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OAKLAND

2015 OCT 29 PM 2:08

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Anil Comelo  
HRM Director

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

**DATE:** October 19, 2015

City Administrator Approval

Date:

10/28/15

## RECOMMENDATION

**Staff Recommends That The City Council Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Classification Of Director Of Race And Equity**

## EXECUTIVE SUMMARY

The proposed amendment to the Salary Schedule is recommended to implement recent changes to the Oakland Municipal Code (O.M.C.) Section 2.29, "City Departments and Offices," which describes the approved organizational structure of the City.

If City Council does not take the recommended action, the City's classification plan will lack alignment with Municipal Code 2.29. It is necessary to recognize and establish the new Department Head classification as part of the City's classification plan and Salary Schedule so that the positions can be filled.

## 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 representation of positions. It 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.

Section 2.29 of the O.M.C. – "City Departments and Offices," is periodically amended to reflect the organizational structure of the City as approved by the City Council as part of the budget process. City Council had approved structure changes in the City organization in the fiscal year (FY) 2015-2017 Adopted Policy Budget in Resolution No. 13325 C.M.S. on July 30, 2015. The Department of Race and Equity was newly added.

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## **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 already taken place. In this case, no union involvement was required because the classification is for a department head title and the position is unrepresented. The new position will oversee operations in the newly formed Department of Race & Equity. As an exempt director level position, it is not governed by the provisions of civil service (per Charter section 902b) and requires no approval from the Civil Service Board. However, job descriptions will be brought to the Civil Service Board for review of their alignment within the City's overall classification plan.

The salary rate recommended for the Department of Race & Equity is commensurate with the rate established for the Executive Director of the Public Ethics Commission and the Executive Director of the Citizens' Police Review Board. The new position is similarly situated in that it serves a citywide function, oversees a small core staff, and is deeply involved in policy development and compliance. T

**Director of Race and Equity** – The Department of Race and Equity was established to lead the effort, providing technical and administrative programs, to achieve the "fair and just" principle embedded throughout the delivery of city services. "Fair and just" means that the city serves all residents by promoting fairness and equitable opportunities for all people and communities. The incumbent is responsible for directing and administering the technical and professional programs required to effectively further equity and social justice practices of all branches, departments, agencies, and offices of City government. The Director of Race and Equity will collaborate with City branches, departments, and offices to facilitate the creation of an organizational culture that will guide the City towards policies and programs designed and implemented to achieve equitable outcomes.

## **FISCAL IMPACT**

A placeholder position was added for the Department of Race & Equity at the proposed salary rate as part of the FY 2015-2017 Adopted Policy Budget. Adoption of this ordinance has no fiscal impacts.

## **PUBLIC OUTREACH / INTEREST**

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

## **COORDINATION**

Human Resources Management Department coordinated with the City Administrator's Office regarding the proposed classifications. When necessary, Employee Relations was also involved. Union involvement was not necessary because the new classifications are unrepresented and are not subject to mandatory bargaining regulations.

Additionally, the preparation of this report was coordinated with HRM, City Attorney's Office, Controller's Bureau, and the City Administrator's Office.

## **SUSTAINABLE OPPORTUNITIES**

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

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

**Social Equity:** The establishment of the new Department of Race and Equity, along with the creation of the new Director position, will ensure that steps are taken to improve equitable opportunities for all people and communities and implement the "fair and just" principle to be embedded as a core element of the goals, objectives, and strategies of the City.

## **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 Add the Classification of Director of Race and Equity.

For questions regarding this report, please contact Kip Walsh, Recruitment & Classification Manager, at (510) 238-7334.

Respectfully submitted,

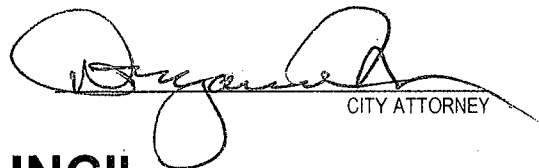


ANIL COMELO  
Director, Human Resources Management

Reviewed by: Kip Walsh  
Human Resources Manager

Prepared by: Jaime Pritchett  
Principal Human Resource Analyst  
Recruitment & Classification

Item: \_\_\_\_\_  
Finance & Management Committee  
November 10, 2015

  
CITY ATTORNEY

INTRODUCED BY COUNCIL MEMBER \_\_\_\_\_  
OFFICE OF THE CITY CLERK  
OAKLAND

2015 OCT 29 PM 2:08

# OAKLAND CITY COUNCIL

ORDINANCE No. \_\_\_\_\_ C.M.S.

## ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S. ("SALARY ORDINANCE") TO ADD THE CLASSIFICATION OF DIRECTOR OF RACE AND EQUITY

### THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

**Section 1.** Ordinance No. 12187 C.M.S. "The Salary Ordinance" is hereby amended as set forth below. Additions are indicated by underscoring and deletions are indicated by ~~strike-through type~~; portions of ordinances not cited or not shown in underscoring or strike-through type are not changed.

**Section 2.** Effective as set forth below, the following classification is added in Ordinance No. 12187 C.M.S. in the Unit UK1.75.041 Pay Grade Table to read as follows:

Classification Title	Class No.	Step	Salary
<u>Director of Race and Equity</u>	EMXXX	Min	9220.55
		Max	13830.77

**Section 4.** Pursuant to City of Oakland Charter Section 216, this ordinance shall become effective immediately on final adoption if it receives six (6) or more affirmative votes; or, if it receives five (5) affirmative votes, it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2015

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID and PRESIDENT GIBSON-MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

DATE OF ATTESTATION \_\_\_\_\_

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**ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S. ("SALARY ORDINANCE") TO ADD THE CLASSIFICATION OF DIRECTOR OF RACE AND EQUITY**

**DIGEST**

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