

## Sec. 156. Management of the San Antonio Water System

SAWS Accountability Act  
Reverse side of Petition to San Antonio City Council

### **Par. 1. General Manager Salary & Benefits & General Manager:**

Compensation, including salary and non-cash equivalents, for the San Antonio Water System General Manager shall be fixed annually by the City Council, and shall not exceed an amount equal to ten (10) times that of the lowest paid SAWS employee in the same period. The term of the General Manager shall automatically terminate after 8 years in office and the SAWS Board of Trustees may recommend a replacement to the City Council, however the Council must replace the General Manager within 30 days after the expiration of the incumbent's term. A General Manager may be retained for up to one additional 4-year term by a retention election placed on the ballot by the Council or by petition, and held within 30 days after such term expiration.

### **Par. 2. Term Limits – Board of Trustees:**

The SAWS Board of Trustees are appointed by the City Council and in like manner may be terminated. Trustees are limited to two four-year terms, and may not hold over or otherwise continue in office more than 30 days after the expiration of their first or second term. A Trustee eligible for reappointment shall be reappointed within such 30-day period. Any Trustee who serves out an unexpired portion of two or more years of another Trustee's term shall be considered to have served a full term.

### **Par. 3. Legislative and Regulatory Lobbying:**

The City Council shall deliberate in open session and approve, by a two-thirds majority vote, all recommendations by the SAWS Board, General Manager or staff regarding legislative or regulatory priorities, including support or opposition thereto. Neither the SAWS Board nor the General Manager nor the staff shall directly or indirectly lobby or advocate for legislation or regulatory policies at the Local, State or Federal level absent prior approval from the Council. After completion of their term, Trustees and the General Manager are prohibited from working for the City or SAWS, or representing others before the City or SAWS for a period of four years.

### **Par 4. Ethics:**

The SAWS Board and General Manager are subject to Federal, State, and Local ethics requirements as applicable and may be removed by the City Council for violations by a majority of Council members present and voting.

### **Par 5. Performance Audit:**

Existing projects and future projects, including related contracts and documents, that individually or in combination exceed \$1 billion shall undergo an independent performance audit within one year of adoption of this Charter Amendment or within one year of execution, as applicable, and in each case every five years thereafter. The City Council may determine that a shorter audit term is necessary. Federally mandated projects are excluded from such audits. The Vista Ridge Project and related agreements are specifically subject to performance audit and all other provisions in this Par. 5.

The performance audit shall conform to Generally Accepted Government Auditing Standards (GAGAS) and shall include: (1) a management audit; and (2) an economic impact audit. The management audit shall determine the extent to which the project's governance and management structure creates risks to the City, SAWS, or SAWS ratepayers, and the extent to which these risks have been mitigated by insurance, bonds or other means. The economic impact audit shall include findings regarding the costs and benefits associated with the project, including without limitation long-term environmental impacts, reliability of the particular source of supply, and impacts on communities that depend upon that supply.

The Council shall solicit and select qualified independent auditors in response to public requests for qualifications. Independent auditors must not have direct or indirect ties, financial or otherwise, to the City or County governments, including SAWS, CPS Energy, or any entity controlled directly or indirectly by the City. The Council will conduct a minimum of two public hearings before the selection of any independent auditors. All audits shall include a determination that recommendations and representations by SAWS employees or consultants to the SAWS Board and/or Council that relate to a particular project were correct or have been fulfilled and if not, provide specific findings regarding the discrepancy. The selection of an independent auditor shall not be done by means of a consent agenda.

Government Accounting Standards Board accounting standards (GASB) shall apply to all SAWS contracts and project documents adopted after the effective date of this amendment unless waived by the Council based on specific findings of public benefit.

### **Par. 6. Severability & Interpretation:**

Notwithstanding any Ordinance or City Charter provision to the contrary, the provisions of this Section shall prevail in the event of a conflict. In the event any portion of this Section be determined invalid in a court of law, the remaining provisions of this Section shall continue in force and effect.