To: Finance & Personnel Committee
Association of Bay Area Governments
Fr: Kenneth Moy, Legal Counsel
Dt: July 13, 2016
Re: Request for Adjustment to Compensation – Supplemental

This memorandum supplements the one dated March 17 and submitted in connection with my performance evaluation by the Finance & Personnel Committee conducted in March. The Committee requested additional information which I have provided below.

Below are the adjustments to my annual salary over the past 10 years[1]:

Commencement Date	Amount	% Increase
January 1, 2005	$131,394	n/a
December 18, 2006	$140,784	7.1%
July 20, 2007	$162,000	15.0%[2]
July 1, 2008 - present	$171,720	6.0%

The Interim Assistant Director of Administrative Services conducted a salary survey of legal counsels for other regional agencies. The results are presented in the table below:

South Coast Air Quality Management District	$204,921
Southern California Association of Governments	$219,086
San Diego Association of Governments	FY2017 range: $139,560-$185,904-$232,248
East Bay Municipal Utility District	$252,312
Bay Area Rapid Transit District	$264,669
Bay Area Air Quality Management District	$265,121
Sacramento Area Council of Governments	$273,984[3]
Metropolitan Transportation Commission	$290,484

I hereby respectfully request an approximately 6% adjustment of my annual salary to $182,025 effective July 1, 2016. This would also increase the annual costs of my benefits. However, the move to San Francisco reduces my transit subsidy. Therefore, the total increased cost to ABAG in FY 2016-17, salary and benefits, is $13,469 (see attached Employee Cost Rate Report prepared by Finance/Personnel Department).

[1] Data provided by ABAG Finance and personnel staff.
[2] This is an equity adjustment for all management staff (not uniform).
[3] Also serves as COO.

EMPLOYEE COST RATE REPORT
May 31, 2016
K. MOY, LEGAL COUNSEL

	Current Salary	**Salary Increase of ~6%**
Annual salary	171,720.00	182,025.00
PERS Contribution	57,217.90	60,658.65
Workers Compensation	1,528.31	1,620.01
Long Term Disability	388.80	388.80
Health Insurance	24,151.48	24,151.48
Section 125 Admin Fees	0.00	0.00
Parking Subsidy	0.00	0.00
Transit Subsidy	2,345.00	840.00
Domestic Health	0.00	0.00
PEP/PDA	0.00	0.00
PEPRA - EE PERS Contribution	0.00	0.00
Classic - EE PERS Contribution	-3,434.40	-3,640.46
Bonus	0.00	0.00
Unemployment	515.16	546.07
FICA Tax	9,836.94	9,986.34
SDI	960.68	960.68
Life Insurance	711.78	753.81
Retiree Health Benefit	18,665.96	19,785.92
Total Benefits	**112,887.61**	**116,051.30**
Total Salary & Benefits	**284,607.61**	**298,076.30**
Salary increase	**10,305.00**	
Increased cost of benefits	**3,163.69**	
Total cost increase (salary & benefits)	**13,468.69**	

To: Finance and Personnel Committee
Fr: Kenneth K. Moy, Legal Counsel
Dt: March 17, 2016
Re: Compensation

This memorandum is submitted in connection with my performance evaluation by the Finance and Personnel Committee conducted in closed session.

Pending a finding by the Committee that my performance has been satisfactory or better, I am submitting the following information and request for the Committee's consideration and recommendation for action by the Executive Board:

- I receive only the same benefits as all other employees of ABAG and note for the Committee that as a member of the Classic CalPERS plan I am also subject to the contribution requirements under the MOU between ABAG and SEIU Local 1020: 1% beginning January 1, 2015 and another 1% beginning January 1, 2016.
- The last adjustment to my annual salary occurred on July 1, 2008 when it was raised from $162,000 to the current $171,720, an increase of 6%.
- All other ABAG employees, excepting myself and the Executive Director, received salary increases of 3% on January 1, 2015 and 3% on January 1, 2016.

I respectfully request the Committee to consider adjusting my salary to $182,025, an increase of 6%, commencing April 1, 2016 and to recommend such an increase to the Executive Board at its March 17, 2016 meeting.