

CITY OF OAKLAND
COUNCIL AGENDA REPORT

OFFICE OF THE CITY CLERK

To: Fellow Members of the City Council
From: Vice Mayor Quan and Council President De La Fuente
Date: December 19, 2006

2006 DEC -7 PM 4:55

Recommendation: **A RESOLUTION TO RESTRUCTURE THE CITY COUNCIL'S OFFICE OF THE LEGISLATIVE ANALYST, WHICH CURRENTLY HAS TWO LEGISLATIVE ANALYSTS, TO INCLUDE AN ADDITIONAL FOUR (4) ANALYSTS TO PROVIDE ONE PROFESSIONAL ANALYST TO EACH OF THE CITY COUNCIL'S SIX STANDING COMMITTEES, FOR A TOTAL ADDITIONAL COST OF \$485,000 FOR THE ANNUAL SALARIES AND BENEFITS OF THE FOUR ADDITIONAL ANALYSTS**

SUMMARY OF RESOLUTION

Each year, Oakland's city government spends approximately \$1 billion to improve public safety, to provide youth programs, to repair local streets, to maintain city parks, and to provide other basic services to our city's approximately 400,000 residents.

We are recommending that we invest \$485,000 (less than **0.05%** of the total budget) to improve accountability by adopting a Resolution to restructure the City Council's Office of the Legislative Analyst.

This would result in the hiring of four additional staff (1) to analyze the large volume of complex policy proposals and funding requests considered by each Committee (2) to monitor the implementation of the laws and policies enacted by the City Council, and (3) to identify savings in the city budget.

BACKGROUND

Since Oakland voters approved our new "strong mayor" form of government, it has become apparent that our legislative branch (the City Council) could use additional staff to conduct thorough and independent research on the complex financial and policy proposals from the executive branch of government.

The creation of legislative committees under Mayor Elihu Harris was a step in the right direction, but these committees currently have no staff dedicated to analyze the large volume of proposals. The only "staff support" is from the executive branch itself, which can create a conflict of interest when the proposals are put forward by the executive branch.

Providing dedicated professional staff to the Committees will enable the City Council, as the city's governing body, to:

- (1) thoroughly analyze and evaluate the policy and funding proposals prior to amending or approving them;
- (2) monitor the vital laws and policies enacted by the City Council as well as the commitments made by executive branch staff to determine whether they have been implemented and whether additional legislation or funding are needed (Examples of vital issues include community policing, partnerships with our city's schools, equal access to local government, civil service reform, performance measures, and strategic planning to improve our city's infrastructure); and
- (3) identify savings for the city budget.

Oakland's structure is in sharp contrast to that of other large California cities (such as San Francisco, San Diego, and Los Angeles) and to the U.S. Congress which have professional and dedicated "committee staff" to analyze the issues for the legislative committees. In addition to benefiting from staff dedicated to each legislative committee, the U.S. Congress created and employs the Congressional Research Service, Congressional Budget Office, the General Accounting Office, and the Library of Congress to analyze policy and funding proposals.

In the City of Oakland, there are over 4,000 employees in the executive branch (including part-time staff), yet there are under 40 employees in the legislative branch (not including the City Clerk's Office which reports to the City Administrator). Therefore, we propose to re-structure the Office of the Legislative Analyst to provide one professional staff person to each Committee of the City Council. The Committee staff will specialize in the subject areas of their Committee.

Currently, the two Legislative Analysts research city-wide issues and assist in drafting legislative proposals for individual Councilmembers. While there are only two Legislative Analysts, there are six City Council Committees:

- Public Works Committee
- Finance and Management Committee
- Community and Economic Development Committee
- Life Enrichment Committee / Education Partnership Committee
- Public Safety Committee
- Rules and Legislation Committee (Note: In addition to scheduling legislative proposals to the other "subject-area" committees, the Rules Committee considers election reforms, local ballot measures, and state and federal legislation affecting Oakland.)

When combined with the existing two analysts, four additional analysts would provide one analyst dedicated to each Committee. Each analyst would report to their Committee Chair and would work exclusively on that Committee's legislative business. Each analyst would be hired by the Chairs of their respective Committees, in consultation with the President of the City Council. Each of the two existing Legislative Analysts would be assigned to a Committee with the concurrence of the relevant Committee Chair and Council President.

One of the positions would be a "Managing Legislative Analyst" who would have additional responsibilities. These would include providing logistical support and training, as needed, to the

other Committee staff as well as to new Councilmember staffers seeking information about the legislative process. The Managing Legislative Analyst would also monitor the contracts with the companies that lobby the state and federal governments on behalf of the City of Oakland.

Currently, each Councilmember has a personnel budget. This will not change. Councilmembers typically use their personnel budgets to hire an administrative assistant, a legislative aide/policy analyst, and an aide who solves problems for constituents and community groups. The legislative aide/policy analyst would continue to research the issues and advise his/her Councilmember. This would not duplicate the work of the Committee staff because the legislative aides will support their Councilmembers on items to be decided at the full City Council meetings and at Committee meetings for which their Councilmember is not the Chair. Again, this reflects the structure of many large cities as well as the U.S. Congress.

FISCAL IMPACT

The cost to provide professional-level salaries and benefits would be \$485,000 (less than **0.05%** of the city's budget) . While this is a serious investment, it is important to consider that each City Council Committee receives multi-million dollar proposals on a weekly basis from the executive branch. Under the current structure, the City Council lacks the resources to evaluate these proposals in great detail and to monitor their implementation. In addition to evaluating and monitoring the policies enacted by the City Council, each committee staff person would critique funding proposals by identifying ways "to do more with less." Therefore, it is anticipated that the committee staff will, over time, identify significant cost savings.

Although staffing levels are typically considered during the budget process, these committee staff would assist in analyzing the proposed budget and would, therefore, need to be hired before the budget process begins.

ENVIRONMENTAL IMPACT

There is no direct impact to the natural environment.

ACTION REQUESTED OF THE CITY COUNCIL

Adopt the attached Resolution to restructure the City Council's Office of the Legislative Analyst.

Respectfully submitted,

Council President Ignacio De La Fuente

Vice Mayor Jean Quan

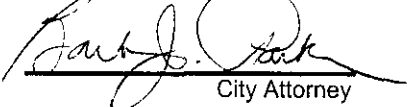
Prepared by:
Alex Pedersen, Chief of Staff for the
President of the City Council

OFFICE OF THE CITY CLERK

2006 DEC -7 PM 4:

OAKLAND CITY COUNCIL

Approved as to Form and Legality


City Attorney

RESOLUTION NO. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER Vice Mayor Jean Quan and Council President De La Fuente and

A RESOLUTION TO RESTRUCTURE THE CITY COUNCIL'S OFFICE OF THE LEGISLATIVE ANALYST, WHICH CURRENTLY HAS TWO LEGISLATIVE ANALYSTS, TO INCLUDE AN ADDITIONAL FOUR (4) ANALYSTS TO PROVIDE ONE PROFESSIONAL ANALYST TO EACH OF THE CITY COUNCIL'S SIX STANDING COMMITTEES, FOR A TOTAL ADDITIONAL COST OF \$485,000 FOR THE ANNUAL SALARIES AND BENEFITS OF THE FOUR ADDITIONAL ANALYSTS

WHEREAS, Oakland voters approved Measure P in March 2004 which amended the City Charter to make permanent a "strong mayor" form of government; and

WHEREAS, the strong mayor form of government separates the executive branch from the legislative branch; and

WHEREAS, a local government with a separate executive branch and legislative branch increases accountability and provides valuable checks and balances; and

WHEREAS, the executive branch submits each week to the legislative branch (the City Council) numerous funding and policy proposals that impact the residents and businesses of Oakland; and

WHEREAS, the legislative committees of the City Council lack the resources to conduct in-depth independent research on these complex funding and policy proposals; and

WHEREAS, the executive branch currently provides an analysis of its proposals, but this creates a potential conflict of interest when the executive branch is the author and advocate of the proposals; and

WHEREAS, Oakland's structure is in sharp contrast to that of other large cities and to the U.S. Congress which have professional and dedicated committee staff to analyze the issues for the chairpersons of the legislative committees; and

WHEREAS, the U.S. Congress employs the Congressional Research Service, Congressional Budget Office, the General Accounting Office, and the Library of Congress to analyze policy and funding proposals; and

WHEREAS, the addition of legislative staff assigned to each legislative committee would increase the capacity of the City Council to analyze the funding and policy proposals from the executive branch to ensure that they will maximize efficiency, accountability, and benefits for the residents and business of Oakland; and

WHEREAS, the addition of legislative staff would enable the City Council to monitor the laws and policies enacted by the City Council to determine whether they have been implemented and whether additional legislation or funding are needed; and

WHEREAS, the addition of legislative staff would identify opportunities to save money for Oakland taxpayers; and

WHEREAS, the City Council currently has the following six standing legislative committees:

- Public Works Committee
- Finance and Management Committee
- Community and Economic Development Committee
- Life Enrichment Committee / Education Partnership Committee
- Public Safety Committee
- Rules and Legislation Committee; and

WHEREAS, the City Council would need to add four professional staff members to support these six Committees because each of the two existing analysts within the City Council's Office of the Legislative Analyst would be assigned to a Committee; and

WHEREAS, each Committee Chair would hire his/her respective committee analyst, in consultation with the President of the City Council; now, therefore, be it

RESOLVED, that the City Council hereby re-structures its Office of the Legislative Analyst to provide one professional staff person to each standing Committee of the City Council, to be hired by the respective Committee Chairs in consultation with the President of the City Council; and be it further

RESOLVED that each of the two existing Legislative Analysts will be assigned to a City Council Committee Chair with the concurrence of the respective Committee Chairs and the President of the City Council and that each of the four remaining Committee Chairs are authorized to hire immediately, in consultation with the President of the City Council, an additional legislative analyst for their respective City Council Committees; and be it further,

RESOLVED, the City Council authorizes for this purpose the immediate expenditure of \$485,000 which comprises the additional funding for their annual salaries and benefits.

IN COUNCIL, OAKLAND, CALIFORNIA, _____,

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, REID, QUAN, AND PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California