



Travis County Commissioners Court Agenda Request

Meeting Date: August 7, 2012

Prepared By/Phone Number: Diane Poirot, 854-9170

Elected/Appointed Official/Dept. Head: Leslie Browder, 854-9106

Commissioners Court Sponsor: Samuel T. Biscoe, County Judge

A handwritten signature in black ink, appearing to be "JB", is written over the text of the Elected/Appointed Official/Dept. Head line.

AGENDA LANGUAGE:

Consider and take appropriate action to set the Fiscal Year 2013 salaries of Elected Officials.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

The Human Resources Management Department (HRMD) surveyed Bexar, Dallas, Harris, Tarrant, and Williamson Counties for relevant market data for the Elected Officials. The data shows that, overall, Travis County is moderately behind the market in the base compensation rates for elected officials.

Travis County implemented the results of a Market Salary Survey in April of 2012 for the classified employees. The overall result of the implementation of this market study was an approximate 3.5% increase in the total compensation of the employees whose positions were included in the study. In addition, a 3.5% increase has been included in the preliminary budget for FY2013 for those departments and offices that were not included in the 2011-2012 Market Salary Survey.

As the Elected Officials are currently behind market overall, HRMD recommends a 3.5% increase in base salary for those officials whose salary is not restricted by a state-mandated salary cap. This is in line with the overall market increases for classified employees.

On July 3, 2012, the Commissioners Court drew names from the Grand Jury Pool for the Elected Officials' Salary Grievance Committee as required by Section 152.015 of the Local Government Code, under the supervision of the Travis County Clerk.

As required by state law, the County placed an advertisement in the Austin Chronicle that was published on July 19, 2012, which provided notice of the public hearing to be held on July 31, 2012, as well as this agenda item.

On July 31, 2012, the public hearing was held and the Commissioners Court heard comments from one individual. The Court also approved a revised calendar for the salary setting process.

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a single pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by **Tuesdays at 5:00 p.m.** for the next week's meeting.

Attachment A: Calendar for setting FY2013 Elected Officials' salaries
Attachment B: Back-up memo from HRMD
Attachment C: Copy of advertisement
Attachment D: Copy of Order Setting Salaries of Elected Officials

STAFF RECOMMENDATIONS:

Staff recommends approval of the 3.5% salary increase in Fiscal Year 2013 for Elected Officials who are not subject to a state-mandated salary cap.

ISSUES AND OPPORTUNITIES:

The Justices of the Peace are currently compensated at 75% of the District Court Judges' base compensation rate. Increasing the JP's base compensation rate by 3.5% would end the 75% relationship with the District Court Judges' salaries. HRMD believes that discontinuing this compensation relationship is appropriate.

FISCAL IMPACT AND SOURCE OF FUNDING:

Funding of \$96,646 for the annualized costs is included in the Fiscal Year 2013 Preliminary Budget in a compensation reserve.

REQUIRED AUTHORIZATIONS:

Diane Poirot, Human Resources Management Department, 854-9170
Leslie Browder, Planning and Budget Office, 854-9106
County Auditor's Office, 854-9125

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a single pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by **Tuesdays at 5:00 p.m.** for the next week's meeting.

**Salary Setting Calendar for Elected Officials
Fiscal Year 2013 Salaries**

CCt receives Fiscal Year 2013 Budget update.	June 12
CCt discusses salaries for elected officials.	June 26 – July 3
Commissioners Court draws names for Grievance Panel.	July 3
CCt votes to advertise proposed salaries for elected officials and approves ad for Public Hearing.	July 10
Ad appears in Austin Chronicle.	July 19
CCt holds public hearing on proposed salaries for elected officials.	July 31
CCt sets the salaries for elected officials. County Judge’s Office provides written notice of salaries to each elected county and precinct officer.	August 7
Deadline for elected official to file a grievance with the County Judge’s Office. (5 business days from Court action and notice).	Aug 14, 5:00pm
If a grievance is received, the Grievance Committee must be convened within 10 days after the grievance is received to hear the grievance and develop a recommendation. Date ranges are the earliest and latest date a grievance can be reviewed by the Committee, based on the dates of receipt.	Aug 8 – Aug 24
Commissioners Court considers Committee’s decision.	Aug 28
Fiscal Year 2013 Budget scheduled for adoption	Sep 25



HRMD Human Resources Management Department

700 Lavaca, Suite 420

● P.O. Box 1748

● Austin, Texas 78767

● (512) 854-9165 / FAX (512) 854-4203

BACKUP MEMORANDUM

DATE: June 29, 2012

TO: Members of the Commissioners Court

VIA: Leslie Browder, County Executive, Planning & Budget Office *LB*

FROM: Diane Poirot, Director, Human Resources Management Dept. *Diane Poirot*

SUBJECT: FY 2013 Pay Recommendation for Elected Officials Not Subject to State-Mandated Salary Caps

Summary

In March of 2012, the Commissioners Court approved the market study conducted for classified employees by HRMD. As a result of the market study, the average employee increase was approximately 3.5 percent. At that time, Commissioners Court instructed the Planning & Budget Office to set aside the equivalent of a 3.5 percent for increases to Elected Official salaries for FY 2013. This action was consistent with recent Court practice of increasing elected official pay in a manner consistent with that of classified employees.

To remain consistent with the methodology used for classified personnel, HRMD collected market data for elected officials not subject to State-mandated salary caps.¹ The results of this analysis are provided to show the current average salaries for these positions and the salaries paid for Travis County's elected officials.

Market Data

HRMD compiled the salary data for elected officials from Harris, Dallas, Tarrant, Bexar, and Williamson counties. The amounts shown reflect only those amounts contributed by the Counties and not supplements from other sources such as the State of Texas. The average values are a simple average of the positions; it is not weighted by the number of incumbents. It should also be noted that the results do not control for any other factors such as time served in the position.

The results of the survey are shown in **Table 1**. The only elected officials positions for which Travis County are ahead of market are Justice of the Peace, Constable 5, and County Attorney. The Justices of the Peace are most likely ahead of market due to the connection between their salaries and District Judges salaries that was put into place in 2007. Constable 5 is most likely ahead of market due to the additional 5% pay awarded due to the increase scope of the office. For the County Attorney position only two data points (Harris and Williamson Counties) were

¹ Salaries for District Judges and County Court-at-Law Judges are current set at levels capped by State Stature.

available. If El Paso County were added to the data, the County Attorney would be 0.96% below market.

**Table 1
Elected Officials
Market Data 2012**

Title	Current Travis County Salary	Market Salary	Percentage Difference
Constable 1-4	\$86,590	\$88,468	-2.17
Constable 5	\$90,137	\$88,468	1.85
County Judge	\$111,038	\$135,479	-22.01
County Commissioner	\$92,362	\$119,004	-28.85
County Clerk	\$112,321	\$116,797	-3.98
County Attorney	\$154,526	\$149,884	3.00
County Treasurer	\$89,345	\$103,186	-15.49
District Attorney	\$34,104	\$56,398	-65.37
District Clerk	\$112,321	\$116,621	-3.83
Justice of the Peace	\$105,000	\$94,404	10.09
Probate Judge	\$141,027	\$153,321	-8.01
Sheriff	\$127,482	\$137,306	-7.71
Tax Assessor/Collector	\$112,321	\$117,431	-4.55
Average	\$105,275	\$113,520	-7.83

For the remainder of the elected official titles, Travis County trails the defined market. The difference ranges from -2.17% for Constables to -65.37% for the District Attorney.² When viewed as a composite difference, the overall difference is -7.83%. If the District Attorney position is omitted, the average falls to roughly -6%.

Other Considerations

As mentioned above, the Commissioners Court linked the pay for the Justices of the Peace (JPs) to District Judges in 2007. Pay for JPs was set at 75% of District Judge pay. HRMD believes that the salaries for JPs should no longer be linked to the salaries of the District Judges. Instead, JPs should be treated in a manner similar to other elected officials that are not subject to a state-mandated salary cap. This would effectively end the 75% relationship that currently exists with the District Judges.

Recommendations

Staff recommends approval of the 3.5% salary increase for elected officials who are not subject to the state-mandated salary cap. This increase would apply to the Justices of the Peace and effectively end the 75% relationship currently in place with the District Judges. Staff further recommends approval of the public advertisement for Elected Officials salaries that reflects these proposed changes.

² The District Attorney position data is heavily skewed by the salary for Tarrant County; which contributes over \$96,000 towards this position. No other county contributes more than \$62,666.

TRAVIS COUNTY, TEXAS

This notice of maximum proposed salaries and allowances for Travis County elected officials during Fiscal Year 2013 is pursuant to section 152.013 of the Texas Local Government Code. A Public Hearing on the FY 2013 elected officials' salaries and allowances will be held on July 31, 2012, at 9:00 a.m. in the Travis County Commissioners Courtroom, 314 West 11th Street, Austin Texas. This ad reflects the budgeted salaries for the elected officials. All elected officials have the right to decline the salaries set for their office. All persons are invited and may participate in the hearing. Commissioners Court will then set the elected officials' salaries and allowances.

Elected Official ¹	FY 12 Budgeted Salary	Proposed % Change	Proposed \$ Change	Proposed FY 13 Salary
District Judge (State Salary) ^{2,3}	\$125,000.00	0.00%	\$0.00	\$125,000.00
District Judge (County Salary) ⁴	15,000.00	0.00%	0.00	15,000.00
District Judge	\$140,000.00	0.00%	\$0.00	\$140,000.00
Court-at-Law Judge (County Salary) ⁵	\$140,026.86	0.00%	\$0.00	\$140,026.86
Probate Judge (County Salary) ⁵	\$141,026.86	3.50%	\$4,936.00	\$145,962.86
Probate Judge (Administrative) ⁶	33,000.00	0.00%	0.00	33,000.00
Probate Judge	\$174,026.86	0.00%	\$0.00	\$178,962.86
Justice of the Peace 1-5 (County Salary) ⁷	\$105,000.00	3.50%	\$3,675.00	\$108,675.00
District Attorney (State Salary) ²	\$125,000.00	0.00%	\$0.00	\$125,000.00
District Attorney (County Salary)	34,104.00	3.50%	1,194.00	35,298.00
District Attorney	\$159,104.00	0.75%	\$1,194.00	\$160,298.00
County Attorney ^{8,9}	\$154,526.00	3.50%	\$5,409.00	\$159,935.00
County Judge ⁸	\$111,038.00	3.50%	\$3,887.00	\$114,925.00
County Commissioner 1,2,3 ^{9,4}	\$92,362.00	3.50%	\$3,233.00	\$95,595.00
Constable 1-4	\$86,590.00	3.50%	\$3,031.00	\$89,621.00
Constable 5	\$90,137.00	3.50%	\$3,155.00	\$93,292.00
Sheriff	\$127,482.00	3.50%	\$4,462.00	\$131,944.00
District Clerk	\$112,321.00	3.50%	\$3,932.00	\$116,253.00
County Clerk	\$112,321.00	3.50%	\$3,932.00	\$116,253.00
Tax Assessor-Collector	\$112,321.00	3.50%	\$3,932.00	\$116,253.00
County Treasurer	\$89,345.00	3.50%	\$3,128.00	\$92,473.00

1. Travis County pays for health care coverage for every county employee and elected official. If a county employee or elected official had and continues to have other health coverage and has continuously declined this county coverage since September 30, 2003, that person may receive an additional \$184.86 per month. This amount may, at that person's option, be added to their total annual FY 12 salary or placed in an IRS approved flexible spending account for the reimbursement of health care or dependent care expenses.

2. The State Salary is the least state compensation received by any of these officials. If these officials have been employed by the state continuously since August 31, 1995; they also receive \$1,026.86 as a "benefit replacement pay" supplement. The Legislature specifically said that this supplement is not "salary," but it is included in the total amount received by these officials for purposes of comparing the salaries of other elected officials.

3. Effective September 1, 2007, if these officials who have been an active judge and a member of the Judicial Retirement System of Texas Plan One or Two for at least 16 years, they also receive \$3,875.00 as "judicial longevity pay" from the state. Effective September 1, 2009, if these officials have been active in a judicial position as a Justice of the Peace or County Court at Law or District Judge for a combined total of at least 16 years but are not eligible for state judicial longevity pay, they receive \$3,875.00 as "judicial longevity pay" from the county. The Legislature specifically said that this pay is not "salary," but it is included in the total amount received by these officials for purposes of comparing the salaries of other elected officials.

4. Effective October 1, 2010, the District Judge elected as Administrative Judge for Criminal Courts can be and has been compensated up to \$5,000 for the additional administrative duties involved.

5. The County Salary is the least compensation received by any of these officials. A supplement of \$3,875.00 based on judicial longevity is added to and part of the salary of these officials if the official has been an active county court or probate judge or justice of the peace and held an elected judicial position in Travis County for at least 16 years.

6. As of January 1, 2010, the Probate Judge was elected Presiding Judge of the Statutory Probate Judges of Texas for four years. For the additional duties as Presiding Judge he is paid \$33,000 per year, the cost of which is shared by all of the counties in the Probate District.

7. The County Salary is the least compensation received by any of these officials. A supplement of \$2,906.00 based on judicial longevity is added to and part of the salary of these officials if the official has been an active county court or probate judge or justice of the peace and held an elected judicial position in Travis County for at least 16 years.

8. This includes \$4,800 paid for service on the Travis County Juvenile Board.

9. Pursuant to Texas Local Gov't Code § 152.052, the Commissioner Precinct 3 has requested that her compensation for FY 2013 remain the same as the annualized amount for FY 2011 of \$90,109.

COMMISSIONERS COURT ORDER
SETTING SALARIES FOR ELECTED OFFICIALS
FOR FISCAL YEAR ENDING SEPTEMBER 30, 2013

TRAVIS COUNTY, TEXAS

RECITALS

In accordance with the TEX. LOC. GOV'T CODE ANN., §152.013, the Commissioners Court is adopting an order approving the Salaries of the Elected Officials.

ORDER

The Commissioners Court of Travis County, Texas, makes the following orders for the fiscal year beginning October 1, 2012 and ending September 30, 2013:

- 1 The salaries of the elected officials are set at amounts shown in Attachment A
2. The allowances described in the End Notes to Attachment A are authorized for each elected official adjacent to whose position the reference to the End Note appears for the fiscal year beginning October 1, 2012 and ending September 30, 2013.

This order is adopted at an open meeting of Commissioners Court of Travis County, Texas held on July 31, 2012 on motion

made by _____, and

seconded by _____

and those voting in favor of the motion have signed their names below

Samuel T. Biscoe, County Judge

Ron Davis
Commissioner, Precinct 1

Sarah Eckhardt
Commissioner, Precinct 2

Karen Huber
Commissioner, Precinct 3

Margaret Gómez
Commissioner, Precinct 4

ATTACHMENT A

Elected Official ¹	Total FY 2013 Annual Salary
District Judge (County Portion) ^{2,3}	\$ 15,000.00
Probate Judge (County Portion) ^{4,5}	\$145,962.86
County Court at Law Judge ⁴	\$140,026.86
Justice of the Peace 1-5 ⁶	\$108,675.00
District Attorney (County Portion)	\$ 35,298.00
County Attorney	\$159,935.00
County Judge ⁷	\$114,925.00
County Commissioner 1-4 ⁸	\$ 95,595.00
Constable 1-4	\$ 89,621.00
Constable 5	\$ 93,292.00
Sheriff	\$131,944.00
District Clerk	\$116,253.00
County Clerk	\$116,253.00
Tax Assessor-Collector	\$116,253.00
County Treasurer	\$ 92,473.00

END NOTES TO ATTACHMENT A

1. Travis County pays for health care coverage for every county employee and elected official. If a county employee or elected official had and continues to have other health coverage and has continuously declined this county coverage since September 30, 2003, that person may receive an additional \$184.86 per month. This amount may, at that person's option, be added to their total annual FY 12 salary or placed in an IRS approved flexible spending account for the reimbursement of health care or dependent care expenses.
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8. Pursuant to Texas Local Gov't Code § 152.052, the Commissioner Precinct 3 has requested that her compensation for FY 2013 remain the same as the annualized amount for FY 2011 of \$90,109.00.