



Midpeninsula Regional
Open Space District

R-19-156
Meeting 19-28
November 13, 2019

AGENDA ITEM 9

AGENDA ITEM

Approval of Salary Adjustments and Revised Employment Agreement for Board Appointee
General Counsel

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 2018-19, the Board Appointee Evaluation Committee recommends the following compensation adjustments for the General Counsel for Fiscal Year 2019-20: Adjust the General Counsel's base salary upward to \$225,500, plus a one-time merit pay bonus of \$11,275.

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 General Counsel, during several meetings in June through September 2019.

The Board is particularly pleased with the General Counsel's outstanding performance during this evaluation period. Her personal efforts and initiative helped make her transition to the General Counsel position smooth and effective. She expeditiously filled the open positions on her staff with outstanding candidates. She provided excellent legal advice and recommendations to the Board and staff during this evaluation period, and her leadership was instrumental in the District's legal team's strong contributions to the District's incredible list of accomplishments throughout the year.

All performance standards for the year were met, as were critical deadlines.

The Board is particularly pleased with the General Counsel's efforts last year and her dedication on behalf of the District: her exceptional performance, strategy development, and time spent was above expectations in resolving legal issues that arose during that time.

The BAE Committee recommends an increase in the General Counsel's compensation to more closely align her base salary with the market and comparable agencies. Additionally, based on her performance in FY2018-19, the BAE Committee recommends providing the General Counsel with a one-time merit bonus as noted above.

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 General Counsel: Total of the annual salary plus adjustment = \$225,500 with a one-time merit pay bonus of \$11,275.

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 adjustment and merit bonus will be implemented as set out in the Resolution attached, and the employment agreement will be amended accordingly.

Attachment:

1. Resolution Approving Salary Adjustment and Revised Employment Agreement for General Counsel

Submitted by: Board Appointee Evaluation Committee
Director Holman
Director Siemens
Director Riffle, Chair

Staff Contact:
Candice Basnight, Human Resources Manager

RESOLUTION NO. 19-__

**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’S GENERAL COUNSEL**

WHEREAS, effective July 11, 2018, the Board of Directors of the Midpeninsula Regional Open Space District entered into a District General Counsel Employment Agreement (“Agreement”) with Hilary Stevenson, employing her as the District’s General Counsel; and

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

WHEREAS, the Board is particularly pleased with the General Counsel’s outstanding performance during this evaluation period. Her personal efforts and initiative helped make her transition to the General Counsel position smooth and effective. She expeditiously filled the open positions on her staff with outstanding candidates. She provided excellent legal advice and recommendations to the Board and staff during this evaluation period, and her leadership was instrumental in the District’s legal team’s strong contributions to the District’s incredible list of accomplishments throughout the year; and

WHEREAS, the Board, based on its annual review of the General Counsel’s performance, in recognition of her performance during Fiscal Year 2018-2019 and to bring her compensation closer to the comparable median, desires to adjust the General Counsel’s base salary upward to \$225,500 plus a one-time merit pay bonus of \$11,275.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Midpeninsula Regional Open Space District as follows:

1. The General Counsel’s base salary shall be adjusted to \$225,500 retroactive to July 1, 2019 for Fiscal Year 2019-20.
2. The District’s Classification and Compensation Plan, Resolution No. 19-16, as amended, shall be updated to incorporate this increase and set forth in the exhibit attached hereto and incorporated herein as Exhibit A.
3. The President of the Board of Directors or other authorized Board Officer shall execute an Amendment to the District General Counsel’s Employment Agreement reflecting the salary increase.
4. The Board grants the General Counsel a one-time merit pay bonus of \$11,275.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on _____, 2019, 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

Exhibit A: Classification and Compensation Plan

Midpeninsula Regional Open Space District - CLASSIFICATION & COMPENSATION PLAN

Exhibit A

Fiscal Year 2019/2020 - Effective 11/13/2019 (Pay Period 19-24)

Last revised: 11/13/19, 6/26/2019, 3/27/2019, 2/27/2019, 12/12/2018, 11/19/2018, 10/10/2018, 9/26/2018, 8/8/2018, 6/13/2018, 1/24/2018

Classification Title	Step Range #	Hourly Range \$		Monthly Range \$		Annual Range \$		Full/Part Time
		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	
Seasonal Open Space Technician	6	21.3241	26.6245	3,696	4,615	44,354	55,379	PT
Seasonal Ranger Aide	6	21.3241	26.6245	3,696	4,615	44,354	55,379	PT
Seasonal Ranger	16	27.2182	33.9815	4,718	5,890	56,614	70,682	PT
Administrative Assistant	20	30.0092	37.4579	5,202	6,493	62,419	77,912	FT
Farm Maintenance Worker	20	30.0092	37.4579	5,202	6,493	62,419	77,912	FT
Open Space Technician*	20	30.0092	37.4579	5,202	6,493	62,419	77,912	FT
Accounting Technician	22	31.4965	39.3309	5,459	6,817	65,513	81,808	FT
Human Resources Technician	22	31.4965	39.3309	5,459	6,817	65,513	81,808	FT
Information Technology Technician I	22	31.4965	39.3309	5,459	6,817	65,513	81,808	FT
GIS Technician	23	32.2921	40.3223	5,597	6,989	67,168	83,870	FT
Facilities Maintenance Specialist	24	33.0695	41.3077	5,732	7,160	68,785	85,920	FT
Lead Open Space Technician*	24	33.0695	41.3077	5,732	7,160	68,785	85,920	FT
Risk Management Coordinator	24	33.0695	41.3077	5,732	7,160	68,785	85,920	FT
Senior Administrative Assistant	24	33.0695	41.3077	5,732	7,160	68,785	85,920	FT
Visitor Services Program Coordinator	25	33.9019	42.3360	5,876	7,338	70,516	88,059	FT
Volunteer Program Lead	25	33.9019	42.3360	5,876	7,338	70,516	88,059	FT
Ranger	26	34.7220	43.3643	6,018	7,516	72,222	90,198	FT
Senior Finance & Accounting Technician	26	34.7220	43.3643	6,018	7,516	72,222	90,198	FT
Executive Assistant	27	35.5911	44.4538	6,169	7,705	74,029	92,464	FT
Information Technology Technician II	27	35.5911	44.4538	6,169	7,705	74,029	92,464	FT
Public Affairs Specialist I	27	35.5911	44.4538	6,169	7,705	74,029	92,464	FT
Equipment Mechanic/Operator	28	36.4664	45.5309	6,321	7,892	75,850	94,704	FT
Lead Ranger	28	36.4664	45.5309	6,321	7,892	75,850	94,704	FT
Property Management Specialist I	28	36.4664	45.5309	6,321	7,892	75,850	94,704	FT
Real Property Specialist I	28	36.4664	45.5309	6,321	7,892	75,850	94,704	FT
Executive Assistant/Deputy District Clerk	29	37.3784	46.6694	6,479	8,089	77,747	97,072	FT
Executive Assistant/Legal Secretary	29	37.3784	46.6694	6,479	8,089	77,747	97,072	FT
Planner I	29	37.3784	46.6694	6,479	8,089	77,747	97,072	FT
Data Analyst I	30	38.2904	47.8139	6,637	8,288	79,644	99,453	FT
Resource Management Specialist I	30	38.2904	47.8139	6,637	8,288	79,644	99,453	FT
Accountant	31	39.2452	49.0013	6,803	8,494	81,630	101,923	FT
Capital Project Manager II	31	39.2452	49.0013	6,803	8,494	81,630	101,923	FT
Environmental Education Specialist	31	39.2452	49.0013	6,803	8,494	81,630	101,923	FT
Interpretive Specialist	31	39.2452	49.0013	6,803	8,494	81,630	101,923	FT
Management Analyst I	31	39.2452	49.0013	6,803	8,494	81,630	101,923	FT
Planner II	31	39.2452	49.0013	6,803	8,494	81,630	101,923	FT
Data Analyst II	34	42.2075	52.7165	7,316	9,138	87,792	109,650	FT
Resource Management Specialist II	34	42.2075	52.7165	7,316	9,138	87,792	109,650	FT
Grants Program Manager	35	43.2602	54.0264	7,498	9,365	89,981	112,375	FT
Interpretation & Education Program Manager	35	43.2602	54.0264	7,498	9,365	89,981	112,375	FT
Maintenance, Construction & Resource Supv.	35	43.2602	54.0264	7,498	9,365	89,981	112,375	FT
Management Analyst II	35	43.2602	54.0264	7,498	9,365	89,981	112,375	FT
Procurement & Contracting Agent/Specialist	35	43.2602	54.0264	7,498	9,365	89,981	112,375	FT
Property Management Specialist II	35	43.2602	54.0264	7,498	9,365	89,981	112,375	FT
Real Property Specialist II	35	43.2602	54.0264	7,498	9,365	89,981	112,375	FT
Supervising Ranger	35	43.2602	54.0264	7,498	9,365	89,981	112,375	FT
Training & Safety Specialist	35	43.2602	54.0264	7,498	9,365	89,981	112,375	FT
Volunteer Program Manager	35	43.2602	54.0264	7,498	9,365	89,981	112,375	FT
Applications Engineer	36	44.3252	55.3484	7,683	9,594	92,196	115,125	FT
Public Affairs Specialist II	36	44.3252	55.3484	7,683	9,594	92,196	115,125	FT
Data Administrator	38	46.5348	58.1271	8,066	10,075	96,792	120,904	FT

Classification Title	Step Range #	Hourly Range \$		Monthly Range \$		Annual Range \$		Full/Part Time
		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	
Governmental Affairs Specialist	38	46.5348	58.1271	8,066	10,075	96,792	120,904	FT
Senior Technologist	38	46.5348	58.1271	8,066	10,075	96,792	120,904	FT
Capital Project Manager III	39	47.6977	59.5593	8,268	10,324	99,211	123,883	FT
Capital Projects Field Manager	39	47.6977	59.5593	8,268	10,324	99,211	123,883	FT
Facilities Maintenance Supervisor	39	47.6977	59.5593	8,268	10,324	99,211	123,883	FT
Planner III	39	47.6977	59.5593	8,268	10,324	99,211	123,883	FT
Public Affairs Specialist III	39	47.6977	59.5593	8,268	10,324	99,211	123,883	FT
Resource Management Specialist III	39	47.6977	59.5593	8,268	10,324	99,211	123,883	FT
Special Projects Manager	40	48.8667	61.0221	8,470	10,577	101,643	126,926	FT
Senior Accountant	41	50.0786	62.5523	8,680	10,842	104,163	130,109	FT
Senior Management Analyst	41	50.0786	62.5523	8,680	10,842	104,163	130,109	FT
Area Manager	43	52.5880	65.6799	9,115	11,385	109,383	136,614	FT
Area Superintendent	43	52.5880	65.6799	9,115	11,385	109,383	136,614	FT
District Clerk/Assistant to General Manager	43	52.5880	65.6799	9,115	11,385	109,383	136,614	FT
GIS Program Administrator	43	52.5880	65.6799	9,115	11,385	109,383	136,614	FT
Human Resources Supervisor	43	52.5880	65.6799	9,115	11,385	109,383	136,614	FT
Information Technology Program Administrator	43	52.5880	65.6799	9,115	11,385	109,383	136,614	FT
Senior Capital Project Manager	43	52.5880	65.6799	9,115	11,385	109,383	136,614	FT
Senior Planner	43	52.5880	65.6799	9,115	11,385	109,383	136,614	FT
Senior Property Management Specialist	43	52.5880	65.6799	9,115	11,385	109,383	136,614	FT
Senior Real Property Specialist	43	52.5880	65.6799	9,115	11,385	109,383	136,614	FT
Senior Resource Management Specialist	43	52.5880	65.6799	9,115	11,385	109,383	136,614	FT
Budget & Analysis Manager	48	59.3941	74.1752	10,295	12,857	123,540	154,284	FT
Finance Manager	48	59.3941	74.1752	10,295	12,857	123,540	154,284	FT
Human Resources Manager	48	59.3941	74.1752	10,295	12,857	123,540	154,284	FT
Information Systems & Technology Manager	48	59.3941	74.1752	10,295	12,857	123,540	154,284	FT
Engineering & Construction Manager	51	63.9172	79.8307	11,079	13,837	132,948	166,048	FT
Land & Facilities Services Manager	51	63.9172	79.8307	11,079	13,837	132,948	166,048	FT
Natural Resources Manager	51	63.9172	79.8307	11,079	13,837	132,948	166,048	FT
Operations Manager	51	63.9172	79.8307	11,079	13,837	132,948	166,048	FT
Planning Manager	51	63.9172	79.8307	11,079	13,837	132,948	166,048	FT
Public Affairs Manager	51	63.9172	79.8307	11,079	13,837	132,948	166,048	FT
Real Property Manager	51	63.9172	79.8307	11,079	13,837	132,948	166,048	FT
Visitor Services Manager	51	63.9172	79.8307	11,079	13,837	132,948	166,048	FT
Assistant General Counsel I	53	67.1121	83.8213	11,633	14,529	139,593	174,348	FT
Assistant General Counsel II	55	70.4723	88.0139	12,215	15,256	146,582	183,069	FT
Assistant General Manager	59	77.7007	97.0356	13,468	16,820	161,617	201,834	FT
Chief Financial Officer/Director Administrative Services	59	77.7007	97.0356	13,468	16,820	161,617	201,834	FT

* OST will receive an additional 1% stipend for Class A or B license; Lead OST 1% for Class A.

Board Appointee Group Compensation	Hourly	Monthly	Annual	Effective	Last Revised
General Manager	\$118.9904	\$20,625	\$247,500	7/1/2019	11/13/2019
Controller - Part-time position	\$90.1481	\$3,906	\$46,877	7/1/2019	11/13/2019
General Counsel	\$108.4135	\$18,792	\$225,500	7/1/2019	11/13/2019
Elected Officials Compensation	Per Meeting		Monthly Maximum	Effective Date	
Board Director	\$100.00		\$500.00	1/1/2006	

The District's Personnel Policies and Procedures provide that the compensation for an employee's temporary out-of-class / Acting Assignment shall be at least 5% but not more than 10% more than her/his current salary. Pursuant to Government Code 20480, out of class appointments shall not exceed a total of 960 hours in each fiscal year.