

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # B-5

Urgent

Routine

AGENDA DATE September 15, 2015

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Introduce and Waive the First Reading of an Ordinance Amending Section 2.04.030 of County Code Regarding Board of Supervisors' Compensation

STAFF RECOMMENDATIONS:

Approve the introduction and waiver of the First Reading of an Ordinance Amending Section 2.04.030 of the County Code regarding Board of Supervisors compensation as outlined in Attachment A.

FISCAL IMPACT:

Board members will be eligible for annual salary increases up until their base salary is within 20% of the survey counties. There would be no fiscal impact in the 2015-2016 Fiscal Year.

BOARD ACTION AS FOLLOWS:

No. 2015-426

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, and Chairman Withrow

Noes: Supervisors: DeMartini

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:

INTRODUCED AND WAIVED THE FIRST READING OF ORDINANCE C.S. 1167

ATTEST:   
CHRISTINE FERRARO TALLMAN, Clerk

**DISCUSSION:**

Stanislaus County has a long history of strong leadership by those elected to the office of the Stanislaus County Board of Supervisors. Board members have dedicated and continue to devote untold hours to the performance of their duties. A Board member averages up to nine committee assignments with the Chairperson serving on up to 17 committees. Additionally, many have multiple outside commitments that benefit the organization and the community. The salary of the Board reflects that the positions are part-time; however in reality the Board's level of responsibility far surpasses a part-time commitment and will continue to do so in the future. Currently each member of the Board of Supervisors earns an annual salary of \$74,776 while the Chairperson receives additional compensation of \$751.83 monthly for a total of \$83,798.

The current salary of the Board of Supervisors is based on an ordinance that was enacted in 1985, to provide a benchmark for Board of Supervisors compensation, providing semi-annual salary increases of 3.75% (Up to 7.5% annually) until the Board's base salary was within 20% of the average of the nine survey counties (Fresno, Kern, Monterey, Marin, Merced, San Joaquin, Solano, Sonoma and Tulare). The specific survey counties and the number were updated in 1998 to provide a more accurate reflection of Stanislaus County demographics (Fresno, Kern, Monterey, Sacramento, San Joaquin, Solano, Sonoma and Ventura). In 2010, the Board, in response to the economic downturn, chose to change the survey to include only counties in the San Joaquin Valley. The current survey is comprised of: Fresno, Kern, Kings, Madera, Merced, San Joaquin and Tulare counties.

In 2013, the County conducted additional research in order to create an up-to-date representative list of survey counties for use in the labor negotiation process. Extensive research was completed to identify the best matches taking into account the cost of living, the wage index, geographic location, population, revenues, and expenditures. At the completion of this analysis, the County identified Fresno, Kern, Madera, Merced, Monterey, Sacramento, San Joaquin, and Tulare as the best matches and used these counties for comparison in the labor negotiation process. Staff believes these counties provide the best match for the Board's salary and will provide for consistency within the organization. Below is a comparison of the survey counties:

**Counties Currently Used to Set Board of Supervisor Salaries**

Survey Agency	Population Served	Distance	Assessed Value	Total Revenues	Operating Expenditures	ERI COL	ERI Wage
Stanislaus	524,124	0	\$36.2 Bil	\$674.2 Mil	\$668.6 Mil	100.0	100.0
Fresno	952,166	97	\$63.8 Bil	\$1.2 Bil	\$1.2 Bil	102.9	98.4
Kern	857,882	202	\$86.7 Bil	\$1.3 Bil	\$1.2 Bil	97.5	100.9
Kings	152,007	126	\$9.5 Bil	\$187.6 Mil	\$186.7 Mil	96.2	98.8
Madera	152,711	72	\$11.5 Bil	\$189.3 Mil	\$175.1 Mil	92.0	98.5
Merced	262,478	40	\$17.1 Bil	\$369.7 Mil	\$382.0 Mil	98.4	98.5
San Joaquin	698,414	32	\$55.6 Bil	\$809.3 Mil	\$812.1 Mil	108.6	100.3
Tulare	455,599	137	\$28.6 Bil	\$651.1 Mil	\$640.8 Mil	115.1	98.0
<b>Average</b>	<b>455,599</b>	<b>97</b>	<b>\$28.6 Bil</b>	<b>\$651.1 Mil</b>	<b>\$640.8 Mil</b>	<b>101.5</b>	<b>99.0</b>

**Recommended Survey Counties**

Survey Agency	Population Served	Distance	Assessed Value	Total Revenues	Operating Expenditures	ERI COL	ERI Wage
Stanislaus	524,124	0	\$36.2 Bil	\$674.2 Mil	\$668.6 Mil	100.0	100.0
Fresno	952,166	97	\$63.8 Bil	\$1.2 Bil	\$1.2 Bil	102.9	98.4
Kern	857,882	202	\$86.7 Bil	\$1.3 Bil	\$1.2 Bil	97.5	100.9
Madera	152,711	72	\$11.5 Bil	\$189.3 Mil	\$175.1 Mil	92.0	98.5
Merced	262,478	40	\$17.1 Bil	\$369.7 Mil	\$382.0 Mil	98.4	98.5
Monterey	421,494	113	\$51.1 Bil	\$590.2 Mil	\$584.7 Mil	107.0	105.3
Sacramento	1,445,806	77	\$126.3 Bil	\$2.1 Bil	\$2.2 Bil	108.6	101.6
San Joaquin	698,414	32	\$55.6 Bil	\$809.3 Mil	\$812.1 Mil	108.6	100.3
Tulare	455,599	137	\$28.6 Bil	\$651.1 Mil	\$640.8 Mil	115.1	98.0
<b>Average</b>	<b>577,007</b>	<b>87</b>	<b>\$53.3 Bil</b>	<b>\$730.2 Mil</b>	<b>\$726.4 Mil</b>	<b>103.8</b>	<b>100.2</b>

**Data Sources:**

Population - CA Dept of Finance; 2012

Distance - Google Maps

Total Revenues - CA State Controller; 2010-11 Fiscal Year

Total Expenditures - CA State Controller; 2010-11 Fiscal Year

ERI COL - Cost of Living Index - Economic Research Institute Relocation Assessor; April 2013

ERI Wage - Wage Index showing competitive levels of salaries, incentives and total compensation - Economic Research Institute Geographic Assessor; April 2013

The Board has historically received the percentage salary increases that have been provided to Department Heads and unrepresented employees. These increases typically mirror what has been provided to County labor groups.

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However, while the Board has been eligible for additional salary increases under this current ordinance, the Board last accepted an increase in 2000. Since that time the Board declined increases nine times in a row, from 2001 to 2010. In 2010 the survey counties were changed and under the revised counties the Board has not been eligible for an increase.

Further, in response to the economic downturn the Board took salary deductions starting in Fiscal Year 2009-2010 through July 1, 2015. For Fiscal Years 2009-2010 through 2011-2012 the Board had 5% salary deductions. In Fiscal Years 2012-2013 and 2013-2014 the salary deductions were 6% and in Fiscal Year 2014-2015 the Board had a 3% salary deduction.

Staff believes the commitment of time and the critical decisions made by the Board of Supervisors, which impacts the entire community, need to be recognized and equitably compensated in order to attract the highest caliber candidates. Further, compensation should not be a deterrent to qualified individuals interested in becoming a member of the Board of Supervisors nor should it limit the office to where only those with the independent financial means have the ability to run and hold office.

Given these considerations, the Chief Executive Officer recommends revising the Board's salary ordinance as follows:

- A. Require the following two conditions to be met in order for the Supervisors to be eligible for an increase: 1) the base salary of Supervisors is at least 20% below the average base salary paid to County Supervisors in the counties of Fresno, Kern, Madera, Merced, Monterey, Sacramento, San Joaquin, and Tulare as of July 1st, and; 2) the General Fund projected revenue in the adopted budget for the fiscal year is equal to or greater than the actual General Fund revenue realized in the prior fiscal year. If both of these conditions are met, the base salary as set forth in the Stanislaus County Salary and Position Allocation report will be increased by 3.75 percent on the first full pay period after January 1st of the Fiscal Year.
- B. Fix the additional compensation provided to the Chairperson of the Board to 12% of the base County Supervisor compensation. Currently the Chairperson receives a flat dollar amount of \$750.83 monthly. When the ordinance was last amended in 1995 this additional compensation equaled 20% of the base compensation. Today it is equal to a 12% differential and staff recommends this become the differential amount in the revised ordinance.
- C. Change the review time of the salaries to no later than October 1<sup>st</sup> of each year. Any change in base salary compensation shall be reported to the Board in an open public meeting, shall not be subject to further approval by the Board of Supervisors, and pursuant to Article XI, section 1(b) of the California Constitution shall be subject to referendum from the effective date of the change in compensation.

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Staff believes the proposed amendments to the code provide a more realistic match of survey counties, and also takes into account budget considerations as well as reduces the number of annual increases of 3.75 percent from two to one when the Board of Supervisors is eligible for a salary increase.

The first review would occur following the 2015-2016 Fiscal Year. If eligible for an increase, it would be effective the first full pay period following January 1, 2017. A salary survey was recently completed using the recommended survey counties. In this review the Board was 19.4% below the average of the recommended Counties and as a result would not be eligible for a salary increase. The results of the review would be reported to the Board of Supervisors in an open Public Meeting.

Please see attachment A for the full text of the recommended ordinance change.

**POLICY ISSUES:**

Board approval is required to amend the Stanislaus County Code. The Board should determine if the recommended action is consistent with and supports the Board of Supervisors' goal of Efficient Delivery of Public Services.

**STAFFING IMPACTS:**

There is no impact on staffing resulting from this ordinance amendment.

**CONTACT PERSON:**

Stan Risen, Chief Executive Officer. Telephone: (209) 525-6333

ORDINANCE NO. C.S. \_\_\_\_\_

**AN ORDINANCE RELATING TO BOARD  
OF SUPERVISORS COMPENSATION**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

**Section 1.** Section 2.04.030 of the Stanislaus County Code is amended to read as follows:

"A. Each Supervisor of the County, including the Chairperson of the Board of Supervisors, for services required by law or by virtue of the office shall receive as compensation the amount set forth in the Stanislaus County Job Classification and Salary Report.

B. In addition to the compensation due as a Supervisor as provided in subsection A of this section, the Chairperson of the Board of Supervisors shall receive an additional 12 percent as compensation for additional services required.

C. No later than October 1st of each fiscal year, the Stanislaus County Chief Executive Officer shall:

(1) Compile and determine the average base salary paid to county supervisors in the counties of Fresno, Kern, Madera, Monterey, Merced, Sacramento, San Joaquin and Tulare as of the first day of July of that fiscal year; and

(2) Determine if the General Fund projected revenue in the adopted budget for that fiscal year is equal to or greater than the actual General Fund revenue realized in the prior fiscal year.

D. Supervisors' compensation set forth in the Stanislaus County Job Classification and Salary Report shall be increased by 3.75 percent effective on the first full pay period in January of each fiscal year if, as determined in subsection C of this section, both:

(1) The base salary of Stanislaus County Board of Supervisors is 20 percent or more below the average base salary for comparable county supervisors; and

(2) The General Fund projected revenue in the adopted budget for the fiscal year is equal to or greater than the actual General Fund revenue realized in the prior fiscal year.

Each change in base salary compensation shall be reported to the Board in an open public meeting, shall not be subject to further approval by the Board of Supervisors, and pursuant to Article XI, section 1(b) of the California Constitution

shall be subject to referendum from the effective date of the change in compensation.

E. Fringe benefits shall be authorized for members of the Board of Supervisors in the same manner and to the same extent as they are generally authorized for designated department heads in county service."

**Section 2.** This ordinance shall take effect thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:


ABSENT: Supervisors:

\_\_\_\_\_  
Terrance Withrow, Chair of the Board of Supervisors of the County of Stanislaus, State of California

ATTEST:  
Christine Ferraro Tallman  
Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
John P. Doering  
County Counsel

By   
Thomas E. Boze,  
Assistant County Counsel