



# 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) for  
Various Classifications including  
Council Member Salary

**DATE:** June 16, 2020

City Administrator Approval

Date: June 8, 2020

## **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 FULL-TIME CLASSIFICATION OF RENT ADJUSTMENT PROGRAM MANAGER, ASSISTANT; TO ADD THE PART-TIME CLASSIFICATION OF TEMPORARY CONTRACT SERVICES EMPLOYEE, PT (SWORN); TO AMEND THE SALARY OF THE PART-TIME CLASSIFICATION OF TEMPORARY CONTRACT SERVICES EMPLOYEE, PT; TO AMEND THE SALARY OF THE FULL-TIME CLASSIFICATION OF MANAGER, CAPITAL IMPROVEMENT PROGRAM; TO AMEND THE SALARY AND TITLE OF THE FULL-TIME CLASSIFICATION OF INVESTMENT OFFICER TO INVESTMENT AND OPERATIONS MANAGER; AND TO 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 and pay structures that have already been approved by the Civil Service Board and City Council. Further, approval of this ordinance will ensure that the pay rates 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: Housing and Community Development Department, Oakland Public Works Department, Finance 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

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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 Classifications** – Two new classifications are being proposed as an amendment to the City's Classification Plan:

(1) The full-time classification of Rent Adjustment Program Manager, Assistant is being created to support the Rent Adjustment Program (RAP). The RAP has grown significantly in recent months in terms of staffing and responsibilities, and an assistant manager position has become necessary to help oversee daily operations. The proposed duties of the new classification are as follows: assists with planning, managing, and organizing the functions, activities, and projects in support of the Rent Adjustment Program, which includes making recommendations for and assisting with the development and implementation of policies, programs, and systems; oversees research and policy analyses; assigns, trains, and supervises staff; and performs related duties as assigned. The International Federation of Professional & Technical Engineers (IFPTE, Local 21) was notified of the proposal to create this new classification in their bargaining unit. A meeting took place in May 2020 to discuss the new classification, and IFPTE, Local 21 responded with an email stating there were no objections to the proposal. This item is tentatively scheduled for the Civil Service Board meeting on June 18, 2020.

(2) The part-time classification of Temporary Contract Services Employee, PT (Sworn) is being created as a response to a review by the California Public Employees' Retirement Systems (CalPERS). CalPERS requires annuitants to hold a benefit-free, part-time status to avoid incurring penalties against on-going retirement benefits. The creation of the Temporary Contract Services Employee, PT classification for sworn ensures that sworn annuitants can be hired into the appropriate status. Incumbents can be temporarily assigned per Section 5.06(c) of the Personnel Manual for a maximum of 960 hours per fiscal year for one of two (2) types of assignments: employees may be assigned to a division or a project on a regular basis up to the maximum 960 hours; or, assignments may be on an occasional or short-term (less than 30 days) basis. The City employs a small number of annuitants who previously held sworn police or fire positions to provide highly specialized services. Further, the salary range must be broad

enough to encompass the salary rates of all sworn levels from Police Officers and Fire Fighters up to Chief. The classification is unrepresented; therefore, discussions with unions were not required.

**Classification Salary Adjustment** – Two existing classifications involve proposed salary adjustments as part of the City's Classification Plan:

(1) The existing, non-sworn, part-time classification of Temporary Contract Services Employee, PT is being increased. The uses of this classification correspond with the description of Temporary Contract Services Employees as mentioned above. The proposed action is to raise the maximum salary of this existing classification to align with the maximum salary rate of the City Administrator classification; the minimum salary rate will remain the same. This will ensure that the appropriate salary range is available for any future annuitants who are hired to serve in a temporary capacity to fill vacant positions among the non-sworn, executive management levels within the organization all the way up to and including City Administrator. The classification is unrepresented; therefore, discussions with unions were not required

(2) The Manager, Capital Improvement Program (CIP) classification requires a slight increase in the salary. The department intends to have Project Manager II positions newly report to the Manager, CIP as part of its efforts to re-envision capital improvement projects into a more comprehensive and integrated CIP program. However, the Project Manager II classification is also at the same pay grade and pay rate as Manager, CIP. That was problematic to the City's pay structure and required a proposal to adjust the salary rate for the Manager, CIP to reduce the possibility of compaction in the reporting structure. Therefore, the City proposed adjusting the Manager, CIP salary range to match the similarly situated Principal Civil Engineer classification. The International Federation of Professional and Technical Engineers (IFPTE, Local 21) was notified of the proposed classification specification revisions and salary change proposal in December 2019. City staff and union representatives discussed the potential impacts at meetings in December 2019 and February 2020. The union confirmed via email that there are no objections to the proposed revisions and salary adjustment. The revised title has already been approved by the Civil Service Board at the May 21, 2020 meeting as part of routine classification specification revisions.

**Classification Title and Salary Adjustment**– The Investment Supervisor classification requires a salary adjustment and a title change to Investment and Operations Manager. Over time, the positions in Treasury and Retirement have taken on additional functionality with significantly increased consequence of error in making investments for the City, running a closed retirement system, participating in audits, and overseeing expanded accounting and payroll duties. HRM has determined that the authority and responsibility of this classifications are more commensurate with other manager classifications across the City in the UM2 representation unit. Further, the proposed title change includes a reference to operations, which is more reflective of the full breadth of the positions. The assigned duties have expanded greatly in the last few years, and now accounting and payroll duties represent a significant portion of the required work. Additionally, classifying the position as a manager is more appropriate than supervisor given the scope of authority and responsibility that are assigned to these positions. The classification is in representation unit UM2 at Pay Grade 017. Based on the increased level of responsibility and similarity to other principal level, technical expert, and management

classifications in the Finance Department, the City proposed adjusting the salary range to Pay Grade 019 still in UM2. IFPTE, Local 21 was notified of the proposed classification specification revisions, title change, and salary adjustment in April 2020. City staff and union representatives discussed the potential impacts at one meeting. The union confirmed via email that there are no objections to the proposed revisions, title change, and salary adjustment. The revised title has already been approved by the Civil Service Board at the May 21, 2020 meeting as part of routine classification specification revisions.

**Council Member Salary Adjustment** – On March 2, 2020, the Oakland Public Ethics Commission passed the attached Resolution No. 20-01 to approve a 7.1% increase to the salary rate for the Council Member classification to raise the annual salary to \$97,480, which will take effect on July 11, 2020. 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 two new classifications will not automatically add the positions to departments. The departments can work with the Budget Bureau to submit an Add/Delete request during FY 2020-2021 and identify funding.

The classification title change and salary adjustment for the Manager, Capital Improvement Program and Investment and Operations Manager positions are not automatically included as part of the departments FY 2020-2021 budget. The department can work with the Budget Bureau to update the title change and identify funding.

The pay adjustment for the Council Member classification also requires changes as part of the mid-cycle budget adjustments for FY 2020-21.

### **PUBLIC OUTREACH/INTEREST**

No public outreach was required 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 and Equity:*** There are no social equity opportunities associated with this report.

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**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 Full-time Classification Of Rent Adjustment Program Manager, Assistant; To Add The Part-time Classification Of Temporary Contract Services Employee, PT (Sworn); To Amend The Salary Of The Part-time Classification Of Temporary Contract Services Employee, PT; To Amend The Salary Of The Full-time Classification Of Manager, Capital Improvement Program; To Amend The Salary And Title Of The Full-time Classification Of Investment Officer To Investment And Operations Manager; And To 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 at (510) 238-6450.

Respectfully submitted,



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IAN APPLEYARD

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Attachment (1): Oakland Public Ethics Commission Resolution No. 20-01