

3.4 Independent Police Auditor Appointment and Compensation Package.

Recommendation:

Adopt a resolution appointing Eddie Aubrey for services as Independent Police Auditor (“IPA”) for an unexpired term beginning May 6, 2024, and ending December 31, 2024, and for a subsequent four-year term commencing January 1, 2025, and ending December 31, 2028, consistent with the following terms:

(a) Salary: The starting bi-weekly salary will be \$9,157, which is equivalent to an annual amount of \$238,100, plus an additional non-pensionable amount equal to five percent (5%) of the salary for a total annual salary of approximately \$250,000.

(b) Executive Management Benefits, Unit 99 Benefits, Health Care in-lieu and Compensation: As executive management, the IPA will receive the benefits that are included in the Executive Management (Unit 99) Benefit and Compensation Plan:

<https://www.sanjoseca.gov/home/showdocument?id=21323>

(c) Vacation and Executive Leave: The IPA will accrue vacation and executive leave in accordance with Executive Management (Unit 99) accrual rates. Executive leave cannot be cashed out or carried over into the next calendar year under any circumstances. Vacation leave can continue to accrue up to twice the annual maximum.

(d) Outside Employment: The IPA will not engage in outside employment without City Council approval.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Mayor)

[Rules Committee referral 5/1/2024 - Item A.1.a]



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Mayor Matt Mahan

SUBJECT: INDEPENDENT POLICE AUDITOR
APPOINTMENT AND COMPENSATION
PACKAGE

DATE: April 30, 2024

Approved:

Date: April 30, 2024

RECOMMENDATION

Adopt a resolution appointing Eddie Aubrey for services as Independent Police Auditor (“IPA”) for an unexpired term beginning May 6, 2024, and ending December 31, 2024, and for a subsequent four-year term commencing January 1, 2025, and ending December 31, 2028, consistent with the following terms:

BACKGROUND

Pursuant to City Charter Section 809, the Independent Police Auditor shall serve for a term ending four (4) years from and after the date of expiration of the immediately preceding term. If a vacancy should occur in such office before the expiration of the former incumbent’s term, the Council shall appoint a successor to serve for the remainder of the former incumbent’s term. The former incumbent’s term is unexpired and will end on December 31, 2024.

The major provisions of the proposed terms are summarized as follows:

- Salary: The starting bi-weekly salary will be \$9,157, which is equivalent to an annual amount of \$238,100, plus an additional non-pensionable amount equal to five percent (5%) of the salary for a total annual salary of approximately \$250,000.
- Executive Management Benefits, Unit 99 Benefits, Health Care in-lieu and Compensation: As executive management, the IPA will receive the benefits that are included in the Executive Management (Unit 99) Benefit and Compensation Plan: <https://www.sanjoseca.gov/home/showdocument?id=21323>
- Vacation and Executive Leave: The IPA will accrue vacation and executive leave in accordance with Executive Management (Unit 99) accrual rates. Executive leave cannot be cashed out or carried over into the next calendar year under any circumstances. Vacation leave can continue to accrue up to twice the annual maximum.
- Outside Employment: The IPA will not engage in outside employment without City Council approval.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPOINTING EDDIE AUBREY AS THE INDEPENDENT POLICE AUDITOR FOR AN UNEXPIRED TERM BEGINNING MAY 6, 2024, AND ENDING ON DECEMBER 31, 2024, AND FOR A SUBSEQUENT FOUR-YEAR TERM COMMENCING JANUARY 1, 2025, AND ENDING DECEMBER 31, 2028; AND APPROVING TERMS OF COMPENSATION AND BENEFITS

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. Eddie Aubrey is appointed as the Independent Police Auditor for an unexpired term beginning May 6, 2024, and ending on December 31, 2024, and for a subsequent four-year term commencing January 1, 2025, and ending December 31, 2028, and the terms of compensation and benefits set forth in Attachment A are hereby approved.
2. The general terms of compensation and benefits are set out and described in the memorandum to the City Council from Mayor Matt Mahan, dated April 30, 2024, attached hereto as Attachment A, and incorporated in this Resolution.

ADOPTED this ____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk



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AND CITY COUNCIL

FROM: Mayor Matt Mahan

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PACKAGE

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The major provisions of the proposed terms are summarized as follows:

- Salary: The starting bi-weekly salary will be \$9,157, which is equivalent to an annual amount of \$238,100, plus an additional non-pensionable amount equal to five percent (5%) of the salary for a total annual salary of approximately \$250,000.
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