



## MINUTES

1. The meeting was called to order at 12:28 p.m.
2. Present were Commissioners Tom Tobiassen, Frances Smylie-Brown, Tom Ashburn, Johanna Cartledge, David Kaplan, Colette Tvedt and Sara Hildebrand along with Chief Public Defender Doug Wilson. A quorum was declared to conduct Commission business.
3. Absent: None
4. Guests: Ryan Lantz, Director of Human Resources, Elizabeth Cadiz, Reyna Lopez and Tasha Steward,
5. Minutes: No minutes to approve.
6. Introductions
7. Report from the Chief Public Defender:

Overview of Compensation Status and meetings with Commissioner Tobiassen, Commissioner Kaplan, Chief Wilson and HR Director Lantz.

### Presentation from Ryan Lantz

Human resources department has been working on the compensation process for a few years now. The city just completed a city-wide compensation study and creation of compensation and classification structure. With close to 3200 city position, 650 unique positions and a market analysis on all of them, it was a time-consuming process. With the help of the City Manager, Deputy City Manager and Department heads they were able to complete and implement the new compensation structure starting at the end of July 2021.

While working to determine the new philosophy and structure and concerns with the Public Defenders Dept, it was understood that they know HR and compensation but did not fully understand each position and details of the job so they involved each department head in order to get a better understanding. HR came to terms with, and got tentative approval in terms of philosophy and approach towards it, that the comp structure they have doesn't match up with what is in the best interest for all the public defender groups and employees. City Manager Jim Twombly gave clarification that the Public Defender Commission has authority to see recommendations, make adjustments, and set the direction they want to go. With the set policy in place, new ranges and adjustments would be made.

### New Policy

Chief Wilson explains the next steps needed in order to make the policy happen. A recommendation was made and Commissioners Tobiassen and Kaplan made a resolution for policy approval that, as of now and going forward (unless it is modified or revoked by a majority of the Public Defender Commission), the market analysis for the Public Defenders Chief and its assistants will be the same market analysis as the City Attorney Criminal Division.

If approved, the policy will go to HR and proper forms will be filled out in order to finalize the change in rates. Once the rates change, that will also change the hiring pay rate for new attorney positions.

Mr. Lantz adds that part of the set up since it is Commission based and the Commission reports to City Council, the set up is a bit different than other depts. The Commission approval and sign off is equivalent to the Deputy City Manager signing off. Also, the charter does state that compensation is set with the Public Defender Commission and needs be approved by City Council as part of the annual budget process. If policy is approved, the budget is included in the annual budget review with City Council as a line item. They review and sign off, not needing to go to council separately.

Commissioner Tobiassen asks if the City attorney and Public Defender Dept can be grouped next to each other as far as the pay table in order to make comparisons easier. HR Director Lantz explains the grouping is set up alphabetically by position and alphabetically by dept. With the new changes, the set up is more in line with market analysis.

Commissioner Kaplan explains that the city wants to set a market value base compensation plan vs parity which was causing some tension. This was a solution that was respectful of all parties and maintaining a market analysis-based compensation plan as well as our needs for parity. This takes from both concepts and gives us support from HR and the City, all of us working together.

Commissioner Kaplan asks if City Manager Twombly is comfortable with the resolution. HR Director Lantz answers yes and that they will build in where they have defined the market to be the same, incorporate into the comp structure and philosophy. Market analysis on an annual basis for all positions is a goal. They will only be adjusting employees that fall behind new market every milestone yrs 3, 6, and 10 yrs with automatic adjustments if they are behind. This has never been done before and will be good for the City of Aurora to maintain some competitiveness and retention of employees.

### Policy Language

Resolution on Compensation and Salary Ranges. First paragraph basically describes the meeting and considerations.

The middle paragraph is the proposed resolution and the section that will need to be approved and adopted as policy.

Third paragraph sets the effective date and conditions.

HR Director Lantz makes note that it is not clear who the position titles in the Public Defenders dept compares to, but HR can clearly understand the position match up.

Chief Wilson suggested that an attachment that would explain the position match ups could be included but then as titles changed the attachment would also need to be updated.

Commissioner Kaplan suggested that changing the language to say, “set at the same market comparison rate as the City Attorney’s Office” and if greater clarification is needed an addendum could be added.

Commissioner Tobiassen likes the idea of the addendum so that the policy stays the same.

HR Director Lantz suggests adding to the language in the middle paragraph to say “comparable positions” after City Attorney’s Office, Criminal Division.

Commissioner Tvedt mentions that if adding that language, an addendum would not be needed.

Commissioner Smylie-Brown also states no need for the addendum with the added language.

Commissioner Tobiassen asks for motion to approve the resolution as presented with the added language of comparable positions after City Attorney's Office, Criminal Division.

Commissioner Smiley-Brown moves to accept the policy as presented with the added changes.  
Commissioner Tvedt seconds the motion.

All in favor. Policy is adopted.

### Annual Raises

Initially, HR had mentioned not giving the 3% increase next year but it turns out that they will be doing so. In addition to the market comparable bump, the attorneys will be getting an additional 3% in January. The entry level for an attorney was \$67,000 and is now \$78,000 + 3% starting in January. EAR forms will be filled out and signed into effect for HR to process plus the approving of the annual increase will happen this week too. Allocating of bonuses is also on the table and will be sent to the commission for approval.

### Workload Study

Company UnCommon has agreed to do a workload study on our office beginning on December 13<sup>th</sup> for \$24,000 if approved by Commission. They anticipate having the study completed by late summer.

### Discovery

Electronic discovery looks promising. A meeting with Public Safety was held and the committee did agree to give 2 contract positions to Court IT to help get the electronic discovery process completed by Spring.

## 8. From the Commission:

Commissioner Smylie asks if the IT positions were approved. Wilson answered that the positions were approved as contract vs FTE by Council Member Gruber until the project is done.

Commissioner Tvedt mentions another Aurora shooting. She mentioned appellate arguments were held at Overland High School. The audience was packed with high schoolers who had a lot of questions and what came to mind was, what can Aurora Public Defenders do to help educate the community in high schools? Chief Wilson mentioned that is something we will look at once our new schedules take place in January. We will be able to get more involved with the community.

Commissioner Tvedt asks about the allocating of bonuses and how that may cause tension in the office. Chief explains that he has guidelines he needs to follow and that is something he looked at when setting the initial recommendations. He will run it by members of the commission for final say.

Next meeting will be held on December 17, 2021 at 12:15 p.m. in the Public Defender's Virtual Conference room.

The Commission meeting adjourned at 1:50 p.m.

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COMMISSION CHAIRPERSON

Date \_\_\_\_\_