



Midpeninsula Regional  
Open Space District

R-24-129  
Meeting 24-28  
October 23, 2024

## AGENDA ITEM 9

### AGENDA ITEM

Approval of Salary Adjustments and Amended Classification and Compensation Plan for Board Appointee Controller

### BOARD APPOINTEE EVALUATION COMMITTEE'S RECOMMENDATIONS

As a result of the Board of Director's (Board) evaluation of the performance of the Midpeninsula Regional Open Space District's (District) Board Appointees for Fiscal Year 2023-24 (FY24), the Board Appointee Evaluation Committee recommends the following compensation adjustments for the Controller for FY25: Adjust the Controller's base salary upward to \$75,271, plus a one-time merit pay bonus of \$3,726.

The Board Appointee Evaluation Committee recommends the adoption of a resolution approving the salary adjustments. The Board Appointee salary changes will be adopted through the Board approved Classification and Compensation Plan.

### 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 the summer through fall of 2024.

The Board is very pleased with the Controller Mike Foster's accomplishments and overall performance in FY24. The District's financial position continues to be very solid thanks in part to Mr. Foster's long-term financial modeling and his on-going financial guidance to staff and the Board. The Controller's 30-year perspective, actual-to-forecast revenue and spending analysis, and his 46 years of District experience have all been helpful complements to staff's shorter-term focus on the 3-year Capital Improvement Action Plan and budget-to-forecast analysis.

In FY24, the Board appreciated the Controller's guidance and leadership in:

- Sale of Measure AA General Obligation bonds
- Financial and Operational Sustainability Model refresh
- Internal audits including:
  - District's safety program

- East Bay Regional Park District comparison
- Other Post-Employment Benefits contributions
- Property and liability insurance coverage
- Monthly financial reports and 4-month financial in-person updates for the Board
- Maximizing return of District's cash investments while meeting policy requirements
- Guidance and oversight of the District's newly created finance manager position

For FY25, in addition to accomplishing his regular annual objectives including internal audits as needed, the Board is looking forward to the Controller's creation of the District's first internal audit function that is open and transparent to District staff. The Board encourages Mr. Foster to continue his active participation in executive level decisions and initiatives and to increase his availability and approachability as a mentor and resource for District staff.

The Controller met all performance standards and critical deadlines for FY24. Based on his excellent performance for FY24, the BAE Committee recommends providing the Controller compensation noted above. Salary changes will be adopted through the Board approved Classification and Compensation Plan.

### **BOARD COMMITTEE REVIEW**

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

### **FISCAL IMPACT**

For the Controller: Total of the annual salary plus one-time adjustment equals \$75,271 with a one-time merit pay bonus of \$3,726.

### **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.

Attachments:

1. Resolution Approving Salary Adjustment

Submitted by: Board Appointee Evaluation Committee  
Director Cyr  
Director MacNiven  
Director Riffle, Chair

Staff Contact:  
Candice Basnight, Human Resources Manager

**RESOLUTION NO. XX-\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT APPROVING AN AMENDED CLASSIFICATION AND COMPENSATION PLAN, A SALARY INCREASE AND A ONE-TIME MERIT PAY BONUS FOR THE DISTRICT'S 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 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 is very pleased with the Controller’s excellent performance during this evaluation period. His ability to provide to the staff and the Board sound recommendations, a long-term financial model, and wisdom gained over his many years of service to the District has been incredibly valuable. He met or exceeded all the goals previously set for him during his last annual review; 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 \$75,271 per year, with a one-time merit pay bonus of \$3,726 in recognition of his performance during Fiscal Year 2024.

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

1. The Controller’s base salary shall be adjusted to \$75,271, per year, retroactive to July 1, 2024, for Fiscal Year 2024-25.
2. The relevant portion of the District’s Classification and Compensation Plan shall be amended to reflect the following:

<b>Board Appointee Group Compensation</b>	<b>Hourly</b>	<b>Monthly</b>	<b>Annual</b>	<b>Effective</b>	<b>Last Revised</b>
Controller - <i>Part-time position</i>	\$108.5638	\$6,273	\$75,271	7/1/2024	10/23/2024

3. The Board grants the Controller a one-time merit pay bonus of \$3,726.

\* \* \* \* \*

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on October 23, 2024, at a regular meeting thereof, by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**

**ABSENT:**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Curt Riffle, Secretary  
Board of Directors

\_\_\_\_\_  
Margaret MacNiven, President  
Board of Directors

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Hilary Stevenson, 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.

\_\_\_\_\_  
Maria Soria, District Clerk