



Midpeninsula Regional
Open Space District

R-16-141
Meeting 16-26
October 26, 2016

AGENDA ITEM 12

AGENDA ITEM

Approval of Salary Adjustments and Revised Employment Agreement for Board Appointee Controller

BOARD APPOINTEE EVALUATION COMMITTEE'S RECOMMENDATIONS

As a result of the Board's evaluation of the performance of the District's Board Appointees for Fiscal Year 2015-16, the Board Appointee Evaluation Committee recommends the following compensation adjustments for the Controller for Fiscal Year 2016-17: Adjust the Controller's annual salary to \$42,900 plus a one-time merit pay bonus of \$2,300.

The Board Appointee Evaluation Committee recommends the adoption of a resolution approving the salary adjustments set out in Recommendations and authorizing the Board President to execute a revised Board Appointee Employment Agreement.

DISCUSSION

The Board Appointee Evaluation (BAE) Committee was established to conduct the evaluation process for its Appointees. The BAE Committee was instructed to serve as the District's negotiator and met with the Board Appointees to discuss their performance and compensation. The Board has three appointees: the General Manager, the Controller, and the General Counsel.

The Board, working through the BAE Committee, implemented this process and completed this year's annual evaluation of the performance of the Controller, during several meetings in June through October, 2016.

The Board is extremely pleased with the Controller's help and commitment to the District. His help was critical to implementation of Measure AA, including the restructuring of the organization. His forecasting models will help ensure our future staffing is consistent with revenue. All key objectives were met, along with additional ones that developed over time. Largely through the Controller's financial guidance the District continues to secure excellent bond rates. His significant accomplishments of the year were:

1. Strategic planning and documents for refinancing of 2007 and 2011 bonds.
2. Oversaw sales of General Obligation (GO) bonds at less than 4%.
3. Continues to support a successful FOSM process.
4. Making good progress on transferring his responsibilities to new Chief Financial Officer/Administrative Services Director (CFO) and teams.

The Board is particularly pleased with the Controller's extra efforts last year (and a quarter) in his dedication on behalf of the District; his exceptional performance, strategy development, and extra time spent was well above expectations particularly in overseeing financial activities during the CFO's absence and in re-issuing bonds for very significant cost savings to the District.

The Board is decreasing the Controller's compensation this year as he is decreasing his hours and transferring work responsibilities to the new CFO.

BOARD COMMITTEE REVIEW

The recommended performance review and salary adjustments were thoroughly reviewed by the Board Appointee Evaluation Committee, prior to review by the Board.

FISCAL IMPACT

For the Controller: Total of the annual salary = \$42,900 with a one-time merit pay bonus of \$2300.

PUBLIC NOTICE

All public noticing requirements of the Brown Act have been met. No additional notice is necessary.

CEQA COMPLIANCE

This item is not subject to the California Environmental Quality Act (CEQA).

NEXT STEPS

If approved, the compensation adjustments and merit bonuses will be implemented as set out in the Resolutions attached, and the employment agreements will go into effect immediately.

Attachments:

1. Resolution Approving Salary Adjustment and Revised Employment Agreement for the Controller

Submitted by:

Board Appointee Evaluation Committee

Director Kishimoto

Director Hassett

Director Siemens, Chair

RESOLUTION NO. 16-__

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT APPROVING
AN AMENDED EMPLOYMENT AGREEMENT AND ONE-TIME MERIT
PAY BONUS FOR THE DISTRICT CONTROLLER**

WHEREAS, effective July 8, 2009, the Board of Directors of the Midpeninsula Regional Open Space District entered into a District Controller Employment Agreement (“Agreement”) with Michael L. Foster, employing him as the District's District Controller; and

WHEREAS, the Agreement provides for an annual review of the District Controller’s performance and determination of meritorious pay, which the Board has completed; and

WHEREAS, the Board, based on its annual review of the Controller’s performance, desires to grant him an adjustment to his base salary, to \$42,900 per year, with a one-time merit pay bonus of \$2,300 in recognition of his performance during Fiscal Year 2015-2016;

The Board is particularly pleased with the Controller’s extra efforts last year (and a quarter) in his dedication on behalf of the District; his exceptional performance, strategy development, and extra time spent was well above expectations particularly in overseeing financial activities during the CFO’s absence and in re-issuing bonds for very significant cost savings to the District;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Midpeninsula Regional Open Space District does grant the Controller by adoption of this resolution to adjust his annual salary to \$42,900 per year, effective November 1, 2016 for Fiscal Year 2016-17, authorizes the President of the Board of Directors or other authorized Board Officer to execute an Amendment to the District Controller Employment Agreement reflecting that adjustment, and further grants a one-time merit pay bonus of \$2,300.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on ____, 2016, at a regular meeting thereof, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

Secretary
Board of Directors

President
Board of Directors

APPROVED AS TO FORM:

General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of a resolution duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above day.

District Clerk