

2009 JUN 17 PM 10:00

COUNCIL AGENDA REPORT

**To:** Office of the City Administrator  
**Attn:** Dan Lindheim  
**From:** Budget Office  
**Date:** June 30, 2009  
**Subject:** Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code, Entitled, "City Agencies, Departments And Offices", To Revise The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of City Charter Section 600, By Transferring The Office Of Personnel Resource Management From The Finance And Management Agency To Become The Department Of Human Resources Management; And Moving The Marketing Division To The Community And Economic Development Agency To Closely Coordinate Its Activities With Other Marketing And Special Events Functions."

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SUMMARY

At its June 16<sup>th</sup> Special Meeting on the FY 2009-11 Proposed Budget, Council members discussed proposed revisions to the City's organizational structure. Pursuant to the Council's motion at this meeting, the ordinance has been modified to **delete** the provisions that would have established a Public Safety Services Division in the City Administrator's Office housing the Neighborhood Services Coordinators (NSCs), Oaklanders' Assistance Center and the Re Entry Program.

The City Council accepted the transition of *Marketing* to the Community and Economic Development Agency and making *Personnel* a separate department. The rationale for these changes was presented on June 16, 2009; reprints are provided below for reference.

Marketing

Merging Marketing & Special Events (Public Art, Cultural Funding & Film) with the Community and Economic Development Agency (CEDA) will align Marketing with Economic Development to more effectively attract business, development and investment to Oakland. Moreover, the merger will also enable Marketing to provide marketing communications support to other key CEDA divisions and programs, including Redevelopment, Planning & Zoning, Building Services (Code Enforcement) and Housing & Community Development. Marketing originated in CEDA so this structure has a proven track record. Additionally, a large portion of the Marketing group is already funded through the Redevelopment Agency and therefore spends a vast majority of its effort on redevelopment-encouraging activities.

Human Resources Department

The elevation of the Department of Human Resources to departmental status will provide the appropriate level of accountability and control of the human resources function of the City during this critical period. Most major cities comparable to Oakland have human resources in a separate department, to ensure relative independence and proper oversight. Additionally, the development and implementation of labor relations policies and practices, improving operational

efficiencies citywide, administering cost-saving programs such as the early retirement incentive, and responding to an upcoming audit regarding hiring practices all would benefit from the department's central role. Lastly, separating Personnel from other Finance and Management Agency functions – most importantly, Payroll – would ensure necessary separation of duties.

**RECOMMENDATION**


Staff recommends that the City Council adopt the amended ordinance to affect the above two reorganization changes.

Respectfully submitted,



CHERYL TAYLOR  
Budget Director

APPROVED FOR FORWARDING  
TO THE CITY COUNCIL:

  
Office of the City Administrator

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
INTRODUCED BY COUNCILMEMBER \_\_\_\_\_  
2009 JUN 17 PM 10:00

APPROVED AS TO FORM AND LEGALITY

  
CITY ATTORNEY

# OAKLAND CITY COUNCIL

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

ORDINANCE AMENDING CHAPTER 2.29 OF THE OAKLAND MUNICIPAL CODE, ENTITLED, "CITY AGENCIES, DEPARTMENTS AND OFFICES", TO REVISE THE ORGANIZATIONAL STRUCTURE OF THE CITY UNDER THE CITY ADMINISTRATOR'S JURISDICTION IN ACCORDANCE WITH THE REQUIREMENTS OF CITY CHARTER SECTION 600, BY TRANSFERRING THE OFFICE OF PERSONNEL RESOURCE MANAGEMENT FROM THE FINANCE AND MANAGEMENT AGENCY TO BECOME THE DEPARTMENT OF HUMAN RESOURCES MANAGEMENT; ~~RECONFIGURING THE NEIGHBORHOOD SERVICES COORDINATORS (NSCS), OAKLANDERS ASSISTANCE CENTER, AND RE-ENTRY PROGRAM AS THE PUBLIC SAFETY SERVICES DIVISION IN THE CITY ADMINISTRATOR'S OFFICE;~~ AND MOVING THE MARKETING DIVISION TO THE COMMUNITY AND ECONOMIC DEVELOPMENT AGENCY TO CLOSELY COORDINATE ITS ACTIVITIES WITH OTHER MARKETING AND SPECIAL EVENTS FUNCTIONS.

**WHEREAS**, Section 600 of the Charter of the City of Oakland provides that the City Council shall by ordinance provide the form of organization through which the functions of the City under the jurisdiction of the City Administrator are to be administered; and

**WHEREAS**, in 1999 the Council passed Ordinance No. 12186, C.M.S. which established in Chapter 2.29 of the municipal code the organizational structure of the City; and

**WHEREAS**, in 2007 the Council passed Ordinance No. 12815, C.M.S. which revised the organizational structure of the City as established in Chapter 2.29 of the municipal code; and

**WHEREAS**, the City Council wishes to further improve efficiencies and enhance accountability of City programs and services; and

**WHEREAS**, the recommended changes include: transferring the Office of Personnel Resource Management from the Finance and Management Agency to become the Department of Human Resources Management, ~~reconfiguring the Neighborhood Services Coordinators (NSCs), Oaklanders Assistance Center, and Re-Entry Program as the Public Safety Services Division in the City Administrator's Office;~~ and moving the Marketing Division to the Community and Economic Development Agency; now, therefore

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

SECTION 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby adopts and incorporates them into this Ordinance.

SECTION 2. The Municipal Code is hereby amended to add, delete, or modify sections as set forth below (section numbers and titles are indicated in **bold type**; additions are indicated by underscoring and deletions are indicated by ~~strike-through type~~); there are no changes in the portions of the sections that are not cited or shown in underscoring or strike-through type.

SECTION 3. Chapter 2.29 of the Municipal Code is hereby amended to read as follows:

### **Section 2.29.010 Purpose.**

The rendition of efficient and effective services in the city is best accomplished through the establishment of departments and agencies, each of which shall function under the leadership of a single Director and shall consist of ~~departments or divisions~~. Said Director and any agency, department or division shall serve as "department head" within the meaning of Article IX of the City Charter.

### **Section 2.29.020 Police Services Agency.**

There is established in the city government a Police Services Agency which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said agency shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Police Services Agency shall be the responsibility of the Chief of the Police Services Agency who shall serve as Director of said agency, subject to the direction of the City Administrator. In the Police Services Agency there shall be the following ~~bureaus~~divisions: Field Operations, Investigations, Services and Administration.

### **Section 2.29.030 Fire Services Agency.**

There is established in the city government a Fire Services Agency which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said agency shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Fire Services Agency shall be the responsibility of the Chief of the Fire Services Agency who shall serve as Director of said agency, subject to the direction of the City Administrator. In the Fire Services Agency there shall be the following divisions: Administration, Field Operations/Suppression, Fire Prevention and Communication, Special Operations, Budget and Planning, Personnel, Safety and Liability, Emergency Medical Services, Training, and Office of Emergency Services. (Ord. 12186 (part), 1999)

### **Section 2.29.040 Finance and Management Agency.**

There is established in the city government a Finance and Management Agency which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said agency shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Finance and Management Agency shall be the responsibility of the Director of Finance and Management, subject to the direction

of the City Administrator. In the Finance and Management Agency there are the following divisions: Administration, Treasury, Accounting, Parking, ~~Human Resources,~~ Risk Management and Revenue.

#### **Section 2.29.050 Public Works Agency.**

There is established in the city government a Public Works Agency which shall be under the supervision and administrative control of the City Administrator. The powers, functions, and duties of said agency shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Public Works Agency shall be the responsibility of the Director of Public Works, subject to the direction of the City Administrator. In the Public Works Agency there shall be the following divisions: Administration, Infrastructure and Operations, and Facilities and Environment.

#### **Section 2.29.070 Community and Economic Development Agency.**

There is established in the city government a Community and Economic Development Agency which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said agency shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Community and Economic Development Agency shall be the responsibility of the Director, subject to the direction of the City Administrator. In the Community and Economic Development Agency there shall be the following divisions: Administration, Planning and Zoning, Building Services, Economic Development, Redevelopment, Engineering, Planning and Design, Marketing, and Housing and Community Development.

#### **Section 2.29.080 Administrative departments.**

There is established in the city government several administrative departments which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said departments shall be those assigned, authorized and directed by the City Administrator subject to Article IX of the City Charter. The management and operation of the departments shall be the responsibility of the directors of said departments, subject to the direction of the City Administrator. The administrative departments shall be the following: Department of Information Technology, Department of Contracting and Purchasing, Department of Personnel, Department of Parks and Recreation, Department of Library Services, Department of Human Services, and Museum Department.

#### **Section 2.29.090 Office of the City Administrator**

There is established in the city government an Office of the City Administrator to assist in the operation and execution of functions as described in the City Charter under Articles IV, V, VI, VIII and IX. There shall be in the Office of the City Administrator. the following divisions: Administration, Budget, Research, and Analysis, Americans with Disabilities Act Programs, Citizens' Police Review Board, Equal Access, Equal Opportunity Programs, Marketing, and Public Ethics Commission, ~~and Public Safety Programs which will include but not be limited to the Neighborhood Services Coordinators (NSCS), the Oaklanders Assistance Center and the Re-Entry Program.~~

SECTION 4. This ordinance will take effect immediately if it is adopted by the Council with six affirmative votes; it will take effect seven days after final passage if it is adopted with five affirmative votes. The organizational structure established by this Ordinance will become effective on the effective date of the Ordinance.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2009

**PASSED BY THE FOLLOWING VOTE:**

**AYES---** BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID and PRESIDENT BRUNNER

**NOES---**

**ABSENT---**

**ABSTENTION---**

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California

Date of Attestation \_\_\_\_\_