



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

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

Submitted on:
(COB Stamp)

Department Name: Human Resources
Department No.: 064
Agenda Date: June 10, 2025
Placement: Administrative Agenda
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Kristine Schmidt, Human Resources Director
Contact: Erin Jeffery, Fiscal & Workforce Planning Division Chief
SUBJECT: Performance-Based Salary Adjustment for the County Counsel

DocuSigned by:
Kristine Schmidt
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County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve a 5.8% performance-based salary adjustment for the County Counsel effective June 23, 2025, for an annual salary of approximately \$316,157, based on the performance review of the County Counsel completed by the Board of Supervisors on May 6, 2025; and
- b) Determine that the above action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 17578(b)(4), because it consists of government funding mechanisms and/or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

Summary Text:

Upon adopting this recommendation, the Board of Supervisors will approve an annual salary of approximately \$316,157 for the County Counsel based on 2,080 hours, which represents a performance-based merit increase of 5.8% over her present salary, to be effective June 23, 2025.

Discussion:

On May 6, 2025, the Board of Supervisors reviewed the performance of the County Counsel. Under the Compensation and Benefits Plan for Management, Appointed Executives, and Confidential-Unrepresented Employees adopted by the Board on April 23, 2024, and subsequently amended, the Board can approve an annual merit increase for the County Counsel anywhere between 0% – 7.5%, not to exceed the top of the approved salary range. The recommended action authorizes the annual performance-based increase for the County Counsel.

Merit increases do not affect the salary range for a classification, only the incumbent's placement within the range. The recommended 5.8% merit increase will not adjust the existing salary range, which is currently \$248,631 to \$331,876.

The increase is in addition to the 2.7% equity increase that was implemented on May 12, 2025 (which affected both the salary range and incumbent salary within the range), and the 3.0% general salary increase that will be effective on June 23, 2025 (which will affect both the salary range and incumbent salary within the range).

Background:

Per Section 27641 of the California Government Code, the County Counsel shall serve for a period of four years from the time of their appointment by the Board of Supervisors. On May 6, 2025, the Board voted unanimously to reappoint Rachel Van Mullem to another four-year term with annual performance reviews.

The Board has previously expressed a goal of providing approximate salary parity between the County's top attorneys. Toward that end, salary ranges for the District Attorney, County Counsel, and Public Defender have been set at the same rate and are adjusted concurrently. However, individual incumbent placement within the range may be based on the individual's tenure, performance and other factors. Following initial salary placement within the range, incumbent salaries are adjusted individually within the range on an annual basis based on a step increase (5% per year for elected District Attorney) or performance-based merit increase (0-7.5% per year for County Counsel, Public Defender).

Fiscal Analysis:

Budgeted: Partially, funding for this position is included in the FY 2025-26 Recommended Budget. The fully loaded cost of implementing the recommended performance-based salary increase is approximately \$26,000. No additional General Fund Contributions have been requested to fund this increase. The department will absorb the cost within its FY 2025-26 budget.

Impacts of "funding status" of pension fund: Santa Barbara County Employees' Retirement System (SBCERS) makes certain actuarial assumptions regarding salaries in determining the funding status of the retirement plan. SBCERS estimates a general wage inflation component of 3.00% per year, plus a longevity and promotion component of between 0.38% and 4.75% for General employees and between 0.75% and 6% for safety members, depending on years of service. It is not expected that increases will exactly meet these assumptions in any one year. Rather, these assumptions represent the net effect over long stretches of time (20-30 years). Variation from one year to another can have an impact to the overall plan funding.

Provided actual salary growth does not exceed SBCERS assumptions over the long term and, the County makes regular pension contributions on the actual salaries granted, absent other negative factors, the County should continue to see progress towards fully funding the plan. SBCERS conducts a review of its salary assumptions every three years as part of an actuarial experience study. The study and resulting assumption changes adopted by SBCERS serve as a control that ensures the wage growth assumptions used to value the plan does not materially differ from actual wage growth over time.

The increase proposed herein will, in the aggregate with the 3.0% general wage increase applied to appointed executives in PP2025-15 in accordance with the Management, Appointed Executive, and Confidential-Unrepresented Compensation and Benefits Resolution, exceed this actuarial assumed increase of 3% per year (compounded annually) resulting in actuarial losses to the funding status of

the plan that will be netted against possible future year gains, losses and a variety of other factors including investment results, general inflation, and changes in member population demographics like mortality and gender.

Funding Source	FY 2025-26	Total
General Fund	\$26,000	\$26,000
State		
Federal		
Fees		
[Other Source]		
Total	\$26,000	\$26,000

Special Instructions:

Please provide a copy of the signed Minute Order to County Human Resources, County Counsel, County Executive Officer, and Auditor-Controller, and a copy to HRBLCoordinator@countyofsb.org

Contact Information:

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