

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



**Meeting Minutes**  
**Charter Review Commission**  
Central Library  
600 Soledad 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

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**Thursday, February 22, 2024**

**5:30 PM**

**Central Library**

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The Charter Review Commission convened a regular meeting at Central Library, 600 Soledad, Auditorium at 5:35 PM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Members present:

**PRESENT: 13** – Prosser Elder, Zammiello, Adams, Baugh, Garza, Frisbie, Frost, Martinez-Flores, Miller, Potter, Robinson, Saenz, Salazar

**ABSENT: 2** - Casso, Perez

**Approval of Minutes**

- 1. Approval of the minutes from the Charter Review Commission (CRC) meeting on February 8, 2024.**

Frank Garza moved to Approve the minutes of the February 8, 2024 Charter Review Commission meeting. Pat Frost seconded the motion. The motion carried by the following vote:

**Aye:** Prosser Elder, Zammiello, Adams, Baugh, Garza, Frisbie, Frost, Martinez-Flores, Miller, Potter, Saenz, Salazar

**Absent:** Casso, Perez, Robinson

David Robinson joined the meeting at 5:39 p.m. after approval of the minutes.

**Briefing on the following items:**

2. **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

Council Districts & Redistricting Subcommittee Chair Frank Garza, reported that the Subcommittee met and spent the majority of their time on the redistricting process; less time was spent on the number of council districts but that was planned to be taken up later by the Subcommittee. Co-Chair Zammiello asked if the Subcommittee was still waiting for information. Garza replied that the Subcommittee had received all information requested.

Ethics Officer and Other Revisions Subcommittee Chair Mike Frisbie, reported that the Subcommittee met several times to explore whether the current Ethics Auditor position and the Ethics Review Board (ERB) were sufficient to meet the expectations of compliance and within the appropriate structure. According to Frisbie, two Subject Matter Experts (SMEs) provided input to the Subcommittee. Jason King, Chief Legal Officer with the University of Texas at San Antonio (UTSA), previously with the Texas Ethics Commission (TEC), provided feedback.

Frisbie stated that the Subcommittee discussed the responsibilities and term limits of the ERB noting that many functions of the ERB were governed by Ordinance and some of those items could be moved to the City Charter to strengthen them. On February 21, 2024, the Subcommittee met with ERB Chair Patrick Lang who had been the chair for five years and a member of the ERB for eight years. Lang had no complaints about how the ERB functioned and considered the ERB to be independent from City Council with their role being to provide education versus being punitive. Lang supported the extension of ERB term limits and also noted that ERB Members could not serve on any other board by Ordinance. Lang told the Subcommittee that the current Compliance Auditor's work was good and he did not think the position needed to be elevated or moved from under the City Auditor.

Josh Baugh added that the Ethics Subcommittee discussed organizational structure of a potential new Ethics Officer position at length and did not see adequate justification to recommend elevating the position. Baugh noted that State Law prohibited City Council from creating a position that did not answer to City Council. Co-Chair Zammiello noted that the ERB had recommended changes to the Ethics Code and asked how those contributed to the Subcommittee's discussion. Frisbie stated that they were not considered to be a part of the charge for the CRC.

Council Compensation and Term Limits Subcommittee Member Baugh presented on behalf of Chair Luisa Casso. He reported that the Subcommittee spent the majority of their time hearing from former Councilmembers. The general consensus, according to Baugh, was that there was a struggle with the low level of City Council pay with differing opinions related to whether being a Councilmember was a public service versus a career. Baugh stated that most of the former Councilmembers agreed that a longer term would make them more responsive to constituents. Baugh reported that the Subcommittee discussed how City Council pay originated and reviewed potential benefits and pitfalls for expanded terms.

City Manager Tenure and Compensation Subcommittee Chair Pat Frost, stated that the Subcommittee met and concluded that our City Manager was underpaid compared to other cities around the country as a result of the City Charter limitations. Frost reported that the Subcommittee was expected to hear from City Charter SME Charles Zech and would make a recommendation by the second week of March 2024.

Language Modernization Subcommittee Member Shelly Potter reported on behalf of Chair Maria Salazar noting that the Subcommittee met on February 21, 2024 and spent time discussing recommendations from Frank Garza regarding special meetings and the purpose of them. Frost commented regarding a news article related to the special meetings. Potter reported that several City departments had submitted recommendations including those from the San Antonio Police Department and the Office of the City Clerk.

Potter noted that the Subcommittee discussed raising the fee for filing for a place on the ballot noting that the Subcommittee was leaning toward leaving it at \$100 because they could always provide a petition in lieu of a place on the ballot. Baugh commented that there had been a number of people who just wanted to see their name on the ballot but were not really serious and he requested clarification on the number of signatures required. City Clerk Debbie Racca-Sittre noted that the law required one half of one percent of the voters in the last general election to be placed on the ballot in lieu of a filing fee; for Mayor this was close to 1,000 signatures but for some council districts it was as low as 40 signatures.

Co-Chair Zammiello noted that the Charter Review Commission (CRC) was nearly halfway through the process which included ample time for discussion by topic and a public comment period. Co-Chair Zammiello stated that the CRC would begin the formal presentations on March 4, 2024, by the following Subcommittees: Ethics, City Council Compensation and Term Length and Language Modernization. The March 21, 2024, CRC meeting was to serve as a checkpoint and would include presentations by the following Subcommittees: Council Districts and Redistricting and City Manager Tenure and Compensation.

Naomi Miller asked how public feedback would be received. Co-Chair Zammiello explained that there were some meetings dedicated to public comment and written feedback would be accepted.

Co-Chair Prosser Elder outlined key points that should be included in the formal presentations noting that staff would assist and a Power Point template had been developed.

Frost asked whether the presentation needed to include a time for discussion and questions. Co-Chair Zammiello stated that the Subcommittees would have 20 minutes to present and would have approximately 10 minutes set aside for public comment. Co-Chair Zammiello stated that Subcommittees would own the content, conclusions and recommendations, however, Co-Chair Zammiello offered that the Subcommittees could invite their SMEs to help with their presentation.

Garza asked if there was any opportunity for a member who may miss the meeting to hear what a member of the public might have to say. Assistant City Attorney, Iliana Castillo-Daily, stated that staff was not recording or streaming public comment, however, if a member of the public wanted to provide handouts, or written comments through SA SpeakUp, they would be provided to the Committee. She also noted there were limits on the number of minutes a person could speak.

Garza noted that he would not be at the March 4, 2024 meeting and requested to hear the comments. Castillo Daily stated that there was no plan to record or transcribe public comments. City Clerk Debbie Racca-Sittre stated that the minutes would reflect a brief statement of whether the person supported or opposed a change. Co-Chair Zammiello committed to ensuring that absent members were provided a proper debrief.

Baugh asked if the public would comment before or after the presentation. Castillo Daily stated that the public comment generally was held at the beginning of the meeting.

Co-Chair Prosser Elder provided an overview of the next steps and stated that the next meeting would be held on Monday March 4, 2024 and would include a report from Ethics, City Council, and Language Modernization as well as Public Comment. Co-Chair Prosser Elder clarified that the substance of the report and draft recommendations needed to come from the Subcommittee and not the staff.

The Co-Chairs recognized the hard work of the Subcommittees.

Castillo Daily provide a stack of English/Spanish handouts that the CRC could provide to members of the public including information on how to comment. Miller asked where the flyers would be distributed. Laura Mayes, Assistant Director of the Communications and Engagement Department reported that the flyers would be distributed at libraries, senior centers, community centers and City Council field offices as well as by email to Neighborhood Associations and any other stakeholders.

**ADJOURNMENT:**

There being no further discussion and no objection to adjournment, the meeting was adjourned at 6:21 p.m.

**Approved**

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*Bonnie Prosser Elder, Co-Chair*

*David Zammiello, Co-Chair*

**Respectfully Submitted**

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*Debbie Racca-Sittre, City Clerk*

Charter Review Commission  
Subcommittee Status Report

<b>Subcommittee:</b>	<b>Ethics Officer And Other Ethics Revisions</b>
<b>Charge:</b>	<b>Ethics Officer</b> - Whether the City should be able to appoint an independent ethics auditor with a legal background <b>Other Ethics Revisions</b> - 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
<b>Reporting Period:</b>	<b>February 22, 2024</b>

**Members in attendance:**

Subcommittee met on February 14 and February 21, 2024. All subcommittee members attended as well as staff from the City Auditor’s and City Attorney’s Offices.

**Meeting agenda:**

February 14<sup>th</sup> Meeting – Jason King

- Introductions by the subcommittee members and explanation of charge to the Speaker
- Introduction of Speaker and general remarks regarding independence and authority of ethics officers
- Questions by the subcommittee members

February 21<sup>st</sup> Meeting– Patrick Lang

- Introductions by the subcommittee members and explanation of charge to the Speaker
- Introduction of Speaker and general remarks regarding the structure of the Ethics Review Board
- Questions by the subcommittee members

**Discussion summary:**

**February 14<sup>th</sup> –**

- Jason King is the current chief legal officer at UTSA, but he has previously worked for the Texas Ethics Commission and has also served as the UT System Ethics Officer.
- Mr. King discussed the general pro and cons for an ethics officers having a legal background. He gave some measures that in his opinion, would generally provide more independence for the ethics officer, including where to

## Charter Review Commission Subcommittee Status Report

host the position, who has firing and hiring power, and who the position would report to.

- Mr. King stated that there is no best practice for ethics boards in terms of independence and authority due to the dependence on the context of each municipality's or organization's structure. He gave pros and cons for term limits for the Ethics Review Board and recommended considering stronger recusal standards.
- Finally, Mr. King provided some areas in which he believes the subcommittee could consider changes including: scope of the Ethics Review Board, requirement for anonymous complaints, and expanding the definition of conflict of interest.

### **February 21<sup>st</sup> –**

- Patrick Lang is the current chair of the Ethics Review Board and has served in that role for about five years. He has served on the ERB for a total of around eight years.
- Mr. Lang generally has no complaints about how the ERB currently functions and believes the ERB to be very independent from City Council. He feels that the role of the ERB is to be both educational and punitive and that the improved education regarding ethics has reduced the number of complaints to the ERB that are outside their jurisdiction. He supported the idea of bringing ERB protections from the Ethics Code into the City Charter.
- Mr. Lang approved of the work of the Compliance Officer and while he believes that an Ethics Officer could be beneficial, he can think of no specific incident that would require the creation of the position.
- Mr. Lang discussed the pros and cons of term limits for the ERB members and the prohibition of the members serving on separate city boards or committees.

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

- The subcommittee invited Jason King who is current chief legal officer at UTSA to consult with him on the role of an ethics officer.
- The subcommittee also invited Patrick Lang who is the chair of the Ethics Review Board to consult with him on the role of the Ethics Review Board.

### **Next steps including requests or deliverables needed from staff:**

- The subcommittee chair asked staff to research and provide data on term lengths and term limits for boards and commissions throughout the City.
- It is anticipated that the subcommittee will meet again, at least once, prior to the March 7 Charter Commission meeting.

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Subcommittee Status Report

**Current subcommittee position and approach:**

- Based on all research and discussions to date, the subcommittee does not see a need to create a new executive level, independent Ethics Compliance Officer.
- The subcommittee will continue to explore/discuss ways to enhance the ERB and Compliance Officer position.

Charter Review Commission  
Subcommittee Status Report

<b>Subcommittee:</b>	<b>City Council Compensation And Term Length</b>
<b>Charge:</b>	<b>City Council Member Compensation</b> - 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 <b>City Council Term Length</b> - 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
<b>Reporting Period:</b>	<b>February 22, 2024</b>

**Members in attendance:**

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

**Meeting agenda:**

- Interview of former councilmembers .

**Discussion summary:**

- Former councilmembers discussed financial reasons, if any, that led to their moving on to new positions following their positions as a council person and the financial circumstances during their council term.
- Former councilmembers generally agreed that two-year terms were too short to be productive.

Charter Review Commission  
Subcommittee Status Report

	<b>City Manager Tenure &amp; Compensation</b>
<b>Charge:</b>	<b>City Manager Tenure</b> – Whether the City Council should have the authority and discretion to hire, manage, and determine the length of service of the City Manager <b>City Manager Compensation</b> – Whether the City Council should determine the compensation of the City Manager so that market and competitive indicators are taken into account
<b>Reporting Period:</b>	<b>February 12, 2024</b>

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

Subcommittee Member Martha Martinez-Flores was briefed after the meeting.

**Meeting agenda:**

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

- Updated 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)
- Language Options (4 options) for Subcommittee Consideration
- Discussion
- Next Steps: Additional Requests for Information and Additional Dates for CMTC Subcommittee meeting

**Discussion summary:**

The Subcommittee discussed Attachment A reflecting additional Comparator Information that included tenure in position plus other factors. (See attachment A Feb. 12 Comparator Chart.)

The Subcommittee also discussed four (4) samples of potential charter language to capture the intent to address the City’s ability to compete long term and attract City Manager candidates in the future. (See attachment B Feb. 12 Language Options). The consensus continues to be that the City wants to be competitive.

Charter Review Commission  
Subcommittee Status Report

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

- Updated 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). Attachment A Feb. 12 Comparator Chart.
  - Human Resources Director Renee Frieda and Assistant Human Resources Director Krystal Strong attended the meeting. The Human Resources Director made observations about the Comparator information captured in Attachment C. (Attachment C Feb. 12 HR Points) The Subcommittee reviewed the information as the HR Director discussed it. She referred to the Geographical Differential that adjusts other cities' salaries to San Antonio dollars. The Subcommittee requested the Geographical Differential information be included in another version of the chart. That is included in Attachment D. (Attachment D Feb. 12 Requested Chart).
  
- Four (4) Options provided by staff after consulting with outside Counsel, Charlie Zech with Denton, Navarro, Rodriguez, Bernal, Santee & Zech were discussed. (Attachment B Feb. 12 Language Options).

**Next steps including requests or deliverables needed from staff:**

- The Subcommittee asked for Geographical Differential information to be included in the comparator chart.
- The Subcommittee will revisit City charter language options and requested the attendance of the Charter language expert. Charlie Zech will be in attendance at the next Subcommittee meeting.
- After the next Full CRC meeting on February 22, this Subcommittee will meet on February 26 at 4:00 p.m. by Webex.

End of Status Report.

**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 Pertschbach CEO	Robert Puenie 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	5 yrs 10 months	15 yrs	19 yrs	10 yrs	5 years	6 years	12 yrs
Tenure in Organization	29 years 8 mos	10 yrs 8 mos	11 yrs	9 yrs 4 months	15 years	35 yrs 11 mos	11 yrs	25 yrs	6 yrs	27 yrs
Executive level experience	18 years 5 mos	10 yrs 8 mos	No Response	27 yrs	No Response	35 yrs 11 mos	25 yrs	12 yrs	18 yrs	20 yrs
<b>Base Salary</b>	<b>\$374,400</b>	<b>\$367,500</b>	<b>\$427,450</b>	<b>\$413,438</b>	<b>\$593,838</b>	<b>\$826,000</b>	<b>\$362,250</b>	<b>\$400,000</b>	<b>\$628,603</b>	<b>\$284,124</b>
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	At Board's discretion	Difficult to speculate increase; Awarded annually	No anticipated increase information; If increase occurs - Oct. 1	None- contract renews in 2024	Reviewed annually during Board of Regents Meeting	Reviewed at Contract Extension Contract expires in 2024
<b>Incentives/Allowances</b>										
Communications Vehicle	\$900	\$1,800	\$0	Cell phone provided	\$1,800	N/A	\$0	\$2,000	\$0	\$0
Insurance Benefits	\$6,000	\$12,000	\$0	\$12,000	\$7,200	\$6,000	\$0	\$12,000	\$0	\$0
	Eligible for same benefits as staff (civilians)	Eligible for same benefits as staff Employer pays for all costs (\$23,233)	Eligible for same benefits as staff	Medical, dental & vision Employer paid all (\$20,397)	Eligible for same benefits as staff	Eligible for same benefits as staff	Eligible for same benefits as staff	No Response	Eligible for same benefits as staff	Eligible for same benefits as staff (civilians)
Employer Provided Health Savings Account Deposit	\$9,300	\$4,300	\$750	\$0	No Response	Not Provided	No Response	No Response	\$0	\$0
Bonus		Up to 15% of base salary Max Value = \$55,125	None	2023 Total Amount = \$154,031	Deferred Incentive (Pending Clarification)	Determined by Board (Last Award: \$200,000)	\$0	No Response	Determined by Board of Regents as applicable	\$0
Bonus Frequency	Annually	Annually	No Response	No Response	No bonus; eligible for deferred incentive	Annually	None	No Response	Annually	None
<b>Projected Annual Compensation*</b>	<b>\$390,600</b>	<b>\$440,725</b>	<b>\$428,200</b>	<b>\$599,866</b>	<b>\$602,838</b>	<b>\$1,032,000</b>	<b>\$362,250</b>	<b>\$414,000</b>	<b>\$628,603</b>	<b>\$284,124</b>
<i>* assumes maximum incentives available</i>										
<b>Other Information</b>										
Retirement	6% Mandatory Employee Contribution 12% Employer Contribution (TMRs) Value = \$44,928	2-to-1 match up to 6% of salary Max Value = \$25,358	5% employer contribution Value = \$21,373	Defined Benefit 401(a) FY23 Employer paid \$9,250	3% Mandatory Employee Contribution 3% Employer Contribution (TMRs) Value = \$17,815	Pension Plan (2% Employee Contribution) Eligible for Defined Benefit at age 65	6% Mandatory Employee Contribution, 6% Employer Match Value = \$21,735	No Response	May participate in TRS or ORP plan	7% Employee Contribution 14% Employer Contribution TCDRS Value = \$39,777
Employer Contributions to Deferred Compensation	Employer contributes max allowed IRS Limit Under 50 = \$23,000 Over 50 = \$30,500 Value = \$30,500	Not Provided	\$0	Match of 50% to IRS Limit Under 50 = \$23,000 Over 50 = \$30,500 Max Value = \$15,250	IRS Limit Under 50 = \$30,500 Over 50 = \$30,500 Value = \$30,500	Employer contributes half of IRS limits to 457 Savings Plan Max Value = \$15,250	Employee can participate	No Response	Depends if TRS or ORP plan	\$0

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

	City of San Antonio (Population 1.5 M) Erk Walsh	City of Austin (Population 0.9 M) Jesus Garza (Interim)	City of Dallas (Population 1.3 M) T.C. Broadthax	City of Fort Worth (Population 0.9 M) David Coole	City of Phoenix (Population 1.7 M) Jeff Barton	City of El Paso (Population 0.7 M) Cary Westin (Interim)	City of Corpus Christi (Population 0.3 M) Peter Zanol	City of San Diego (Population 1.4 M) Eric Dargatzis, Chief Operating Officer	City of Charlotte, NC (Population 0.9 M) Marcus D. Jones	City of Plano (Population 0.3 M) Mark Irsakson	City of Landoo (Population 0.3 M) Joseph Neeb	City of Oklahoma City (Population 0.7 M) Craig Freeman	City of San Jose (Population 1 M) Jennifer Maguire	City of Lubbock (Population 0.3 M) W. J. Jereit-Aklinson	City of Midland (Population 0.15 M) Tommy Gonzalez	
<b>Base Salary</b>	\$374,400	\$350,000	\$423,247	\$395,762	\$395,762	\$326,000	\$372,000	\$398,744	\$451,933	\$333,583	\$270,000	\$285,896	\$384,888	\$354,605	\$350,000	
<b>Incentives/Allowances</b>	\$900	\$1,620	No Response	\$1,440	\$1,440	Prior CM = \$441,807.06 Cell phone provided	\$840	\$612	\$31,000	No Response	\$1,200	No Response	No Response	N/A	None	
<b>Vehicle</b>	\$6,000	No Response	\$8,400	\$6,000	\$6,000	\$6,000	\$7,200	\$9,600	\$5,700	\$1,200	\$6,000	\$7,000	No Response	\$6,540	None	
<b>Insurance Benefits</b>	Eligible for civilian benefits	(Not eligible as interim) Permanent CM eligible for civilian benefits	Eligible for civilian benefits	Medical (includes vision), Dental, Pharmacy	Medical (includes vision), Dental, Pharmacy	Eligible for city health and life insurance	Eligible for civilian benefits	\$18,500	Eligible for civilian benefits	Eligible for civilian benefits	Eligible civilian benefits	Eligible civilian benefits	No Response	Eligible for civilian benefits	Insurance Benefits provided by City	
<b>Health Savings Account Deposit</b>	\$8,300	No Response	No Response	No Response	No Response	No Response	\$1,300	\$0	No Response	No Response	No Response	No Response	No Response	No Response	\$0	
<b>Lump Sum</b>	Increase consistent with City Charter, frequency subject to City Council annual budget process	No Response	No Response	Council approved percentage and disbursement	Council approved percentage and disbursement	No Response	No Response	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 51.9k contribution to 401k)	4.5% increase and 515k contribution to 401k	No Response	No Response	\$20,749	Not Available	\$0	
<b>Raise Occurrence</b>	No Response	No Response	Annually/October 1	No Response	No Response	No Response	Salary is increased by performance review annually in May, Council approved percentage.	No Response	Receives longevity pay like all staff (2023 - \$6,898)	No Response	4% Annually	No Response	No Response	Annually	Contract does not include salary increases over the 4 yr contract	
<b>Projected Annual Compensation*</b>	\$386,600	\$351,620	\$431,647	\$403,202	\$403,202	\$334,000	\$381,340	\$422,456	\$460,733	\$334,783	\$277,200	\$392,896	\$405,137	\$374,145	\$386,000	
<b>Other Information</b>	6% Mandatory Employee Contribution 12% Employer Contribution (TMRs) Value = \$44,928	9% Employee Contribution 8.68% Employer Contribution Value = \$30,380	13.32% Employee Contribution 22.68% Employer Contribution Value = \$95,992	10.65% Employee Contribution 26.64% Employer Contribution Value = \$106,061	5% Employee Contribution 30.24% Employer Contribution Value = \$119,678	8.95% Employee Contribution 14.05% Employer Contribution Value = \$46,084	8.95% Employee Contribution 14.05% Employer Contribution Value = \$46,084	7% Employee Contribution 14% Employer Contribution Value = \$52,080	Participation in SOBERS Tier II defined benefit pension plan 1% Employee Contribution and 1% Employer Contribution to 401(a) plan Value = \$9,937	6% Employee Contribution 12.85% Employer Contribution Value = \$8,073	7% Employee Contribution 14% Employer Contribution Value = \$46,702	No Response	4.3% Employee Contribution 6% Employer Contribution Value = \$17,153	Employee Contribution to Pension Plan Value = \$72,237	7% Employee Contribution 14% Employer Contribution Value = \$49,645	None Stated
<b>Retirement</b>	Employee contributions max allowed IRS Limit Under 50 = \$23,000 Over 50 = \$30,000 Value = \$26,500	FY23 City paid \$23,000	FY23 City paid \$18,000	9% employer contribution to 401(a) Value = \$36,519	FY23 City paid \$25,000	FY23 City paid \$19,000	FY23 City paid \$19,000	FY23 City paid \$19,000	8% of employee contribution off base salary	8% of employee contribution off base salary	8% of employee contribution off base salary	8% of employee contribution off base salary	8% of employee contribution off base salary	8% of employee contribution off base salary	8% of employee contribution off base salary	8% of employee contribution off base salary
<b>Employee Contributions to Deferred Compensation</b>	None Stated	None Stated	None Stated	None Stated	None Stated	None Stated	None Stated	None Stated	None Stated	None Stated	None Stated	None Stated	None Stated	None Stated	None Stated	

Current Language

Section 45 of the City Charter Paragraphs 1 and 2

**Sec. 45. City manager—Selection, appointment and removal.**

*Par. 1. Selection.* The council shall, by a supermajority vote (i.e., at least 67%) of its members, appoint a city manager who shall be chosen on the basis of his or her executive and administrative qualifications. He or she shall receive annual compensation as fixed by the council which, in no event, shall exceed, in total, an amount greater than 10 times the annual salary furnished to the lowest paid full-time city employee, and shall, during his or her tenure of office, reside within the city. No person ever elected to office as a member of the governing body of the city shall be eligible for appointment as city manager.

*Par. 2. Appointment and removal.* The city manager shall be appointed for an indefinite term but may not serve any more than eight years. The city manager may be removed by resolution at the discretion of the council by a majority vote of its members. Upon passage of a resolution stating the intention to remove the city manager and the reasons therefor, a copy of which shall be immediately furnished him or her, the council may suspend him or her from duty, but his or her salary shall continue until his or her removal becomes effective. Within twenty days after the passage of such a resolution, the city manager may reply in writing to it, and may request a public hearing. If so requested the council shall fix a time and place for a public hearing upon the question of removal, which shall be held not sooner than ten days nor more than twenty days after the receipt of such request. The final resolution removing the city manager shall not be adopted until such public hearing, if requested, has been held. The action of the council in removing the city manager shall be final. In case of the absence, disability or suspension of the city manager, the council may designate a qualified administrative officer of the city to perform the duties of the office. Pending the selection of any city manager following the adoption of this Charter, the council may appoint an acting city manager, who shall have all of the qualifications, powers and duties hereinbefore prescribed for the city manager, and who shall serve for a period not to exceed three months.

Four options for brainstorming with the Subcommittee Follow:

1. Option 1 rewrites paragraph 1 for clarity and discretion based on qualifications and experience commensurate with the duties required of the City Manager. Option 1 also rewrites paragraph 2 for clarity and to eliminate the tenure cap.
2. Option 2 rewrites paragraph 1 to remove the cap and include market and competitive indicators to determine City Manager compensation. Option 2 also rewrites paragraph 2 to eliminate the tenure cap.
3. Option 3 rewrites paragraph 1 to remove the cap. Option 3 also rewrites paragraph 2 to eliminate the tenure cap.
4. Option 4 rewrites paragraph 1 to remove the cap. Option 3 also rewrites paragraph 2 to eliminate the tenure cap and supermajority requirement.

## Option 1

### **Sec. 45. City manager—Selection, appointment and removal.**

*Par. 1. Selection.* The council shall, by a supermajority vote (i.e., at least 67%) of its members, appoint a city manager and determine the total compensation for the City Manager. Selection shall be based on the qualifications and experience commensurate with the duties required of the City Manager. The City Manager must reside within the city limits. Current or former members of the City Council are not eligible to be appointed as the City Manager. ~~who shall be chosen on the basis of his or her executive and administrative qualifications. He or she shall receive annual compensation as fixed by the council which, in no event, shall exceed, in total, an amount greater than 10 times the annual salary furnished to the lowest paid full-time city employee, and shall, during his or her tenure of office, reside within the city. No person ever elected to office as a member of the governing body of the city shall be eligible for appointment as city manager.~~

### **Sec. 45. - City manager—Selection, appointment and removal.**

*Par. 2. Appointment and removal.* The city manager shall be appointed for an indefinite term but may be removed by a majority vote of the council under the following process: The City Council must first approve a resolution by majority vote stating the intention to remove the city manager and the reasons for the intended removal. Upon passage of the resolution the Council may suspend the city manager from his or her duties with continued payment of salary until the removal becomes effective. Within 20 days of the passage of the resolution the city manager may respond to the resolution in writing and request a public hearing of Council. If a public hearing is requested the Council shall conduct the public hearing no earlier than ten days from the date of the request and no later than 20 days after the date of the request for a public hearing. The City Council may pass a final resolution removing the city manager after the public hearing has been held. A Council vote to remove the city manager shall be final. If the city manager is suspended, removed, absent, or not able to carry out the prescribed duties, then the City Council may designate an administrative officer of the city to perform the duties of the office. ~~may not serve any more than eight years. The city manager may be removed by resolution at the discretion of the council by a majority vote of its members. Upon passage of a resolution stating the intention to remove the city manager and the reasons therefor, a copy of which shall be immediately furnished him or her, the council may suspend him or her from duty, but his or her salary shall continue until his or her removal becomes effective. Within twenty days after the passage of such a resolution, the city manager may reply in writing to it, and may request a public hearing. If so requested the council shall fix a time and place for a public hearing upon the question of removal, which shall be held not sooner than ten days nor more than twenty days after the receipt of such request. The final resolution removing the city manager shall not be adopted until such public hearing, if requested, has been held. The action of the council in removing the city manager shall be final. In case of the absence, disability or suspension of the city manager, the council may designate a qualified administrative officer of the city to perform the duties of the office. Pending the~~

~~selection of any city manager following the adoption of this Charter, the council may appoint an acting city manager, who shall have all of the qualifications, powers and duties hereinbefore prescribed for the city manager, and who shall serve for a period not to exceed three months.~~

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## Option 2

### **Sec. 45. City manager—Selection, appointment and removal.**

*Par. 1. Selection.* The council shall, by a supermajority vote (i.e., at least 67%) of its members, appoint a city manager who shall be chosen on the basis of his or her executive and administrative qualifications. He or she shall receive annual compensation as fixed by the council. ~~which, in no event, shall exceed, in total, an amount greater than 10 times the annual salary furnished to the lowest paid full-time city employee,~~ In setting the City Manager's compensation the City Council shall take into consideration market and competitive indicators. The city manager shall, during his or her tenure of office, reside within the city. No person ever elected to office as a member of the governing body of the city shall be eligible for appointment as city manager.

*Par. 2. Appointment and removal.* The city manager shall be appointed for an indefinite term, ~~but may not serve any more than eight years.~~ The city manager may be removed by resolution at the discretion of the council by a majority vote of its members. Upon passage of a resolution stating the intention to remove the city manager and the reasons therefor, a copy of which shall be immediately furnished him or her, the council may suspend him or her from duty, but his or her salary shall continue until his or her removal becomes effective. Within twenty days after the passage of such a resolution, the city manager may reply in writing to it, and may request a public hearing. If so requested the council shall fix a time and place for a public hearing upon the question of removal, which shall be held not sooner than ten days nor more than twenty days after the receipt of such request. The final resolution removing the city manager shall not be adopted until such public hearing, if requested, has been held. The action of the council in removing the city manager shall be final. In case of the absence, disability or suspension of the city manager, the council may designate a qualified administrative officer of the city to perform the duties of the office. Pending the selection of any city manager following the adoption of this Charter, the council may appoint an acting city manager, who shall have all of the qualifications, powers and duties hereinbefore prescribed for the city manager, and who shall serve for a period not to exceed three months.

### Option 3

#### **Sec. 45. City manager—Selection, appointment and removal.**

*Par. 1. Selection.* The council shall, by a supermajority vote (i.e., at least 67%) of its members, appoint a city manager who shall be chosen on the basis of his or her executive and administrative qualifications. He or she shall receive annual compensation as fixed by the council, ~~which, in no event, shall exceed, in total, an amount greater than 10 times the annual salary furnished to the lowest paid full-time city employee.~~ The city manager shall, during his or her tenure of office, reside within the city. No person ever elected to office as a member of the governing body of the city shall be eligible for appointment as city manager.

*Par. 2. Appointment and removal.* The city manager shall be appointed for an indefinite term, ~~but may not serve any more than eight years.~~ The city manager may be removed by resolution at the discretion of the council by a majority vote of its members. Upon passage of a resolution stating the intention to remove the city manager and the reasons therefor, a copy of which shall be immediately furnished him or her, the council may suspend him or her from duty, but his or her salary shall continue until his or her removal becomes effective. Within twenty days after the passage of such a resolution, the city manager may reply in writing to it, and may request a public hearing. If so requested the council shall fix a time and place for a public hearing upon the question of removal, which shall be held not sooner than ten days nor more than twenty days after the receipt of such request. The final resolution removing the city manager shall not be adopted until such public hearing, if requested, has been held. The action of the council in removing the city manager shall be final. In case of the absence, disability or suspension of the city manager, the council may designate a qualified administrative officer of the city to perform the duties of the office. Pending the selection of any city manager following the adoption of this Charter, the council may appoint an acting city manager, who shall have all of the qualifications, powers and duties hereinbefore prescribed for the city manager, and who shall serve for a period not to exceed three months.

## Option 4

### **Sec. 45. City manager—Selection, appointment and removal.**

*Par. 1. Selection.* The council shall, ~~by a supermajority vote (i.e., at least 67%) of its members,~~ appoint a city manager who shall be chosen on the basis of his or her executive and administrative qualifications. He or she shall receive annual compensation as fixed by the council ~~which, in no event, shall exceed, in total, an amount greater than 10 times the annual salary furnished to the lowest paid full-time city employee,~~ and shall, during his or her tenure of office, reside within the city. No person ever elected to office as a member of the governing body of the city shall be eligible for appointment as city manager.

*Par. 2. Appointment and removal.* The city manager shall be appointed for an indefinite term, ~~but may not serve any more than eight years.~~ The city manager may be removed by resolution at the discretion of the council by a majority vote of its members. Upon passage of a resolution stating the intention to remove the city manager and the reasons therefor, a copy of which shall be immediately furnished him or her, the council may suspend him or her from duty, but his or her salary shall continue until his or her removal becomes effective. Within twenty days after the passage of such a resolution, the city manager may reply in writing to it, and may request a public hearing. If so requested the council shall fix a time and place for a public hearing upon the question of removal, which shall be held not sooner than ten days nor more than twenty days after the receipt of such request. The final resolution removing the city manager shall not be adopted until such public hearing, if requested, has been held. The action of the council in removing the city manager shall be final. In case of the absence, disability or suspension of the city manager, the council may designate a qualified administrative officer of the city to perform the duties of the office. Pending the selection of any city manager following the adoption of this Charter, the council may appoint an acting city manager, who shall have all of the qualifications, powers and duties hereinbefore prescribed for the city manager, and who shall serve for a period not to exceed three months.

**City of San Antonio**  
**Charter Commission Committee**  
**City Manager/Chief Executive Officer Survey**

Large Cities with City Manager Form of Government

- In addition to San Antonio, we surveyed seven of the largest cities with a city manager form of government with populations ranging from 700,000 to 1.7 million residents. When reviewing salaries, we have included the actual salaries paid in other cities as well as the actual salary once adjusted to San Antonio dollars. This represents the value of each salary if earned in San Antonio based on our cost of wages (Economic Research Institute). When considering adjusted salaries, four of the seven earned more than San Antonio's City Manager:
  - The City Manager at Dallas makes \$23,508 more (6.3%) and is similar in population size and number of employees but having about \$1B more in budget.
  - The City Manager at Fort Worth makes \$17,872 more (4.8%) and has a smaller population, has about half the number of employees, and roughly \$1.2B less in budget.
  - The City Manager at Phoenix makes \$26,953 more (7.2%) while the population size is similar, has about 4,000 more employees, and about \$3B more in budget.
  - Charlotte's City Manager makes \$54,084 more (14.4%) and has a smaller resident population, has about 5,000 less employees, and a similar budget.
- Austin, Oklahoma City, and San Jose earned less based on the adjusted salary.
  - Austin currently has an interim city manager, and we are told is expecting to pay a much higher salary when a city manager is selected.
  - Oklahoma City has less than of the employees of San Antonio, less than half the population, and slightly more than half of the budget.
  - San Jose has a larger budget consistent with the higher cost of living in California and 7,000 employees compared to San Antonio's 13,000 employees.

San Diego

- We also surveyed San Diego at the committee's request. San Diego does not have a city manager, but has a Chief Operating Officer that reports to the Mayor.
  - San Diego's COO makes approximately \$7,300 less than San Antonio's City Manager with a similar population and a similar number of employees. Like San Jose, San Diego has a larger budget consistent with the higher cost of living in California.

Small Texas Cities with City Manager Form of Government

- We also surveyed seven smaller Texas cities having a city manager form of government.
  - The city manager of El Paso is an interim. The prior incumbent earned more than San Antonio's city manager despite having a budget of only \$1 billion and 7,000 employees.
  - The city manager of Corpus Christi earns approximately \$54,000 more than San Antonio's city manager despite having half the budget and only 4,000 employees.
  - The city of Midland only earns about \$45,000 less than San Antonio's city manager despite only having \$400 million budget and 1,200 employees.

- **Note:** Two of the Texas cities surveyed (Corpus Christi and Dallas) were prior City of San Antonio Executive Leadership Team members. We should avoid a situation where we grow talent who look elsewhere due to the salary.

### Large San Antonio Entities

- Of the ten local San Antonio leaders surveyed, six have a higher base salary than San Antonio's City Manager.
  - The CPS Energy CEO makes \$280,600 more (74.9%) despite having 25% of the employees and roughly half of the budget.
  - The Port San Antonio CEO makes \$39,038 more (10.4%) even though they have an employee count and budget smaller than many city departments.
  - The SAWS CEO makes \$219,438 more (58.6%) despite having 14% of the employees and a quarter of the budget.
  - The University Health System CEO makes \$451,600 more (120.6%) despite managing a similar size budget and 3,330 fewer employees.
  - The ACCD District Chancellor makes \$25,600 more (6.8%) and has less than half of the employees and 13.6% of the budget.
  - The UTSA President makes \$254,203 more (67.9%) and has approximately half of the employees and 18.1% of the budget.
    - His salary has already increased in 2024 to \$700,301.
  - The Brooks City Base CEO makes \$7,000 less than San Antonio's City Manager in base salary but earns more in total compensation despite having only 35 employees and \$15 million budget.
  - VIA CEO earns \$12,000 less despite only having 2,100 employees and \$390 million budget.
  - Bexar County Manager makes \$90,000 less despite a budget \$750,000 smaller and half of the employees. The Bexar County Manager contract expires this year which could result in a significant change in pay.
  - The City Manager of San Antonio is \$129,017 below the average of this group (\$503,417).
- The City Manager of San Antonio does not receive bonuses, but other local CEOs do.
  - Brooks City Base can provide a bonus up to 15% of base salary, which equates to \$55,125 if the Brooks City Base CEO receives the full amount. This brings his total compensation higher than the City Manager of San Antonio.
- Port SA, University Health and UTSA already provided a higher base salary than San Antonio's City Manager and the gap widens when total compensation is considered.
  - The Port San Antonio CEO received \$154,031 in bonuses in 2023.
  - University Health System will provide a bonus as determined by the Board. The CEO was last awarded \$200,000 in 2023.
  - UTSA will provide a bonus as determined by the Board of Regents, but he was not awarded one in 2023.

### Segal Recommendation

- Segal recommended a salary range \$381,022.55 - \$609,604.09 in 2019.
  - Adjusted by CPI growth since 2019 (and considering no other factors) that range would be \$462,561 - \$740,059 today. (21.4% increase)
  - Given the City Manager of San Antonio's 18 years of executive experience and 29 years of municipal experience you would expect him to be in the fourth quartile of the pay range (\$670,685 - \$740,059).

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

	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 Penschbach CEO	Robert Puentes CEO	George Hernandez President & CEO	Jeffrey Armit 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	5 yrs 10 months	15 yrs	19 yrs	10 yrs	5 years	6 years	12 yrs
Tenure in Organization	29 years 8 mos	10 yrs 8 mos	11 yrs	9 yrs 4 months	15 years	35 yrs 11 mos	11 yrs	25 yrs	6 yrs	27 yrs
Executive level experience	18 yrs 5 mos	10 yrs 8 mos	No Response	27 yrs	No Response	35 yrs 11 mos	27 yrs	12 yrs	18 yrs	20 yrs
<b>Base Salary</b>	<b>\$374,400</b>	<b>\$367,500</b>	<b>\$655,000</b>	<b>\$413,438</b>	<b>\$595,838</b>	<b>\$826,000</b>	<b>\$362,250</b>	<b>\$400,000</b>	<b>\$700,301</b>	<b>\$284,124</b>
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	At Board's discretion	Difficult to speculate increase; Awarded annually	No anticipated increase information; If increase occurs - Oct. 1	None- contract renews in 2024	Reviewed annually during Board of Regents Meeting	Reviewed at Contract Extension Contract expires in 2024
<b>Incentives/Allowances</b>										
Communications Vehicle	\$900	\$1,800	\$0	Cell phone provided	\$1,800	N/A	\$0	\$2,000	\$0	\$0
Insurance Benefits	\$6,000	\$12,000	\$0	\$12,000	\$7,200	\$6,000	\$0	\$12,000	\$0	\$0
	Eligible for same benefits as staff (civilians)	Eligible for same benefits as staff Employer pays for all costs (\$23,233)	Eligible for same benefits as staff	Medical, dental & vision for CEO & dependents Employer paid all (\$20,397)	Eligible for same benefits as staff	Eligible for same benefits as staff	Eligible for same benefits as staff	No Response	Eligible for same benefits as staff	Eligible for same benefits as staff (civilians)
Employer Provided Health Savings Account Deposit	\$9,300	\$4,300	\$750	\$0	No Response	Not Provided	No Response	No Response	\$0	\$0
Bonus	None	Up to 15% of base salary Max Value = \$55,125	None	2023 Total Amount = \$154,031	Deferred Incentive (Pending Clarification)	Determined by Board (Last Award: \$200,000)	\$0	No Response	Determined by Board of Regents as applicable	\$0
Bonus Frequency	None	Annually	No Response	No Response	No bonus; eligible for deferred incentive	Annually	None	No Response	Annually	None
<b>Projected Annual Compensation*</b>	<b>\$390,600</b>	<b>\$440,725</b>	<b>\$655,750</b>	<b>\$599,866</b>	<b>\$602,838</b>	<b>\$1,032,000</b>	<b>\$362,250</b>	<b>\$414,000</b>	<b>\$700,301</b>	<b>\$284,124</b>
<i>* assumes maximum incentives available</i>										
<b>Other Information</b>										
Retirement	6% Mandatory Employee Contribution 12% Employer Contribution (TMRS) Value = \$44,928	2-to-1 match up to 6% of salary Max Value = \$25,358	5% employer contribution Value = \$21,373	Defined Benefit 401(a) FY23 Employer paid \$9,250	3% Mandatory Employee Contribution 3% Employer Contribution (TMRS) Value = \$17,815	Pension Plan (2% Employee Contribution) Eligible for Defined Benefit at age 65	6% Mandatory Employee Contribution, 6% Employer Match Value = \$21,735	No Response	May participate in TRS or ORP plan	7% Employee Contribution 14% Employer Contribution TCDRS Value = \$39,777
Employer Contributions to Deferred Compensation	Employer contributes max allowed IRS Limit Under 50 = \$23,000 Over 50 = \$30,500 Value = \$30,500	Not Provided	\$0	Match of 50% to IRS Limit Under 50 = \$23,000 Over 50 = \$30,500 Max Value = \$15,250	IRS Limit Under 50 = \$23,000 Over 50 = \$30,500 Value = \$30,500	Employer contributes half of IRS limits to 457 Savings Plan Max Value = \$15,250	Employee can participate	No Response	Depends if TRS or ORP plan	\$0

City of San Antonio  
2024 Chief Executive Survey

	City of San Antonio (Population 1.5 M) Erk Walsh	City of Austin (Population .9 M) Jesus Garcia (Interim)	City of Dallas (Population 1.2 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 .2 M) Peter Zanoni	City of San Diego (Population 1.4 M) Eric Dargatzis, Chief Operating Officer	City of Charlotte, NC (Population .9 M) Marcus D. Jones	City of Arlington (Population .4 M) Troy Velentz	City of Plano (Population .3 M) Mark Israelson	City of Laredo (Population .3 M) Joseph Nieb	City of Oklahoma City (Population .7 M) Craig Freeman	City of San Jose (Population 1M) Jennifer McGuire	City of Lubbock (Population .3 M) W. Jarrett Atkinson	City of Midland (Population 1.5 M) Tommy Gonzalez	
FY24 Budget	\$5.7B	\$5.5B	\$4.0B	\$5.5B	\$6.75B	\$1.1B	\$1.5B	\$5.2B	\$3.3B	\$6.72M	\$9.11M	\$9.05M	\$1.9B	\$4.3B	\$9.6M	\$400M	
Number of Employees	13,703	16,000	13,469	17,219	17,920	7,111	4,091	13,989	8,195	3,000	3,700	3,500	5,108	7,040	2,500	1,200	
Turnover in Job	1.7%	1.7%	1.7%	1.7%	1.7%	1.0%	1.4%	1.4%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%	
Executive Search Experience	18 years 5 mos	30 years	26 yrs 2 mos	29 years 5 mos	18 years	6 yrs 1 mo	19 yrs 4 mos	16 years	23 yrs	21 yrs 3 mos	17 years	26 yrs 6 mos	19 years	25 years	18 years	18 years	
Base Salary	\$374,400	\$350,000	\$423,247	\$398,127	\$395,762	\$328,000	\$372,000	\$393,744	\$451,933	\$378,688	\$333,883	\$270,000	\$286,896	\$384,388	\$354,605	\$350,000	
What does this salary equal in San Antonio dollars? (based on cost of wages)	\$374,400	\$326,299	\$397,908	\$392,272	\$401,353	\$443,572	\$397,723	\$367,880	\$428,484	\$341,706	\$336,259	\$272,166	\$302,130	\$304,181	\$358,229	\$333,412	
Prior CM = \$441,807.06																	
Communications	\$900	\$1,620	\$1,440	\$1,440	\$1,440	\$900	\$840	\$612	\$5,100	\$600	No Response	\$1,200	No Response	No Response	N/A	None	
Health Savings Account Deposit	\$8,300	No	No	No	No	No	\$1,300	\$0	No Response	No Response	No Response	No Response	No Response	No Response	No Response	\$0	
Raise Occurrence	Increase consistent with City Charter, frequency subject to City Council annual budget process	No Response	No	No	Council approved percentage and disbursement	No Response	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 like all staff (2023 - \$6,898)	No Response	4% Annually	No Response	No Response	Not Available	Contract does not include salary increases over the 4 yr contract	
Projected Annual Compensation*	\$764,001	\$677,920	\$463,202	\$797,600	\$463,202	\$834,000	\$779,064	\$422,865	\$460,733	\$773,873	\$394,783	\$277,200	\$995,027	\$709,319	\$732,075	\$692,413	
* assumes maximum incentives available																	
Retirement	6% Mandatory Employee Contribution 12% Employer Contribution (TIRRS) Value = \$44,928	9% Employee Contribution 8.68% Employer Contribution Value = \$30,380	5% Employee Contribution 30.24% Employer Contribution Value = \$119,678	10.65% Employee Contribution 26.6% Employer Contribution Value = \$106,061	7% Employee Contribution 44% Employer Contribution (TIRRS) Value = \$52,080	8.95% Employee Contribution 14.03% Employer Contribution Value = \$46,084	8.95% Employee Contribution 14.03% Employer Contribution Value = \$46,084	7% Employee Contribution 44% Employer Contribution (TIRRS) Value = \$52,080	Participation in SOCBS Tier II defined benefit pension plan 7% Employee Contribution Contractor 1% Employer Contribution to 401(a) plan Value = \$9,937	6% Employee Contribution 12.83% Employer Contribution Value = \$58,073	7% Employee Contribution 14% Employer Contribution Value = \$53,014	7% Employee Contribution 14% Employer Contribution Value = \$46,702	No Response	4.3% Employee Contribution 6% Employer Contribution Value = \$17,153	Employee Contribution to Pension Plan Value = \$72,237	7% Employee Contribution 14% Employer Contribution (TIRRS) Value = \$49,645	None Stated
Employer Contributions to Deferred Compensation	Employer contributions max allowed IRS Limit Under 50 = \$23,000 Over 50 = \$30,500 Value = \$30,500	FY23 City paid \$23,000	9% employer contribution to 401(a) Value = \$35,619	FY23 City paid \$25,000	FY23 City paid \$19,000	FY23 City paid \$25,000	FY23 City paid \$19,000	No Response	3% to 401(a) Value = \$13,558	8% of employee contribution off base salary	FY23 City Paid \$15,000	No Response	No Response	No Response	Built into salary FY23 = \$26,000	None Stated	



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## CHARLES E ZECH BIOGRAPHY

Charles E. Zech has been with the Denton, Navarro, Rodriguez, Bernal, Santee & Zech (the “Firm”) since 2006 and a Shareholder since 2011. He served with the United States Navy for six years and was honorably discharged. He earned a Bachelor of Business Administration in Finance and a Bachelor of Business Administration in Economics from Southwest Texas State University in 1995, a Juris Doctor from St. Mary’s School of Law in 1998 and was admitted to the State Bar of Texas that same year. He earned his Master of Public Administration from Texas State University in 2008. Mr. Zech has 26 years of legal experience, 23 years of expertise in local government and municipal law as city attorney and special counsel.

Mr. Zech, in association with his master’s degree, authored a comprehensive research project reviewing all Home Rule Charters in Texas. A copy of this research project may be located at <https://digital.library.txst.edu/items/86ebdd95-db7b-41ce-881c-a7a2e39bc99d>. In addition, the Firm and Mr. Zech assisted the Texas Municipal League in the most recent drafting of their book “Texas Home Rule Charters – Second Edition (2010)”, which is an update to Terrell Blodgett’s monograph, “Texas Home Rule Charters”.

Mr. Zech has been assisting City administrative personnel, elected officials, and appointed citizen charter review committees in both the initial creation of a home rule charter and in reviewing, updating, and revising city home rule charters to ensure they comply with all relevant federal and state laws and providing recommend revisions for over 20 years. His first such review occurred during his tenure as the City of New Braunfels City Attorney in 2002. In addition to assisting cities in the review and creation of home rule charters, Mr. Zech is engaged by cities when initiatives have been filed with cities to amend home rule charters to assist in the review of the petition proposed amendments to ensure compliance with state law process and that the proposed amendments are legally authorized. Finally, Mr. Zech is engaged by cities to assist in the interpretation of particular clauses and language in Home Rule Charters when questions as to impact and intent arise.

In the last five years Mr. Zech has assisted the following Cities in the creation of their first home rule charter:

- City of Fair Oaks Ranch
- City of Fort Stockton
- City of Garden Ridge
- City of Wolfforth

In the last five years Mr. Zech has been engaged to assist the following cities in the review and amendment of their home rule charters:

- City of Alice
- City of Beamont

- City of Bee Cave
- City of Big Springs
- City of Boerne
- City of Brady
- City of Burnet <sup>1</sup>
- City of Coleman
- City of Copperas Cove<sup>2</sup>
- City of Crockett
- City of Granbury
- City of Hitchcock
- City of Pflugerville<sup>3</sup>
- City of Prairie View
- City of Robstown
- City of Santa Fe
- City of Schertz
- City of Victoria

In the last five years Mr. Zech has assisted the following cities in handling the legal and process issues associated with citizen-initiated petitions to amend their charters and charter interpretation:

- City of El Paso
- City of Corpus Christi
- City of San Antonio
- City of Taylor

### **Areas of Practices**

- Home Rule Charter creation, review and defense in litigation,
- City Attorney/General Counsel/Special Counsel Development Agreements,
- Economic Development
- Employment Law,
- Land Use Law
- Ethics Compliance and Public Integrity Investigations,
- Open Meetings and Public Information,
- General Ordinance and Resolution Drafting,
- Texas Public Information Act – Open Records Water Rights,

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<sup>1</sup> Mr. Zech has assisted the City of Burnet in multiple reviews and amendments over the last 15 years.

<sup>2</sup> Mr. Zech has assisted the City of Copperas Cove in multiple reviews and amendments over the last 15 years.

<sup>3</sup> Mr. Zech has assisted the City of Pflugerville in multiple reviews and amendments over the last 15 years.

- Zoning

### **Bar Admissions**

- State Bar of Texas, 1998 - State Bar No. 50511785
- All Texas State Courts, 1998
- U.S. District Court Northern District of Texas, 1998
- U.S. District Court Western District of Texas, 1998

### **Education**

- Texas State University, San Marcos, Texas; Master of Public Administration – 2008
- St. Mary's University School of Law, San Antonio, Texas; Juris Doctor – 1998
- Southwest Texas State University, San Marcos, Texas; Bachelor of Business Administration in Finance – 1995
- Southwest Texas State University, San Marcos, Texas; Bachelor of Business Administration in Economics – 1995

### **Professional Associations and Memberships**

- International Municipal Lawyer's Association 2001 to Present; Chair: Ethics Section, 2003-2005  
Local; Government Fellow, 2007 - Present
- Suing and Defending Governmental Entities Faculty, 2004;
- San Antonio Bar Association Texas Bar Association
- Texas City Attorneys Association, Past President 2010-2011
- Texas City Managers Association
- The College of the State Bar Association, 2002 to Present
- University of Texas Land Use Faculty, 2008 to Present

### **Employment Experience**

- Denton Navarro Rodriguez Bernal Santee and Zech, P.C (2006 to Present)

Shareholder. Handling all aspects of municipal representation, providing counsel to city councils, commissions, boards, and other governing bodies concerning a variety of complex issues, with an emphasis on contract law, municipal and governmental law, planning and zoning, land use, open meetings, open records, contract drafting and negotiations, conducting legal research and analyzing laws, local codes and regulations pertaining to municipal governments.

- City of New Braunfels (2004 – 2006)

Deputy City Manager. Handled all aspects of municipal management, with supervisory responsibility for Finance, Human Resources, Municipal Court, Technology, and City Secretary's Office.

- City of New Braunfels – (2001 – 2006)

City Attorney. Handled all aspects of municipal representation, represented the City of New Braunfels and the City Council in a variety of complex issues, with an emphasis on contract law, local government law, zoning, land use, and planning; conducted statutory research and analyzed laws and regulations regarding municipalities, advising the City of New Braunfels, City Council, the Economic Development Corporation, and City Staff on a wide variety of legal issues and in litigation.

- Owner - Law Office of Charles E. Zech – (September 2000 – August 2001)
- Associate Attorney - Law Offices of George W. Mauze (May 1998 – September 2000)
- Law Clerk - Law Offices of George W. Mauze (June 1997 – May 1998)
- United States Navy 1986-1992

Charter Review Commission  
Subcommittee Status Report

<b>Subcommittee:</b>	<b>Council Districts and Redistricting</b>
<b>Charge:</b>	<b>Council Districts</b> - Whether an increase in single-member Council districts would appropriately enhance representation for San Antonio residents <b>Redistricting</b> - 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
<b>Reporting Period:</b>	<b>February 22, 2024</b>

**Members in attendance:** Frank Garza (Chair), Naomi Miller, Dr. Rogelio Saenz and Maria Salazar. COSA staff: John Peterek (CMO), Megan Janzen (CMO), and Iliana Castillo Daily (CAO).

**Meeting agenda:**

- Continued discussion of 2021 redistricting process and drafting a Charter provision establishing a redistricting commission for the City of San Antonio that would include:
  - Who can and cannot serve on an advisory commission,
  - How council appoints members,
  - Communication between the commission and council, and
  - How Council may amend a recommended plan and approve a final plan.
- Set next meeting (**March 12<sup>th</sup>**)

**Discussion summary:**

- Review and discussion of draft Charter provision that includes subcommittee's input from previous meeting and addresses:
  - Who can and cannot serve on an advisory commission,
  - How council appoints members,
  - Communication between the commission and council, and
  - How Council may amend a recommended plan and approve a final plan.

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

- Staff created draft based upon subcommittee discussion and feedback.

**Next steps including requests or deliverables needed from staff:**

- No additional information at this time.

Charter Review Commission  
Subcommittee Status Report

<b>Subcommittee:</b>	<b>Language Modernization</b>
<b>Charge:</b>	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
<b>Reporting Period:</b>	<b>February 22, 2024</b>

**Members in attendance:** Maria Salazar (chair); Shelley Potter; Rogelio Saenz; Bonnie Prosser-Elder, (CRC Co-Chair)

**Absent:** Frank Garza, David Zammielo (CRC Co-Chair)

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

**Meeting agenda:** continue review of charge for Section 11 seeking clarity and process recommendations; scheduling next committee meeting (2/28; 6:00-7:00 pm).

**Discussion summary:**

1. Section 11 three councilmembers requesting a special meeting:
  - a. Frank Garza’s recommendation to edit adding that the subject must be a “municipal question”. Definition of that is in the City’s Ethics Code, Section 2-62.

**City of San Antonio City Code, ARTICLE III. - CODE OF ETHICS,  
DIVISION 5. – LOBBYISTS, Sec. 2-62. - Definitions.**

(k) ***Municipal question*** means a public policy issue of a discretionary nature pending or impending before City Council or any board or commission, including, but not limited to, proposed action, or proposals for action, in the form of ordinances, resolutions, motions, recommendations, reports, regulations, policies, nominations, appointments, sanctions, and bids, including the adoption of specifications, awards, grants, or contracts.

The term "municipal question" does not include the day-to-day application, administration, or execution of existing City programs, policies, ordinances, resolutions, or practices, including matters that may be approved administratively without consideration by a board, a commission, or the City Council. The term "municipal question" does include all discretionary matters before the Board of Adjustment, the Planning Commission and all advisory committees and subcommittees thereof.

Charter Review Commission  
Subcommittee Status Report

b. The Committee discussed asking for a City Attorney opinion interpreting the phrase “municipal question” to clarify that it is a matter upon which the City Council is authorized to take action, and that affects the governance of the City of San Antonio.

2. Several COSA Department recommendations from San Antonio Police Department, City Clerk and Finance Department.

a. San Antonio Police Department:

Section 58. Update language recommended to reflect that there are city employees licensed as peace officers by the state of Texas, and not just officers in the police department. There are peace officers who work in the Airport Police and Park Police Departments. There are also contracted peace officers who are not city employees who work special events like Fiesta.

b. City Clerk:

Section 15. Remove reference to “well bound books” and Ordinance “book”. Original 1951 language. City is required by state law to retain City records and efficiencies in technology no longer require binding or keeping records in books.

Section 17. (second paragraph) Current provision, amended in 2015 to reduce the number of external codes adopted by the City (plumbing and electrical, for example) from three to two, now recommended to be reduced to one. The City keeps them as a permanent records. As these are now posted online, only one physical copy is needed.

Section 19. Filing fee for place on the ballot of \$100 was set in 1974 – in today’s money that would be \$622. Discussion revolved around purpose of fee, it’s not to defray costs of holding the election or providing candidate packets, and may have a negative impact to candidates if raised.

A few other provisions were recommended but time constraints limited discussion, which will occur later.

c. Finance Department:

Section 55. Refers to the creation of the Finance Department. The director is required to provide a bond, which the city pays. The provision is outdated, as the Chief Financial Officer, a newer position, also is required to provide a bond. The addition of the CFO to this provision is suggested. Further, the language is a bit redundant in that it says “the director of the finance department shall be the head of such department”. Suggestion is to revise that sentence to remove “shall be the head of such department”.

Charter Review Commission  
Subcommittee Status Report

3. Other outdated provisions

a. Section 30, Recall election ordered. Current language requires a special election to be held “not less than thirty nor more than forty days after the petition has been presented to the council”. State law now provides for two uniform election days in May and November, and City not permitted to hold a special election on a different day absent an order granting such a request by the Governor. Rare.

Recommendation is to mirror the language in Section 8 which provides for a special election to be held on the next available uniform election date that allows compliance with state laws governing elections.

b. Section 36, Forms of petitions. Current language permits a signature to a petition (recall, referendum, initiative) to be in ink “or indelible pencil”. Indelible pencil is an outdated term, and ink is sufficient.

c. Section 4, creation, composition and powers of the city council. Includes reference to outdated term “ward” as well as current term “district”.

4. Discussion of content for preliminary report.

**Resources consulted (for example, guests or experts invited to speak, benchmarks, or reports):** City Ethics Code, Draft Charter

**Next steps including requests or deliverables needed from staff:** preliminary report draft, discussion of other department requests (if any)