



BOARD OF SUPERVISORS  
AGENDA LETTER

**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Agenda Number:

Department Name: CEO/Human Resources  
Department No.: 064  
For Agenda Of: 10/23/07  
Placement: Administrative  
Estimated Tme:  
Continued Item: NO  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department Susan Paul, Assistant CEO/HR Director 568-2817  
Director(s)  
Contact Info: Joe Pisano, Senior HR Analyst 568-2839  
**SUBJECT: Salary Structure for Unrepresented Attorneys**

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**County Counsel Concurrence**

As to form: Select\_Concurrence

Other Concurrence: **Select\_Other**

As to form: Select\_Concurrence

**Recommended Actions:**

That the Board of Supervisors:

- A. Adopt a resolution effective October 22, 2007 to:
  1. place unrepresented Attorney I/II/III/IV, and Senior classifications into the pay system previously established for represented attorneys in these classifications as per Attachment I; and
  2. set salaries for unrepresented attorneys, including for Supervising Child Support Attorney and Chief Deputy County Counsel, as outlined in Attachment II.
- B. Approve a one-time lump sum salary adjustment for certain unrepresented attorneys equal to 1.5% of pay for the period between January 1, 2007 and May 20, 2007.
- C. Adopt a resolution effective April 7, 2008 setting forth salaries for unrepresented attorneys as outlined in Attachment III.
- D. Adopt a resolution effective October 6, 2008 setting forth salaries for unrepresented attorneys as outlined in Attachment IV.

**Auditor-Controller Concurrence**

As to form: Select\_Concurrence

**Summary Text:**

It is recommended that the Board allocate unrepresented attorneys in the following classifications in the following departments to the same pay structure as adopted by the Board for the equivalent classifications represented by the Deputy District Attorneys' Association (DDAA):

<b><u>County Counsel</u></b>	<b><u>Public Defender</u></b>	<b><u>Child Support Services</u></b>
Deputy County Counsel I	Deputy Public Defender I	Child Support Attorney I
Deputy County Counsel II	Deputy Public Defender II	Child Support Attorney II
Deputy County Counsel III	Deputy Public Defender III	Child Support Attorney III
Deputy County Counsel IV	Deputy Public Defender IV	Child Support Attorney IV
Deputy County Counsel Sr.	Deputy Public Defender Sr.	Child Support Attorney Sr.

Further, it is recommended that the classifications of Chief Deputy County Counsel and Supervising Child Support Attorney receive salary adjustments of 8% and 6.9% respectively to avoid compaction. In addition, a one-time lump sum adjustment equal to 1.5% of pay for the period between January 1 and May 20, 2007 is recommended.

**Background:**

As in the case of the pay structure recommended and subsequently adopted by the Board for attorneys in the District Attorney's Office, the recommended actions make modest incremental salary adjustments intended to address compensation issues and, more significantly, implement a new pay-for-performance plan for County attorneys that links employee pay to performance.

The recommended pay structure includes the following key elements:

- Implementation of a new performance management system aligned with the Board's vision to improve customer service throughout the County and link individual performance to the County's ACE Values (Accountability, Customer-Focus, and Efficiency).
- Elimination of lockstep Cost of Living Adjustments (COLAs) and implementation of performance-based pay for attorney classifications.
- Implementation of a broadband pay structure for Attorney IV and Attorney Senior, classifications in County Counsel, Public Defender, and Child Support Services.
- Modest and incremental salary adjustments to address compensation issues.

***Performance Management System Overview***

The new pay-for-performance plan is designed to align with the Board's vision of creating greater accountability for quality customer service throughout the County's workforce and

directly connects pay to performance and achievement of service-oriented results. The new Employee Performance Review (EPR) is tied to ACE Values and the County's established competencies that are linked to customer-service and defined specifically for the attorney profession.

Beginning in October 2007, attorneys and their supervisors will plan for performance and business results related to their profession. At the end of the attorney's performance cycle, pay decisions will be linked to the individual attorney's overall performance and contribution to the achievement of business results. The first pay-outs in the system will begin in October 2008.

### ***Pay-for-Performance Overview***

To complement the new Performance Management System, adjustments to the current pay structure are recommended. Because the Attorney I, II, and III classifications in their respective departments are typically pass-through classes, those positions remain on a standard five-step pay range. The new performance management (EPR) system will strengthen the connection between performance and step increases.

For the classifications of Attorney IV and Attorney Senior, a broad pay band with variable pay increases, based on level of performance, is recommended. The new broadband also establishes an anchor point, beyond which these attorneys can only progress if performance is rated as exceptional. Annually, beginning in October 2008, Attorney IV and Attorney Seniors whose performance is satisfactory will be eligible for an increase of 2.5% to 3.5%, at their Department Head's discretion, not to exceed the anchor point on the band. Those whose performance is rated as exceptional will be eligible for 4% to 5%, up to the anchor point. Movement beyond the anchor point is reserved for exceptional performance only at a range of 3% to 5%, not to exceed the top of the band.

### ***Promotions***

In the new system, Attorney I, II, and IIIs will promote per the current Civil Service rules. However, promotions to the classifications of Attorney IV and Attorney Senior will result in a 10% increase, which will require a modification to current Civil Service Rules. CEO/HR will continue working with the Civil Service Commission to make the needed changes that resulted from the introduction of this structure with the DDAA, and the changes brought to the Board for adoption at a later date will cover unrepresented attorneys in other Departments.

### **Fiscal and Facilities Impacts:**

Budgeted: Yes

### **Fiscal Analysis:**

**Narrative:**

The cost to implement the new system is included in the County's strategic financial plan, within budget parameters, and consistent with the financial parameters established by the Board. Including the planned adjustments to address compensation issues, the increased costs broken down by department are as follows:

<b>Department</b>	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>
Public Defender	218,890	367,158	171,294
County Counsel	212,083	315,631	144,629
Child Support Services	43,633	50,491	23,957
Totals	474,606	733,280	339,880

**Grand Total All Years** **1,547,766**

Of the total estimated increased salary costs of \$1,547,766, approximately \$241,172 will be in the form of an increase in the County's contributions to the Retirement System. The biannual actuarial study of the Santa Barbara County Retirement System as adopted by the Retirement Board includes certain economic and non-economic assumptions in setting the employer's contribution rate.

**Special Instructions:**

Please return one copy of the signed resolutions to Susan Kean in CEO/Human Resources.

**Attachments:**

- Attachment I – Pay Ranges for the various departmental classifications of Attorney I, II, III and Broadband for Attorney IV and Senior
- Attachment II – Resolution
- Attachment III – Resolution
- Attachment IV – Resolution

**Authored by:** Joseph Pisano

- cc:** County Executive Officer  
County Counsel  
Public Defender  
Child Support Services Director  
Auditor Controller  
Retirement Administrator