 12 cities. On the other hand, the council-manager form replaced the mayor-council form in four cities. Abandonment of the council-manager form was rejected during this period in 15 large cities. The campaigns in support of the council-manager form often fail to include some important advantages of the form—in particular the leadership potential of the mayor and the full range of contributions by the city manager who is commonly described as simply responsible for day-to-day management of the city.²

To inform residents of cities that may consider adopting the council-manager form, it is important to review the advantages of the council-manager form and highlight features that enhance its performance.

The council in the council-manager form is a true governing body, not just a legislative body that checks the mayor. The council sets policy, of course, but it also sets goals and priorities, reviews and revises policy proposals, and oversees the performance of the manager and staff. The council chooses the city manager—the appointed chief executive officer—who is the best qualified applicant from across the country to achieve the vision the council has established for the city, and monitors the manager's performance. The council conducts real oversight through review of extensive information provided by the city manager.

Reference is made in the Model City Charter for the first time to the council's responsibility to regularly evaluate the performance of the city manager. Council decisions are built on the comprehensive and objective information and advice from the city manager that is provided to all of the council members and to the public. This kind of communication contributes to the inherent transparency of the council-manager form. The features of the council-manager form make it less likely than the mayor-council form to have instances of corruption.³

In the mayor-council form the council's role may be limited to reacting to the mayor's proposals based on information provided by the mayor. The oversight role can be constrained by limits on the performance data that the mayor will permit departments to provide to the council. A council

¹ James H. Svara and Douglas J. Watson, *More than Mayor or Manager*. Washington, D.C.: Georgetown University Press, 2010, pp. 12-16.²

² Svara and Watson, pp. 312-320.

³ Kimberly Nelson and Whitney B. Alfonso, "Ethics by Design: The Impact of Form of Government on Municipal Corruption," *Public Administration Review*, April, 2019.

member could be the beneficiary of a reward from the mayor for supporting his/her proposals, but council members could be punished for taking an independent stand. As is true of separation-of-powers structures at the state and national level, conflict between the mayor and council is likely and can produce divisions within the council based on differing levels of allegiance to the mayor. Disagreement between a majority of the council but fewer than the number needed to override a mayoral veto and the mayor can produce an impasse. In the council-manager form, the council is designed to be the governing body.

In contrast to past editions, the Ninth Edition states a preference for the use of district elections or combinations of district and at-large seats to ensure that the council accurately represents the population as a whole and to promote a closer relationship between council members and residents. Attention should also be given to promoting a large turnout of voters in council elections.

It is advantageous to have off-year, November elections to focus attention on local issues. Although some argue that it would be useful to take advantage of generally higher rates of voting by holding city elections along with state and national elections, it is difficult to prevent local issues from getting obscured when the local election is combined with higher level offices. Also, partisan divisions in the state and national campaigns may carry over to officially nonpartisan local elections.

Action should be taken to address the impediment to turnout caused by using a two-stage process. The turnout for the primaries that narrow the field of candidates, or for run-off elections, to choose the winner if no candidate receives a majority of votes, is generally lower than the general election. A remedy is available by using ranked-choice voting—the current form of an “instant runoff”—to determine winners in a single election. In addition to increasing turnout in the single election that determines the candidates chosen for office, ranking candidates means that voters’ preferences beyond their first choice can influence the outcome if their first-choice candidate is not selected. In ranked-choice election campaigns, candidates have an incentive to be more civil toward other candidates and reach out to the supporters of other candidates rather than simply attacking the other candidates.

The council-manager mayor is not a “weak” mayor. That term refers to cities that use the weak mayor-council form in which the mayor has certain executive powers but not others. Nor is the mayor an insignificant figurehead. As the authors of the introduction to the Eighth Model City Charter explained,

the mayor in the council-manager form is the chief legislator, the leader of the policy-making team. This mayor can be a “strong” mayor who, not having to overcome the offsetting power of the council or not being bogged down with the details of managing the city’s staff, can focus on facilitative leadership. The mayor is effective by helping the council and staff perform better. High involvement by the council and the manager and constructive relationships among officials are indicators of successful leadership by the mayor. Effectiveness does not mean charting an independent path or taking over tasks from the manager.

The mayor is a comprehensive leader who draws on the features of the council-manager form of government to make it even more effective. The mayor is a community leader who interacts extensively with the public. The mayor strives to create a shared vision for the city with the support

of the entire council. The facilitative mayor helps to assure that there is extensive and positive communication between the council and the manager. The mayor also focuses on communicating with the public and ensuring that their views are being incorporated in the decision made by the council and the priorities being pursued by staff. The leadership role of the mayor is supported by direct election. Candidates speak to the full population about citywide issues and the proposals they are advancing, and residents are able to indicate which candidate and proposals they support.

City managers do not just handle the day-to-day operations of city government, as the typical description of the manager's role emphasizes, although this is a crucial contribution. They also manage achieving the long-term goals of the city and provide the council with a professional perspective on the opportunities and challenges that the city faces. Managers are a driving force for innovation and improved performance, and council-manager cities have a stronger record of innovation than mayor-council cities.

Governments are increasingly involved in partnerships to advance their goals, and top administrators must develop strategies to promote their success. John Nalbandian argues that local government managers increasingly act as facilitators, "promoting and nurturing partnerships... both within city government as well as between it and other organizations."⁴ Compared to elected officials, managers are uniquely positioned to carry out this function, without the risk that the activity will turn into coalition-building for political purposes.

Governments work with nonprofits, resident groups, and other governments in a complex array of activities. Local government managers are called upon to be knowledgeable about these partnerships and the interactions among them, understand their goals, and take steps to support them even though many of the participants are not members of the local government staff. In recognition of these new responsibilities, the Society of Local Authority Chief Executives in Great Britain calls its members the "chief strategic officers" in their governments (SOLACE 2005).⁵ It is the city manager who is best situated to oversee strategy by being knowledgeable about and facilitating the success of these joint endeavors.

The council-manager form with an elected mayor provides for vision, shared governance, informed advice and complete information about performance, a professional executive with the requisite experience and expertise, and continuous transparency. Local governments do not have to keep using or revert to the separation-of-powers structure used at higher levels of government nor do they have to take the chance that a mayor as chief executive is not well prepared for the office or not able to handle its broad scope of responsibilities. The council is not constrained by its subordinate position, and the performance of administrative staff is not impacted by the political interests of the mayor. The council-manager form is designed for local governments and intended to promote the best performance of all the officials. It is also more likely to be receptive to innovation and emerging values.

At the present time, addressing bitter partisanship, polarization, and a declining level of public confidence in powerful institutions requires a high level of adaptiveness and innovation. These

⁴ John Nalbandian, "Politics and Administration in Local Government," *International Journal of Public Administration*, 29, 1052.

⁵ Society of Local Authority Chief Executives in Great Britain, *Leadership United: Executive Summary*. London: Society of Local Authority Chief Executives and Senior Managers, 2005.

challenging conditions call for a new framework for a twenty-first century reform movement that fosters resident-centered democratic governance that addresses institutional racism, political conflict, and declining confidence in democracy by expanding the civic agency of everyday people, and building resilient, local, multiracial democratic institutions. We hope this model charter can contribute to an environment in which local governments can rebuild confidence in democratic institutions, bridge the polarization gap and bitter partisan divides, increase our capacity for public problem-solving and move the country toward a genuine, participatory, multi-racial democracy while retaining the enhanced capacity for effective governance that has been developed over the past century.

- *James Svava, Steering Committee Member; Senior Fellow, School of Government, University of North Carolina-Chapel Hill*

Article VIII

GENERAL PROVISIONS

Introduction.

All communities should have fully developed provisions dealing with the ethical expectations essential to responsible government. Ethics provisions foster public trust in the integrity of city government and serve as a check on improper or abusive behavior by city officials and employees. Communities should also have a comprehensive campaign finance code requiring, at the least, disclosure of sources of money used in the campaign for city office. The amount of money flowing into local races continues to grow and must be regulated to help avoid the public perception of corruption.

Section 8.01. Conflicts of Interest; Board of Ethics.

(a) Conflicts of Interest. The use of public office for private gain is prohibited. The city council shall implement this prohibition by ordinance, the terms of which shall include, but not be limited to: acting in an official capacity on matters in which the official has a private financial interest clearly separate from that of the general public; the acceptance of gifts and other things of value; acting in a private capacity on matters dealt with as a public official; the use of confidential information; and appearances by city officials before other city agencies on behalf of private interests. This ordinance shall include a statement of purpose and shall provide for reasonable public disclosure of finances by officials with major decision-making authority over monetary expenditures and contractual and regulatory matters and, insofar as permissible under state law, shall provide for fines and imprisonment for violations.

(b) Board of Ethics. The city council shall, by ordinance, establish an independent board of ethics to administer and enforce the conflict of interest and financial disclosure ordinances. No member of the board may hold elective or appointed office under the city or any other government or hold any political party office. Insofar as possible under state law, the city council shall authorize the board to issue binding advisory opinions, conduct investigations on its own initiative and on referral or complaint from officials or resident, subpoena witnesses and documents, refer cases for prosecution, impose administrative fines, and to hire independent counsel. The city council shall appropriate sufficient funds to the board of ethics to enable it to perform the duties assigned to it and to provide annual training and education of city officials and employees, including candidates for public office, regarding the ethics code.

Commentary.

Many states have conflict of interest and financial disclosure laws which include local officials as well as state officials. Cities in these states may wish to modify this section accordingly by either eliminating duplication with state law or providing for local filing of state forms to provide local access to the information.

Instead of providing essentially statutory language, this section mandates council passage of ordinances covering certain basic subjects and which provide for a specific mechanism

to administer and enforce the law. This permits amendment as may be required without a referendum, which would be necessary if the charter covered the subject in detail. This provision shows that the charter is serious about the need for dealing with ethics problems but at the same time leaves it to the city council to adopt the formulation most appropriate for the specific situation. It makes a provision for a Board of Ethics but leaves details on the board's composition and procedure to the council.

Other provisions councils could adopt, but not listed in the Model, relate to acting in an official capacity over any campaign donor who contributes \$__ or more to the official's campaign; the hiring of relatives; acting in an official capacity on matters affecting a prior employer within a designated time period after leaving the employer; accepting outside employment while in office; and accepting employment with an employer over whom the official or employee acted in an official capacity, within a designated time period after leaving office. Westminster, Colorado, pioneered the conflict of interest approach to limiting campaign contributions, via charter amendment, and other cities have expressed interest in following its example either by charter or ordinance. A substantial number of cities restrict hiring of relatives and prior, outside, and subsequent employment arrangements.

Section 8.02. Prohibitions.

(a) Activities Prohibited.

- (1) No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to any city position or appointive city administrative office because of race, gender, age, sexual orientation, disability, religion, country of origin, or political affiliation. The city may adopt policies to increase diversity in employment and contracting and/or to remedy the effects of past discrimination.
- (2) No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment under the provisions of this charter or the rules and regulations made there under, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules and regulations.
- (3) No person who seeks appointment or promotion with respect to any city position or appointive city administrative office shall directly or indirectly give, render or pay any money, service or other valuable thing to any person for or in connection with his or her test, appointment, proposed appointment, promotion or proposed promotion.
- (4) No person shall knowingly or willfully solicit or assist in soliciting any assessment, subscription or contribution for any political party or political purpose to be used in conjunction with any city election from any city officer or city employee.
- (5) No city officer or city employee shall knowingly or willfully make, solicit, or receive any contribution to the campaign funds of any political party or committee to be used in a city election or to campaign funds to be used in support of or opposition

to any candidate for election to city office. Further, no city employee shall knowingly or willfully participate in any aspect of any political campaign on behalf of or opposition to any candidate for city office. This section shall not be construed to limit any person's right to express opinions or to cast a vote nor shall it be construed to prohibit any person from active participation in political campaigns at any other level of government.

- (6) City officers or employees may spend public funds and advocate for the city's position on a city ballot issue when the city is authorized to adopt a position to support or oppose a specific city ballot issue and has formally: adopted a position to support or oppose a specific ballot issue, authorized the expenditure of public funds, or authorized city officers or employees to speak and campaign on its behalf on the measure.

(b) Penalties.

Any person convicted of a violation of this section shall be ineligible for a period of five years following such conviction to hold any city office or position and, if an officer or employee of the city, shall immediately forfeit his or her office or position. The city council shall establish by ordinance such further penalties as it may deem appropriate.

Commentary.

The activities prohibited by this section are antithetical to the maintenance of a sound, permanent municipal service. The prohibition against discrimination states basic municipal policy which applies to all personnel relationships. Prohibiting fraud or attempted fraud and bribery in connection with appointments and promotions by charter provision stresses the importance of maintaining the integrity of the public service. Prohibitions against political solicitation and participation in political campaigns afford protection for the employee as well as the integrity of the system. State law of general application may be sufficiently comprehensive to cover the activities prohibited by this section. If so, the charter need not contain these provisions except to give confirmation of public acceptance of these policies.

In *FOP v. Montgomery County*, <https://mdcourts.gov/data/opinions/coa/2016/45a15.pdf> Maryland's highest court recognized the right of "government speech" in the context of a ballot issue associated with remedying a charter provision that provided for "effects" bargaining in the police department and which inhibited police reform. The Court concluded that who better than the government to speak on issues of its operations and allowed public funds and employees to be used to support the county's position in a referendum that the FOP sought to overturn the charter change. Wording in section 8.02. 5 has been changed in this edition to preserve—in those jurisdictions like Maryland that would allow support of certain ballot initiatives—the authority of employees to act on behalf of the city to support a ballot measure. The Court's opinion was very limited and does not offer support for the view that the government can use public funds or employees to support measures that do not affect the operation of the government. Thus, the language in the proposed amendment provides that this support can only be offered "where authorized."

Section 8.03. Campaign Finance.

(a) Disclosure. The city council shall enact ordinances to protect the ability of city residents to be informed of the financing used in support of, or against, campaigns for locally elected office. The terms of such ordinances shall include, but not be limited to, requirements upon candidates and candidate committees to report in a timely manner to the appropriate city office: contributions received, including the name, address, employer, and occupation of each contributor who has contributed _____ or more; expenditures made; and obligations entered into by such candidate or candidate committee. In so far as is permissible under state law, such regulations shall also provide for fines and imprisonment for violations. The ordinance shall provide for convenient public disclosure of such information by the most appropriate means available to the city.

(b) Contribution and Spending Limitations. In order to combat the potential for, and appearance of, corruption, and to preserve the ability of all qualified community members to run for public office, the city shall, in so far as is permitted by state and federal law, have the authority to enact ordinances designed to limit contributions and expenditures by, or on behalf of, candidates for locally elected office. Ordinances pursuant to this section may include but are not limited to: limitations on candidate and candidate committees that affect the amount, time, place, and source of financial and in-kind contributions; and, voluntary limitations on candidate and candidate committee expenditures tied to financial or non-financial incentives.

Commentary.

This section was added to the eighth edition in recognition of the substantial number of cities that have enacted campaign finance laws since the seventh edition. This trend indicates that increasingly large amounts of private money have permeated local elections and reflects public perception that such money has had a distorting influence on the democratic process.

Section 8.03(a) provides for disclosure of candidate contributions and expenditures. A strong majority of cities in the United States have some form of campaign contribution and expenditure disclosure requirements. This section of the charter requires the city to provide for timely disclosure of such funds. It further requires that disclosure of contributions above a certain threshold include the donor's employer and occupation. Such information allows the public to identify the sources of funding that influence local elections. The requirement that the city provide for "convenient public disclosure" is meant to encourage electronic disclosure over city web sites when such technology and resources are available.

Section 8.03(b) provides the city with express authority, but not a mandate, to enact any of the several innovative campaign finance laws that cities have enacted over the last three decades. This includes options such as contribution limitations, time limits on fund raising, and public financing as an incentive for candidates to adhere to voluntary spending limits.

SWORN COMPLAINTS

An individual may file a sworn complaint with the Ethics Commission alleging a violation of any of the laws it administers, and Sections 334.025 and 335.055, Local Government Code, concerning false and misleading campaign material supporting or opposing the authorization of a sports or community venue project. The Commission does not have the authority to enforce the Penal Code.

A sworn complaint sets in motion a process that may include a preliminary review hearing and a formal hearing, and which permits resolution of the matter at several points in the process. The Commission may ultimately resolve a sworn complaint by dismissal, referral for criminal prosecution, or imposition of a civil penalty. A final decision of the Commission in a sworn complaint process may be appealed to a district court for a trial de novo. During most stages of the process, the Commissioners and Commission staff members are required to keep the complaint confidential.

ENFORCEMENT AND INVESTIGATIVE POWERS

The Ethics Commission is authorized to undertake civil enforcement actions on its own motion or in response to a sworn complaint, hold enforcement hearings, issue orders, and impose civil penalties.

*This pamphlet presents a brief overview of the Texas Ethics Commission. If you have a question about your own activities, we urge you to request an opinion from the Commission **before** engaging in the activity in question. Requests to the Commission for an advisory opinion must be in writing. You may also call the Commission's Legal Department at (512) 463-5800 for informal advice.*

In compliance with the Americans With Disabilities Act, the publications of the Texas Ethics Commission are available by request in alternative formats. To request an accessible format, please contact our ADA Compliance Officer by telephone at 512-463-5800, or through RELAY Texas at 800-735-2989; or by mail in care of the Texas Ethics Commission, P. O. Box 12070, Austin, Texas 78711-2070.

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TEXAS ETHICS COMMISSION

*Promoting Public Confidence
In Government*



Texas Ethics Commission

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Revised January 10, 2017

THE TEXAS ETHICS COMMISSION

On November 5, 1991, Texas voters approved an amendment that added Article III, Section 24a, to the Texas Constitution. The constitutional amendment created the Texas Ethics Commission. The amendment set out the method by which the eight members of the Commission are to be appointed, with four of the Commissioners appointed by the Governor, two appointed by the Lieutenant Governor, and two appointed by the Speaker of the Texas House of Representatives. No more than four members may be from the same political party.

CONSTITUTIONAL DUTIES

The Texas Constitution provides that the Ethics Commission may recommend the salary of members of the Legislature, the Lieutenant Governor, and the Speaker of the House of Representatives, subject to approval by the voters at the subsequent general election for state and county officers. Also, the Commission must set the *per diem* of members of the Legislature and of the Lieutenant Governor. The Legislature is to determine the other powers and duties of the Commission.

RULEMAKING

The Ethics Commission has rulemaking authority with respect to the laws it administers. Adoption of a rule requires an affirmative vote by six Commissioners.

LAWS ADMINISTERED BY THE TEXAS ETHICS COMMISSION

Statutory duties of the Ethics Commission are in Chapter 571 of the Government Code. The agency is responsible for administering these laws: (1) Title 15, Election Code, concerning political contributions and expenditures, and political advertising; (2) Chapter 302, Government Code, concerning the election of the Speaker of the Texas House of Representatives; (3) Chapter 303, Government Code, concerning the governor for a day and speaker's reunion day ceremonies; (4) Chapter 305, Government Code, concerning lobbyist registration, reports, and activities; (5) Chapter 572, Government Code, concerning personal financial disclosure of state officers and conduct of state officers and employees; (6) Chapter 2004, Government Code, concerning representation before state agencies; (7) Chapter 159, Local Government Code, concerning judges of statutory county courts or statutory probate courts who elect to file a financial statement with the Commission; (8) Government Code, Section 2152.064 (concerning Conflict of Interest in Certain Transactions involving the Texas Facilities Commission); and (9) Government Code, Section 2155.003 (concerning Conflict of Interest involving the Office of the Texas Comptroller of Public Accounts).

ADVISORY OPINIONS

The Commission has the authority to issue an advisory opinion in response to a request from a person subject to any of the laws it administers, as well as Chapter 36, Penal Code, concerning bribery and corrupt influence, and Chapter 39, Penal Code, concerning abuse of office. It is a defense to prosecution or the imposition of a civil penalty under any of these laws that a person reasonably relied on an advisory opinion of the Commission. The name of a person requesting an advisory opinion must be kept confidential by the Commission.

FINANCIAL DISCLOSURE

The Ethics Commission serves as a repository of required disclosure statements for state officials, candidates, political committees, lobbyists, and certain district and county judicial officers.

TRAINING

The Ethics Commission provides, in cooperation with state agencies, a program of ethics training for state employees, and also provides training for members and members-elect of the Texas Legislature concerning compliance with laws administered by the Commission. The Commission also produces educational materials and provides training programs for other groups affected by laws administered by the Commission.

Ethics Officer Research

Austin, TX

- Does not have an Ethics Officer position.
- The Open Government / Ethics and Compliance division of the City Attorney's Office provides legal advice and ethics training to City employees, boards and commissions, and elected officials.
 - Intended to serve educational purposes, the division does not conduct investigations nor give advice to members of the public.
 - Depending on the matter, the Auditor's Office or the Human Resources Department handles investigative and disciplinary action.
- Legal staff provide support to Ethics Commission.

Dallas, TX

- Ethics is overseen by The Inspector General's Division (IGD) a division of the City Attorney's Office.
- They are the investigative authority that assumes the primary responsibility of identifying, investigating, and resolving ethical issues within the city.
 - The IGD is also responsible for investigating other municipal integrity matters such as those related to fraud, waste, and abuse.
- The IGD in coordination with the City Attorney's Office, issues advisory opinions on ethical matters and provides training and information related to the Code of Ethics to city officials, employees, and others doing business with the city.
- The IGD is comprised of attorneys, investigators, and support staff including a Chief Integrity Officer who implements city-wide ethics training, provides confidential and general advisory opinions, and promotes ethics in the City.
- Unable to locate job description for Integrity Officer; however, it appears previously the position was classified as an Ethics Officer with the following minimum qualifications:
 - Bachelor's degree (or higher) in related field
 - At least 6 - 8 years of experience in ethics program management which included delivering ethics training, monitoring the organizations' ethical climate, evaluating potential ethics violations, employee relations and/or program management for a large organization.
 - Certification: CCEP issued by the Society of Corporate Compliance & Ethics (SCCE)

El Paso, TX

- Does not have an Ethics Officer position.
- The City Attorney's Office is tasked by the ethics ordinance (EO) with providing support to the Ethics Review Commission and the officials and staff of the City.
- City Attorney, Deputy City Manager and City Manager staff support Ethics Review Commission

Ft. Worth, TX

- Does not have an Ethics Officer position.
- Ethics program includes the following parts:
 - Ethics Advisory Commission: ERC is convened only after an ethics complaint is submitted. This complaint can be submitted to the city attorney's office, or if the City Council or city manager makes a specific request. In these cases, four members are selected randomly from the planning, zoning, and adjustment boards, along with an attorney chosen by the City Council. Once the complaint is resolved, the commission is disbanded.

- The City Attorney's Office: The City Attorney's Office provides legal advice and assistance to the Ethics Advisory Commission and can issue advisory opinions on ethical matters.
- The City Council: Ultimately, the City Council has the final say on all matters related to ethics, including approving the Code of Ethics, appointing the Ethics Advisory Commission, and taking disciplinary action against city officials or employees who violate the Code.

Houston, TX

- Does not have an Ethics Officer position.
- The City Attorney's Office is responsible for providing ethics opinions and also provides ethics training
- Legal staff provides support for Ethics Commission

Atlanta, GA

- Has an Ethics Officer who oversees the Ethics Office.
- The Ethics Office provides general and targeted ethics training to city officials, employees, and contractors on the City's Code of Ethics; provides written and oral ethics advice to city officials and employees; investigates complaints falling under the jurisdiction of the Code of Ethics, prosecutes violations of the Code of Ethics, coordinates the City's ethics and compliance hotline (Integrity Hotline), and manages the City's financial disclosure system.
- Ethics Office currently has a staff of 11 individuals – including the Ethics Officer, Deputy Ethics Officer, Program Manager, Analysts, Investigator, and administrative support staff.
- The City Ethics Officer is appointed by the Governing Board of the Office of the Inspector General and Ethics Office for a period of five years, subject to confirmation by the City Council and approval by the Mayor. The Ethics Officer must be a city resident and an active member of the Georgia Bar Association with at least five years' experience in the practice of law. The City Code of Ethics prohibits the Ethics Officer from being involved in the City's partisan political activities or political affairs.
- Ethics Office is separate from Inspector General's Office but overseen by same governing board.

Phoenix, AZ

- Does not have an Ethics Officer position.
- Violations of ethics policies and laws by elected officials and board members are enforced through the City of Phoenix Ethics Commission.
 - Note: Although previously approved, first members appointed in December 2023.
- Violations of ethics policies and laws by employees and volunteers are enforced through the City Manager.
- Appears the City Auditor, the City Attorney, and the City Manager's Office work together to address issues reported to the Integrity Hotline.

Charter Review Commission
Subcommittee Status Report

Subcommittee:	City Council Compensation And Term Length
Charge:	City Council Member Compensation - Whether City Council members should be compensated on indexed terms that more accurately reflect the city's cost of living and lower barriers to participation in City government City Council Term Length - Whether Mayor or Mayor and Council terms should be extended to four years with a limit of two terms, and whether such terms should be staggered
Reporting Period:	February 8, 2024

Members in attendance:

Subcommittee met multiple times in this reporting period. All subcommittee members attended as well as staff from the City Manager's and City Attorney's Offices.

Meeting agenda:

- Discussion of scope of AMI
- Discussion of using multiplier with AMI
- Discussion of outside and secondary employment as council member and mayor

Discussion summary:

- City staff shared San Antonio-only area median income (from 2022)
- Discussion on statistical area versus City of San Antonio AMI
 - Last charter amendment was San Antonio-only AMI
- Use AMI as a basis for finding a multiplier. Indexing a multiplier
- Research question: Look at AMI within a certain date range? 07-current.
- Research question: Historical data where City did not do a COLA adjustment
- Discussion of outside employment as a council member and mayor.
- Discussion of LGC and Council staff members
- Panel discussion with past council members?

San Antonio Area Median Income

The U.S. Census Bureau's webpage on the American Community Survey calculates a Median Household Income for 2022 for San Antonio (within City Limits) which is below. This is the reference that was used by the 2015 charter review commission.

2022 Median household income, U.S. census Bureau

\$58,829

https://data.census.gov/table/ACSST1Y2022.S1901?q=United States&t=Income and Poverty&g=010XX00US_160XX00US4865000

2022 AMI	\$58,829
1.1 times	\$64,711.90
1.2 times	\$70,594.80
1.3 times	\$76,477.70
1.4 times	\$82,360.60
1.5 times	\$88,243.50

Charter Review Commission
Subcommittee Status Report

	City Manager Tenure & Compensation
Charge:	<p>City Manager Tenure – Whether the City Council should have the authority and discretion to hire, manage, and determine the length of service of the City Manager</p> <p>City Manager Compensation – Whether the City Council should determine the compensation of the City Manager so that market and competitive indicators are taken into account</p>
Reporting Period:	January 29, 2024

Members in attendance: Chair Pat Frost; Members Elva Pai Adams, Martha Martinez-Flores, Naomi Miller, Dwayne Robinson (conducted by Webex and supported by Liz Provencio, First Assistant City Attorney; Renee Frida, Director of Human Resources; Krystal Strong, Assistant Director of Human Resources); Co-Chair Bonnie Prosser Elder also participated.

Meeting agenda:

After subcommittee members joined and HR Director and Assistant Director were introduced:

- Historical Information: Review 2019 Governance Committee Presentation/2018 Segal Waters Compensation Survey Results – Appointed Executive Positions City Manager, City Internal Auditor, City Clerk, and Presiding Judge of the Municipal Court
- Comparator Information: Chief Executive Survey 2024 Local Organizations (COSA, Brooks, CPS, ort SA, SAWS, UHS, VIA, ACCD, UTSA, County Manager) and Peer Cities (Austin, Dallas, Fort Worth, Phoenix, El Paso, Corpus Christi, San Diego, Charlotte, Arlington, Plano, Laredo, Oklahoma, San Jose, Lubbock)
- Discussion
- Additional Requests for Information and Additional Dates for CMTC Subcommittee meeting

Next Steps

Discussion summary:

The Subcommittee discussed the attached PDFs of 2018/2019 historical information considered by Mayor/Council in determining appointed executive pay, and comparator governmental entities’ executives and Texas cities’ City Manager pay in 2024. Overall the Subcommittee expressed a desire to be a competitive City in its City Manager role

Charter Review Commission
Subcommittee Status Report

Resources consulted (for example, guests or experts invited to speak, benchmarks, or reports):

- Human Resources Director provided background on the Historical Information: Review 2019 Governance Committee Presentation/2018 Segal Waters Compensation Survey Results – Appointed Executive Positions City Manager, City Internal Auditor, City Clerk, and Presiding Judge of the Municipal Court
 - She noted that this survey is reflective of what the City Council has used to determine pay for other appointed executive positions and continues to be current practice by City staff pay
 - Factors included to determine pay are relative City increases in pay, employee performance, and market comparisons
 - The 2018 pay range reflected for City Manager is above the current 2024 pay for COSA City Manager
- Comparator Information: Chief Executive Survey 2024 Local Organizations (COSA, Brooks, CPS, Port SA, SAWS, UHS, VIA, ACCD, UTSA, County Manager) and Peer Cities (Austin, Dallas, Fort Worth, Phoenix, El Paso, Corpus Christi, San Diego, Charlotte, Arlington, Plano, Laredo, Oklahoma, San Jose, Lubbock).
 - In discussion, the Subcommittee members noted that the information is robust and the current City Manager pay is lower and differs greatly from those in similar positions.
 - An additional point of information that would be helpful for comparison is what the prior City Managers earned where an interim is serving, as well as how many years of experience an executive possesses.
 - As a first-rate City, Subcommittee members noted it is disappointing to see the difference between COSA pay and other comparators
 - There was concern expressed for the City’s ability to compete long term and attract candidates in the future. We want to be competitive.

Next steps including requests or deliverables needed from staff:

- The Subcommittee asked for any additional information that would inform the 2024 survey that would include prior City Manager’s pay where currently an interim serves (Austin, El Paso for example) and any other factors Human Resources uses to benchmark in practice
- The Subcommittee will revisit comparative City charter language, along with additional options that would provide for more competitive pay for the City Manager position
- After the next Full CRC meeting on February 8, this Subcommittee will meet on February 12 at 4:00 p.m. by Webex

End of Status Report.



City of San Antonio

Agenda Memorandum

File Number: 19-2639

Agenda Item Number: 4.

Agenda Date: 3/20/2019

In Control: Governance Committee

DEPARTMENT: Human Resources

DEPARTMENT HEAD: Lori Steward

COUNCIL DISTRICTS IMPACTED: City-wide

SUBJECT:

Mayor & City Council Appointed Executive Compensation Report

SUMMARY:

Briefing regarding compensation report of executives appointed by the Mayor and City Council.

BACKGROUND INFORMATION:

On June 21, 2018, City Council approved a professional services agreement with The Segal Company (Western States) Inc., dba Segal Waters Consulting for the development of evaluations and compensation review of executives appointed by the Mayor and City Council for 2019 and beyond. These services specifically include the following positions: City Manager, City Internal Auditor, City Clerk and Presiding Judge of the Municipal Court.

ISSUE:

The Governance Committee will be briefed by Segal Waters Consulting on the final compensation report.

ALTERNATIVES:

This item is for briefing purposes.

FISCAL IMPACT:

This item is for briefing purposes.

RECOMMENDATION:

This item is for briefing purposes.

City of San Antonio, Texas
Governance Committee



EXECUTIVE COMPENSATION & PERFORMANCE

March 20, 2019

Presented By:

Linda G. Wishard, SPHR, SHRM-SCP, CCP, CMP
Vice President, Senior Consultant



**Segal Waters
Consulting**

Purpose

- City Council hired **Segal Waters Consulting** to create a consultant-managed performance review process and research appropriate compensation levels for:
 - City Manager
 - City Clerk
 - City Auditor
 - City Presiding Judge of Municipal Court

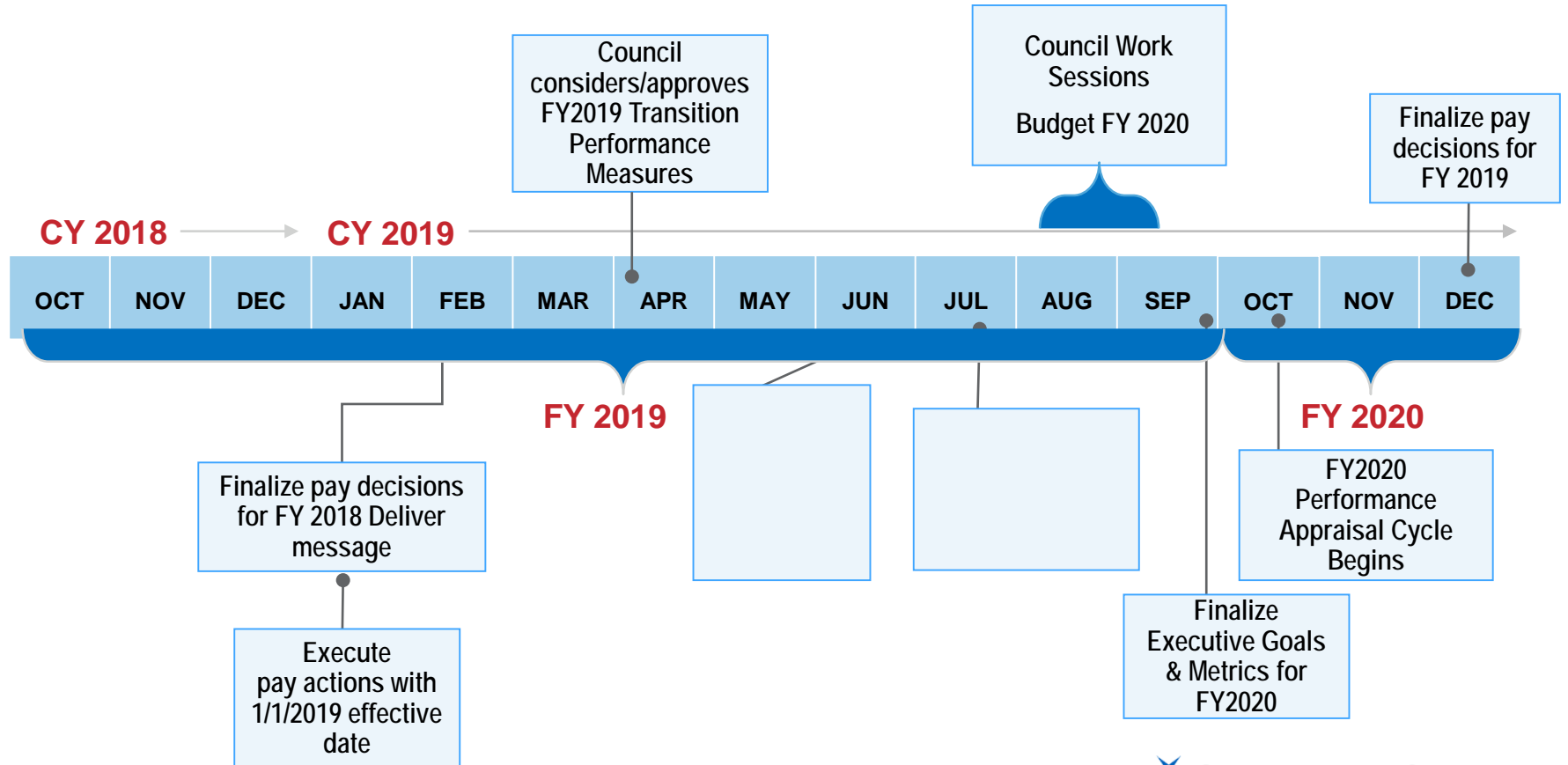
Methodology

- One-on-one interviews with the Mayor, Council Members, and position incumbents
- Written summary report with a focus on key design considerations and recommendations
- Developed draft job descriptions
- Developed performance appraisal forms, competencies and sample metrics
- Customized external market salary survey and analysis of peer comparators
- Final Report – Executive Compensation

Actions for Review

- Formal action has been approved by Council in Executive Session for FY2018 compensation adjustments
- Formal performance metrics developed for FY2019 by the City's Human Resources Department in collaboration with the position incumbents
- Segal Waters to provide training (dates to be determined) regarding use of appraisal forms
- Timeline for preparation of FY2020 performance measures

Executive Performance Management Timeline



Compensation Study Methodology

- Segal Waters proposed benchmark comparators which included a review of budget and staff size to be surveyed as approved by the City's Project Team
- Developed/distributed customized market survey to ten (10) peer employers selected for participation in the study.
- The City of San Antonio Human Resources Department obtained competitive data information for the City Manager position from additional agencies.

Compensation Study Methodology (Continued)

Peer Employers	Responded to Survey
City of Austin, TX	√
City of Charlotte, NC	√
City of Dallas, TX	√
City of El Paso, TX	√
City of Fort Worth, TX	√
City of Houston, TX	√
City of Oklahoma City, OK	√
City of Phoenix, AZ	√
City of San Jose, CA	√
City of Virginia Beach, VA	√
Additional Organizations – City Manager Position Only	
Alamo Colleges District	√
Bexar County	√
Brooks	√
CPS Energy	√
San Antonio Water System (SAWS)	√
University Health System	√
University of Texas - San Antonio	√
VIA Metropolitan Transit	√
Valero Alamo Bowl	√

Compensation Study Methodology (Continued)

- Segal Waters applied geographic adjustments to account for differences in the cost-of-labor by location

Peer Employer	Location Used for ERI Factor Comparison	ERI Factor	Geographic Adjustment
City of Austin, TX	Travis	104.4	-4.2%
City of Charlotte, NC	Mecklenburg	105.6	-5.3%
City of Dallas, TX	Dallas	107.6	-7.1%
City of El Paso, TX	El Paso	99.7	0.3%
City of Fort Worth, TX	Tarrant	101.9	-1.9%
City of Houston, TX	Harris	109.7	-8.8%
City of Oklahoma City, OK	Oklahoma	93.8	6.6%
City of Phoenix, AZ	Maricopa	99.0	1.0%
City of San Jose, CA	Santa Clara	123.9	-19.3%
City of Virginia Beach, VA	Independent City	99.8	0.2%
City of San Antonio, TX	Bexar	100.0	0.0%

Compensation Study Methodology (Continued)

- Segal Waters analyzed collected data to identify the City's current market position for actual base pay
- Segal Waters reported peer comparator pay practices

Compensation Study Findings

Data Source	City of San Antonio Actual Pay as a Percent of the Market Average		
	COSA Actual Average Salary %	COSA Actual Average Salary	Market Actual Average Salary
City Clerk	138%	\$172,768	\$125,025
City Internal Auditor	109%	\$184,395	\$169,512
City Manager	105%	\$475,000	\$453,345
Presiding Judge of the Municipal Court	107%	\$155,085	\$144,557

Figures shown in **red** are below market (less than 95% of the market average)

Figures shown in **black** within the market range (95% to 105% of the market average)

Figures shown in **blue** are above market (more than 105% of the market average)

Compensation Study Recommendations

- Segal Waters provided recommendations in a written Final Report for Council's consideration, including:
 - Pay Philosophy
 - Future base pay increases and pay structure adjustments
 - Recommendations to consider supplemental pay and pay practices
 - Proposed salary ranges

Proposed Salary Range – 50th Percentile

	Pay Range Minimum	Pay Range Midpoint	Pay Range Maximum	Range Width
City Clerk	\$97,094.16	\$126,222.40	\$155,350.65	60%
City Internal Auditor	\$128,067.48	\$166,487.73	\$204,907.97	60%
Presiding Judge	\$108,900.52	\$141,570.67	\$174,240.83	60%
City Manager ¹	\$352,157.20	\$457,804.36	\$563,451.52	60%

¹Proposed pay range provided for informational purposes only, due to the City passing Proposition B in November 2018, which caps the City Manager’s salary at ten times the earnings of the lowest-paid City employee.

The proposed pay range is calculated using the overall comparator market midpoint average as represented in Appendix B for each appointed executive position. The proposed pay range is based on a 60 percent pay range spread as consistent with COSA's current executive pay structure. We recommend using the same methodology to generate the proposed structure to maintain the City's approach.

Proposed Salary Range – 75th Percentile

	Pay Range Minimum	Pay Range Midpoint ²	Pay Range Maximum	Range Width
City Clerk	\$102,847.30	\$133,701.49	\$164,555.68	60%
City Internal Auditor	\$128,947.58	\$167,631.86	\$206,316.13	60%
Presiding Judge	\$121,092.46	\$157,420.20	\$193,747.94	60%
City Manager	\$384,615.38	\$500,000.00	\$615,384.62	60%
² Proposed ranges based on 75th percentile of market midpoints.				

QUESTIONS?



★ Segal Waters Consulting

Linda G. Wishard, SPHR, CCP, SHRM-SCP, CMP
Vice President, Project Manager

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City of San Antonio, Texas

**2018 COMPENSATION SURVEY RESULTS –
EXECUTIVE POSITIONS**

February 1, 2019

**Final
Report**

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City of San Antonio, TX
2018 Executive Compensation Study
February 1, 2019

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Executive Summary

Background

The City of San Antonio, TX (“the City”) engaged Segal Waters (“Segal”) to conduct an executive management compensation study to determine the market competitiveness of the City’s compensation offerings. Comparative data is effective as of **November 1, 2018**.

The primary objective of the study was to determine the City’s market position for the following executive positions:

- City Clerk
- City Internal Auditor
- City Manager
- Presiding Judge of the Municipal Court

We collected information on pay and pay practices from the following ten (10) public sector peer employers and three (3) published data sources. Data for nine additional organizations was provided by the City of San Antonio for the City Manager position only.

Public Sector Employers:

- City of Austin, TX
- City of Charlotte, NC
- City of Dallas, TX
- City of El Paso, TX
- City of Fort Worth, TX
- City of Houston, TX
- City of Oklahoma City, OK
- City of Phoenix, AZ
- City of San Jose, CA
- City of Virginia Beach, VA

Published Data Sources:

- ERI Salary Assessor - San Antonio, TX
- IBM Kenexa – CompAnalyst
- Towers Watson - South Central

Additional Organizations:

- Alamo Colleges District
- Bexar County
- Brooks
- CPS Energy
- San Antonio Water System (SAWS)
- University Health System
- University of Texas - San Antonio
- VIA Metropolitan Transit
- Valero Alamo Bowl

Summary of Findings

Base Pay and Pay Ranges Summary

The City of San Antonio does not currently have pay ranges for executive positions. Overall, we found that the City's actual base pay is above market average, as shown in **Table 1**.

TABLE 1
CITY OF SAN ANTONIO
OVERALL MARKET POSITION
ACTUAL BASE PAY

Data Source ¹	City of San Antonio Actual Pay as a Percent of the Market Average		
	COSA Actual Average Salary %	COSA Actual Average Salary	Market Actual Average Salary
Public Sector	134%	\$246,812	\$183,559
Additional Organizations	109%	\$475,000	\$436,411
Overall Position	124%	\$246,812	\$199,714

Figures shown in **red** are below market (less than 95% of the market average)

Figures shown in **black** within the market range (95% to 105% of the market average)

Figures shown in **blue** are above market (more than 105% of the market average)

Further details regarding the competitiveness of actual base pay are provided in **Appendix B**, which contains detailed data associated with each benchmark job and peer employer.

¹ Published data reflects pay range minimum, midpoint, and maximums. Actual salary is not available for comparison purposes.

Methodology

Data Sources

Ten (10) peer employers were selected for participation in the study, as shown in **Table 2**. All ten (10) responded to the survey, creating a 100% participation. The City of San Antonio obtained the base salary and performance based bonus information for the Top Executive position from the additional agencies listed below.

**TABLE 2
PEER EMPLOYER MARKET DATA SOURCES**

Peer Employers	Responded to Survey
City of Austin, TX	√
City of Charlotte, NC	√
City of Dallas, TX	√
City of El Paso, TX	√
City of Fort Worth, TX	√
City of Houston, TX	√
City of Oklahoma City, OK	√
City of Phoenix, AZ	√
City of San Jose, CA	√
City of Virginia Beach, VA	√
Additional Organizations – City Manager Position Only	
Alamo Colleges District	√
Bexar County	√
Brooks	√
CPS Energy	√
San Antonio Water System (SAWS)	√
University Health System	√
University of Texas - San Antonio	√
VIA Metropolitan Transit	√
Valero Alamo Bowl	√

Table 3 shows the demographic characteristics of the sixteen (16) peer employers identified by the City of San Antonio.

**TABLE 3
PEER EMPLOYER INFORMATION**

Peer Employer	FY 2018 Annual Operating Budget	Number of Employees	Number of Employees in Texas	Number of Employees in Bexar County
Alamo Colleges District	\$354 Million	1,000 – 5,000	1,000 – 5,000	1,000 – 5,000
Bexar County	\$461 Million	1,000 – 5,000	1,000 – 5,000	1,000 – 5,000
Brooks	\$16.7 Million	< 500	< 500	< 500
City of Austin, TX	\$3.90 Billion	> 5,000	> 5,000	NA
City of Charlotte, NC	\$2.39 Billion	> 5,000	NA	NA
City of Dallas, TX	\$3.57 Billion	> 5,000	> 5,000	< 500
City of El Paso, TX	\$896 Million	> 5,000	> 5,000	NA
City of Fort Worth, TX	\$1.90 Billion	> 5,000	> 5,000	NA
City of Houston, TX	\$4.75 Billion	> 5,000	> 5,000	NA
City of Oklahoma City, OK	\$1.56 Billion	1,000 – 5,000	NA	NA
City of Phoenix, AZ	\$4.42 Billion	> 5,000	NA	NA
City of San Jose, CA	\$3.70 Billion	> 5,000	NA	NA
City of Virginia Beach, VA	\$574 Million	> 5,000	NA	NA
CPS Energy	\$620 Million	1,000 – 5,000	1,000 – 5,000	1,000 – 5,000
San Antonio Water System (SAWS)	\$781 Million	1,000 – 5,000	1,000 – 5,000	1,000 – 5,000
VIA Metropolitan Transit	\$228 Million	1,000 – 5,000	1,000 – 5,000	1,000 – 5,000
City of San Antonio, TX	\$2.70 Billion	> 5,000	> 5,000	> 5,000

NA – Not Applicable

Table 4 shows the City and the majority of the peer employers target the market average or median for base pay market, benefits, and total compensation for the executive positions.

**TABLE 4
MARKET POSITION**

Peer Employer	Base Salary	Benefit	Total Compensation	Specific Liability Coverage
Alamo Colleges District	Other	Other	Other - The Board of Trustees sets the Chancellor's pay. The Board benchmarks the Chancellor's pay against Alamo Colleges District's peer institutions.	Yes - Directors and Officers Liability, Errors and Omission
Bexar County	At Market Average	At Market Average	At Market Average	Not Provided
Brooks	At Market Average	At Market Average	At Market Average	Yes - EPL - Employment Practices Liability
City of Austin, TX	Market Median	Market Median	Market Median	Not Provided - The City does not purchase D&O or E&O insurance coverage, however, City Ordinance does allow for the indemnification of City Employees.
City of Charlotte, NC	At Market Average	At Market Average	At Market Average	Yes - We provide full protection, providing the employee cooperate with any processes of claims and litigation.
City of Dallas, TX	At Market Average	At Market Average	At Market Average	Not Provided
City of El Paso, TX	At Market Average	At Market Average	At Market Average	Not Provided
City of Fort Worth, TX	At Market Average	At Market Average	At Market Average	Not Provided
City of Houston, TX	At Market Average	At Market Average	At Market Average	Not Provided
City of Oklahoma City, OK	At Market Average	At Market Average	At Market Average	Not Provided
City of Phoenix, AZ	At Market Average	At Market Average	At Market Average	Not Provided
City of San Jose, CA	At Market Average	At Market Average	At Market Average	Not Provided
City of Virginia Beach, VA	At Market Average	At Market Average	At Market Average	Not Provided
CPS Energy	At Market Average	At Market Average	Below Market Average	Yes - Some of the major liability insurance programs include excess liability, directors' and officers' liability, employment practices liability, fiduciary and cyber liability.

Peer Employer	Base Salary	Benefit	Total Compensation	Specific Liability Coverage
San Antonio Water System (SAWS)	At Market Average	Other	Other – Executives receive the same benefits as all other employees	Yes - Public Officials Coverage
VIA Metropolitan Transit	At Market Average	At Market Average	At Market Average	Not Provided
City of San Antonio, TX	At Market Average	At Market Average	At Market Average	Not Provided

Published Data Sources

As a supplement to the peer employer data, we included salary information reported in the following published data sources²:

Economic Research Institute (ERI), Salary Assessor

The Economic Research Institute Salary Assessor compiles pay data from hundreds of published data sources for thousands of job titles. The database is updated quarterly and provides salary information for nearly any geographic area in the United States. The information in this database reflects base salaries at the 10th percentile, survey median, and 90th percentile, applicable to data sources and locations near the City of San Antonio, Texas and the data was effective as of November 1, 2018.

IBM Kenexa - CompAnalyst

CompAnalyst Market Data is the world’s largest compensation database with 600 million data points and growing. CompAnalyst data is collected from hundreds of professionally conducted surveys run by corporate HR departments every year, so you can rely upon the accuracy and timeliness of the information you receive. Due to general proximity, the data derived from CompAnalyst Market Data surveys was not aged. The geographic cut used was the City of San Antonio, Texas. The data was effective as of November 1, 2018.

Towers Watson Data Services Compensation Surveys

Towers Watson Data Services publishes multiple compensation surveys throughout the year. Segal Waters compiled data from Towers Watson’s General Industry compensation surveys. These surveys base salaries at the 10th percentile, median, and 90th percentile. The geographic cut used was the South Central region. The data was effective as of November 1, 2018.

² Published data reflects pay range minimum, midpoint, and maximums. Actual salary is not available for comparison purposes.

Data Adjustments

Geographic Adjustments

To adjust for geographic differences in the cost-of-labor between the City of San Antonio and peer employer locations, we used the cost-of-labor differentials reported by the Economic Research Institute (ERI) for each peer employer location.

It is important to note that the cost-of-labor differentials do not necessarily reflect cost-of-living differences. ERI has found that cost-of-living differences (which reflect the supply and demand for goods and services) are not a good predictor of salary levels. In other words, while the cost of housing (or other goods and services) in San Antonio area may differ from the cost of housing in another peer employer's location by a certain percentage, the prevailing salaries may not differ by the same percentage. ERI emphasizes that – for adjusting salaries in a market study such as this one – the cost-of-labor differentials provide a more accurate method of determining whether employers are paying a competitive wage appropriate to a given geographic area.

The geographic adjustments applied are shown in **Table 5**. A negative adjustment means that the cost-of-labor in a comparator location is higher than in San Antonio, TX. For example, the cost of labor in Austin, TX is higher than in San Antonio, TX, which is shown as -4.2%. Conversely, a positive adjustment means that the cost-of-labor in a comparator location is lower than in San Antonio, TX. For example, the cost of labor in the Phoenix, AZ is lower than in San Antonio, TX, which is shown as an adjustment of 1.0%.

The calculation used to find the geographic adjustment is $(x/y)-1$, as an example the City of Austin has an ERI cost of labor factor of 104.4, the City of San Antonio is the base city with an ERI factor of 100.0. To find the adjustment for the City of Austin the calculation is $(100.0/104.4)-1 = -4.2\%$. That means the City of Austin's reported midpoints are being decreased by 4.2% to match the cost of labor in the City of San Antonio.

TABLE 5
GEOGRAPHIC ADJUSTMENTS

Peer Employer	Location Used for ERI Factor Comparison	ERI Factor	Geographic Adjustment
City of Austin, TX	Travis	104.4	-4.2%
City of Charlotte, NC	Mecklenburg	105.6	-5.3%
City of Dallas, TX	Dallas	107.6	-7.1%
City of El Paso, TX	El Paso	99.7	0.3%
City of Fort Worth, TX	Tarrant	101.9	-1.9%
City of Houston, TX	Harris	109.7	-8.8%
City of Oklahoma City, OK	Oklahoma	93.8	6.6%
City of Phoenix, AZ	Maricopa	99.0	1.0%
City of San Jose, CA	Santa Clara	123.9	-19.3%
City of Virginia Beach, VA	Independent City	99.8	0.2%
City of San Antonio, TX	Bexar	100.0	0.0%

Work Week Adjustments

All peer employers have the same work schedule as the City, therefore no workweek adjustments were applied to the survey data. The Additional Organizations' data was not geographically adjusted.

Study Findings

Actual Base Pay

Overall, we found the City’s actual pay rates are above market average pay. However, market competitiveness varies by individual surveyed job title, as shown in **Table 6A and 6B**.

TABLE 6A
OVERALL MARKET POSITION BY BENCHMARK JOB
ACTUAL BASE PAY

Benchmark Job	City of San Antonio Actual Pay as a Percent of the Market Average Pay Ranges			
	Count of Job Matches	COSA Actual Average Salary %	COSA Actual Average Salary	Market Actual Average Salary
Executive Positions				
City Clerk	10	138%	\$172,768	\$125,025
City Internal Auditor	10	117%	\$184,395	\$157,480
Presiding Judge of the Municipal Court	6	107%	\$155,085	\$144,557

TABLE 6B
OVERALL MARKET POSITION BY BENCHMARK JOB
ACTUAL BASE PAY

Benchmark Job	City of San Antonio Actual Pay as a Percent of the Market Average Pay Ranges			
	Count of Job Matches	COSA Actual Average Salary %	COSA Actual Average Salary	Market Actual Average Salary
Executive Position				
City Manager	9	155%	\$475,000	\$307,173
City Manager*	21	128%	\$475,000	\$371,792

*Includes Additional Organizations and Published Data Sources

Based on the new City ordinance, COSA’s actual average salary would be ten times the earnings of the lowest-paid (\$31,200) City employee for the City Manager position with a base pay of \$312,000.

Figures shown in **red** are below market (less than 95% of the market average)

Figures shown in **black** within the market range (95% to 105% of the market average)

Figures shown in **blue** are above market (more than 105% of the market average)

Pay Policies

The survey document included questions relating to the following compensation information for the four (4) executive positions:

- Percent of Base Salary (that total benefits represent for the executive positions)
- Average Salary Increases
- Recruitment Difficulty for Position
- Appointed or Elected Position
- Contract Position
- Form of Government
- Pay Supplements

See **Tables 7 through 45** for more details regarding these policies.

TABLE 7
BENEFITS AS AN OVERALL PERCENT
OF TOTAL BASE PAY³

Peer Employer	City Clerk	City Internal Auditor	City Manager	Presiding Judge
Alamo Colleges District	NR	NR	16.00%	NR
Bexar County	NR	NR	0.00%	NR
Brooks	NR	NR	0.00%	NR
City of Austin, TX	28.00%	27.00%	23.00%	28.00%
City of Charlotte, NC	12.00%	35.00%	8.00%	NR
City of Dallas, TX	26.00% - 28.00%	26.00% - 28.00%	26.00% - 28.00%	26.00% - 28.00%
City of El Paso, TX	NR	NR	NR	NR
City of Fort Worth, TX	NR	NR	NR	NR
City of Houston, TX	68.00%	77.00%	NA	73.00%
City of Oklahoma City, OK	38.00%	7.00%	7.00%	38.00%
City of Phoenix, AZ	NR	NR	NR	NR
City of San Jose, CA	25.00%	25.00%	25.00%	NR
City of Virginia Beach, VA	0.00%	0.00%	0.00%	NR
CPS Energy	NR	NR	50.00%	NR
San Antonio Water System (SAWS)	NR	NR	16.00%*	NR
VIA Metropolitan Transit	NR	NR	NA	NR
City of San Antonio, TX	26.00%	25.00%	20.00%	26.00%

NR – Not Reported

*Includes TMRS, Medicare, SS, AD&D, LTD, & Principal

³ The represented data is reflective of incumbent's amount/percent rather than the overall desired benefits percentage target for the organization.

Tables 8 through 15 reflects peer employers' responses for the City Clerk position.

**TABLE 8
CITY CLERK
AVERAGE SALARY INCREASES (%)**

Peer Employer	FY 2017	FY 2018	Projected FY 2019
City of Austin, TX	\$0.29/hr. ATB* + 2.00%	2.50%	4.50%
City of Charlotte, NC	4.00%	3.00%	3.00%
City of Dallas, TX	NR	NR	NR
City of El Paso, TX	NR	2.00%	1.50%
City of Fort Worth, TX	P4P** 0.00% - 6.00%	P4P 0.00% - 6.00%	P4P 0.00% - 5.00%
City of Houston, TX	NR	NR	NR
City of Oklahoma City, OK	2.00%	2.20%	0.00%
City of Phoenix, AZ	1.00%	1.43%	NR
City of San Jose, CA	3.00%	5.00%	3.00%
City of Virginia Beach, VA	1.00%	2.00%	2.00%
City of San Antonio, TX	5.00%	5.00%	4.00%

NR – Not Reported

*ATB – Across the Board

**PAP – Pay for Performance

**TABLE 9
CITY CLERK
GENERAL QUESTIONS**

Peer Employer	Recruitment Difficulty	Appointed or Elected	Contracted (Yes/No)	Form of Government
City of Austin, TX	Average	Appointed	No	Council-Manager
City of Charlotte, NC	Average	NR	No	Council-Manager
City of Dallas, TX	Average	Appointed	No	Council-Manager
City of El Paso, TX	Average	Appointed	No	Council-Manager
City of Fort Worth, TX	Difficult	Appointed	No	Mayor-Council
City of Houston, TX	Average	Appointed	No	Mayor-Council
City of Oklahoma City, OK	Average	Appointed	No	Council-Manager
City of Phoenix, AZ	Average	Appointed	No	Council-Manager
City of San Jose, CA	Average	Appointed	No	Council-Manager
City of Virginia Beach, VA	Average	Appointed	No	Council-Manager
City of San Antonio, TX	Difficult	Appointed	No	Council-Manager

NR – Not Reported

City Clerk

Supplemental Pay

Additional direct compensation or supplemental pay – Like the City, most peer employers (90%), with the exception of the City of San Jose, do not offer any additional direct compensation or supplemental pay for the City Clerk position. The City of San Jose provides additional supplemental pay of a minimum of 5.00%.

Expense Allowance – Like the City, most peer employers (80%) do not offer an expense allowance. The cities of Dallas and Charlotte provide an expense allowance. Charlotte provides an expense allowance of \$4,800.00/yr., which includes additional vacation (20 days), car allowance and cell phone allowance. The City of Dallas did not report the amount offered.

Retention Pay – Consistent with the City, all ten (10) peer employers reported they do not offer retention pay.

Health, Dental and Vision – Consistent with the City, all ten (10) peer employers offer health benefits. The City eligible amount for medical plan is \$12,201.84 and offers the same plans available to all employees for dental, vision, and paid leave based on years of service. Nine (9) out of ten (10) peer employers offer dental and vision plans. The City of Houston's dental and vision are available to employees who are responsible for plan premium and the employer does not contribute. The City of Phoenix's vision is included in the medical plan. The City of Austin does not offer dental or vision.

Other Benefits – Like the City, most peer employers (70%) do not offer any additional benefits. Three (3) out of ten (10) peer employers indicated that they provide additional benefits. The City of Houston reported additional benefits valued at \$456.00 that includes life insurance, healthcare flexible spending account, long-term disability, paid time off, wellness, and dependent care reimbursement plan. The City of Phoenix offers up to \$6,500.00 annual tuition reimbursement. The City of Fort Worth did not report the additional benefits.

Additional Vacation/Sick Leave – Like the City, most peer employers (90%), with the exception of the City of Dallas, do not offer any additional vacation and sick leave. The City of Dallas did not report the additional vacation or sick leave days.

Annual Cost of Living – Consistent with the City's policy, most peer employers (80%) do not offer annual cost of living adjustments. The cities of Oklahoma City and San Jose provide an annual cost of living adjustment based on market.

Relocation Assistance/Allowance – The City offers relocation assistance/allowance on a hire-only basis. Six (6) out of ten (10) peer employers reported they do not offer any relocation assistance.

Professional Membership – The City offers a stipend to be used for professional membership. Seven (7) out of ten (10) peer employers do not offer this perquisite.

Other Supplemental Pay – Consistent with the City, all ten (10) peer employers reported they do not offer other supplemental pay.

**TABLE 10
CITY CLERK
PERFORMANCE-BASED BONUS**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	No	--
City of Charlotte, NC	No	--
City of Dallas, TX	Yes	Minimum 3.00% of Base Pay
City of El Paso, TX	No	--
City of Fort Worth, TX	Yes	3.00% - 5.00% of Base Pay
City of Houston, TX	No	--
City of Oklahoma City, OK	Yes	NR
City of Phoenix, AZ	Yes	Up to \$6,112.00/yr.
City of San Jose, CA	Yes	Minimum 2.50% of Base Pay
City of Virginia Beach, VA	Yes	Varies
City of San Antonio, TX	No	--

NR – Not Reported

**TABLE 11
CITY CLERK
SUPPLEMENTAL RETIREMENT PLAN OR DEFERRED COMPENSATION**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	No	--
City of Charlotte, NC	Yes	2.00%
City of Dallas, TX	Yes	Up to \$37,000.00
City of El Paso, TX	No	--
City of Fort Worth, TX	No	--
City of Houston, TX	Yes	\$18,159.00
City of Oklahoma City, OK	Yes	NR
City of Phoenix, AZ	Yes	8.50% of Gross Salary
City of San Jose, CA	Yes	10.27% of Base Salary (8.27% Pension, 2.00% VEBA)
City of Virginia Beach, VA	Yes	\$6,000.00
City of San Antonio, TX	Yes	2.00% Match Amount Received: \$3,455.36

NR – Not Reported

*VEBA – Voluntary Employees' Beneficiary Association

**TABLE 12
CITY CLERK
PAID LEAVE**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	No	--
City of Charlotte, NC	Yes	\$12,361.00
City of Dallas, TX	Yes	NR
City of El Paso, TX	Yes	NR
City of Fort Worth, TX	Yes	NR
City of Houston, TX	Yes	\$22,580.00
City of Oklahoma City, OK	Yes	Based on Years of Service
City of Phoenix, AZ	Yes	NR
City of San Jose, CA	Yes	Executive leave is a benefit awarded as hours/days off, up to the maximum of forty (40) hours/five (5) days during a payroll calendar year
City of Virginia Beach, VA	Yes	NR
City of San Antonio, TX	Yes	Same Plans Available To Employees, based on years of service

NR – Not Reported

*Paid Leave includes Vacation, Sick Leave, Personal Leave, Family Sick/Medical Leave, Bereavement, Jury Duty & Holiday.

**TABLE 13
CITY CLERK
LONGEVITY PAY**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	Yes	\$1,500.00/yr.
City of Charlotte, NC	No	--
City of Dallas, TX	No	--
City of El Paso, TX	No	--
City of Fort Worth, TX	Yes	YR3-5-\$25.00/mo., YR6-8-\$50.00/mo., YR9-Term \$75.00/mo.
City of Houston, TX	Yes	\$3,432.00/yr.
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	No	--
City of San Jose, CA	No	--
City of Virginia Beach, VA	No	--
City of San Antonio, TX	No	--

**TABLE 14
CITY CLERK
VEHICLE/CAR ALLOWANCE**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	No	--
City of Charlotte, NC	Yes	Weekly car allowance stipend of \$92.31 included in annual Expense Allowance of \$4,800/yr.
City of Dallas, TX	Yes	NR
City of El Paso, TX	Yes	\$4,200.00/yr.
City of Fort Worth, TX	Yes	\$3,600.00/yr.
City of Houston, TX	No	--
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	Yes	\$5,220.00/yr.
City of San Jose, CA	Yes	NR
City of Virginia Beach, VA	Yes	NR
City of San Antonio, TX	Yes	\$6000.00/yr.

NR – Not Reported

**TABLE 15
CITY CLERK
CELL/SMART PHONE**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	Yes	\$1,140.10/yr.
City of Charlotte, NC	Yes	Cell phone allowance included in annual Expense Allowance of \$4,800/yr.
City of Dallas, TX	Yes	NR
City of El Paso, TX	No	--
City of Fort Worth, TX	No	--
City of Houston, TX	Yes	NR
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	Yes	\$1,200.00/yr.
City of San Jose, CA	Yes	NR
City of Virginia Beach, VA	Yes	NR
City of San Antonio, TX	Yes	\$840.00/yr.

NR – Not Reported

Tables 16 through 23 reflects peer employers' responses for the City Internal Auditor position.

TABLE 16
CITY INTERNAL AUDITOR
AVERAGE SALARY INCREASES (%)

Peer Employer	FY 2017	FY 2018	Projected FY 2019
City of Austin, TX	\$0.29/hr. ATB* + 2.00%	2.50%	2.50%
City of Charlotte, NC	2.00%	3.00%	3.00%
City of Dallas, TX	NR	NR	NR
City of El Paso, TX	NR	2.00%	1.50%
City of Fort Worth, TX	P4P** 0.00% - 6.00%	P4P 0.00% - 6.00%	P4P 0.00% - 5.00%
City of Houston, TX	0.26%	0.26%	3.00%
City of Oklahoma City, OK	2.00%	2.20%	0.00%
City of Phoenix, AZ	1.10%	1.43%	NR
City of San Jose, CA	3.00%	5.00%	3.00%
City of Virginia Beach, VA	1.00%	2.00%	2.00%
City of San Antonio, TX	5.00%	4.00%	5.00%

NR – Not Reported

*ATB – Across the Board

**PAP – Pay for Performance

TABLE 17
CITY INTERNAL AUDITOR
GENERAL QUESTIONS

Peer Employer	Recruitment Difficulty	Appointed or Elected	Contracted (Yes/No)	Form of Government
City of Austin, TX	Average	Appointed	No	Council-Manager
City of Charlotte, NC	Average	NR	No	Council-Manager
City of Dallas, TX	Average	Appointed	No	Council-Manager
City of El Paso, TX	Average	Appointed	No	Council-Manager
City of Fort Worth, TX	Difficult	Appointed	No	Mayor-Council
City of Houston, TX	Average	Appointed	No	Mayor-Council
City of Oklahoma City, OK	Average	Appointed	No	Council-Manager
City of Phoenix, AZ	Average	Appointed	No	Council-Manager
City of San Jose, CA	Average	Appointed	No	Council-Manager
City of Virginia Beach, VA	Average	Appointed	No	Council-Manager
City of San Antonio, TX	Difficult	Appointed	No	Council-Manager

NR – Not Reported

City Internal Auditor

Supplemental Pay

Additional direct compensation or supplemental pay – Like the City, most peer employers (90%), with the exception of the City of San Jose, do not offer any additional direct compensation or supplemental pay for the City Internal Auditor position. The City of San Jose provides additional supplemental pay of a minimum of 5.00%.

Expense Allowance – Like the City, most peer employers (80%) do not offer an expense allowance. The cities of Dallas and Charlotte provide an expense allowance. Charlotte provides an expense allowance of \$4,800.00/yr., which includes additional vacation (20 days), car allowance and cell phone allowance. The City of Dallas did not report the amount offered.

Retention Pay – Consistent with the City, all ten (10) peer employers reported they do not offer retention pay.

Health, Dental and Vision – Consistent with the City, all ten (10) peer employers offer health benefits. The City eligible amount for medical plan is \$12,201.84 and offers the same plans available to all employees for dental, vision, and paid leave based on years of service. Eight (8) out of ten (10) peer employers offer dental and vision plans. The City of Houston's dental and vision are available to employees who are responsible for plan premium and the employer does not contribute. The City of Phoenix's vision is included in the medical plan.

Other Benefits – Like the City, most peer employers (80%) do not offer any additional benefits. Two (2) out of ten (10) peer employers provides additional benefits. The City of Houston reported additional benefits valued at \$482.00 that includes life insurance, healthcare flexible spending account, long-term disability, paid time off, wellness, and dependent care reimbursement plan. The City of Phoenix offers up to \$6,500.00 annual tuition reimbursement.

Additional Vacation/Sick Leave – Like the City, most peer employers (80%) do not offer any additional vacation and sick leave. The cities of Dallas and Virginia Beach provide an additional vacation and sick leave. Virginia Beach offers five additional days to employees. The City of Dallas did not report the additional vacation or sick leave days.

Annual Cost of Living – Consistent with the City's policy, most peer employers (80%) do not offer annual cost of living adjustments. The cities of Oklahoma City and San Jose provide an annual cost of living adjustment based on market.

Relocation Assistance/Allowance – The City offers relocation assistance/allowance on a hire-only basis. Six (6) out of ten (10) peer employers do not offer any relocation assistance.

Professional Membership – The City offers a stipend to be used for professional membership. Seven (7) out of ten (10) peer employers do not offer this perquisite.

Other Supplemental Pay – Consistent with the City, all ten (10) peer employers reported they do not offer other supplemental pay.

TABLE 18
CITY INTERNAL AUDITOR
PERFORMANCE-BASED BONUS

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	No	--
City of Charlotte, NC	No	--
City of Dallas, TX	Yes	Minimum 3.00% of Base Pay
City of El Paso, TX	No	--
City of Fort Worth, TX	Yes	3.00% - 5.00% of Base Pay
City of Houston, TX	No	--
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	Yes	Up to \$6,112.00/yr.
City of San Jose, CA	Yes	Minimum 2.50% of Base Pay
City of Virginia Beach, VA	Yes	Varies
City of San Antonio, TX	No	--

TABLE 19
CITY INTERNAL AUDITOR
SUPPLEMENTAL RETIREMENT PLAN OR DEFERRED COMPENSATION

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	No	--
City of Charlotte, NC	Yes	2.00%
City of Dallas, TX	Yes	Up to \$37,000.00
City of El Paso, TX	No	--
City of Fort Worth, TX	No	--
City of Houston, TX	Yes	\$12,338.00
City of Oklahoma City, OK	Yes	NR
City of Phoenix, AZ	Yes	8.50% of Gross Salary
City of San Jose, CA	Yes	10.27% of Base Salary (8.27% Pension, 2.00% VEBA)
City of Virginia Beach, VA	No	--
City of San Antonio, TX	Yes	2.00% Match Amount Received: \$3,687.90

NR – Not Reported

*VEBA – Voluntary Employees' Beneficiary Association

**TABLE 20
CITY INTERNAL AUDITOR
PAID LEAVE**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	No	--
City of Charlotte, NC	Yes	\$18,918.00
City of Dallas, TX	Yes	NR
City of El Paso, TX	Yes	NR
City of Fort Worth, TX	Yes	NR
City of Houston, TX	Yes	\$28,538.00
City of Oklahoma City, OK	Yes	Based on Years of Service
City of Phoenix, AZ	Yes	NR
City of San Jose, CA	Yes	Executive leave is a benefit awarded as hours/days off, up to the maximum of forty (40) hours/five (5) days during a payroll calendar year
City of Virginia Beach, VA	Yes	NR
City of San Antonio, TX	Yes	Same Plans Available To Employees

NR – Not Reported

*Paid Leave includes Vacation, Sick Leave, Personal Leave, Family Sick/Medical Leave, Bereavement, Jury Duty & Holiday.

**TABLE 21
CITY INTERNAL AUDITOR
LONGEVITY PAY**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	Yes	\$1,500.00/yr.
City of Charlotte, NC	No	--
City of Dallas, TX	No	--
City of El Paso, TX	No	--
City of Fort Worth, TX	Yes	YR3-5-\$25.00/mo., YR6-8-\$50.00/mo., YR9-Term \$75.00/mo.
City of Houston, TX	Yes	\$468.00/yr.
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	No	--
City of San Jose, CA	No	--
City of Virginia Beach, VA	No	--
City of San Antonio, TX	No	--

**TABLE 22
CITY INTERNAL AUDITOR
VEHICLE/CAR ALLOWANCE**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	No	--
City of Charlotte, NC	Yes	Weekly car allowance stipend of \$92.31 included in annual Expense Allowance of \$4,800/yr.
City of Dallas, TX	Yes	NR
City of El Paso, TX	Yes	\$4,200.00/yr.
City of Fort Worth, TX	Yes	\$3,600.00/yr.
City of Houston, TX	No	--
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	Yes	\$5,220.00/yr.
City of San Jose, CA	Yes	NR
City of Virginia Beach, VA	Yes	\$6,000.00/yr.
City of San Antonio, TX	Yes	\$6,000.00/yr.

NR – Not Reported

**TABLE 23
CITY INTERNAL AUDITOR
CELL/SMART PHONE**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	Yes	\$1,140.36/yr.
City of Charlotte, NC	Yes	Cell phone allowance included in annual Expense Allowance of \$4,800/yr.
City of Dallas, TX	Yes	NR
City of El Paso, TX	No	--
City of Fort Worth, TX	No	--
City of Houston, TX	Yes	NR
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	Yes	\$1,200.00/yr.
City of San Jose, CA	Yes	NR
City of Virginia Beach, VA	Yes	\$240.00/yr.
City of San Antonio, TX	Yes	\$840.00/yr.

NR – Not Reported

Tables 24 through 34 reflects peer employers' responses for the **City Manager⁴** position.

**TABLE 24
CITY MANAGER
AVERAGE SALARY INCREASES (%)**

Peer Employer	FY 2017	FY 2018	Projected FY 2019
Alamo Colleges District	5.99%*	3.00%	0.00%
Bexar County	0.00%	0.00%	0.00%
Brooks	3.80%	3.80%	3.70%
City of Austin, TX	NR	NR	NR
City of Charlotte, NC	NR	6.00%	3.00%
City of Dallas, TX	NR	4.00%	NR
City of El Paso, TX	5.00%	5.00%	5.00%
City of Fort Worth, TX	P4P** 0.00% - 6.00%	P4P 0.00% - 6.00%	P4P 0.00% - 5.00%
City of Houston, TX	NR	NR	NR
City of Oklahoma City, OK	2.00%	2.20%	0.00%
City of Phoenix, AZ	0.00%	0.00%	NR
City of San Jose, CA	3.00%	5.00%	3.00%
City of Virginia Beach, VA	1.00%	2.00%	0.00%
CPS Energy	NR	7.23%	6.00%
San Antonio Water System (SAWS)	5.00%	6.00%	NR
VIA Metropolitan Transit	3.50%	3.00%	NR
City of San Antonio, TX	5.88%	5.56%	0.00%

NR – Not Reported

*Salary increase percentages reported for previous Chancellor

**P4P – Pay for Performance

⁴ The City Manager peer employer information includes the additional organizations data.

**TABLE 25
CITY MANAGER
GENERAL QUESTIONS**

Peer Employer	Recruitment Difficulty	Appointed or Elected	Contracted (Yes/No)	Form of Government
Alamo Colleges District	Average	Appointed	Yes	NR
Bexar County	NR	Appointed	No	Commission
Brooks	Difficult	Appointed	Yes	NR
City of Austin, TX	Average	Appointed	No	Council-Manager
City of Charlotte, NC	Difficult	Appointed	No	Council-Manager
City of Dallas, TX	Difficult	Appointed	Yes	Council-Manager
City of El Paso, TX	Difficult	Appointed	Yes	Council-Manager
City of Fort Worth, TX	Difficult	Appointed	No	Mayor-Council
City of Houston, TX	--	--	--	Mayor-Council
City of Oklahoma City, OK	Average	NA	No	Council-Manager
City of Phoenix, AZ	Average	Appointed	Yes	Council-Manager
City of San Jose, CA	Average	Appointed	No	Council-Manager
City of Virginia Beach, VA	Average	Appointed	Yes	Council-Manager
CPS Energy	Difficult	Appointed	Yes	NR
San Antonio Water System (SAWS)	Difficult	Appointed	Yes	NR
VIA Metropolitan Transit	NR	NR	Yes	NR
City of San Antonio, TX	Difficult	Appointed	Yes	Council-Manager

NR – Not Reported

City Manager

Supplemental Pay

Additional direct compensation or supplemental pay – Like the City, most peer employers (88%), with the exception of the City of San Jose, do not offer any additional direct compensation or supplemental pay for the City Manager position. The City of San Jose provides an additional supplemental pay of a minimum of 5.00%.

Expense Allowance – The City offers an eligible amount of \$7,321.20/yr. for expense allowance. Alamo Colleges District, CPS Energy, and the cities of Charlotte and Dallas provide expense allowance. CPS Energy reported an eligible amount of \$6,600.00/yr., the amount received for the current fiscal year of \$5,500.00/yr. Charlotte provides an expense allowance of \$5,700.00/yr., which includes additional vacation (20 days), car allowance and cell phone allowance. Nine (9) out of fifteen (15) peer employers do not offer any expense allowance.

Retention Pay – Consistent with the City, 80% of peer employers do not offer retention pay. Three (3) of the additional organizations provide retention pay. Alamo Colleges District offers an eligible amount of \$30,000/yr. that is payable the first of September 2021. Brooks provides the amount of \$31,000/yr. for the current fiscal year and CPS Energy offers 40.00% for retention pay.

Health, Dental and Vision – Consistent with the City, fifteen (15) peer employers offer health benefits. The City eligible amount for medical plan is \$12,201.84 and offers the same plans available to all employees for dental, vision, and paid leave based on years of service. Thirteen (13) out of sixteen (15) peer employers offer dental and vision plans. The City of Houston's dental and vision are available to employees who are responsible for plan premium and the employer does not contribute. The City of Phoenix's vision is included in the medical plan.

Other Benefits – The City reported other benefits of \$10,000.00/yr. Most peer employers do not offer any additional benefits. Six (6) out of ten (16) peer employers provide additional benefits. See **Table 29** for additional information.

Longevity – Like the City, most peer employers (87%) do not offer longevity pay. Two (2) out of fifteen (15) peer employers provide longevity pay. Bexar County provides an eligible amount of \$1,200.00. The City of Fort Worth amounts varies per year at a cost of \$300.00/yr. to \$900.00/yr.

Annual Cost of Living – Consistent with the City's policy, most peer employers (80%) do not offer annual cost of living adjustments. The cities of Oklahoma City and San Jose provides an annual cost of living adjustment based on market.

Relocation Assistance/Allowance – The City offers relocation assistance/allowance on a hire-only basis. Eight (8) out of ten (15) peer employers offer any relocation assistance.

Professional Membership – The City offers a stipend to be used for professional membership. Six (6) out of nine (9) peer employers offer the professional membership supplemental pay.

Other Supplemental Pay – The City offers conference and travel reimbursements. Seven (7) out of fifteen (15) peer employers reported they offer other supplemental pay.

**TABLE 26
CITY MANAGER
PERFORMANCE-BASED BONUS**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$) or (%)	Amount Received for Current FY (\$) or (%)
Alamo Colleges District	No	--	Not Included in Current Contract
Bexar County	No	--	--
Brooks	Yes	25.00%	\$67,500.00/yr.
City of Austin, TX	No	--	--
City of Charlotte, NC	No	--	--
City of Dallas, TX	Yes	Minimum 3.00%	\$15,000.00/yr.
City of El Paso, TX	No	--	--
City of Fort Worth, TX	Yes	3.00% - 5.00%	NR
City of Houston, TX	NA	--	--
City of Oklahoma City, OK	No	--	--
City of Phoenix, AZ	No	--	--
City of San Jose, CA	Yes	Minimum 2.50%	NR
City of Virginia Beach, VA	Yes	Varies	None
CPS Energy	Yes	40.00%	Payable May 2019; June 2018 payment - \$154,593.00
University Health System	Yes	--	\$100,000.00/yr.
San Antonio Water System (SAWS)	Yes	\$96,500.00	--
Valero Alamo Bowl	Yes	--	\$37,689.00/yr.
VIA Metropolitan Transit	No	--	--
City of San Antonio, TX	Yes	\$100,000.00/yr.	\$75,000.00/yr.

NR – Not Reported

TABLE 27
CITY MANAGER
SUPPLEMENTAL RETIREMENT PLAN OR DEFERRED COMPENSATION

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$) or (%)	Amount Received for Current FY (\$) or (%)
Alamo Colleges District	Yes	\$22,780.00/yr.	ACD contributes 6.8% of base pay to a defined benefit or contribution plan; Chancellor makes mandatory contributions to plan (all employees are provided this benefit)
Bexar County	No	--	--
Brooks	Yes	--	\$31,000.00/yr.
City of Austin, TX	Yes	\$18,500.00/yr.	NR
City of Charlotte, NC	Yes	2.00%	2.00%
City of Dallas, TX	Yes	\$18,000.00/yr.	\$18,000.00/yr.
City of El Paso, TX	Yes	\$35,000.00/yr.	NR
City of Fort Worth, TX	No	--	--
City of Houston, TX	NA	--	--
City of Oklahoma City, OK	Yes	Based on Salary	Based on Salary
City of Phoenix, AZ	Yes	8.50% of Gross Salary	NR
City of San Jose, CA	Yes	10.27% of Base Salary (8.27% Pension, 2.00% VEBA)	NR
City of Virginia Beach, VA	Yes	\$10,000.00/yr.	\$10,000.00/yr.
CPS Energy	Yes	Restoration Plan Payment - based on actuarial formula and IRS limits for defined benefit pension plan	Payable Dec 2018; Dec 2017 payment - \$423,896.00/yr.
San Antonio Water System (SAWS)	Yes	To the maximum extent allowed by law	NR
VIA Metropolitan Transit	Yes	15.00% of Base Salary	NR
City of San Antonio, TX	Yes	--	\$24,500.00/yr.

NR – Not Reported

*VEBA – Voluntary Employees' Beneficiary Association

**TABLE 28
CITY MANAGER
PAID LEAVE**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$) or (%)
Alamo Colleges District	Yes	1. 21 vacation leave days earned annually (all administrators/executives are provided this benefit) 2. 104 sick leave hours per year (all staff are provided this benefit)
Bexar County	Yes	12 Paid Holidays
Brooks	Yes	\$26,924.00
City of Austin, TX	No	--
City of Charlotte, NC	Yes	\$39,137.00
City of Dallas, TX	Yes	NR
City of El Paso, TX	Yes	NR
City of Fort Worth, TX	No	--
City of Houston, TX	NA	--
City of Oklahoma City, OK	Yes	Based on Years of Service
City of Phoenix, AZ	Yes	NR
City of San Jose, CA	Yes	Executive leave is a benefit awarded as hours/days off, up to the maximum of forty (40) hours/five (5) days during a payroll calendar year
City of Virginia Beach, VA	Yes	NR
CPS Energy	Yes	4 weeks paid vacation - \$36,284.62
San Antonio Water System (SAWS)	Yes	20 days' vacation; personal leave, sick leave and holidays to the same extent as other employees
VIA Metropolitan Transit	Yes	NR
City of San Antonio, TX	Yes	Same Plans Available To Employees

NR – Not Reported

*Paid Leave includes Vacation, Sick Leave, Personal Leave, Family Sick/Medical Leave, Bereavement, Jury Duty & Holiday.

**TABLE 29
CITY MANAGER
OTHER BENEFITS**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or %)
Alamo Colleges District	Yes	1. Life insurance (2 times annual salary), \$140.04/mo. 2. Short-Term Disability insurance, \$4.00/mo. 3. Long-Term Disability insurance, \$22.10/mo. 4. Eligible to participate in ACD's 403(b) and 457(b) deferred compensation programs
Bexar County	No	--
Brooks	Yes	(Life) 1x Annual Salary
City of Austin, TX	No	--
City of Charlotte, NC	No	--
City of Dallas, TX	No	--
City of El Paso, TX	No	--
City of Fort Worth, TX	No	--
City of Houston, TX	NA	--
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	Yes	Up to \$6,500.00 Annual Tuition Reimbursement
City of San Jose, CA	No	--
City of Virginia Beach, VA	Yes	\$2684.00/yr. LTD*
CPS Energy	Yes	Life Insurance: \$4,950.00/yr.
San Antonio Water System (SAWS)	Yes	Life Insurance = 3x total annual comp; TMRS & Principal Retirement; eligible for Education Assistance, EAP, STD, LTD and medical, vision, dental
VIA Metropolitan Transit	No	--
City of San Antonio, TX	Yes	\$10,000.00

NR – Not Reported

*LTD – Long Term Disability

**TABLE 30
CITY MANAGER
VEHICLE/CAR ALLOWANCE**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or %)
Alamo Colleges District	Yes	\$12,000.00/yr.
Bexar County	No	--
Brooks	Yes	\$12,000.00/yr.
City of Austin, TX	No	--
City of Charlotte, NC	Yes	Weekly car allowance stipend of \$92.31 included in annual Expense Allowance of \$5,700/yr.
City of Dallas, TX	Yes	\$8,400.00/yr.
City of El Paso, TX	Yes	\$6,000.00/yr.
City of Fort Worth, TX	Yes	\$7,200.00/yr.
City of Houston, TX	NA	--
City of Oklahoma City, OK	Yes	\$7,000.00/yr.
City of Phoenix, AZ	Yes	\$5,220.00/yr.
City of San Jose, CA	Yes	--
City of Virginia Beach, VA	Yes	\$12,000.00/yr.
CPS Energy	No	--
San Antonio Water System (SAWS)	Yes	\$7,200.00/yr.
VIA Metropolitan Transit	No	--
City of San Antonio, TX	Yes	\$6,000.00/yr.

**TABLE 31
CITY MANAGER
CELL/SMART PHONE**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or %)
Alamo Colleges District	Yes	\$1,992.00/yr.
Bexar County	No	--
Brooks	Yes	\$1,800.00/yr.
City of Austin, TX	Yes	\$1,845.32/yr.
City of Charlotte, NC	Yes	Cell phone allowance included in annual Expense Allowance of \$5,700/yr.
City of Dallas, TX	Yes	NR
City of El Paso, TX	No	--
City of Fort Worth, TX	No	--
City of Houston, TX	NA	--
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	Yes	\$1,200.00/yr.
City of San Jose, CA	Yes	--
City of Virginia Beach, VA	Yes	Cell Phone Provided
CPS Energy	Yes	Cell Phone Issued
San Antonio Water System (SAWS)	Yes	\$1,800.00/yr.
VIA Metropolitan Transit	No	--
City of San Antonio, TX	Yes	\$840.00/yr.

NR – Not Reported

**TABLE 32
CITY MANAGER
RELOCATION ASSISTANCE/ALLOWANCE**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$) or (%)
Alamo Colleges District	Yes	Eligible position but was not required when appointed (already resided in the community)
Bexar County	No	--
Brooks	No	--
City of Austin, TX	Yes	\$7,449.58
City of Charlotte, NC	No	--
City of Dallas, TX	Yes	NR
City of El Paso, TX	Yes	\$26,522.33
City of Fort Worth, TX	No	--
City of Houston, TX	NA	--
City of Oklahoma City, OK	Yes	Varies
City of Phoenix, AZ	Yes	Varies
City of San Jose, CA	No	--
City of Virginia Beach, VA	Yes	Varies
CPS Energy	No	--
San Antonio Water System (SAWS)	No	--
VIA Metropolitan Transit	Yes	NR
City of San Antonio, TX	Yes	Upon Hire Only

NR – Not Reported

**TABLE 33
CITY MANAGER
ADDITIONAL VACATION/SICK LEAVE**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or %)
Alamo Colleges District	Yes	3 additional days of vacation earned annually
Bexar County	Yes	18 Vacation/12 Sick
Brooks	Yes	\$30,154.88
City of Austin, TX	No	--
City of Charlotte, NC	No	--
City of Dallas, TX	Yes	NR
City of El Paso, TX	No	--
City of Fort Worth, TX	No	--
City of Houston, TX	NA	--
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	No	--
City of San Jose, CA	No	--
City of Virginia Beach, VA	Yes	5 Days
CPS Energy	No	--
San Antonio Water System (SAWS)	Yes	Varies
VIA Metropolitan Transit	Yes	NR
City of San Antonio, TX	No	--

NR – Not Reported

**TABLE 34
CITY MANAGER
OTHER SUPPLEMENTAL PAY**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or %)
Alamo Colleges District	Yes	1. Employee Assistance Program, \$1.23/mo. 2. Conference and other ACD business-related travel reimbursed according to ACD's travel policies, procedures, and contract.
Bexar County	No	--
Brooks	Yes	--
City of Austin, TX	Yes	\$7,200.00/yr. Life Insurance Plan (City-provided one times annual base salary for basic life and AD&D coverage.
City of Charlotte, NC	No	--
City of Dallas, TX	Yes	NR
City of El Paso, TX	No	--
City of Fort Worth, TX	No	--
City of Houston, TX	NA	--
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	No	--
City of San Jose, CA	No	--
City of Virginia Beach, VA	Yes	Varies
CPS Energy	No	--
San Antonio Water System (SAWS)	Yes	Periodical Subscriptions, Business expenses in accordance with SAWS policies; annual wellness exam
VIA Metropolitan Transit	Yes	NR
City of San Antonio, TX	Yes	Conference & Travel Reimbursements

NR – Not Reported

Tables 35 through 41 reflects peer employers' responses for the **Presiding Judge** of the Municipal Court position.

**TABLE 35
PRESIDING JUDGE
AVERAGE SALARY INCREASES (%)**

Peer Employer	FY 2017	FY 2018	Projected FY 2019
City of Austin, TX	\$0.29/hr. ATB* + 2.00%	2.50%	2.50%
City of Charlotte, NC	NR	NR	NR
City of Dallas, TX	NR	NR	NR
City of El Paso, TX	NR	NR	NR
City of Fort Worth, TX	P4P** 0.00% - 6.00%	P4P 0.00% - 6.00%	P4P 0.00% - 5.00%
City of Houston, TX	0.26%	0.26%	3.00%
City of Oklahoma City, OK	2.00%	2.20%	0.00%
City of Phoenix, AZ	3.45%	5.00%	NR
City of San Jose, CA	NR	NR	NR
City of Virginia Beach, VA	NR	NR	NR
City of San Antonio, TX	8.11%	1.00%	0.00%

NR – Not Reported

*ATB – Across the Board

**P4P – Pay for Performance

**TABLE 36
PRESIDING JUDGE
GENERAL QUESTIONS**

Peer Employer	Recruitment Difficulty	Appointed or Elected	Contracted (Yes/No)	Form of Government
City of Austin, TX	Average	Appointed	No	Council-Manager
City of Charlotte, NC	NR	NR	NR	NR
City of Dallas, TX	Difficult	Appointed	No	Council-Manager
City of El Paso, TX	Average	Elected	No	Council-Manager
City of Fort Worth, TX	Difficult	Appointed	No	Mayor-Council
City of Houston, TX	Average	Appointed	No	Mayor-Council
City of Oklahoma City, OK	Average	NR	No	Council-Manager
City of Phoenix, AZ	Difficult	Appointed	NR	Council-Manager
City of San Jose, CA	NR	NR	NR	NR
City of Virginia Beach, VA	NR	NR	NR	NR
City of San Antonio, TX	Difficult	Appointed	No	Council-Manager

NR – Not Reported

Presiding Judge of the Municipal Court

Supplemental Pay

Additional direct compensation or supplemental pay – Consistent with the City, all ten (10) peer employers do not offer any additional direct compensation.

Expense Allowance – Like the City, most peer employers (90%), with the exception of the City of Dallas, do not offer expense allowance. The City of Dallas did not report the amount offered.

Retention Pay – Consistent with the City, all ten (10) peer employers reported they do not offer retention pay.

Health, Dental and Vision – Consistent with the City, all ten (10) peer employers offer health benefits. The City eligible amount for medical plan is \$12,201.84 and offers the same plans available to all employees for dental, vision, and paid leave based on years of service. Five (5) out of ten (10) peer employers offer dental and vision plans. The City of Houston's dental and vision are available to employees who are responsible for plan premium and the employer does not contribute. The City of Phoenix's vision is included in the medical plan.

Paid Leave – The City offers a special Judge plan for paid leave. Six (6) out of ten (10) peer employers offer paid leave. Paid Leave include Vacation, Sick Leave, Personal Leave, Family Sick/Medical Leave, Bereavement, Jury Duty, and Holiday.

Other Benefits – Like the City, most peer employers (80%) do not offer any additional benefits. Two (2) out of ten (10) peer employers provide additional benefits. The City of Houston reported additional benefits valued at \$486.00 that includes life insurance, healthcare flexible spending account, long-term disability, paid time off, wellness, and dependent care reimbursement plan. The City of Phoenix offers up to \$6,500.00 Annual Tuition Reimbursement.

Additional Vacation/Sick Leave – Like the City, most peer employers (80%) do not offer any additional vacation and sick leave. The cities of Dallas and Virginia Beach offer an additional vacation and sick leave. Virginia Beach provides five additional days to employees. The City of Dallas did not report the additional vacation or sick leave days.

Annual Cost of Living – Consistent with the City's, most peer employers (80%) do not offer annual cost of living adjustments. The cities of Oklahoma City and San Jose provide an annual cost of living adjustment based on market.

Relocation Assistance/Allowance – The City offers relocation assistance/allowance on a hire-only basis. Three (3) out of seven (7) peer employers offer relocation assistant.

Professional Membership – The City offers a stipend to be used for professional memberships. Two (2) out of eight (8) peer employers offer this perquisite.

Other Supplemental Pay – Consistent with the City, all ten (10) peer employers reported they do not offer other supplemental pay.

**TABLE 37
PRESIDING JUDGE
PERFORMANCE-BASED BONUS**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	No	--
City of Charlotte, NC	NR	NR
City of Dallas, TX	Yes	Minimum 3.00%
City of El Paso, TX	No	--
City of Fort Worth, TX	Yes	3.00% - 5.00%
City of Houston, TX	No	--
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	No	--
City of San Jose, CA	NR	NR
City of Virginia Beach, VA	NR	NR
City of San Antonio, TX	No	--

NR – Not Reported

**TABLE 38
PRESIDING JUDGE
SUPPLEMENTAL RETIREMENT PLAN OR DEFERRED COMPENSATION**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	No	--
City of Charlotte, NC	NR	NR
City of Dallas, TX	Yes	Up to \$37,000.00
City of El Paso, TX	No	--
City of Fort Worth, TX	No	--
City of Houston, TX	Yes	\$24,159.00
City of Oklahoma City, OK	Yes	NR
City of Phoenix, AZ	Yes	8.50% of Gross Salary
City of San Jose, CA	NR	NR
City of Virginia Beach, VA	NR	NR
City of San Antonio, TX	Yes	2.00% Match Amount Received: \$3,101.69

NR – Not Reported

**TABLE 39
PRESIDING JUDGE
LONGEVITY PAY**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or %)
City of Austin, TX	Yes	\$1,000.00/yr.
City of Charlotte, NC	NR	NR
City of Dallas, TX	No	--
City of El Paso, TX	No	--
City of Fort Worth, TX	Yes	YR3-5-\$25.00/mo., YR6-8-\$50.00/mo., YR9-Term \$75.00/mo.
City of Houston, TX	Yes	\$1,612.00/yr.
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	No	--
City of San Jose, CA	NR	NR
City of Virginia Beach, VA	NR	NR
City of San Antonio, TX	No	--

NR – Not Reported

**TABLE 40
PRESIDING JUDGE
VEHICLE/CAR ALLOWANCE**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or %)
City of Austin, TX	No	--
City of Charlotte, NC	NR	NR
City of Dallas, TX	Yes	\$1,575.00/yr.
City of El Paso, TX	Yes	\$3,328.00/yr.
City of Fort Worth, TX	Yes	\$3,600.00/yr.
City of Houston, TX	No	--
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	Yes	\$5,220.00/yr.
City of San Jose, CA	NR	NR
City of Virginia Beach, VA	NR	NR
City of San Antonio, TX	Yes	\$6000.00/yr.

NA – Not Applicable

NR – Not Reported

**TABLE 41
PRESIDING JUDGE
CELL/SMART PHONE**

Peer Employer	Eligible (Yes/No)	Eligible Amount (\$ or (%))
City of Austin, TX	No	--
City of Charlotte, NC	NR	NR
City of Dallas, TX	Yes	\$0.00
City of El Paso, TX	No	--
City of Fort Worth, TX	No	--
City of Houston, TX	Yes	NR
City of Oklahoma City, OK	No	--
City of Phoenix, AZ	Yes	\$1,200.00/yr.
City of San Jose, CA	NR	NR
City of Virginia Beach, VA	NR	NR
City of San Antonio, TX	Yes	\$840.00/yr.

NA – Not Applicable

Findings & Recommendations

The objective of this market study was to determine if the City of San Antonio’s actual base salaries for named executive positions are market competitive. Since the City does not currently have pay ranges for the four executive positions, we compared the City of San Antonio’s actual base salary rates to market average actual base salary. Overall, the City’s actual base salary rate for the four (4) executive positions are above the market average.

Methodology for Compensation Cost Basis

The total compensation costs for the City Clerk, City Internal Auditor, City Manager, and the Presiding Judge of the Municipal Court on an employer only cost basis varies based on the following:

- Actual base pay
- Costs for all health related benefits (medical, dental, and vision). Health benefit costs are based on the current enrollment election of the City’s executive positions.
- Employee eligibility for bonus/incentive plans
- Other benefits and cash compensation, which includes longevity pay, vehicle allowance, technology allowance, relocation assistance/allowance, professional membership, and other miscellaneous cash compensation.
- Employee eligibility of the City’s supplemental retirement plan or deferred compensation plans

RECOMMENDATIONS FOR COMPENSATION STRUCTURE AND PAY PRACTICES

- Segal recommends the City develop a compensation philosophy for the executive positions that identifies the total compensation package elements. When you clearly define your compensation philosophy, it establishes your position on total pay. In turn, this serves as a strong communication tool and can be used to align future total compensation with the City’s goals.

As an example, the City might determine the percentage of Base Pay, Incentive Pay (cash or non-cash awards), and Benefits (non-financial awards) in accordance with the City’s resources.

TOTAL COMPENSATION EXAMPLE

Base Pay	Incentive Pay	Benefits	Total Compensation
50%	20%	30%	100%

City Clerk, City Internal Auditor & Presiding Judge

- Consider developing a performance-based bonus for the City Clerk, City Internal Auditor, and Presiding Judge positions or rewards for education and/or certification milestones.
- Utilizing the market average midpoint and a 60% pay range spread, Segal developed proposed pay ranges for each position and an additional proposed range based on a 75th percentile increase at the average market midpoint, shown in **Appendix A – Proposed Structure**.
- The City’s current annual base salary increase potential (5.0%) is higher than market average for each position. The Society for Human Resource Management (SHRM) reports a projected average base pay increase of 3.2% for the current fiscal year. Segal recommends review of annual increase potential aligned with market.
- Market pay structure increase trends for executive and officers in the Southern Region averaged between 1.9% to 2.1% over the last six years. Segal recommends the City monitor annual market movement and adjust the applicable pay ranges, as needed.

City Manager

- While the City passed Proposition B in November 2018, which caps the City Manager’s salary at ten times the earnings of the lowest-paid City employee, the City may consider using the proposed range provided in **Appendix A – Proposed Structure**, for informational purposes.
- Based on the market data, Segal recommends the City consider an increase in the City Manager’s annual vehicle/car allowance. Segal also recommends the City consider increasing the City Manager’s bonus potential and inclusion of other benefits or perquisites such as life insurance, short-term and long-term disability to maintain total compensation market competitiveness, if appropriate.

Appendix A – Proposed Structure

APPENDIX B
City of San Antonio, TX
Detailed Market Data (Adjusted)

City Clerk							
Respondent	Matching Job Title	Years in Position	Workweek	Pay Range Minimum Base Salary	Pay Range Midpoint Base Salary	Pay Range Maximum Base Salary	Actual Base Salary
<i>Public Data Sources</i>							
City of Austin, TX	City Clerk	6	40.0	NA	NA	NA	\$136,641
City of Charlotte, NC	City Clerk	10	40.0	\$97,303	\$110,818	\$124,333	\$101,451
City of Dallas, TX	City Secretary	7 months	40.0	NA	NA	NA	\$139,410
City of El Paso, TX	City Clerk	10 months	40.0	\$89,151	\$121,691	\$154,230	\$93,661
City of Fort Worth, TX	City Secretary	7	40.0	NA	NA	NA	\$131,194
City of Houston, TX	City Secretary	28	40.0	\$76,983	\$121,494	\$166,006	\$99,791
City of Oklahoma City, OK	City Clerk	16	40.0	\$105,825	\$133,784	\$161,742	\$150,724
City of Phoenix, AZ	City Clerk	12	40.0	\$97,424	\$131,534	\$165,643	\$162,954
City of San Jose, CA	City Clerk	5	40.0	\$110,401	\$133,455	\$156,510	\$132,217
City of Virginia Beach, VA	City Clerk	1	40.0	NA	NA	NA	\$102,204
City of San Antonio, TX		14	40.0	NA	NA	NA	\$172,768
<i>Public Market Average</i>				\$96,181	\$125,463	\$154,744	\$125,025
<i>City of San Antonio, TX as a % of Public Market Average</i>				NA	NA	NA	138%
City of San Antonio, TX				NA	NA	NA	\$172,768
<i>Overall Comparator Market Average</i>				\$96,181	\$125,463	\$154,744	\$125,025
City of San Antonio, TX as a % of Overall Market Average				NA	NA	NA	138%

NA = Data Not Available - Indicates respondent did not report a pay range or actual base salary for the applicable job title.
All data is adjusted based on geographic differences in the cost of labor, and/or differences in workweek definition, as applicable.

APPENDIX B
City of San Antonio, TX
Detailed Market Data (Adjusted)

City Internal Auditor

Respondent	Matching Job Title	Years in Position	Workweek	Pay Range Minimum Base Salary	Pay Range Midpoint Base Salary	Pay Range Maximum Base Salary	Actual Base Salary
Public Data Sources							
City of Austin, TX	City Auditor	4	40.0	NA	NA	NA	\$160,072
City of Charlotte, NC	Internal Auditor	1	40.0	\$134,978	\$153,725	\$172,471	\$145,570
City of Dallas, TX	City Auditor		40.0	NA	NA	NA	\$212,904
City of El Paso, TX	Chief Internal Auditor	13	40.0	\$103,334	\$142,602	\$181,869	\$135,779
City of Fort Worth, TX	City Auditor	5	40.0	NA	NA	NA	\$151,088
City of Houston, TX	City Auditor	4.3	40.0	\$76,983	\$121,494	\$166,006	\$150,611
City of Oklahoma City, OK	City Auditor	10	40.0	NA	NA	NA	\$164,146
City of Phoenix, AZ	City Auditor	2	40.0	\$102,340	\$138,173	\$174,006	\$155,370
City of San Jose, CA	City Auditor	10	40.0	\$110,401	\$139,550	\$168,700	\$168,700
City of Virginia Beach, VA	City Auditor	11	40.0	NA	NA	NA	\$130,560
City of San Antonio, TX		6	40.0	NA	NA	NA	\$184,395
Public Market Average				\$105,607	\$139,109	\$172,610	\$157,480
City of San Antonio, TX as a % of Public Market Average				NA	NA	NA	117%
Published Data Sources							
ERI Salary Assessor - San Antonio,	Top Internal Auditor		40.0	\$133,253	\$178,088	\$233,993	NA
Towers Watson - South Central	Top Internal Audit Executive		40.0	\$166,000	\$185,000	\$276,200	NA
City of San Antonio, TX		6	40.0	NA	NA	NA	\$184,395
Published Market Average				\$149,627	\$181,544	\$255,097	NA
City of San Antonio, TX as a % of Published Market Average				NA	NA	NA	NA
City of San Antonio, TX				NA	NA	NA	\$184,395
Overall Comparator Market Average				\$127,617	\$160,326	\$213,853	\$157,480
City of San Antonio, TX as a % of Overall Market Average				NA	NA	NA	117%

NA = Data Not Available - Indicates respondent did not report a pay range or actual base salary for the applicable job title.
All data is adjusted based on geographic differences in the cost of labor, and/or differences in workweek definition, as applicable.

APPENDIX B
City of San Antonio, TX
Detailed Market Data (Adjusted)

City Manager

Respondent	Matching Job Title	Years in Position	Workweek	Pay Range Minimum Base Salary	Pay Range Midpoint Base Salary	Pay Range Maximum Base Salary	Actual Base Salary
Public Data Sources							
City of Austin, TX	City Manager	1	40.0	NA	NA	NA	\$311,318
City of Charlotte, NC	City Manager	1	40.0	NA	NA	NA	\$301,146
City of Dallas, TX	City Manager	1	40.0	NA	NA	NA	\$367,113
City of El Paso, TX	City Manager	4	40.0	NA	NA	NA	\$331,742
City of Fort Worth, TX	City Manager	4	40.0	NA	NA	NA	\$334,362
City of Houston, TX	No Match			NA	NA	NA	NA
City of Oklahoma City, OK	City Manager	18	40.0	NA	NA	NA	\$275,965
City of Phoenix, AZ	City Manager	10	40.0	\$318,182	\$373,737	\$429,293	\$318,182
City of San Jose, CA	City Manager	1	40.0	\$218,344	\$241,463	\$264,582	\$260,592
City of Virginia Beach, VA	City Manager	3	40.0	NA	NA	NA	\$264,139
City of San Antonio, TX		13	40.0	NA	NA	NA	\$475,000
Public Market Average				\$268,263	\$307,600	\$346,937	\$307,173
City of San Antonio, TX as a % of Public Market Average				NA	NA	NA	155%
Published Data Sources							
ERI Salary Assessor - San Antonio,	Chief Executive Officer		40.0	\$246,139	\$501,450	\$833,244	NA
IBM Kenexa - CompAnalyst	Chief Executive Officer		40.0	\$597,000	\$772,900	\$960,500	NA
Towers Watson - South Central	Chief Executive Officer		40.0	\$411,100	\$575,000	\$942,800	NA
City of San Antonio, TX		13	40.0	NA	NA	NA	\$475,000
Published Market Average				\$418,080	\$616,450	\$912,181	NA
City of San Antonio, TX as a % of Published Market Average				NA	NA	NA	NA
Additional Organizations Data Sources							
Alamo Colleges District	Chancellor		40.0	\$335,000	\$418,983	\$502,965	\$335,000
Bexar County	County Manager	7	40.0	NA	NA	NA	\$284,124
Brooks	President and Chief Executive Officer	5	40.0	NA	NA	NA	\$270,000
CPS Energy	President and Chief Executive Officer	2	40.0	NA	NA	NA	\$471,700
San Antonio Water System (SAWS)	President - CEO	10	40.0	NA	NA	NA	\$472,876
University Health System	President		40.0	NA	NA	NA	\$712,000
University of Texas - San Antonio	President		40.0	NA	NA	NA	\$500,000
Valero Alamo Bowl	President/CEO		40.0	NA	NA	NA	\$557,000

APPENDIX B
City of San Antonio, TX
Detailed Market Data (Adjusted)

VIA Metropolitan Transit	President - CEO	6	40.0	NA	NA	NA	\$325,000
City of San Antonio, TX		13	40.0	NA	NA	NA	\$475,000
<i>Additional Organizations Market Average</i>				\$335,000	\$418,983	\$502,965	\$436,411
<i>City of San Antonio, TX as a % of Additional Organizations Market Average</i>				NA	NA	NA	109%
City of San Antonio, TX				NA	NA	NA	\$475,000
<i>Overall Comparator Market Average</i>				\$340,448	\$447,678	\$587,361	\$371,792
City of San Antonio, TX as a % of Overall Market Average				NA	NA	NA	128%

NA = Data Not Available - Indicates respondent did not report a pay range or actual base salary for the applicable job title.
All data is adjusted based on geographic differences in the cost of labor, and/or differences in workweek definition, as applicable.

APPENDIX B
City of San Antonio, TX
Detailed Market Data (Adjusted)

Presiding Judge							
Respondent	Matching Job Title	Years in Position	Workweek	Pay Range Minimum Base Salary	Pay Range Midpoint Base Salary	Pay Range Maximum Base Salary	Actual Base Salary
<i>Public Data Sources</i>							
City of Austin, TX	Presiding Judge	5	40.0	NA	NA	NA	\$147,659
City of Charlotte, NC	No Match			NA	NA	NA	NA
City of Dallas, TX	Administrative Judge	6	40.0	NA	NA	NA	\$101,530
City of El Paso, TX	No Match			NA	NA	NA	NA
City of Fort Worth, TX	Chief Judge	1	40.0	NA	NA	NA	\$136,503
City of Houston, TX	Presiding Judge of Municipal Courts	1.9	40.0	\$81,557	\$128,060	\$174,562	\$154,972
City of Oklahoma City, OK	Court Administrator	3.5	40.0	\$127,083	\$160,674	\$194,264	\$151,681
City of Phoenix, AZ	Chief Presiding Judge	7	40.0	NA	NA	NA	\$174,999
City of San Jose, CA	No Match			NA	NA	NA	NA
City of Virginia Beach, VA	No Match			NA	NA	NA	NA
City of San Antonio, TX		14	40.0	NA	NA	NA	\$155,085
<i>Public Market Average</i>				\$104,320	\$144,367	\$184,413	\$144,557
<i>City of San Antonio, TX as a % of Public Market Average</i>				NA	NA	NA	107%
City of San Antonio, TX				NA	NA	NA	\$155,085
<i>Overall Comparator Market Average</i>				\$104,320	\$144,367	\$184,413	\$144,557
<i>City of San Antonio, TX as a % of Overall Market Average</i>				NA	NA	NA	107%

NA = Data Not Available - Indicates respondent did not report a pay range or actual base salary for the applicable job title.
All data is adjusted based on geographic differences in the cost of labor, and/or differences in workweek definition, as applicable.

Appendix B - Detailed Market Data

**City of San Antonio, TX
2019 Proposed Structure**

	Pay Range Minimum	Pay Range Midpoint	Pay Range Maximum	Range Width
City Clerk	\$106,777.02	\$125,463.00	\$170,843.23	60%
City Internal Auditor	\$118,390.64	\$139,109.00	\$189,425.02	60%
Presiding Judge	\$122,865.53	\$144,367.00	\$196,584.85	60%
City Manager¹	\$381,002.55	\$447,678.00	\$609,604.09	60%

¹Proposed pay range provided for informational purposes only due to the City passing Proposition B in November 2018, which caps the City Manager's salary at ten times the earnings of the lowest-paid City employee.

The proposed pay ranges are reflective of market data reported. The current incumbents' actual base pay for the City Internal Auditor and Presiding Judge positions are within the proposed structure. The methodology used to create the proposed structure is based on the market average pay range midpoint. The City Clerk incumbent's actual base pay is above the market maximum. The City may wish to consider red-circling the City Clerk's current base pay until the market maximum increases, if consistent with the pay policy of the organization.

Proposed Structure (75th Percentile at Midpoint)

	Pay Range Minimum	Pay Range Midpoint²	Pay Range Maximum	Range Width
City Clerk	\$125,463.00	\$147,419.03	\$200,740.80	60%
City Internal Auditor	\$139,109.00	\$163,453.08	\$222,574.40	60%
Presiding Judge	\$144,367.00	\$169,631.23	\$230,987.20	60%
City Manager	\$447,678.00	\$526,021.65	\$716,284.80	60%

²Proposed ranges based on 75th percentile of average market midpoint.

**City of San Antonio
2024 Chief Executive Survey**

Local Organizations										
	City of San Antonio	Brooks City Base	CPS Energy	Port San Antonio	SAWS	University Health System	VIA	Alamo College District	University of Texas SA	Bexar County
	Erik Walsh	Leo Gomez CEO	Rudy Garza CEO	Jim Perschbach CEO	Robert Puente CEO	George Hernandez President & CEO	Jeffrey Arndt CEO	Dr. Mike Flores District Chancellor	Taylor Eighmy President Univ of TX	David Smith County Manager
FY24 Budget	\$3.7 Billion	\$15M	\$1.9B (does not include \$1.1B fuel budget)	\$76.1M	\$1.02 B	\$3B	\$390.8M	\$503.9M	\$671M	\$2.96B
Number of Employees	13,703	35	3,370	107	1,937	10,373	2,128	6,000	7,000	5,304
Tenure in Job	5 yrs	10 yrs 8 mos	1 yr	5yrs 10 months	15 yrs	19 yrs	10 yrs	5 years	6 years	12 yrs
Base Salary	\$374,400	\$422,625	\$427,450	\$413,438	\$593,838	\$826,000	\$362,250	\$400,000	\$628,603	\$284,124
Projected Salary Increase and Frequency	Increase consistent with City Charter, frequency subject to City Council annual budget process	Reviewed annually, typically COLA based on market	Reviewed annually	Reviewed annually based on performance		Difficult to speculate Increase; Awarded annually	No anticipated increase information; If increase occurs - Oct. 1	None- contract renews in 2024		N/A
Incentives/Allowances										
Communications	\$900	\$1,800	\$0	Cell phone provided	\$1,800	N/A	\$0	\$2,000	\$0	\$0
Vehicle	\$6,000	\$12,000	\$0	\$12,000	\$7,200	\$6,000	\$0	\$12,000	\$0	\$0
Insurance Benefits	Eligible for civilian benefits	100% covered	Equal to all staff	Medical, dental & vision for CEO & dependents \$20,397.36	Medical, Dental, Vision, Life, A&D and Disability	Equal to all staff	Equal to all staff		0	Eligible for civilian benefits
Health Savings Account Deposit	\$9,300	\$4,300	\$750	\$0					\$0	\$0
Bonus	N/A	Up to 15% of base salary	N/A	23 Incentive = \$124,031 Retention = \$30,000	Deferred Incentive	Determined by Board (Last Award: \$200,000)	\$0		\$0	\$0
Bonus Frequency		Annually				annual	N/A		\$0	N/A
Projected Annual Compensation*	\$390,600	\$504,119	\$428,200	\$599,866	\$602,838	\$1,032,000	\$362,250	\$414,000	\$628,603	\$284,124
<i>* assumes maximum incentives available</i>										
Other Information										
Retirement	6% Employee Contribution 12% Employer Contribution (TMRS)	\$41,400 2-to-1 match up to 6% of salary	5% employer contribution	Defined Benefit 401 (a) \$9,250 in 2023	TMRS - 3% Employee & 3% Employer contrib Principal - Defined Benefit Program with 3% employee contribution	Pension Plan (2% Employee Contribution)	6% mandatory employee contribution, 6% employer match		May participate in TRS or ORP plan	7% employee contribution 14% employer contribution TCDRS
Deferred Compensation	\$30,500		0	Dollar for dollar match up to IRS Limits	Maximum Allowable by Law	(457 Retirement Savings Plan up to \$30,500 with Match up to 4% of contributions) (403b Retirement Savings Plan up to \$30,500)	\$48,750			\$0

**City of San Antonio
2024 Chief Executive Survey**

	Peer City Organizations														
	City of San Antonio (Population 1.5 M) Erik Walsh	City of Austin (Population .9 M) Jesus Garza (Interim)	City of Dallas (Population 1.3 M) T.C. Broadnax	City of Fort Worth (Population .9 M) David Cooke	City of Phoenix (Population 1.7 M) Jeff Barton	City of El Paso (Population .7 M) Cary Westin (Interim)	City of Corpus Christi (Population .3 M) Peter Zanoni	City of San Diego (Population 1.4 M) Eric Dargan, COO	City of Charlotte, NC (Population 879 K) Marcus D. Jones	City of Arlington (Population 392 K) Trey Yelverton	City of Plano (Population 289 K) Mark Israelson	City of Laredo (Population 255 K) Joseph Need	City of Oklahoma City (Population 687 K) Craig Freeman	City of San Jose (Population 983 K) Jennifer Maguire	City of Lubbock (Population 317 K) W. Jarrett Atkinson
FY24 Budget	\$3.7B	\$5.5B	\$4.6B	\$2.5B	\$6.75B	\$1.1B	\$1.5B	\$5.2B	\$3.3 B	\$672M	\$811M	\$905M	\$1.9B	\$4.5B	\$960M
Number of Employees	13,703	16,000	13,469	7,219	17,690	7,111	4,091	12,949	8,195	3,000	3,700	3,500	5,108	7,040	2,500
Tenure in Job	5 yrs	1 yr	6yrs, 11 months	9 yrs, 6 months	2.25 yrs	6 mos.	4.67 yrs	14 mos	7 yrs	14 years	5 years	1 year	5 yrs	3 years	7 years
Base Salary	\$374,400	\$350,000	\$423,247	\$398,127	\$395,762	\$328,000	\$372,000	\$393,744	\$451,933	\$378,668	\$333,583	\$270,000	\$285,896	\$384,388	\$354,605
Incentives /Allowances															
Communications	\$900	\$1,620			\$1,440	Cell phone provided	\$840	\$612	\$3,100	\$600		\$1,200			N/A
Vehicle	\$6,000	-	\$8,400	\$7,200	\$6,000	\$6,000	\$7,200	\$9,600	\$5,700	\$6,000	\$1,200	\$6,000	\$7,000		\$6,540
Insurance Benefits	Eligible for civilian benefits	Not eligible for civilian benefits	Eligible for civilian benefits	Eligible for civilian benefits	Medical (includes vision), Dental, Pharmacy	Annual Executive Exam Cooper Clinic (for previous incumbent)	Eligible for civilian benefits	\$18,500	eligible for civilian benefits		Eligible for civilian benefits	Eligible civilian benefits	Eligible civilian benefits		Eligible for civilian benefits
Health Savings Account Deposit	\$8,300						\$1,300	\$0	N/A						N/A
Lump Sum	NA	No	No	No	No	No	No	No	No					\$20,749	\$13,000.64 COLA
Raise Occurance	Increase consistent with City Charter, frequency subject to City Council annual budget process		annually (October 1)		Council approved percentage and disbursement	pending	Salary is increased by performance review annually in May. Council approved percentage.	Approval needed by city council. If applicable, Disbursed 7/1 & 1/1	Performance based effective July (July '23 received a 4% increase to base pay & a \$15K contribution to 401 (a)	Raise TBD Receives longevity pay like all staff (2023 - \$6,898)	4.5% increase and \$15K contribution to 401	4% every year			Annually
Projected Annual Compensation*	\$389,600	\$351,620	\$431,647	\$405,327	\$403,202	\$334,000	\$381,340	\$422,456	\$460,733	\$392,166	\$334,783	\$277,200	\$292,896	\$405,137	\$374,145
<i>* assumes maximum incentives available</i>															
Other Information															
Retirement	6% Employee Contribution 12% Employer Contribution (TMRS)	9% Employee Contribution; 8.68% Employer Contribution	13.32% Employee Contribution 22.68% Employer Contribution	10.65% Employee Contribution 26.64% Employer Contribution	5% employee contribution 30.24% employer contribution	8.95% Employee Contribution; 14.05% Employer Contribution	7% Employee Contribution; 14% Employer Contribution (TMRS)	Participation in SDCERS Tier II defined benefit pension plan 1% Employee Contribution and 1% Employer Contribution to 401(a) plan		7% employee deposit rate 2 to 1 employer contribution vested 5yr	7% employee deposit rate 2 to 1 employer contribution vested 5yr		Contributes 4.3% and the city pays 6%	\$72,237 contributed by City to pension plan	7% Employee Contribution 14% Employer Contribution (TMRS)
Deferred Compensation	\$30,500	\$20,500	\$18,000		no match from City to 457; 9% employer contribution to a 401a defined contribution plan	Pending	\$19,000		6% employee contribution to NC Retirement, 12.85% employer contribution, 3% employer contribution to 401(k)	8% of employee contribution off base salary	457 deferred compensation increased to 22,500 in 2023 over the age of 50 up to 30,000				Built into salary

Charter Review Commission
Subcommittee Status Report

Subcommittee:	Council Districts and Redistricting
Charge:	Council Districts - Whether an increase in single-member Council districts would appropriately enhance representation for San Antonio residents Redistricting - Whether the decennial Council redistricting process should be conducted by an independent, autonomous citizens committee and how such a committee's membership shall be appointed
Reporting Period:	February 8, 2024

Members in attendance: Frank Garza (Chair), Naomi Miller, and Dr. Rogelio Saenz. COSA staff: John Peterek (CMO), Megan Janzen (CMO), and Iliana Castillo Daily (CAO). David Zammiello (CRC Co-Chair) also attended.

Meeting agenda:

- Review research gathered by staff related to advisory and independent redistricting commissions
- Discussion of 2021 redistricting process for the City of San Antonio
- Follow-up questions and requests for additional information related to council budgets to meet the needs of constituents.
- Set next meeting (**February 20th**)

Discussion summary:

- Review research gathered by staff related to advisory and independent redistricting commissions
- Discussion of second charge (process for redistricting)
 - Experiences and lessons learned from 2021 redistricting process for the City of San Antonio and its first ever advisory commission.
 - Who served on the commission and how they were appointed
 - Communication with council members
 - Adoption process for final plan

Charter Review Commission
Subcommittee Status Report

Resources consulted (for example, guests or experts invited to speak, benchmarks, or reports):

- City staff provided information on city council office budgets and staffing from FY 2014 and FY 2024 (see table below).
- City staff provided information on advisory commissions in Dallas, El Paso and San Jose.
- City staff provided information on independent commissions in New York City, Minneapolis, Portland, Syracuse, NY, San Diego and Austin.

City Council Budget & Personnel Info

	FY2024	FY2014
Operating Budget	\$15,698,103	\$6,064,886
# City Support Staff	16	15
# Mayor & Council Staff	96	70

Next steps including requests or deliverables needed from staff:

- Subcommittee, with staff support, will work on merging language of interest from different cities into a proposal that addresses:
 - Who can and cannot serve on an advisory commission,
 - How council appoints members,
 - Communication between the commission and council, and
 - Commission approves all changes to plan, but Council approves final plan.
- No additional information at this time.

Advisory Redistricting Commissions

Dallas (14 districts, pop. 1.3 million)

- 15-member commission
- Who can serve on the commission:
 - Cannot be a member of city council.
 - Cannot be a candidate for a place on the city council in the next general election of the city
 - Cannot be appointed or elected to the city council or to any other official board or commission of the city for a period of one (1) year after service
- How members are selected:
 - Each council member appoints one (1) member to the commission.
 - The mayor appoints the chair of the commission, subject to confirmation by a majority of the city council.
- Adoption of the plan:
 - Must convene in sessions that are necessary, including public hearings, to develop, prepare, and recommend a districting plan.
 - Council members cannot have contact, directly or indirectly, with a redistricting commission member, or with redistricting commission staff, with respect to redistricting outside of testimony in an open meeting.
 - Commission members cannot engage in any discussions, directly or indirectly, regarding redistricting or the work of the redistricting commission with city council members, except during an open meeting or by written communication given to the entire redistricting commission.
 - The city council can adopt the plan as submitted by the advisory commission or they can modify and adopt. If neither of such actions is taken within 45 days, then the recommended plan of the redistricting commission will become the final districting plan for the city.
- Link to [charter](#). See Chapter IV, Section 5.

El Paso (8 districts, pop. 678,815)

- 9-member commission
- Who can serve on the commission:
 - Must be a qualified voter
 - While on the commission, a member cannot serve the city in any other capacity, whether appointive or elective.
 - While on the commission cannot hold any elective public office
- How members are selected:
 - Each council member nominates one (1) qualified voter from their district and the mayor shall nominate one (1) qualified voter from the City at large. Commission members must then be approved by council.
 - The commission elects their own presiding officer.
- Adoption of the plan:
 - The commission's plan is a recommendation to the city council concerning adjustments of the district boundaries. Council can change the recommended plan.
- Link to [charter section](#).

San Jose (10 districts, pop. 1.01 million)

- 11-member commission
- Who can serve on the commission:
 - NA
- How members are selected:
 - Each council member appoints one (1) member from their district and the mayor appoints the commission chair.
- Adoption of the plan:
 - The commission must conduct at least three (3) public meetings at various locations throughout the city to discuss their recommendations.
 - The council must consider the commission's recommendations before adopting any redistricting ordinance. Council continues to be responsible for redistricting even if they do not receive a recommendation from the commission.
- Link to [charter](#). See Section 403. Elections by Districts.

Independent Redistricting Commissions

New York City (51 districts; pop. 8.8 million)

- 15-member commission
 - 5 members appointed by majority party (no more than 1 of whom may be a resident of the same borough)
 - 3 members by minority party (no more than 1 of whom may be a resident of the same borough)
 - 7 members by the mayor (if any, of these appointees are members of a single political party then it shall create a majority of the commission)
- Commission creates plan and submits to council. Council adopts or “the council by the vote of a majority of all of its members adopts a resolution objecting to such plan and returns the plan to the commission.” The commission then prepares a revised plan that is made “available to the council and the public for inspection and comment. The commission shall hold public hearings and seek public comment on such revised plan.”
- Who can serve on the commission:
 - Cannot be “officers and employees of the city or any city agency, lobbyists required to file a statement of registration under federal, state or local law, the employees of such lobbyists, federal, state and local elected officials, and officers of any political party.”
 - Link to [charter section](#).
- How can they serve on the commission:
 - Appointed by either the mayor or city council. “The criteria for choosing commission members is borough, party, minority status and diversity.” See *NYC Districting Commission 101: A primer* [here](#).

Minneapolis (13 wards, pop. 429,954)

- The authority for redistricting is with the Charter Commission. They appoint a 9-member advisory group to prepare maps.
- Who can serve on the advisory group:
 - Advisory Group members must be an eligible voter in the city who has not, within the two (2) years of being appointed:
 - Held any elected public office
 - Appeared on a ballot listing his or her partisan affiliation in any election
 - Worked as an employee of any political party (as defined by the Minnesota election law)
 - Worked as an employee for the city in any capacity other than as an election judge.
- How they are selected:
 - Applications to serve go through the Charter Commission and are reviewed by their Charter Commission Redistricting Advisory Member Selection Work Group. They select finalists to be interviewed and a final list is recommended to the Charter Commission for appointment.
- 15-member Charter Commission approves of the final boundaries
- Link to city's [redistricting page](#) with more information.

Portland (4 districts, pop. 652,503)

- 13-member independent district commission prepares and adopts plan that divides city into 4 districts. [OPB article](#).
- Who can serve on the commission:
 - Members are appointed by the mayor and approved by the city council from a field of applicants.
 - Members cannot be an “elected or appointed City officials and employees, and candidates for elected City office who have filed and been qualified to the ballot by the City Elections Office, are prohibited from serving on the Commission.”
- How they are selected:
 - Community members applied and scored. The scored list of applicants is then used by the mayor and council to select the members.
- The commission requires that 9 of its 13 members approve vote to approve their district plan, if so then no further action is needed. If fewer than 9 approve of the plan, then the most recent plan is sent to city council for consideration.
- Link to [city’s website](#) for independent commission.

Syracuse (5 districts, pop. 148,620)

- 15-member commission
- Who can serve on the commission:
 - The commission shall not consist solely of members from any one political party. Commission members shall not have any conflicts of interest that prevent them from acting in a fair and impartial manner. Link to [charter section](#).
 - A voter who has been continuously registered in the city for five (5) or more years and having voted in at least three (3) of the last five (5) municipal general elections. Link to most recent enabling [ordinance](#).
- How they are selected:
 - Selected from a pool of volunteers who submitted an application to the city auditor.
 - The first eight (8) members were drawn at random, then these eight (8) filled out the remaining seats making sure to represent the city as fully as possible.
- Council adopts final plan however, by charter, they must “adopt the new districts by ordinance without amendment as presented by the commission.” Link to [charter section](#).

San Diego (9 districts, pop. 1.38 million)

- 9-member commission
- Who can serve on the commission:
 - Registered voter in San Diego
 - Must file a written declaration with the city clerk stating that within five (5) years of the commission’s adoption of a final redistricting plan, they will not seek election to a San Diego City public office.
 - A member should be appointed from each of the nine (9) council districts (to the extent practicable) and should “possess working knowledge of the geography and neighborhoods of The City of San Diego.”
 - Link to [charter section](#).
- How they are selected:
 - City clerk solicits nominations for appointment to the commission.
 - Applications are reviewed by the “Appointing Authority,” which is a panel of 3 retired judges and 1 alternate retired judge.
 - The panel appoints the commission members.
 - Judges on the panel previously served on the Superior Court of the State of California, an appellate court of the State of California, or a U.S. District Court located within California. Their names are submitted to the city clerk and drawn at random using procedures for judicial nominees and appointees as set forth in the San Diego Municipal Code.
 - Link to [charter section](#).

Austin (10 districts, pop. 961,855)

- 14- member commission
- Who can serve on the commission:
 - A continuously registered voter in the City of Austin for the preceding five (5) or more year and has voted in at least three (3) of the last five (5) city general elections immediately preceding their application.
 - The student commissioner is exempted from this requirement.
 - Commission members cannot hold elective public office for the City of Austin for a period of 10 years beginning from the date of appointment.
 - They cannot hold appointive public office for the City of Austin, serve as paid staff for, or as a paid consultant to the City of Austin, the city council or any member of the city council, or to receive a non-competitively bid contract with the City of Austin for a period of three (3) years beginning from the date of appointment.
 - Link to [charter section](#).
- How they are selected:
 - Applications are solicited by the city auditor for both commission members and independent auditors. Independent auditors comprise the Applicant Review Panel.
 - The Applicant Review Panel is made up of three (3) qualified independent auditors drawn randomly at a public meeting.
 - The Applicant Review Panel reviews the applications of the qualified commission members and selects a pool of 60 applicants.
 - The list is submitted to the city council. Each member of the city council within five (5) days, in writing, may strike up to one (1) applicant from the pool of applicants. No reason need be given for a strike. Any applicant struck by any member of the city council must be removed from the pool of applicants.
 - The Applicant Review Panel then submits the pool of remaining applicants to the city auditor. The auditor randomly draws eight (8) names at a public meeting to serve on the commission. These commissioners review the remaining names in the pool of applicants and, from the remaining applicants in that pool, appoint six (6) applicants to the commission.
 - Link to [charter section](#).

Charter Review Commission
Subcommittee Status Report

Subcommittee:	Language Modernization
Charge:	1. Whether the Charter shall be generally amended to update its language to more accurately reflect current processes, acknowledgments, and roles 2. Section 11; calling special meetings
Reporting Period:	February 8, 2024

Members in attendance: Maria Salazar (chair); Shelley Potter; Frank Garza; Rogelio Saenz; Bonnie Prosser-Elder, David Zammiello (CRC Co-Chairs)

Staff support: Camila Kunau (CAO), John Peterek (CMO), and Megan Janzen (CMO)

Meeting agenda: review of charge for Section 11 seeking clarity and process recommendations; scheduling next committee meeting (2/21; 5:30-7:00 pm).

Discussion summary: Section 11 three councilmember requesting special meeting:

1. What is a Special Meeting? Not defined in COSA Charter nor in those of peer cities. RONR 12th ed does have definition. San Jose, CA has internal policy on what Council will consider, and what they won't consider.
2. Should "special meeting" be defined - what one is, what one is not, in the Charter or City Code? Code gives flexibility for Council to change; Charter means voters change.
3. Is there language appropriate for Charter and City policy/Code? What topic(s) are in jurisdiction of COSA, for example?
4. How do Council and Council Committee agendas get developed?
 - (a) Internal process for regular Council meeting agendas.
 - (b) City has City Council Consideration Request process (5 signatures of Council required).
 - (c) Committee Chair has discretion if within scope of charge for Committee as laid out in Mayor memo creating committees and assigning Council to Committees.
 - (d) Emergency Meeting provision in Texas Open Meetings Act.
 - (e) RONR has three-step process for agendizing an item.
5. COSA Department recommendations expected soon; received some from City Clerk. Will provide as received so committee can begin review and consideration.

Resources consulted (for example, guests or experts invited to speak, benchmarks, or reports): peer cities chart, San Jose Council Resolution Policy

Charter Review Commission
Subcommittee Status Report

Next steps including requests or deliverables needed from staff: comparison of mechanisms for putting items before council committees, full council; COSA department recommendations.