



Midpeninsula Regional
Open Space District

R-17-141
Meeting 17-31
December 13, 2017

AGENDA ITEM 6

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 2016-17, the Board Appointee Evaluation Committee recommends the following compensation adjustments for the General Counsel for Fiscal Year 2017-18: Increase the General Counsel's base salary by 3% to \$229,439 plus a one-time merit pay bonus of \$11,472.

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 an evaluation of the performance of the General Counsel for Fiscal Year 2016-17. The evaluation occurred during several meetings in June through November 2017.

The Board believes the District's General Counsel (GC) consistently exceeded expectations during this review period. She met or exceeded all of her performance objectives in addition to her many unplanned accomplishments that developed during the year. She continued to bring deep knowledge, broad experience, and consistent professionalism to the District's GC position. The Board feels that she consistently anticipated legal issues confronting the District and prepared the Board in advance with sound options and recommendations. She also consistently listened to the Board's direction and incorporated our recommendations into her approach. Her recommendations were the right balance of legal prudence, appropriate risk management, and an orientation to helping the District achieve its annual action plan. She managed the General Counsel's Office appropriately with on-going mentorship for the Assistant GC, maintained the appropriate level of support for the District staff, and continued the strong working relationship with the General Manager's Office. She did an excellent job of finding and effectively managing highly qualified outside counsel as needed. She also continued to provide excellent legal

services with a very lean staffing model for an agency of our size.

The Board has appreciated our GC's proactive approach in helping find her replacement and plan accordingly for the transition. Her service to the District during her 5-year tenure has been extremely valuable especially during the incredible changes to the District's business model, organizational structure, and operational approach. The Board is tremendously appreciative of all of her efforts and results to help the District accomplish its mission.

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 = \$229,439 with a one-time merit pay bonus of \$11,472.

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 General Counsel
2. Revised Classification and Compensation Plan

Submitted by: Board Appointee Evaluation Committee

Director Kishimoto
Director Hassett
Director Riffle, Chair

Staff Contact:

Candice Basnight, Human Resources Manager
Alicia Gonzales, Human Resources Supervisor

RESOLUTION NO. 17-__

**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 GENERAL COUNSEL**

WHEREAS, effective March 19, 2012, the Board of Directors of the Midpeninsula Regional Open Space District entered into a District General Counsel Employment Agreement (“Agreement”) with Sheryl Schaffner, 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, based on its annual review of the General Counsel’s performance, in recognition of her performance during Fiscal Year 2016-2017 and to bring her compensation with the comparable market median, desires to grant an adjustment to the General Counsel’s base salary upward to \$229,439 plus a one-time merit pay bonus of \$11,472 given her excellent results.

The Board is particularly pleased with the General Counsel’s outstanding efforts and excellent results during this review period, and her dedication on behalf of the District over the last five years leading up to her retirement at the end of 2017.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Midpeninsula Regional Open Space District does grant the General Counsel by adoption of this resolution an adjustment to her base salary up to \$229,439, retroactive to July 1, 2017 for Fiscal Year 2017-18, authorizes the President of the Board of Directors or other authorized Board Officer to execute an Amendment to the District General Counsel Employment Agreement reflecting that increase, and further grants a one-time merit pay bonus of \$11,472.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on ____, 2017, 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

Midpeninsula Regional Open Space District - CLASSIFICATION & COMPENSATION PLAN

Fiscal Year 2017/2018 - Effective 12/13/2017 (Pay Period 17-26)

Last revised: 7/1/17, 5/10/17, 4/12/2017, 2/22/2017, 10/26/16, 8/29/16, 7/01/16, 4/28/2016, 4/14/16, 2/11/16

Classification Title	Step Range #	Hourly Range \$		Monthly Range \$		Annual Range \$		Full/PT Time
		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	
Seasonal Open Space Technician	6	20.1000	25.0962	3,484	4,350	41,808	52,200	PT
Seasonal Ranger Aide	6	20.1000	25.0962	3,484	4,350	41,808	52,200	PT
Seasonal Ranger	16	25.6558	32.0308	4,447	5,552	53,364	66,624	PT
Farm Maintenance Worker	19	27.6000	34.4712	4,784	5,975	57,408	71,700	FT
Open Space Technician*	19	27.6000	34.4712	4,784	5,975	57,408	71,700	FT
Administrative Assistant	20	28.2865	35.3077	4,903	6,120	58,836	73,440	FT
Accounting Technician	22	29.6885	37.0731	5,146	6,426	61,752	77,112	FT
Human Resources Technician	22	29.6885	37.0731	5,146	6,426	61,752	77,112	FT
Information Technology Technician I	22	29.6885	37.0731	5,146	6,426	61,752	77,112	FT
GIS Technician	23	30.4385	38.0077	5,276	6,588	63,312	79,056	FT
Lead Open Space Technician*	23	30.4385	38.0077	5,276	6,588	63,312	79,056	FT
Volunteer Program Lead	23	30.4385	38.0077	5,276	6,588	63,312	79,056	FT
Risk Management Coordinator	24	31.1712	38.9365	5,403	6,749	64,836	80,988	FT
Senior Administrative Assistant	24	31.1712	38.9365	5,403	6,749	64,836	80,988	FT
Public Affairs Program Coordinator	25	31.9558	39.9058	5,539	6,917	66,468	83,004	FT
Ranger	25	31.9558	39.9058	5,539	6,917	66,468	83,004	FT
Senior Finance & Accounting Technician	26	32.7288	40.8750	5,673	7,085	68,076	85,020	FT
Equipment Mechanic/Operator	27	33.5481	41.9019	5,815	7,263	69,780	87,156	FT
Executive Assistant	27	33.5481	41.9019	5,815	7,263	69,780	87,156	FT
Information Technology Technician II	27	33.5481	41.9019	5,815	7,263	69,780	87,156	FT
Lead Ranger	27	33.5481	41.9019	5,815	7,263	69,780	87,156	FT
Public Affairs Specialist I	27	33.5481	41.9019	5,815	7,263	69,780	87,156	FT
Property Management Specialist I	28	34.3731	42.9173	5,958	7,439	71,496	89,268	FT
Real Property Specialist I	28	34.3731	42.9173	5,958	7,439	71,496	89,268	FT
Executive Assistant/Deputy District Clerk	29	35.2327	43.9904	6,107	7,625	73,284	91,500	FT
Planner I	29	35.2327	43.9904	6,107	7,625	73,284	91,500	FT
Data Analyst I	30	36.0923	45.0692	6,256	7,812	75,072	93,744	FT
Docent Program Manager	30	36.0923	45.0692	6,256	7,812	75,072	93,744	FT
Resource Management Specialist I	30	36.0923	45.0692	6,256	7,812	75,072	93,744	FT
Volunteer Program Manager	30	36.0923	45.0692	6,256	7,812	75,072	93,744	FT
Accountant	31	36.9923	46.1885	6,412	8,006	76,944	96,072	FT
Capital Project Manager II	31	36.9923	46.1885	6,412	8,006	76,944	96,072	FT
Planner II	31	36.9923	46.1885	6,412	8,006	76,944	96,072	FT
Management Analyst I	31	36.9923	46.1885	6,412	8,006	76,944	96,072	FT
Data Analyst II	34	39.7846	49.6904	6,896	8,613	82,752	103,356	FT
Resource Management Specialist II	34	39.7846	49.6904	6,896	8,613	82,752	103,356	FT
Grants Specialist	35	40.7769	50.9250	7,068	8,827	84,816	105,924	FT
Maintenance, Construction & Resource Supv.	35	40.7769	50.9250	7,068	8,827	84,816	105,924	FT
Management Analyst II	35	40.7769	50.9250	7,068	8,827	84,816	105,924	FT
Procurement & Contracting Agent/Specialist	35	40.7769	50.9250	7,068	8,827	84,816	105,924	FT
Property Management Specialist II	35	40.7769	50.9250	7,068	8,827	84,816	105,924	FT
Real Property Specialist II	35	40.7769	50.9250	7,068	8,827	84,816	105,924	FT
Supervising Ranger	35	40.7769	50.9250	7,068	8,827	84,816	105,924	FT
Training & Safety Specialist	35	40.7769	50.9250	7,068	8,827	84,816	105,924	FT
Applications Engineer	36	41.7808	52.1712	7,242	9,043	86,904	108,516	FT
Public Affairs Specialist II	36	41.7808	52.1712	7,242	9,043	86,904	108,516	FT

Data Administrator	38	43.8635	54.7904	7,603	9,497	91,236	113,964	FT
Governmental Affairs Specialist	38	43.8635	54.7904	7,603	9,497	91,236	113,964	FT
Senior Technologist	38	43.8635	54.7904	7,603	9,497	91,236	113,964	FT
Facilities Maintenance Supervisor	39	44.9596	56.1404	7,793	9,731	93,516	116,772	FT
Capital Projects Field Manager	39	44.9596	56.1404	7,793	9,731	93,516	116,772	FT
Capital Project Manager III	39	44.9596	56.1404	7,793	9,731	93,516	116,772	FT
Planner III	39	44.9596	56.1404	7,793	9,731	93,516	116,772	FT
Public Affairs Specialist III	39	44.9596	56.1404	7,793	9,731	93,516	116,772	FT
Resource Management Specialist III	39	44.9596	56.1404	7,793	9,731	93,516	116,772	FT
Senior Property Management Specialist	40	46.0615	57.5192	7,984	9,970	95,808	119,640	FT
Senior Real Property Specialist	40	46.0615	57.5192	7,984	9,970	95,808	119,640	FT
Special Projects Manager	40	46.0615	57.5192	7,984	9,970	95,808	119,640	FT
Senior Accountant	41	47.2038	58.9615	8,182	10,220	98,184	122,640	FT
Senior Management Analyst	41	47.2038	58.9615	8,182	10,220	98,184	122,640	FT
Area Manager	43	49.5692	61.9096	8,592	10,731	103,104	128,772	FT
Area Superintendent	43	49.5692	61.9096	8,592	10,731	103,104	128,772	FT
District Clerk/Assistant to General Manager	43	49.5692	61.9096	8,592	10,731	103,104	128,772	FT
GIS Program Administrator	43	49.5692	61.9096	8,592	10,731	103,104	128,772	FT
Information Technology Program Administrator	43	49.5692	61.9096	8,592	10,731	103,104	128,772	FT
Human Resources Supervisor	43	49.5692	61.9096	8,592	10,731	103,104	128,772	FT
Senior Capital Project Manager	43	49.5692	61.9096	8,592	10,731	103,104	128,772	FT
Senior Planner	43	49.5692	61.9096	8,592	10,731	103,104	128,772	FT
Senior Resource Management Specialist	43	49.5692	61.9096	8,592	10,731	103,104	128,772	FT
Budget & Analysis Manager	48	55.9846	69.9173	9,704	12,119	116,448	145,428	FT
Finance Manager	48	55.9846	69.9173	9,704	12,119	116,448	145,428	FT
Human Resources Manager	48	55.9846	69.9173	9,704	12,119	116,448	145,428	FT
Information Systems & Technology Manager	48	55.9846	69.9173	9,704	12,119	116,448	145,428	FT
Engineering & Construction Manager	51	60.2481	75.2481	10,443	13,043	125,316	156,516	FT
Land & Facilities Services Manager	51	60.2481	75.2481	10,443	13,043	125,316	156,516	FT
Natural Resources Manager	51	60.2481	75.2481	10,443	13,043	125,316	156,516	FT
Operations Manager	51	60.2481	75.2481	10,443	13,043	125,316	156,516	FT
Planning Manager	51	60.2481	75.2481	10,443	13,043	125,316	156,516	FT
Public Affairs Manager	51	60.2481	75.2481	10,443	13,043	125,316	156,516	FT
Real Property Manager	51	60.2481	75.2481	10,443	13,043	125,316	156,516	FT
Visitor Services Manager	51	60.2481	75.2481	10,443	13,043	125,316	156,516	FT
Assistant General Counsel I	53	63.2596	79.0096	10,965	13,695	131,580	164,340	FT
Assistant General Counsel II	55	66.4269	82.9615	11,514	14,380	138,168	172,560	FT
Assistant General Manager	59	73.2404	91.4654	12,695	15,854	152,340	190,248	FT
Chief Financial Officer/Director Administrative Services	59	73.2404	91.4654	12,695	15,854	152,340	190,248	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	\$122.6077	\$21,252	\$255,024	12/13/2017	7/1/2016
Controller - <i>Part-time position</i>	\$84.9750	\$3,682	\$44,187	12/13/2017	11/1/2016
General Counsel	\$110.3072	\$19,120	\$229,439	12/13/2017	7/1/2016
Elected Officials Compensation	Per Meeting		Monthly Maximum	Effective Date	
Board Director	\$100.00		\$500.00	1/1/2006	