

January 17, 2024

To: Charter Review Advisory Committee, City of Stockton
 From: Moss Adams, LLP
 Subject: Public Information Officer – City Charter Review Memo

Background

The City of Stockton (the City) requested its internal auditor, Moss Adams, conduct a City Charter review including a compilation of how other cities organize and operationalize the Public Information Officer (PIO) role. The review is intended to assist the City in re-evaluating key components of the City Charter, identifying potential updates and changes based on peer and best practices, and enabling a productive charter revision process. The purpose of this memo is to provide a summary of the evaluation of PIO-related components of the charter, as well as an analysis of the City's alignment with peers and industry best practices related to the PIO.

Peer Comparison

The City's approach to the PIO was compared to five peer cities that were identified by Moss Adams and reviewed for relevance by City management: Riverside, Bakersfield, Sacramento, Santa Ana, and Anaheim. The analysis compared the City with peers in the areas listed in the following table. Areas where the City is potentially misaligned with peers are noted in the table below.

TOPIC	STOCKTON	PEER ANALYSIS SUMMARY
Inclusion of PIO in the Charter	Stockton's City Charter stipulates the existence of a PIO who serves under the direction and supervision of the Mayor and details the functions and duties of the role.	None of the peer cities included in this analysis mention the PIO role in their City charter.
Appointment of Officers	Stockton's charter stipulates that the PIO is appointed by the Mayor.	Of the two cities that include information about appointing officers other than the City Attorney and City Clerk in their charter, one stipulates that the City Manager appoints officers and one stipulates that the City Council appoints officers.
Existence of a Public Information Office	Public information is currently coordinated through the Mayor's Office, with support from the City Manager's Office (CMO).	Although some peers have dedicated Communications offices, most handle media and public communications out of the CMO.

TOPIC	STOCKTON	PEER ANALYSIS SUMMARY
PIO Reporting and Organizational Structure	<ul style="list-style-type: none"> There is a Public Information Officer in the Mayor's Office. The Charter states that PIO is under the direction and supervision of the Mayor. There is a Community Relations Officer in the CMO, who also performs some PIO-related duties. 	<ul style="list-style-type: none"> The PIO or equivalent position in all peer cities reports to the City Manager or Deputy City Manager. Some cities also have dedicated PIOs embedded in departments like Police. PIOs at three cities lead dedicated public communications offices. One city employs a Media and Communications Officer in the CMO and a Communications Director in the Mayor's office, similar to Stockton.
PIO Duties	According to the City Charter, the PIO gathers and disseminates information to the public and the news media concerning the policies of the Council and other information regarding the City.	All comparable positions at peer cities undertake similar job duties.
Public Records Requests	Although the Stockton website indicates that the City Clerk responds to public records requests, in practice, the City Clerk can accept public records requests, but the CMO and City Attorney's Office coordinate to fulfill requests. The City Charter does not indicate who should manage public records requests.	According to peer city websites, City Clerks respond to public records requests in all peer cities.

Best Practice Analysis

This section provides further research on each area where the City is potentially misaligned with best practices.

Inclusion of PIO in the Charter: None of the City peers examined include PIOs in their city charter. While including a PIO in the charter can have benefits such as providing a clear reporting structure, promoting transparency, and ensuring a consistent approach to public communication, the drawbacks can include limited flexibility and the possibility of politicizing the position. Therefore, including PIOs in a charter may be a more natural fit for cities with large populations and complex communication needs.

Appointment of Officers, PIO Reporting, and Organizational Structure: The City's charter states that the PIO is appointed by and supervised by the Mayor. In all peer cities examined, the PIO or equivalent position reports to the CMO. While reporting to the CMO or the Mayor's office afford similar benefits for PIOs in terms of direct access to the City's top decision-makers and the ability to exercise more control over messaging, it is important to consider the risks of political interference and limited perspective that may arise from the PIO reporting to and being appointed by an elected official. It is important that the PIO is seen as a trustworthy and reliable source of information by the public, and that key communications functions and interdepartmental collaboration is in compliance with [state laws pertaining to emergency alerts and warnings](#).

Public Records Requests: Although the City and all peer cities examined share on their websites that the City Clerk receives public records requests, the [California Public Records Act](#) does not appear to require that the City Clerk manages the response to these requests. However, a PIO is typically focused on acting as a liaison between a city and the media as well as public communications, and responding to such requests appears to be generally out of scope for this position. Typically, City Attorney's Offices respond to public records requests due to state compliance requirements.

Thank you,

Moss Adams LLP

APPENDIX

Topic	STOCKTON	PEERS				
	Source/Section	Riverside Charter	Bakersfield Charter	Sacramento Charter	Santa Ana Charter	Anaheim Charter
What charters say about PIO	SECTION 1151. Public Information Officer. The Public Information Office shall be administered by a Public Information Officer appointed by the Mayor who shall serve at his or her pleasure. The Public Information Officer shall be under the direction and supervision of the Mayor. SECTION 1152. Functions and Duties. The Public Information Officer shall gather and disseminate to the public and to the news media, in a timely manner, accurate and complete information concerning the policies of the Council and other information regarding the City and the general region in which it is located.	Does not mention	Does not mention	Does not mention	Does not mention	Does not mention
Appointment of Officers (charter)	PIO appointed by the Mayor	N/A other than City Attorney and City Clerk	Appointed by City Manager (Charter Section 38)	Appointed by City Council (Charter Article VI.70)	N/A	N/A other than City Attorney and City Clerk
Is there a Public Information Office?	Public information is coordinated through the Mayor's Office, with support from the CMO	Yes, within CMO	Yes, but called the Public Communications Office	Yes, but called Media and Communications, which is in the CMO	No, public information and media relations is handled through the CMO	Yes, but called Communications
Is there a Public Information Officer?	Yes, there is a PIO in the Mayor's Office, and a Community Relations Officer in the CMO who also performs some PIO-related duties.	Yes, leads the Public Information Office	Yes, leads the Public Communications Office	No, there is a Media and Communications Manager in the CMO. There is also a Communications Director who does press for the Mayor.	Yes, Public Affairs Information Officer	Closest match is Chief Communications Officer
Who does PIO report to?	The Public Information Officer shall be under the direction and supervision of the Mayor. *2020 Charter amendment was approved that said the PIO would sit under an elected office. However, PIO currently sits in CMO.	City Manager	City Manager	Equivalent reports to City Manager	City Manager	Communications Dept reports to Deputy City Manager
Organizational chart comparison	Public information is coordinated through the Mayor's Office and CMO	Stands alone but next to Office of Communications in chart (also reports to CMO)	Organized with Executive Staff (Admin Analysts and Management Assistant)	Does not list PIO in org chart, but lists news media contacts for many departments that are linked elsewhere as PIOs	Per website, Public Affairs Information Officer is in the CMO	N/A

		STOCKTON	PEERS			
Topic	Source/Section	Riverside Charter	Bakersfield Charter	Sacramento Charter	Santa Ana Charter	Anaheim Charter
PIO job descriptions	The Public Information Officer shall gather and disseminate to the public and to the news media, in a timely manner, accurate and complete information concerning the policies of the Council and other information regarding the City and the general region in which it is located.	Serves as a liaison between the City and the media, works to inform public on City issues, works with City Charter Officers, and responds to all media requests except Fire and Police	Manages media inquiries, media relations, and public information Does not handle media requests for elected officials	The City's Office of Media and Communications facilitates communication with citizens, businesses, elected officials and the City Manager's Office regarding City services and projects. In case of an emergency, the Media and Communications Manager helps disseminate and coordinate vital information to ensure public safety. The City of Sacramento handles media inquiries, public affairs and outreach, as well as informational requests and social media needs.	Responsible for coordinating the City's community engagement activities and is the main contact person for all official City communications	The Communications office informs residents, businesses, and visitors about the city of Anaheim through media relations, publications, social media, and video operations. The Communications office ensures Anaheim residents stay up to date with city news regarding programs, services, policy actions and events. In addition, the office encourages residents to use a variety of communication tools that connect residents with the city of Anaheim easily 24 hours a day, seven days a week from any location.
Who officially responds to public records requests	The Stockton website indicates that the City Clerk responds to public records requests; however, in practice, the City Clerk can accept public records requests, but the CMO and City Attorney's Office coordinate to fulfill requests. The City Charter does not indicate who should manage public records requests.	City Clerk	City Clerk	City Clerk	City Clerk	City Clerk