



# AGENDA REPORT

**TO:** Edward D. Reiskin  
City Administrator

**FROM:** Ian Appleyard  
HRM Director

**SUBJECT:** Amendment to Ordinance No. 12187  
C.M.S. (The Salary Ordinance)  
including Council Member Salary

**DATE:** May 27, 2022

City Administrator Approval

Date: Jun 8, 2022

## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To:**

**(1) Add The Full-Time Classification Of Inspector General Program and Performance Audit Manager; The Full-Time Classification Of Inspector General Program and Performance Auditor; The Full-Time Classification Of Inspector General Policy Analyst; The Full-time Classification Of Family Services Specialist; The Full-time Classification Of Special Activity Permit Technician; The Permanent Part-Time and Part-Time Equivalent Classifications Of Community Intervention Specialist (MACRO); Permanent Part-Time and Part-Time Equivalent Classifications Of Emergency Medical Technician (MACRO); And**

**(2) Amend The Title Of The Full-Time Classification Of Environmental Services Analyst, Assistant To Recycling Program Specialist I; The Title Of The Full-Time Classification Of Recycling Specialist To Recycling Program Specialist II; The Title Of The Full-Time Classification Of Municipal Code Enforcement Officer To Special Activity Permit Inspector; The Title of The Full-time Classification Of Head Start/Early Head Start Substitute Instructor To Head Start/Early Head Start Associate Instructor; The Title of The Permanent Part-time Classification Of Head Start/Early Head Start Substitute Instructor, PPT To Head Start/Early Head Start Associate Instructor, PPT; The Title Of The Part-time Classification Of Head Start/Early Head Start Substitute Instructor, PT To Head Start/Early Head Start Associate Instructor, PT; And**

**(3) Amend The Salary Of The Part-time Classifications Of Senior Aide And Temporary Contract Services Employee To Ensure Compliance With The City Of Oakland's Minimum Wage; And**

**(4) Amend The Salary Of The Classification Of Council Member To Ensure Compliance With The Oakland Public Ethics Commission's Charter Mandated Salary Adjustment.**

## **EXECUTIVE SUMMARY**

Adoption of the proposed ordinance will ensure accuracy of the City's classification plan and Salary Schedule. This ordinance includes a variety of routine actions to approve creation of new classifications and modifications to existing classification titles that have already been approved by the Civil Service Board. Further, approval of this ordinance will ensure that pay rates for City classifications are in alignment with the City of Oakland's Minimum Wage Ordinance. Lastly, approval of this ordinance will ensure that the pay rate for the Council Member classification is in alignment with the Oakland Public Ethics Commission's mandated adjustment. The proposed items are related to classifications that are allocated in the following departments: Police Commission's Office of the Inspector General (OIG), Human Services Department (HSD), Economic and Workforce Development (EWD) Department, Oakland Department of Transportation (DOT), Oakland Fire Department (OFD), Oakland Public Works (OPW) Department, and City Council.

## **BACKGROUND / LEGISLATIVE HISTORY**

The Salary Ordinance (Ordinance No. 12187 C.M.S.) establishes salaries as well as other terms and conditions of City employment including the classification titles and bargaining unit designation of positions. The Ordinance is amended from time to time to accommodate the City's evolving classification needs. Pursuant to the Personnel Manual (Civil Service Rules), Section 3.04, components of the City's Classification Plan shall be administered and maintained by the Personnel Director with the approval of the Civil Service Board.

As applicable regulations or departmental operations change, staff in Human Resources Management (HRM) periodically consults with departments regarding classification needs. Many such changes require HRM to initiate an amendment to the Salary Ordinance to add, amend, or delete certain classifications. The proposed Salary Ordinance Amendment accompanying this report is comprised of various routine actions to update the salary schedule.

## **ANALYSIS AND POLICY ALTERNATIVES**

As stated above, the proposed action is recommended to update the Salary Schedule of the Salary Ordinance to align it with other actions that have taken place. In cases in which union involvement was required, the appropriate notification and/or discussions occurred with the applicable unions regarding bargaining unit modifications.

**New Full-time Classifications** – There are five classifications being proposed as amendments to the City's Classification Plan:

(1) **OIG – Inspector General Program and Performance Audit Manager, Inspector General Program and Performance Auditor, and Inspector General Policy Analyst:** Three new classifications are being created to oversee and carry out the operations of the City's OIG. The mission of the OIG, in relation to the Oakland Police Commission, is to ensure that the Police Department is performing to the highest standards and complying with policies and

constitutional policing practices. Further, OIG focuses on how the City of Oakland is handling police misconduct by reviewing the work and efforts of the Community Police Review Agency (CPRA) in addition to the Police Department's efforts to address and comply with federal reforms. There is now a critical need to staff up this office. The structure has been developed, and multiple policy and auditor-level classifications must be established to support and carry out the mission of the OIG. In short, all classifications will have varying responsibility for reviewing and analyzing Oakland Police Department and CPRA investigations, policies, operations, and procedures; they will also assist with and/or make related recommendations to the Inspector General and Oakland Police Commission. The Inspector General Program and Performance Auditor Manager will administer the program and supervise audit staff. The Inspector General Program and Performance Auditor will carry out police performance audit functions. The Inspector General Policy Analyst will analyze policies and make recommendations about best practices. The International Federation of Professional and Technical Engineers (IFPTE, Local 21) was notified of the proposal to create these three new OIG classifications in February 2022. City and union representatives discussed the items at three meetings, and there were no objections to the proposed new classifications. The Civil Service Board is tentatively scheduled to approve the new Inspector General Program and Performance Audit Manager classification at its June 16, 2022 meeting. The Civil Service Board approved the new Inspector General Program and Performance Auditor and Inspector General Policy Analyst classifications at the May 19, 2022 meeting.

(2) HSD – Family Services Specialist: A new full-time classification is being created to ensure that operations and service delivery align with Federal Head Start Program and Performance Standards. HSD is in the process of modifying several existing classifications and adding new classifications, including this one, which will offer a promotional opportunity for existing staff. The new position will primarily be responsible for: the planning, implementation and coordination of all family services activities at the centers, family child care homes, and in the home-based program option; coordinating services for families across service areas, inclusive of health, recruitment/enrollment/attendance, mental health, and disabilities; assisting families in setting and achieving individual and family goals; serving as a liaison to link families with appropriate community resources, and assisting with or locating assistance in crisis; promoting family engagement and understanding of outcomes and school readiness; and assisting with completion of applicable child health requirements, screenings, and assessments. The Service Employees International Union (SEIU, Local 1021) was notified of the proposal to create a new full-time position in October 2021. City and union representatives discussed the item at multiple meetings from October 2021 through January 2022, and there were no objections to the proposed new classification. The Civil Service Board approved the new Family Services Specialist classification at the February 17, 2022 meeting.

(3) EWD – Special Activity Permit Technician: A new full-time classification is being created to handle special event permitting operations now that the function has shifted from the Police Department to EWD. There is a need for a new, entry-level classification to review applications and issue special activity permits in support of special activities ranging from cannabis, mobile food vending, and cabaret to special events, film or other special activity categories. The new position will primarily be responsible for: reviewing special activity permit applications and issues permits for cannabis, mobile food vending, cabaret, special events, film, or other special activity categories; responding to inquiries related to special activity permits; and performing administrative support for the permit program. SEIU, Local 1021 was notified of the proposal to

create a new full-time position in August 2021. City and union representatives discussed the item at multiple meetings from August to October 2021, and there were no objections to the proposed new classification. The Civil Service Board approved the new Special Activity Permit Technician classification at the December 16, 2021 meeting.

**Creation of Permanent Part-Time and Part-Time Equivalent Classifications for Existing Full-time Classifications** – Community Intervention Specialist, PPT; Community Intervention Specialist, PT; Emergency Medical Technician, PPT; and Emergency Medical Technician, PT: Four new classification equivalents are being created to bolster MACRO operations and staffing for the program's crews that provide basic life support and wellness referral services to individuals in the community during non-emergency and low-emergency calls. While the pilot program is currently in progress, the City is taking steps to ensure that the MACRO Program has maximum flexibility to deliver services and meet the needs of the community. The full-time classifications were already established, and these four classification equivalents are being created prior to the upcoming recruitment and selection processes. SEIU, Local 1021 was notified of the proposal to create the new Community Intervention Specialist and Emergency Medical Technician classifications in June 2021. City and union representatives discussed the item at four meetings and there were no objections to the proposed new classifications. The Civil Service Board approved the new classifications at the September 16, 2021 meeting. The City Council supported the creation of the two new full-time classifications as part of a salary ordinance amendment that was approved on November 2, 2021.

**Classification Title Changes** – Six classifications require a title change, which will ensure that the classifications accurately convey the requirements of the positions as needed by the City departments in their current configurations.

(1) OPW – The Department is in the process of revamping the existing Recycling Specialist classification series. The entry level classification never existed so the Environmental Services Analyst, Assistant classification is being repurposed to fill that gap in the series while newly offering an opportunity for employees to promote in the series. The journey level classification will change from Recycling Specialist to Recycling Program Specialist II to ensure a better reflection of its recycling and solid waste programmatic responsibilities as part of operations and service delivery. IFPTE, Local 21 was notified of the proposal to revise the titles in January 2022. City and union representatives discussed the item at multiple meetings from January to March 2022, and there were no objections to the proposed title changes. The revised titles were approved by the Civil Service Board at the April 21, 2022 meeting as part of routine classification specification revisions.

(2) EWD – Based on recent changes involving the shift of special event permitting operations from the Police Department to EWD, the need arose to refine the title and duties of the existing Municipal Code Enforcement Officer classification. The position has been responsible for inspection, outreach, education, enforcement, and investigation of business activities including mobile food vending and cannabis. The duties have been expanded to include special events, cabaret, and massage establishments. Further, the existing title does not translate well to other languages, which has led to some concern and confusion about the role of this position in the community. Changing the title to Special Activity Permit Inspector is a more appropriate representation of the purpose of and functions carried out by the classification and should be better received by the community. SEIU, Local 1021 was notified of the proposal to revise the title in August 2021. City and union representatives discussed the item at multiple meetings

from August to October 2021, and there were no objections to the proposed title change. The revised title was approved by the Civil Service Board at the December 16, 2021 meeting as part of routine classification specification revisions.

(3) HSD – The title of the Head Start/Early Head Start Substitute Associate Instructor is being changed from Head Start/Early Head Start Substitute Instructor to Head Start/Early Head Start Associate Instructor for the full-time, permanent part-time, and part-time classification equivalents. This action will correct an error that was inadvertently made during a previous salary ordinance amendment that was approved by the City Council on November 2, 2021. Staff erroneously deleted the word “Associate” instead of the word “Substitute” from the existing titles at that time. The revised classification titles are expected to be approved at an upcoming Civil Service Board meeting as part of routine classification specification revisions.

**Minimum Wage Salary Adjustment** – On November 4, 2014, the voters approved Oakland Measure FF which raised the minimum wage in Oakland to twelve dollars and twenty-five cents (\$12.25), effective March 2, 2015. Measure FF also included a requirement that the Oakland minimum wage be adjusted annually on the first of January in accordance with the annual Consumer Price Index (“CPI”) for urban wage earners and clerical workers for the San Francisco-Oakland-San Jose, CA metropolitan statistical area, consistent with Section 5.92 of the City of Oakland Municipal Code (“OMC”). Adjustments to Oakland’s minimum wage rate are only allowed when there is an increase in the CPI. The City of Oakland’s pay structure for all positions must comply with the new wage rates as of January 1st each calendar year. The rate increased by \$0.70 per hour for calendar year 2022, which resulted in a new wage rate of \$15.06 per hour.

HRM staff conduct the annual analysis of the Salary Schedule for all City of Oakland classifications. It was determined that two classifications required an adjustment to the wage rate to be at or above the new minimum wage standard pursuant to Measure FF and the OMC as of January 1, 2022. The hourly salary rate of the Senior Aide, PT classification in HSD has been increased to match this new rate, and the minimum monthly salary rate of the Temporary Contract Services Employee, PT classification will also be increased to ensure compliance.

**Council Member Salary Adjustment** – On March 9, 2022, the Oakland Public Ethics Commission passed the attached Resolution No. 22-02 to approve a 6.3% increase to the salary rate for the Council Member classification to raise the annual salary to \$103,621.82, which will take effect on July 9, 2022. This action is consistent with Section 202 of the City of Oakland Charter that requires a bi-annual adjustment to Council Member salaries that aligns with the Consumer Price Index (CPI) over the preceding two years and to optionally adjust salaries beyond the increase in the CPI up to a total of five percent per year. Staff in the Public Ethics Commission conduct the bi-annual analysis of the Salary Schedule for the Council Member classification and communicated the change to the City Administration for implementation for inclusion in an upcoming salary ordinance amendment prepared by HRM.

The Public Ethics Commission was advised by the City Attorney that the increase is automatically applied unless Council Members voluntarily and affirmatively decline the increase. This determination would have to be made by the Council Members themselves and is separate from the salary amount available to Council Members in the salary ordinance.

### **FISCAL IMPACT**

Adoption of the proposed Salary Ordinance Amendment adding the new classifications will not automatically add the positions to the departments. The three new classifications in OIG, the new classification in HSD, the new classification in EWD, and the permanent part-time and part-time classification equivalents in OFD will require each Department to work with the Budget Bureau to submit an Add/Delete request during FY 2022-23 and identify funding.

All classification title changes are budget neutral. The slight increases in salary for the Senior Aide, PT and Temporary Contract Services Employee, PT classifications have been accounted for in the department budgets as part of the mid-cycle adjustments for FY 2022-23. The pay adjustment for the Council Member classification also requires changes as part of the mid-cycle budget adjustments for FY 2022-23.

### **PUBLIC OUTREACH / INTEREST**

No public outreach was deemed necessary other than the required posting on the City's website.

### **COORDINATION**

Human Resources Management coordinated with each of the departments regarding the proposed modifications. When necessary, Employee Relations was also involved. Representative unions were formally notified of the proposed legislation, as applicable, because many of the related actions are mandatory subjects of bargaining. Discussions took place and any objections relating to potential impacts as raised by the representative unions, as applicable, were fully vetted.

Public notices regarding the Civil Service Board actions to approve classification specifications are posted pursuant to the provisions of the California Brown Act and City of Oakland Sunshine Ordinance.

Additionally, the preparation of this report was coordinated with HRM, City Attorney's Office, and Finance Department Budget Bureau.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** There are no economic opportunities associated with this report.

***Environmental:*** There are no environmental opportunities associated with this report.

***Race & Equity:*** There are no social equity opportunities associated with this report.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends that the City Council Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To:

(1) Add The Full-Time Classification Of Inspector General Program and Performance Audit Manager; The Full-Time Classification Of Inspector General Program and Performance Auditor; The Full-Time Classification Of Inspector General Policy Analyst; The Full-time Classification Of Family Services Specialist; The Full-time Classification Of Special Activity Permit Technician; The Permanent Part-Time and Part-Time Equivalent Classifications Of Community Intervention Specialist (MACRO); The Permanent Part-Time and Part-Time Equivalent Classifications Of Emergency Medical Technician (MACRO); And

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(4) Amend The Salary Of The Classification Of Council Member To Ensure Compliance With The Oakland Public Ethics Commission's Charter Mandated Salary Adjustment.

For questions regarding this report, please contact Ian Appleyard, Director of Human Resources Management, at (510) 238-6450.

Respectfully submitted,



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Prepared by:  
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Edward D. Reiskin, City Administrator

Subject: Salary Ordinance Amendment for Various Classifications including City Council

Date: May 27, 2022

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Attachments (2):

A: Salary Ordinance

B: Oakland Public Ethics Commission Resolution No. 22-02

