

Holly C. Lytle

From: Rep. Beto O'Rourke <Beto@mail.house.gov>
Sent: Thursday, August 18, 2016 9:00 PM
To: County Judge
Subject: Re: El Paso County Salaries and the 2017 Budget

Great email, very well explained. Beto

On Aug 18, 2016, at 6:06 PM, County Judge Veronica Escobar <countyjudge@epcounty.com> wrote:



EL PASO COUNTY SALARIES AND THE 2017 BUDGET

Dear Friend,

Over the last week there has been much concern and discussion about the recent raises for Commissioners Court. I'm reaching out in an effort to ensure you have the data, criteria and policy considerations the Court used to make that decision. This is also an opportunity to share information about our 2017 budget and the values driving it.

This budget year - just as last year - we will probably adopt a budget that goes **below the effective tax rate**. That means that for many of you, you will again see a reduction in your County tax bill. This is a result of reforms, cost-cutting strategies and other business practices and decisions adopted over the last several years by the Commissioners Court, staff and other County elected officials.

Please know that if you have concerns or questions, you can always contact me at 546-2098 or at Countyjudge@epcounty.com. I'd be glad to discuss any County issues with you.

County Compensation Strategy

The Commissioners Court's priority the last several years has been to increase the competitiveness of our wages and benefits in order to retain and recruit experienced and talented employees to best serve the public. Also, we wanted to make sure that any employee working for the County could depend on a living wage. Although not an exhaustive list, here's some of what has been done over the last several years to achieve this goal:

- Establishment of a living wage of \$10.71 per hour for employees at the lowest end of the salary scale;
- Cumulative cost of living increases and wage adjustments of 12.7%^[i] and 5% merit increases for a combined total of nearly 18% in salary increases for employees since 2012;
- Establishment of (and annual funding for) a seven year reclassification plan, which brings employees to at least 70% of market;
- A compensation study specific to attorneys, which will be completed and funded this fiscal year;
- Creation of a tuition reimbursement plan for employees;
- Two on-site healthcare clinics;
- Planning for an on-site wellness center;
- Reduction of healthcare costs for both employees and our retirees;
- 65% reduction of healthcare costs for Medicare eligible employees; and,
- Reduction in downtown parking costs to employees;

This year the County is also embarking on a new study that will evaluate pay scales, which will undoubtedly result in additional investment in our workforce these next few years.

We knew we couldn't achieve all the gains we wanted to with our workforce all at once, so we took our strategy department by department, year by year.

We addressed elected officials' salaries only after having elevated employees' salaries first. Our Human Resources department informed us years ago of the disparity in the elected officials' salaries. When reviewing the data again this year, we were informed that all of our elected officials' salaries were either at market, above market, or within 70% of the Texas market with the exception of two groups: Commissioners Court and Constables. (The Court adjusted the salaries to 30% below market in order to adjust for El Paso's lower cost of living and salaries.)

Starting in fiscal year 2017, Constables will be paid the same salary as a deputy sergeant in law enforcement; Commissioners will be paid salaries comparable to various support staff like the deputy budget officer or an IT Help Desk Manager; and, the County Judge will be paid a salary comparable to an entry-level department head.

As a result of this vote, every elected official will now be either at or above 70% of market and the salary structure for elected officials that is similar to the one in place for employees: salaries will not be set arbitrarily, and jobs will be funded commensurate with the work and responsibilities required of them - fairly and equitably across the board.

Other elected officials who received salary increases include District Court Judges, 8th Court of Appeals Judges, and we are currently evaluating the District Attorney's salary and will make an adjustment if his salary is below the 70% threshold we've established.^[ii]

Not surprisingly, there was a strong public reaction to the vote on Commissioners Court salaries for a number of reasons, and I'd like to address those questions asked.

Why would Commissioners Court vote on their own salaries? Why not send it to the voters?

Texas counties are an arm of the State and it is the Constitution and state law that sets forth our responsibilities and limitations. In fact, County government in Texas is very prescriptive. The Texas Local Government Code places the responsibility for voting on all County salaries - including salaries for department heads, judges, other elected officials, and yes, even for ourselves - squarely on the Commissioners Court of every County in the state. We cannot delegate that responsibility to the voters or any other elected group.

How would constituents know that you were doing this?

The process is transparent, public, and determined, again, by state law. The first step is to vote on the proposed salary rates during a budget workshop. All of our hearings are posted, open to the public, video streamed live and archived. Once a decision is made during the budget workshop, we post the recommendation on the next regularly scheduled Commissioners Court meeting, which occurred this past Monday. If there are salary increases proposed for elected officials, we are required to take out an advertisement in the newspaper, which will run this Sunday in the El Paso Inc.[iii] After that, we adopt the salaries in the budget, normally in late September or no later than the first Monday in October.

Why incorporate the increases for the court and the constables all at once? Why not phase it in over time?

As part of our compensation strategy, when any County employee, department head or elected official is brought up to the market, the increase happens in the same budget year the change is approved. Furthermore, the effort toward parity for the last two groups of elected officials had already been delayed multiple years.

Isn't this just a part time job?

There's nothing in the Constitution or State law that defines our jobs as either full- or part-time. Commissioners Court oversees transportation, healthcare, economic development, the creation of policy, and the administration of criminal justice among many other critical community issues. The County budget and the University Medical Center (UMC) budget together represent nearly \$1 billion annually. Creating reforms, achieving savings, focusing on economic development, modernizing County government, professionalizing the organization, and performing many other facets of the job require a significant investment of time every single day.

Why couldn't Commissioners Court leave their salaries the same but increase the salary for future Commissioners and County Judge?

State law does not permit Commissioners Court to do this. When we set salaries, we must do so for the upcoming fiscal year and cannot bind future Commissioners Courts.

Why should Commissioners Court be paid professional level salaries or even salaries commensurate to what they do - even if they are 30% below market - when salaries are so low in El Paso and when they are public servants?

This criticism gets to the heart of the issue that probably represents the difference of opinion between some of us. The compensation strategy for the County has been to compensate everyone fairly and objectively for the work they do. As mentioned earlier, this is a value that we embraced as we have evaluated not just employees' salaries, but elected officials' salaries as well.

As outlined in this newsletter, all other elected officials had met the threshold we set of 30% below market (or 70% of market) with the two exceptions. If we had only brought the Constables up and chosen not to do this for the final group-Commissioners and the

County Judge-the Commissioners Court's salaries would be the only group in the organization whose salaries would be outside of our policy and whose salaries were not based on the same strategy employed for the workforce, despite the fact that the Commissioners Court is the sole body that oversees the entire organization.

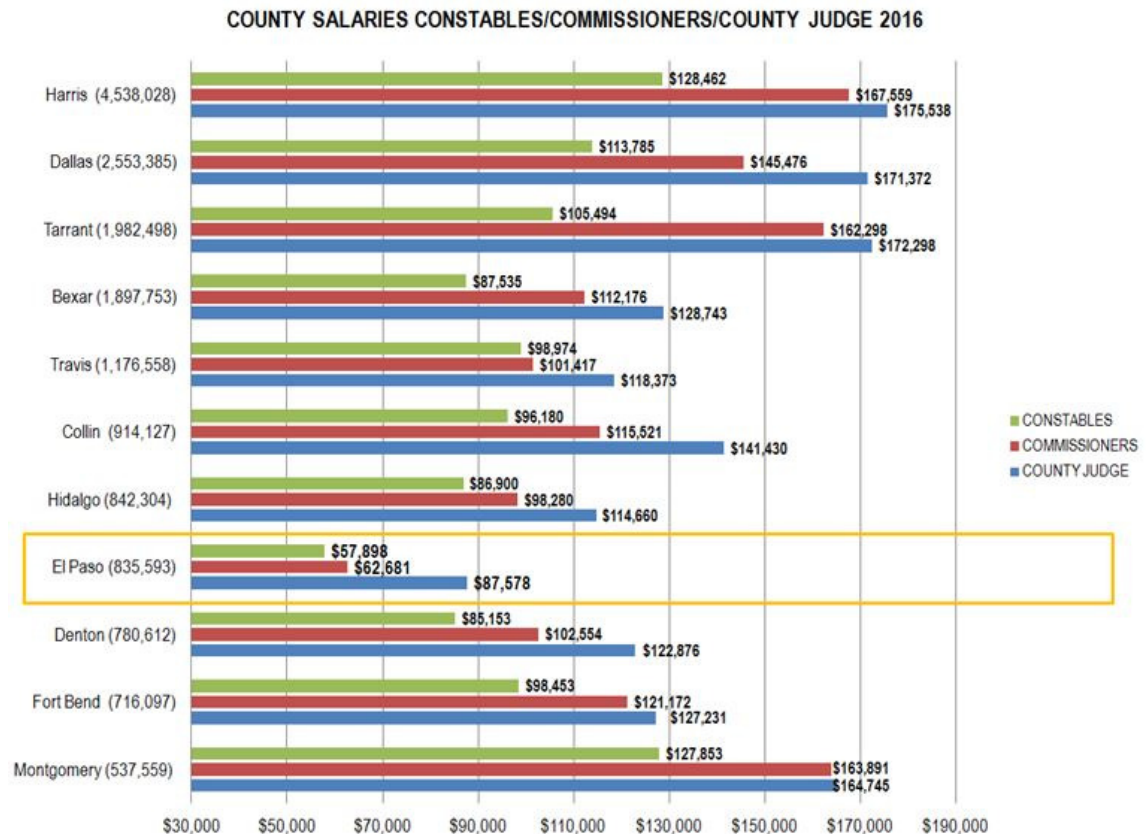
I have heard from several constituents who have made it clear that they don't agree with this philosophy. Their belief is that the Commissioners Court's salaries should reflect the lower end of the wage scale and that the objective process we've employed is not appropriate.

Paying fair and competitive salaries is a value that the Commissioners Court hasn't just adopted at the County within our organization (for everyone, including other elected officials), but it is one that we support at UMC (where they, too, have adopted a living wage and are implementing salary increases to stay competitive) and one we are supporting through our prevailing wage rate survey so that private sector employees who work on our construction jobs also will see an increase.

Even if you still disagree, hopefully, now that you have some of the information about the process and the rationale utilized by the County, you have a better understanding of why this vote happened at this time and in this way. Again, if you have questions or concerns, please don't hesitate to call or email.

Comparative Data and Complete List of County Elected Official Salaries

For the purposes of context, below is the comparative market data for the top urban counties in Texas, including a border county (Hidalgo) and El Paso.



Below is the list of current elected officials in the County, their current annual salary, what the 70% of market salary is, and the increase approved for Commissioners Court and Constables to bring us to 70% as well. You'll see in the list below that we have some elected officials who have been at or above 70% of market, which is why we are not increasing those salaries.

Job Title	Current Annual Salary*	Proposed Increase	Proposed Annual Salary
County Judge	87,578	14,422	102,000
County Commissioner (4)	62,681	26,569	89,250
County Tax Assessor/Collector	93,222	0	93,222
County Clerk	93,222	0	93,222
County Attorney	180,629	0	180,629
District Clerk	93,222	0	93,222
County Sheriff	161,607	0	161,607
Justice of the Peace (8)	80,292	0	80,292
Constable (7)	57,898	14,352	72,250

*PER EMPLOYEE ROUNDED TO WHOLE DOLLAR AMOUNT

County Court at Law, County Criminal Court at Law and probate judges' salaries have already been at market, so their salaries did not increase.

JOB TITLE	CURRENT SALARY*	PROPOSED INCREASE	PROPOSED SALARY
COUNTY COURT AT LAW JUDGES (7)	169,022	0	169,022
COUNTY CRIMINAL COURT AT LAW JUDGES (4)	169,022	0	169,022
PROBATE JUDGE	170,189	0	170,189
PROBATE JUDGE	170,189	0	170,189

*PER EMPLOYEE ROUNDED TO WHOLE DOLLAR AMOUNT

Appeals Court Judges received a \$1,275 increase to their supplement, bringing their salaries to \$163,000, and District Court Judges received a \$2,550 increase, bringing their salary up to \$158,000. We are still evaluating the District Attorney's salary/supplement to ensure he is still within the 70% of market range.[iv]

JOB TITLE	STATE CURRENT SALARY*	COUNTY CURRENT SUPPLEMENT**	COUNTY PROPOSED INCREASE**	COUNTY PROPOSED SUPPLEMENT**	PROPOSED TOTAL SALARY
Appellate Judges (3)	154,000	7,725	1,275	9,000	163,000
District Judges (17)	140,000	15,450	2,550	18,000	158,000
District Attorney	140,000	48,191	0	48,191	188,191

*NO PROPOSED CHANGES

**PER EMPLOYEE ROUNDED TO WHOLE DOLLAR AMOUNTS

Strategic Goals

We still have several weeks of budget hearings, and our budget so far has been shaped not only by the services we are mandated to perform by the state of Texas but also by the priorities we identified during our annual strategic planning process. Those priorities include:

- Continuing reforms in criminal justice administration;
- Establishing a re-entry program for inmates with the hopes of creating better citizens;
- Creating an infrastructure and service plan to create more urbanized services for unincorporated areas;
- Modernizing our technology operating platform;
- Improving and investing in our parks;
- Creating an economic development department; enhancing our economic development partnerships, including those in Mexico; updating our incentives policies; and implementing our comprehensive economic development strategy;
- Enhancing our commitment to mental health through an inventory and gap analysis;
- Investing in our workforce and retaining talent;
- Regional transit; and,
- Quality of life projects like the development of the Mission Trail, a Heritage Master Plan; a Regional County Park Plan; and, a County Fair.

Upcoming Meetings and Decisions

The final budget won't be adopted until sometime in September if we finish up early, but no later than October 3rd. Below are important dates for you to be aware of:

Monday August 22, 9:30 a.m.: Commissioners Court will set the proposed tax rate during our regularly scheduled meeting. That is NOT the final tax rate. By law, we have to set the ceiling above which we cannot go.

Monday August 29, 6:00 p.m.: Although not required by law because we are not proposing a tax increase, Commissioners Court will hold a public hearing to allow the public an evening meeting where you can appear before us if you wish.

No later than October 3rd: The Commissioners Court will adopt its final tax rate either sometime in September but no later than October 3rd.

If you'd like to keep up with all the details related to the budget, including upcoming budget hearings, you can find everything on our budget page by [clicking here](#). There is also a link on our home page.

UMC and EPCH

Once we approve and adopt our budget and get more information on the budgets for University Medical Center and El Paso Children's Hospital, I'll follow up and provide you with an update.

Thank you for your time and attention. Again, if you have questions, comments, concerns, please know I am interested in your thoughts.

Sincerely,



Veronica Escobar
County Judge

[i] The Commissioners Court may be giving an additional 1% COLA this year, bringing the cumulative salary increases for employees to nearly 19% since 2012.

[ii] Initially, other elected officials who received an increase included the County Clerk, District Clerk, Tax Assessor Collector and Justices of the Peace; however, when we understood that they have already been at market for some time, and that an increase would put them above market, we reversed our decision and kept their salaries level.

[iii] While our tax notices are published in the El Paso Times, the El Paso Inc. won the bid for all other notices.

[iv] The State pays the base salary for these officials and the County pays a supplement.



El Paso County Judge, 500 E. San Antonio, El Paso, TX 79901

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