

FILED
OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND

AGENDA REPORT

TO: 2010 FEB - 4 PM 5:13 Oakland City Council / Finance & Management Committee
FROM: Office of the City Administrator
DATE: February 9, 2010

RE: **Resolution Establishing Criteria for Exemption and Exempting Certain Critical Positions Funded By The General Fund From The Hiring Freeze That The City Council Implemented On January 19, 2010**

SUMMARY

At the February 2, 2010 City Council meeting, staff was directed to present to the Finance & Management Committee: (a) criteria for filling General Fund vacancies frozen as a result of the January 19, 2010 City Council imposed hiring moratorium; and (b) a list of critical vacancies that meet the criteria, and which the Administration determines must be filled in the near term.

This report presents **criteria** for filling the frozen General Fund vacancies. These are generally consistent with those proposed by Local 21. Also presented is a **list of the most critical vacancies** to be filled, either immediately or in the near future, and that are consistent with the recommended criteria.

FISCAL IMPACT

Currently, there are 122.25 vacant FTE positions in the City. There is a critical need to fill 80.25 of these. These include: 12.60 FTEs to support Measure Q-mandated Library services; 36.15 FTEs to deliver summer recreation programs; and 31.5 FTEs for other critical functions. The cost to fill these positions, through the remainder of the year, is: \$0.27 million for the Library; \$0.32 million for summer programs; and \$0.45 million for everything else. These costs are budgeted and have been factored into the City's financial projections. Moreover, costs incurred as a result of *not filling* these vacancies are likely to outweigh possible savings including backfill through overtime or uncollected revenues.

DISCUSSION

1) Criteria for exempting positions from the hiring freeze

The following four **criteria** are recommended for determining Hiring Freeze exemptions. Three of these are consistent with those presented by Local 21; a fourth category "already budgeted positions necessary to ensure the provision of critical City services and operations" has been added.

- 1) the position is required to comply with federal, state or local mandates,
- 2) the position is already budgeted and is necessary to ensure the provision of critical City services and operations,
- 3) the position is part of a program or activity that is revenue-generating and fully cost recovering,

Item: _____
Finance & Management
February 9, 2010

4) the position is necessary to carry out programs supported by stimulus funding or grants.

The City Administrator has already been applying these criteria to review and evaluate requests to fill vacancies received from city departments. These criteria, once approved by the City Council, would be used by the City Administrator to exempt additional vacancies in the future. Reporting to the Finance and Management Committee on the exempted positions would happen on a quarterly basis, as part of the Vacancy Report.

2) Critical positions to be exempted immediately

The City needs to fill various critical vacancies; these meet the above criteria and are listed in *Attachment "A"*. These need to be **exempted from the hiring freeze.**

The list totals 80.25 full or part-time FTEs of the 122.25 total current vacancies. Obtaining Council authorization does not guarantee that all requested vacancies will be filled. The City Administrator will continue utilizing a rigorous review process to approve only the most critical vacancies, and approve them only when absolutely necessary (for example, for a portion of the year). In addition, to the extent possible, vacancies will be filled by internal promotions and transfers.

Vacancies for which exemption from the hiring freeze is necessary fall into three categories:

- ❖ Library Vacancies (12.6 positions): Filling these positions is required in order to meet Measure Q mandates concerning the minimum General Fund appropriation for the libraries. The cost to fill these vacancies is \$0.27 million for the remainder of the year.
- ❖ Parks & Recreation Summer Programs (36.15 positions - mostly part-time): These positions are necessary for providing key summer programs (many of which are cost-covering). The positions would be filled in May, but the hiring process must be started immediately. The cost to fill these vacancies is \$0.32 million for the remainder of the year.
- ❖ Other Critical Vacancies: There are 31.5 critical vacant positions in other departments, which must be filled immediately. The cost to fill these vacancies is \$0.45 million for the remainder of the year. Key examples include: positions necessary to balance the City's budget and ensure proper financial controls; a Deputy City Administrator position essential to oversee a number of special programs and projects citywide; a Citywide Records Manager necessary to carry out the City's records management function; parking meter collectors who generate significant revenues; and animal control positions that are necessary to address health and safety concerns.

3) Critical positions removed from prior City Administrator list

42 additional positions presented by the City Administrator at the February 2, 2010 Council meeting are excluded from Attachment A and are not requested for exemption as part of this Report. These have an estimated cost of \$0.4 million for the remainder of FY2009/10 and an annual cost of some \$2.8 million. The majority of these positions are in OPD. These are listed in Attachment B.

SUSTAINABLE OPPORTUNITIES

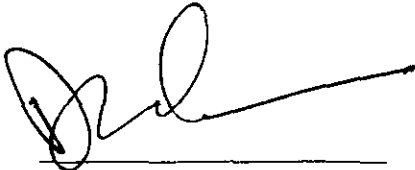
There are no direct economic, environmental, or social equity opportunities resulting from this action.

DISABILITY AND SENIOR CITIZEN ACCESS

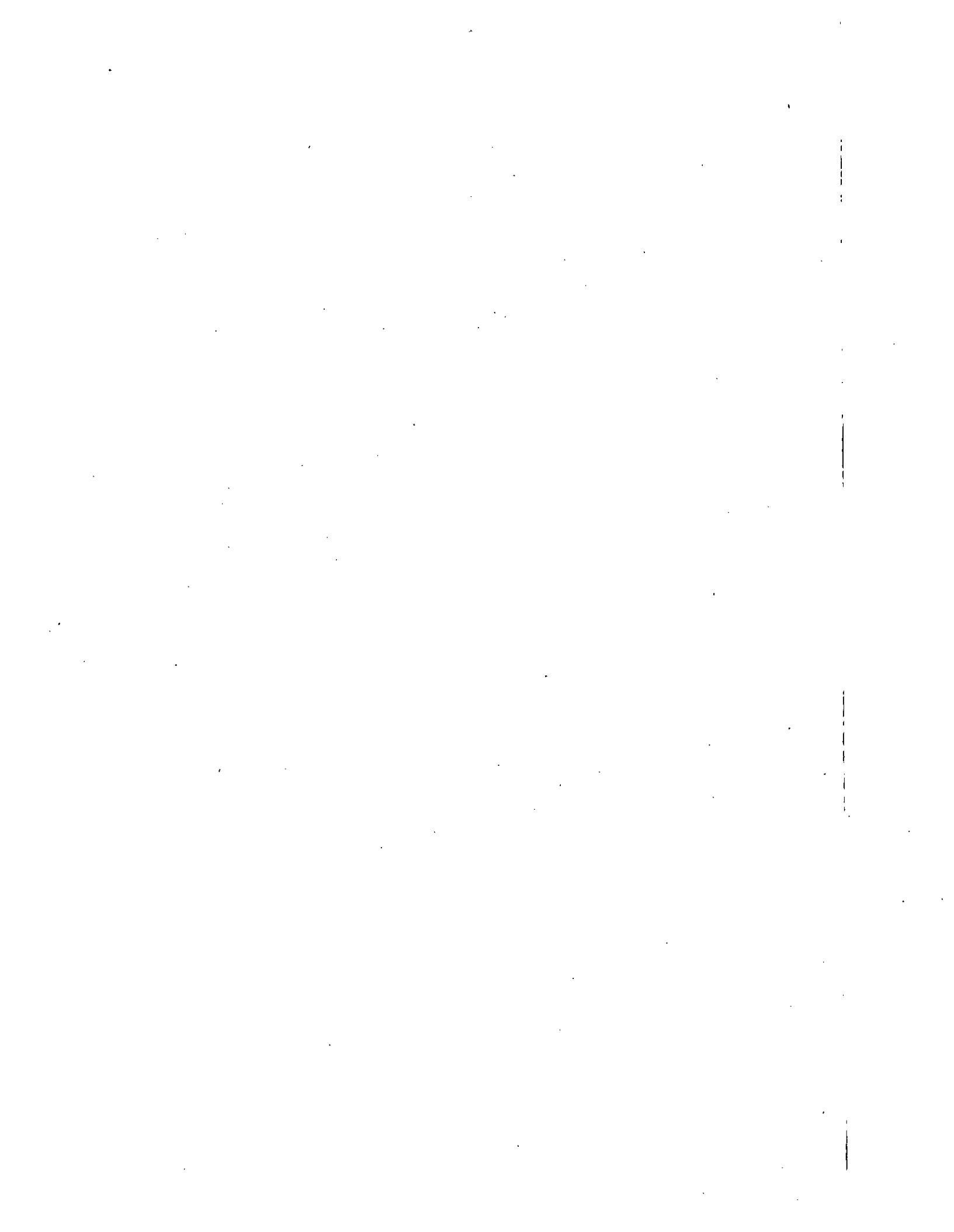
The proposed action does not impact disability and senior citizen access.

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the Council approve the resolution establishing criteria to exempt General Fund positions from the hiring freeze, and authorizing the City Administrator to fill the positions outlined in *Attachment "A"* to the resolution.



Dan Lindheim
City Administrator



DEPT	JOB CLASSIFICATION	# of FTE to fill	FUNDING SOURCE	DATE VACATED	STATUS OF RECRUITMENT	HOW SOON NEED TO FILL	Federal, State, local Mandate	Critical to Services & Operations	Revenue Generating	Supports Stimulus or Grant Program	FY 2009-10 cost (2 months) - GPF ONLY	FY 2010-11 cost (full year) - GPF ONLY	JUSTIFICATION / IMPACT OF NOT FILLING
EXEMPT IMMEDIATELY: LIBRARIES (MEASURE Q MANDATE)													
Library - 61334 - Elmhurst Branch	Librarian I - AP214	1.00	GPF	5/1/09	Recruitment authorized by City Administrator (External & Promotional). Written exam took place on 1/27/10; finalizing eligible list.	5/1/2010, but recruitment must begin immediately	X	X			\$21,594	\$88,808	The City Council reduced the Library's FY2009-10 General Purpose Fund (GPF) Appropriation to the minimum required under Measure Q. The Library must fill enough vacant GPF positions to allow for the lawful collection of Measure Q revenues. If the GPF Library support requirements of Measure Q are not met, City may not only be required to refund almost \$13 million in anticipated Measure Q revenue collected during FY2009-10, but would also then have to absorb the cost within the GPF of the Measure Q revenues already spent
Library - 61336 - Montclair Branch	Librarian I (Under filling Librarian II) - AP214 (AP217)	1.00	GPF	5/1/09	Recruitment authorized by City Administrator (External & Promotional). Written exam took place on 1/27/10; finalizing eligible list.	5/1/2010, but recruitment must begin immediately	X	X			\$21,594	\$88,808	The City Council reduced the Library's FY2009-10 General Purpose Fund (GPF) Appropriation to the minimum required under Measure Q. The Library must fill enough vacant GPF positions to allow for the lawful collection of Measure Q revenues. If the GPF Library support requirements of Measure Q are not met, City may not only be required to refund almost \$13 million in anticipated Measure Q revenue collected during FY2009-10, but would also then have to absorb the cost within the GPF of the Measure Q revenues already spent
Library - 61111 - Director's Ofc	Administrative Librarian - MA129	1.00	GPF	1/4/10	Requisition sent to City Administrator on 1/19/10. Awaiting approval.	3/1/10	X	X			\$35,563	\$217,663	The City Council reduced the Library's FY2009-10 General Purpose Fund (GPF) Appropriation to the minimum required under Measure Q. The Library must fill enough vacant GPF positions to allow for the lawful collection of Measure Q revenues. If the GPF Library support requirements of Measure Q are not met, City may not only be required to refund almost \$13 million in anticipated Measure Q revenue collected during FY2009-10, but would also then have to absorb the cost within the GPF of the Measure Q revenues already spent
Library - 61311 - Branch Admin.	Supervising Librarian - SC172	1.00	GPF	8/20/09	Requisition sent to City Administrator on 12/17/09. Awaiting approval.	3/1/10	X	X			\$25,030	\$153,221	The City Council reduced the Library's FY2009-10 General Purpose Fund (GPF) Appropriation to the minimum required under Measure Q. The Library must fill enough vacant GPF positions to allow for the lawful collection of Measure Q revenues. If the GPF Library support requirements of Measure Q are not met, City may not only be required to refund almost \$13 million in anticipated Measure Q revenue collected during FY2009-10, but would also then have to absorb the cost within the GPF of the Measure Q revenues already spent
Library - 61343 - Teen Svcs	Librarian I - AP214	1.00	GPF	3/20/09	Recruitment authorized by City Administrator (External & Promotional). Written exam took place on 1/27/10; finalizing eligible list.	5/1/2010, but recruitment must begin immediately	X	X			\$21,594	\$88,808	The City Council reduced the Library's FY2009-10 General Purpose Fund (GPF) Appropriation to the minimum required under Measure Q. The Library must fill enough vacant GPF positions to allow for the lawful collection of Measure Q revenues. If the GPF Library support requirements of Measure Q are not met, City may not only be required to refund almost \$13 million in anticipated Measure Q revenue collected during FY2009-10, but would also then have to absorb the cost within the GPF of the Measure Q revenues already spent
Library - 61343 - Golden Gate Branch	Librarian I - AP214	1.00	GPF	1/24/09	Recruitment authorized by City Administrator (External & Promotional). Written exam took place on 1/27/10; finalizing eligible list	5/1/2010, but recruitment must begin immediately	X	X			\$21,594	\$88,808	The City Council reduced the Library's FY2009-10 General Purpose Fund (GPF) Appropriation to the minimum required under Measure Q. The Library must fill enough vacant GPF positions to allow for the lawful collection of Measure Q revenues. If the GPF Library support requirements of Measure Q are not met, City may not only be required to refund almost \$13 million in anticipated Measure Q revenue collected during FY2009-10, but would also then have to absorb the cost within the GPF of the Measure Q revenues already spent

DEPT	JOB CLASSIFICATION	# of FTE to fill	FUNDING SOURCE	DATE VACATED	STATUS OF RECRUITMENT	HOW SOON NEED TO FILL	Federal, State, local Mandate	Critical to Services & Operations	Revenue Generating	Supports Stimulus or Grant Program	FY 2009-10 cost (2 months) - GPF ONLY	FY 2010-11 cost (full year) - GPF ONLY	JUSTIFICATION / IMPACT OF NOT FILLING
Library - 61339 - 81st Ave Comm Library	Library Assistant - AP223	1.00	GPF	7/1/09	Requisition sent to City Administrator on 1/22/10. Awaiting approval.	5/1/2010, but recruitment must begin immediately	X	X			\$11,576	\$50,342	The City Council reduced the Library's FY2009-10 General Purpose Fund (GPF) Appropriation to the minimum required under Measure Q. The Library must fill enough vacant GPF positions to allow for the lawful collection of Measure Q revenues. If the GPF Library support requirements of Measure Q are not met, City may not only be required to refund almost \$13 million in anticipated Measure Q revenue collected during FY2009-10, but would also then have to absorb the cost within the GPF of the Measure Q revenues already spent
Library - 61339 - 81st Ave Comm Library	Librarian I - AP214	1.00	GPF	7/2/09	Requisition sent to City Administrator on 1/22/10. Awaiting approval.	5/1/2010, but recruitment must begin immediately	X	X			\$21,594	\$88,808	The City Council reduced the Library's FY2009-10 General Purpose Fund (GPF) Appropriation to the minimum required under Measure Q. The Library must fill enough vacant GPF positions to allow for the lawful collection of Measure Q revenues. If the GPF Library support requirements of Measure Q are not met, City may not only be required to refund almost \$13 million in anticipated Measure Q revenue collected during FY2009-10, but would also then have to absorb the cost within the GPF of the Measure Q revenues already spent
Library - 61339 - 81st Ave Comm Library	Senior Librarian - AP220	1.00	GPF	7/3/09	Requisition sent to City Administrator on 1/22/10. Awaiting approval.	5/1/2010, but recruitment must begin immediately	X	X			\$27,087	\$94,063	The City Council reduced the Library's FY2009-10 General Purpose Fund (GPF) Appropriation to the minimum required under Measure Q. The Library must fill enough vacant GPF positions to allow for the lawful collection of Measure Q revenues. If the GPF Library support requirements of Measure Q are not met, City may not only be required to refund almost \$13 million in anticipated Measure Q revenue collected during FY2009-10, but would also then have to absorb the cost within the GPF of the Measure Q revenues already spent
Library - 61339 - 81st Ave Comm Library	Librarian II - AP217	1.00	GPF	7/4/09	Requisition sent to City Administrator on 1/22/10. Awaiting approval.	5/1/2010, but recruitment must begin immediately	X	X			\$25,991	\$110,684	The City Council reduced the Library's FY2009-10 General Purpose Fund (GPF) Appropriation to the minimum required under Measure Q. The Library must fill enough vacant GPF positions to allow for the lawful collection of Measure Q revenues. If the GPF Library support requirements of Measure Q are not met, City may not only be required to refund almost \$13 million in anticipated Measure Q revenue collected during FY2009-10, but would also then have to absorb the cost within the GPF of the Measure Q revenues already spent
Library - 61339 - 81st Ave Comm Library	Custodian - TR120	1.00	GPF	7/5/09	Custodial services will be managed through PWA on behalf of the Library	5/1/2010, but recruitment must begin immediately	X	X			\$7,102	\$92,968	The City Council reduced the Library's FY2009-10 General Purpose Fund (GPF) Appropriation to the minimum required under Measure Q. The Library must fill enough vacant GPF positions to allow for the lawful collection of Measure Q revenues. If the GPF Library support requirements of Measure Q are not met, City may not only be required to refund almost \$13 million in anticipated Measure Q revenue collected during FY2009-10, but would also then have to absorb the cost within the GPF of the Measure Q revenues already spent
Library - 61339 - 81st Ave Comm Library	Library Assistant, PPT - AP227	0.60	GPF	7/6/09	Requisition sent to City Administrator on 1/22/10. Awaiting approval.	5/1/2010, but recruitment must begin immediately	X	X			\$11,576	\$50,342	The City Council reduced the Library's FY2009-10 General Purpose Fund (GPF) Appropriation to the minimum required under Measure Q. The Library must fill enough vacant GPF positions to allow for the lawful collection of Measure Q revenues. If the GPF Library support requirements of Measure Q are not met, City may not only be required to refund almost \$13 million in anticipated Measure Q revenue collected during FY2009-10, but would also then have to absorb the cost within the GPF of the Measure Q revenues already spent

DEPT	JOB CLASSIFICATION	# of FTE to fill	FUNDING SOURCE	DATE VACATED	STATUS OF RECRUITMENT	HOW SOON NEED TO FILL	Federal, State, local Mandate	Critical to Services & Operations	Revenue Generating	Supports Stimulus or Grant Program	FY 2009-10 cost (2 months) - GPF ONLY	FY 2010-11 cost (half year) - GPF ONLY	JUSTIFICATION / IMPACT OF NOT FILLING
Library - 61339 - 81st Ave Comm Library	Librarian I - AP214	1.00	GPF	7/1/10	Requisition will be sent 7/1/10	8/1/2010, but recruitment must begin immediately	X	X			\$21,594	\$88,808	The City Council reduced the Library's FY2009-10 General Purpose Fund (GPF) Appropriation to the minimum required under Measure Q. The Library must fill enough vacant GPF positions to allow for the lawful collection of Measure Q revenues. If the GPF Library support requirements of Measure Q are not met, City may not only be required to refund almost \$13 million in anticipated Measure Q revenue collected during FY2009-10, but would also then have to absorb the cost within the GPF of the Measure Q revenues already spent
Total		12.60									\$273,489	\$1,302,131	

EXEMPT IMMEDIATELY: OPR SUMMER PROGRAMS (CRITICAL AND REVENUE-GENERATING PROGRAMS)

OPR	Data Entry Operator	1.00	General Fund	9/30/2009	Pending signatures on the requisition. Looking for internal transfer and/or hire.	Fill by 7/1/2010, begin recruiting immediately		X			\$10,349	\$63,368	This position is critical in the oversight of \$3.2 million in revenue collected by the Department annually. Without this position there would not be cash oversight for our 28 recreation centers creating a huge void in the accountability, checks and balances and increase the possibility of theft.
OPR	Lifeguards, PT	3.00	General Fund	ongoing	Pending signatures from DHRM, Budget and CAO Offices on the requisitions to begin the hiring process	Fill by 6/5/2010, begin recruiting immediately		X	X		\$30,645	\$71,504	The part-time staff is critical in operating the summer aquatic program at the remaining five pools. These positions are critical in maintaining safety at the pools which OPR serves over 20,000 children and youth during the summer months. Not filling these positions will result in closing the remaining 5 swimming pools. There is a standard of care requirement that municipal agencies must adhere to. In order to open any of OPR's pools there must be a ratio of 1:25 for recreational swimming.
OPR	Park Attendant, PT	0.40	General Fund	ongoing	Pending signatures from DHRM, Budget and CAO Offices on the requisitions to begin the hiring process	Fill by 6/5/2010, begin recruiting		X	X		\$4,977	\$11,613	These positions are needed in order to gear up for the soccer, softball and baseball season, and in maintaining the sixty-six (66) ball fields citywide. The fields will open at the end of February and will require maintenance over the next seven months.
OPR	Pool Manager, PT	0.40	General Fund	ongoing	Pending signatures from DHRM, Budget and CAO Offices on the requisitions to begin the hiring process	Fill by 6/5/2010, begin recruiting immediately		X	X		\$4,865	\$11,351	Part-time staff is critical in operating the summer aquatic program at the remaining five pools. Pool Managers, have the responsibility of oversight of the operation of the pool, including the intake of monies, responding of the incidents, and the prevention of drowning. These positions are critical in maintaining safety at the pools - OPR serves over 11,000 children and youth during the summer months.
OPR	Recreation Aide, PT	1.30	General Fund	ongoing	Pending signatures from DHRM, Budget and CAO Offices on the requisitions to begin the hiring process	Fill by 6/5/2010, begin recruiting immediately		X	X		\$9,645	\$22,505	Part-Time staff in this area are critical for the citywide programming to include sports, ball-fields and basic programs at the 24 Recreation Centers. The absence of these positions will create lack of oversight and increase the ratio of supervision thereby reducing the number of children participating in our programs. Without this support of the Aides the programming at the recreation centers will be reduced further in its program offerings and number of children served.
OPR	Recreation General Supervisor	1.00	General Fund	11/27/09	Final stages of recruitment, list has been created and department has done interviews and is in the process of selecting a candidate.	Fill by 6/5/2010, begin recruiting immediately		X			\$31,991	\$111,937	This position is critical to providing management for 10 recreation centers. Currently the department has only one Recreation General Supervisor. The Agency Director has assumed this responsibility to supervise over 20 direct reports in addition to the day-to-day operations.

DEPT	JOB CLASSIFICATION	# of FTE to fill	FUNDING SOURCE	DATE VACATED	STATUS OF RECRUITMENT	HOW SOON NEED TO FILL	Federal, State, local Mandate	Critical to Services & Operations	Revenue Generating	Supports Stimulus or Grant Program	FY 2009-10 cost (2 months) - GPF ONLY	FY 2010-11 cost (full year) - GPF ONLY	JUSTIFICATION / IMPACT OF NOT FILLING
OPR	Recreation Leader I, PT	2.50	General Fund	ongoing	Pending signatures from DHRM, Budget and CAO Offices on the requisitions to begin the hiring process	Fill by 6/5/2010, begin recruiting immediately	X	X		\$25,412	\$59,296		Part-Time staff in this area are essential for the citywide programming to include sports, ball-fields and basic programs at the 24 Recreation Centers. The absence of these positions will create lack of oversight and increase the ratio of children participating in our programs. Without this support the programming at the recreation centers will be reduced further in its program offerings and number of children served.
OPR	Recreation Leader II, PPT	23.25	General Fund	7/1/09	Final stages of recruitment, list has been created and department will complete interviews in April for June 2010 hire date.	Fill by 6/5/2010, begin recruiting immediately	X	X		\$159,023	\$954,863		The Recreation Leader II Permanent Part-Time position was part of the 2009-11 budget process. The part-time positions were to be converted into the permanent part-time positions contributing \$350,000 annually towards the GPF deficit. Not hiring the PPT positions will cause the facilities to close at 6pm during summer months. Once the revenue generated programs have ended and during the year round programming there will be no structured programming and a severe public safety concerns for staff. Not hiring these PPT's will leave most Center Director, Program Directors and supervisors alone at their facilities with the responsibility to monitor the children, coaching the teams, collect the fee's, making the deposits and completing the necessary administrative work. This creates a significant safety issue for staff.
OPR	Recreation Leader II, PT	0.40	General Fund	ongoing	Pending signatures from DHRM, Budget and CAO Offices on the requisitions to begin the hiring process	Fill by 6/5/2010, begin recruiting immediately	X	X		\$4,892	\$11,415		This position is critical to the oversight for the summer day camps, citywide sports and the Rotary Nature Center camps. Without these positions the summer citywide sports program will be eliminated, the Rotary Nature programs significantly reduced and Discovery Center will not meet its match as part of the OFCY grant.
OPR	Recreation Special I, PT	0.50	General Fund	ongoing	Pending signatures from DHRM, Budget and CAO Offices on the requisitions to begin the hiring process	Fill by 6/5/2010, begin recruiting immediately	X	X	X	\$6,511	\$15,193		These positions support the 0-5 age group program, team programming and computer labs as several of our specialized recreation facilities. The impact of not filling the positions would result in elimination of programs
OPR	Recreation Special II, PT	0.10	General Fund	ongoing	Pending signatures from DHRM, Budget and CAO Offices on the requisitions to begin the hiring process	Fill by 6/5/2010, begin recruiting immediately	X	X	X	\$1,645	\$3,839		This position is critical to the revenue generating camps, drama, arts, dance, and programs provided during the summer. 40% of the part-time positions are returning staff. Therefore it is critical for OPR to have the talent and expertise in order to sustain the revenue generated by programs that has the potential of bringing in over 1.5 million of revenue over the next 3-4 months.
OPR	Sports Officials, PT	1.10	General Fund	ongoing	Pending signatures from DHRM, Budget and CAO Offices on the requisitions to begin the hiring process	Fill by 6/5/2010, begin recruiting immediately	X	X		\$22,246	\$51,909		The Sports Officials are essential to the operation of OPR sports teams and leagues during the summer months. OPR is host to Soccer Leagues, Oakland Neighborhood Basketball League (ONBL) serving over 1,200 youth, softball and baseball citywide leagues. Without these positions the programs will not occur at the same level and will reduce the revenue to the city of \$110,000 annually.

DEPT	JOB CLASSIFICATION	# of FTE to fill	FUNDING SOURCE	DATE VACATED	STATUS OF RECRUITMENT	HOW SOON NEED TO FILL	Federal, State, local Mandate	Critical to Services & Operations	Revenue Generating	Supports Stimulus or Grant Program	FY 2009-10 cost (2 months) - GPF ONLY	FY 2010-11 cost (full year) - GPF ONLY	JUSTIFICATION / IMPACT OF NOT FILLING
OPR	Water Safety Instructors, PT	1.20	General Fund	ongoing	Pending signatures from DHRM, Budget and CAO Offices on the requisitions to begin the hiring process	Fill by 6/5/2010, begin recruiting immediately		X	X		\$13,426	\$31,327	Water Safety Instructors (WSI) are critical in operating summer aquatic program at the remaining five pools. The WSIs are responsible for providing service to over 3,600 children and youth during the summer months through swimming lessons, organizing swim team, training for the Jr. Lifeguards and maintaining their water safety certifications. The absence of the WSI will eliminate the programs. WSIs are critical in maintaining safety at the city's pools. Without certified instructors there will be no Swim Lessons, no Jr. Life Guard programs, and no competitive swim teams. The ratio for these programs is an average of 1:5.
Total		36.15									\$325,628	\$1,420,122	

EXEMPT: IMMEDIATELY; OTHER CRITICAL AND REVENUE-GENERATING PROGRAMS

Budget Office	Budget & Operations Analyst III	1.00	General Fund	09/30/09	Finalist identified, job offer pending	Immediately		X			\$24,497	\$150,000	A finalist has been chosen and an offer is pending. The vacant Budget and Operations Analyst III is part of the critical team responsible for (a) balancing the City's General Purpose Fund and other fund budgets; (b) provides costing of Council and City Administrator budget balancing proposals; (c) monitors departments' adherence to budget balancing initiatives; and (d) provides early warning of potential budget imbalances. This position is assigned to the City Attorney, City Auditor, City Clerk, Finance and Management Agency, Parking Management and Department of Human Resources. Without this analyst, there would be no analysis provided on spending in these offices and no oversight of fiscal impacts of proposed initiatives/spending, thereby jeopardizing the City's ability to control spending. This position also staffs the Budget Advisory Committee.
Budget Office	City Administrator Analyst	1.00	General Fund	03/05/09	Semi-finalists have submitted supplemental questionnaires. Interviews to begin when position is exempted from the hiring freeze	Immediately	X	X			\$16,889	\$104,456	This position is in the mid-stage of recruitment; two internal finalists are vying to fill the position. This City Administrator Analyst is part of the critical team responsible for (a) balancing the City's General Purpose Fund and other fund budgets; (b) provides costing of Council and City Administrator budget balancing proposals; (c) monitors departments' adherence to budget balancing initiatives; and (d) provides early warning of potential budget imbalances. This position is assigned to the Department of Human Services budget. Without this analyst there would be no coverage of this department regarding budget and expenditures. This position is also assigned the technical responsibility of preparing all necessary reports to place the special tax levies on property owners' property tax bills, making possible the City's revenue collection for Measures M, N, Q and Y and LLAD and Wildfire Prevention Assessment District. This position coordinates and prepares annual event table, grant and travel reports required by the City Council; without this position, these reports would not be prepared or completed. This position is responsible for
CAO	Deputy City Administrator	1.00	General Fund=.50 Grant Cleaning=.50	6/21/08	Over 100 resumes received, currently under review to set up interviews	Immediately	X	X			\$11,237	\$139,000	Essential to the delivery of key City Administrator Office functions

DEPT	JOB CLASSIFICATION	# of FTE to fill	FUNDING SOURCE	DATE VACATED	STATUS OF RECRUITMENT	HOW SOON NEED TO FILL	Federal, State, local Mandate	Critical to Services & Operations	Revenue Generating	Supports Stimulus or Grant Program	FY 2009-10 cost (2 months) - GPF ONLY	FY 2010-11 cost (full year) - GPF ONLY	JUSTIFICATION / IMPACT OF NOT FILLING
CEDA	Rent Adjustment Manager (Project Manager II)	1	General Fund	9/29/09	Pending in HR-paperwork is being routed for approval to recruit; pending approval.	Immediately		X	X		\$37,300	\$228,295	This position is essential to the operation of the program. There are a number of policy issues that need a manager in place to address. The position is fully cost-covered from restricted Rent Adjustment fees that can only be used for program costs and not to balance the General Fund.
Citizen's Police Review Board	Complaint Investigator II	1.00	General Fund	1/1/10	Recruitment approved on the date of the vacancy.; pending approval.	Immediately	X	X			\$21,568	\$136,239	Currently the CPRB is unable to investigate 1/3 of their complaints and are closing complaints without an investigation due to the limited staffing resources. The Complaint Investigator II position is critical to processing and investigating police misconduct complaints and preparing evidentiary hearings for the Board. This position was downgraded from a Complaint Investigator III resulting in an annualized savings of 25k. The position is recommended to be selectively certified with a Bilingual employee to fulfill Equal Access Ordinance requirements.
City Attorney	Neighborhood Law Corps Attorney	2.00	General Fund	One vacant in four weeks, One vacant in September 2010 due to two year employment term	In early stages of recruitment	4/1/10 9/1/10		X	X		\$42,453	\$129,980	Law Corps Attorney positions serve for a defined two year time period. Annual salary is a minimal \$40,000. This program is vital and critical in enforcing the City's laws and policies to reduce crime, public nuisance, drug nuisance, substandard housing and blight. Freezing these positions would result in the loss of the significant benefits this program brings in helping to improve public safety and promote a cleaner, healthier community.
City Clerk	Citywide Records Manager	1.00	General Fund= .67 Oakland Redevelopment Agency= .33	7/8/09	Complete exam; finalizing eligible list			X			\$9,411	\$58,149	This position implements Citywide Records Program requested by Council Finance Committee.
DIHS	Program Analyst I	1.00	General Fund = .15	7/30/09	Hiring approved August 2009, but eligible candidates did not possess the needed specialized skills required for this position. Department requested a selectively certified recruitment which is now pending.	Immediately	X	X		X	\$323	\$1,977	This position is primarily grant-funded (85%) through HUD and 15% GPF funded. The GPF provides a Grant Match for the federal funding for homelessness services, including support for new HUD ARRA program. This position is critical to the operation of the Community Housing Services Division and to the HPRP ARRA funding received. The specialized skills of this position include: Homeless Management Information System knowledge and ability (local); Integrated Disbursement and Information System knowledge and ability (federal); Trained in and certified for HPRP reporting (local and federal); and Ability to appropriately monitor agencies within the three systems above.
FMA	HR Systems Analyst, Senior	1.00	General Fund	9/30/09	Golden Handshake vacancy; New recruitment will likely take at least 4 months to complete.	Immediately		X			\$25,984	\$159,105	This position is critical for payroll operations. The position provides reports, analysis, and programming to implement MOU agreements, lawsuit and arbitration settlements, CalPERS and other legally mandated payroll systems changes or corrections. Continued vacancy leaves the City vulnerable to costly payroll errors resulting from untimely implementation of systems and reporting updates.
Museum	Assistant Complex Manager	1.00	General Fund	10/1/2009	Final stages of recruitment. Received 50 applications; working with Personnel to narrow down the candidates for a first round of interviews. It is imperative, that we fill this position and have the person trained before we open to the public on May 1.	Immediately		X			\$17,652	\$105,911	This position is directly responsible for the security staff and emergency plans for the museum and involves many life and safety issues for visitors, staff, and volunteers. The position also oversees the custodial and gardening staff responsible for the cleanliness of the facility, as well as the normal maintenance and management of capital projects at the facility. This position is critical to the reopening on May 1.

DEPT	JOB CLASSIFICATION	# of FTE to fill	FUNDING SOURCE	DATE VACATED	STATUS OF RECRUITMENT	HOW SOON NEED TO FILL	Federal, State, local Mandate	Critical to Services & Operations	Revenue Generating	Supports Stimulus or Grant Program	FY 2009-10 cost (2 months) - GPF ONLY	FY 2010-11 cost (full year) - GPF ONLY	JUSTIFICATION / IMPACT OF NOT FILLING
OPR	Executive Assistant	1.00	General Fund	12/22/2009	Pending signatures on the requisition. Looking for internal transfer and/or hire.	Immediately		X			\$15,716	\$96,221	This position is critical in the day to day operations of the Office of Parks and Recreation. This position serves as the one Administrative Support staff that provides support to over 70 management field staff. Without this position OPR would not have adequate staff for monitoring complaints, responding to customers, maintaining records, supervising clerical staff and providing information and preparing reports for the Mayors Office, City Administrator's Office and City Council.
OPR	Recreation Program Director	1.00	General Fund	8/20/2009	Pending signatures on the requisition. Position will be selective certification.	Immediately		X	X		\$23,277	\$81,453	This position is essential to providing oversight of all tennis programs city-wide and at the Davies Tennis Stadium which generates 80K in revenue annually. The absence of the Director will have a negative impact in the program offerings and a significant reduction in the already reduced tennis program for the underserved communities. The direct impact will mean a significant loss of revenue (\$200,000) as well as programs.
OPR	Recreation Program Director	1.00	General Fund	7/4/09	Final stages of recruitment, list has been created and department will be conducting interview..	Immediately		X	X		\$23,277	\$81,453	The Program Director position is essential to maintaining the daily operations of Studio One. The Program Director position monitors art curator, art instructors, and services. The direct impact will mean a significant loss of revenue (\$250,000) as well as programs. The additional responsibility to operate the facility will be given to the Recreation Supervisor who has the responsibility of citywide cultural arts, Malonga, Radical Rowing and citywide special events.
OPR	Recreations Supervisor	1.00	General Fund	7/4/09	Final stages of recruitment, list has been created and department conducted interview and has selected a candidate and the offer letter awaits signature.	3/1/10		X	X		\$16,742	\$102,505	This position is necessary for the continued operation of the two Boating Centers and nine Community Gardens within OPR. The elimination of this position would have a severe impact on the over \$220,000 annual revenue generated by this Unit. The Boating programs deliver safe, affordable, high quality boating education and recreational opportunities to over 15,000 citizens annually. The Gardening Unit of OPR continues to grow as productive community partnerships develop. In addition to promoting healthy living and providing educational opportunities, community Gardening provides much needed fresh produce to underserved communities.
Parking	Parking Meter Collector	2.00	General Fund	Jan. 12 and Jan. 29, 2010	Requisitions pending submittal	Immediately		X	X		\$19,435	\$119,002	The impact of not filling these positions would be delayed revenue collection. When meters are not collected it results in coin over flow and meter jams, resulting in lost revenue to the City.
Parking	Public Service Representative (Cantonese/Mandarin)	1.00	General Fund	9/09	Recruitment initiated in Nov. 2009. Department reviewed eligible list for reinstatements, transfers and open list. No bilingual candidates were found. Human Resources posted open recruitment on Feb 1, 2010, with final filing date of Feb. 19, 2010.	Immediately		X	X		\$10,568	\$64,695	This position is critical with meeting the demands of the unit and will result in reducing the long waiting times, slow response times, and lack of efficient customer service in the Parking Citation Assistance Center. This position needs to be filled with Bilingual employee to fulfill Equal Access Ordinance requirement. This unit is responsible for walk-in citation payments, lockbox processing, citation appeals and staffing PCAC call center.
Parking	Public Service Representative (Spanish)	1.00	General Fund	11/09	Recruitment initiated in Nov. 2009. Department reviewed eligible list for reinstatements, transfers and open list. No bilingual candidates were found. Human Resources posted open recruitment on Feb 1, 2010, with final filing date of Feb. 19, 2010.	Immediately		X	X		\$10,568	\$64,695	This position is critical with meeting the demands of the unit and will result in reducing the long waiting times, slow response times, and lack of efficient customer service in the Parking Citation Assistance Center. This position needs to be filled with Bilingual employee to fulfill Equal Access Ordinance requirement. This unit is responsible for walk-in citation payments, lockbox processing, citation appeals and staffing PCAC call center.

DEPT	JOB CLASSIFICATION	# of FTE to fill	FUNDING SOURCE	DATE VACATED	STATUS OF RECRUITMENT	HOW SOON NEED TO FILL	Federal, State, local Mandate	Critical to Services & Operations	Revenue Generating	Supports Stimulus or Grant Program	FY 2009-10 cost (2 months) - GPF ONLY	FY 2010-11 cost (full year) - GPF ONLY	JUSTIFICATION / IMPACT OF NOT FILLING
POLICE	Administrative Analyst II	2.00	General Fund	8/09 9/09	Candidates interviewed, Department ready to extend job offers.	4/1/10			X	\$47,379	\$290,084	One position is assigned to Internal Affairs, one position is assigned to the Personnel Section; critical as their work responsibilities are tied to compliance with NSA tasks.	
POLICE	Animal Control Supervisor	1.00	General Fund	7/09 8/09	Recruitment closed 1/29/10. Awaiting HR to provide list to conduct interviews; HR screening applications.	4/1/10	X			\$16,321	\$99,916	The position is vital to oversee the day-to-day work of the eleven (11) Animal Control Officers	
POLICE	Veterinary Technician	1.00	General Fund	Vacant since 2006, utilizing temporary employees	Open recruitment, scheduled to close 2/11/10.	5/1/10	X			\$9,230	\$56,505	This is an essential position in the care and treatment of animals brought to the Animal Shelter. This position can perform some of the lower level duties of Veterinarian, saving on costs.	
PWA	Park Attendant, PT	8.50	General Fund	On-going	PWA will assess the staffing needed relative to the authorized funding level and then start the hiring process to appointment to the Part-Time positions starting in March. Currently, it appears that within 10 weeks, the existing Part-Time employees will have used their allotted time and will not be available for further work. The Personnel Requisition to appoint any person to a Part-Time position currently requires approval from the City Administrator.	3/1/10		X		\$47,553	\$285,320	These positions perform essential weeding and litter removal tasks at priority park locations. They provide the most flexibility in park maintenance staffing. Part timers cover about 8 acres per FTE. Part timers backfill for permanent staff that are out on sick leave, vacation, Workers' comp, etc. They support weekend and holiday schedules. Without these FTE, the "Priority" locations will see increased litter and weeds and the "no routine maintenance" locations, which are complaint driven, will see an increase in response times.	
Total		31.50								\$447,382	\$2,554,960		

DEPT	JOB CLASSIFICATION	# of FTE to fill	FUNDING SOURCE	DATE VACATED	STATUS OF RECRUITMENT	HOW SOON NEED TO FILL	Federal, State, local Mandate	Critical to Services & Operations	Revenue Generating	Supports Stimulus or Grant Program	FY 2009-10 cost (2 months) - GPF ONLY	FY 2010-11 cost (full year) - GPF ONLY	JUSTIFICATION / IMPACT OF NOT FILLING
VACANCIES NOT REQUESTED FEBRUARY 9, 2010													
City Clerk	Administrative Analyst I	1.00	General Fund	12/22/09	Pending approval to change classification to Legislative Recorder.			X			\$14,074	\$84,441	Currently, the Clerk's office has no staff in the Elections Unit to perform the routine activities. Filling the vacancy for the Election Unit provides the ability to coordinate and track the political fillings; provides specialized administrative support related to the pre-elections activities; meet the extensive requirements associated with the new election method referred to Rank Choice Voting, and provide necessary backfill to the Agenda Management Unit. This position will also assume some duties to support the Public Ethics commission once approved.
DHRM	Administrative Services Manager II	1.00	General Fund	New, added July 1, 2009	Pending approval.			X			\$27,929	\$171,016	This position is key to delivering financial and operations analysis functions. It is the only position responsible for the payroll, budget, and overall fiscal operations for the Department. In addition, the position assists the Director in the preparation of Council and Committee Reports, and performs special projects. This position may act in the absence of the Director. Not filling the position significantly impacts the Departments ability to provide timely and accurate reports. The Hiring Practices Audit and the Disparity Study are examples of ongoing reports that are needed.
FMA	Controller	1.00	General Fund	2/16/09	Finalists identified. Awaiting authorization to hire.	Immediately	X				\$25,595	\$156,663	This position is required to meet Federal, State, and Local requirements for mandated accounting of public funds and grants. Provides oversight of all accounting functions citywide, manages audits. By not filling this position immediately the City runs the risk of having inadequate internal controls which would result in audit findings. Audit findings can have a deleterious impact on the City's credit and bond ratings.
FMA	Payroll Personnel Clerk III	1.00	General Fund	1/22/10	Eligible list of near class available - requisition pending authorization to interview candidates	Immediately		X			\$13,053	\$79,916	Vacated by an internal promotion. This position is required for timely processing of biweekly payroll, and provides internal controls. Additional overtime will be required to meet payroll requesting.
FMA	Revenue Assistant	1.00	General Fund	1/22/10	New vacancy, recruitment not yet initiated.	7/1/10			X		\$11,237	\$75,114	This position assists in collection of outstanding receivables, and provides documentation for court cases. Without this position, as much as \$200,000 due to the City would go uncollected annually.
Parking	Office Manager	1.00	General Fund	July 2009	Approved requisition submitted to Human Resources; pending assignment to Analyst.	Immediately		X	X		\$14,177	\$86,806	This position is directly responsible for managing and overseeing the operation of the PCAC, citation payment processing, citation appeals, public relations and revenue reconciliation. Parking citations generate approximately \$27.7 million annually.
POLICE	Account Clerk III	1.00	General Fund	7/09	Golden Handshake vacancy, pending approval to fill.	6/1/10			X		\$10,293	\$63,032	This position is essential and will supervise the Police Dept's A/P and A/R functions.
POLICE	Criminalist II	2.00	General Fund	7/09 8/09	Open recruitment, scheduled to close 3/5/10.	5/1/10		X			\$38,389	\$235,053	The positions are critical to investigations and addressing a backlog of over 1000 cases.
POLICE	Criminalist III	1.00	General Fund	9/09	One Golden Handshake vacancy, pending approval to fill and HR to conduct recruit.	5/1/10		X			\$22,214	\$136,021	This position has supervisory responsibilities to oversee the work of 14 Crim I's and 2 Crim Is. The position is responsible for a wide range of quality assurance programs required to maintain national accreditation. Accreditation is required for access to State and Fed forensic databases to solve crimes, and eligibility for State and Fed grants.

DEPT	JOB CLASSIFICATION	# of FTE to fill	FUNDING SOURCE	DATE VACATED	STATUS OF RECRUITMENT	HOW SOON NEED TO FILL	Federal, State, local Mandate	Critical to Services & Operations	Revenue Generating	Supports Stimulus or Grant Program	FY 2009-10 cost (2 months) - CPF ONLY	FY 2010-11 cost (full year) - CPF ONLY	JUSTIFICATION / IMPACT OF NOT FILLING
POLICE	Neighborhood Services Coordinator	1.00	General Fund	6/09	Frozen position. No requisition submitted.		X			\$14,360	\$87,926		This position is a key community outreach link bridging the gap between Police and the community.
POLICE	Payroll Personnel Clerk I	1.00	General Fund	11/09	TCSE currently filing vacancy. Awaiting HR to provide list to conduct interviews for	4/1/10	X			\$11,779	\$72,126		This position is critical for the resolution of payroll issues in OPD.
POLICE	Police Evidence Technician	1.00	General Fund	10/08	Awaiting HR to conduct recruitment; interviewed off the eligible list and are unable to hire; need to conduct new recruitment.	7/1/10	X			\$14,626	\$89,495		This position is necessary for the collection and processing of crime scene evidence, crime investigations and prosecution. Police Evidence Technicians are on duty 24/7, 365 days a year.
POLICE	Police Property Specialist	2.00	General Fund	6/09 7/09	Awaiting HR to provide list to conduct interviews (list may have exhausted and may require HR to conduct recruitment).	7/1/10	X	X		\$28,840	\$176,600		Positions are essential for receiving, processing, maintaining, releasing and disposing of property/evidence to include preservation of evidence for investigations while maintaining the chain of custody.
POLICE	Police Records Specialist	5.00	General Fund	9/08 - 1/10	Awaiting HR to conduct recruitment; new requisition; exam planning stage.	7/1/10	X			\$58,482	\$358,105		These positions are necessary to provide administrative support in the Police Dept for production of records and timely processing of crime reports. (Two are Golden-Handshake vacancies).
POLICE	Police Services Technician II	8.00	General Fund	10/08 - 9/09	Pending Department to conduct/conclude interviews.	5/10/10	X			\$96,996	\$593,432		These positions are key in providing support to the sworn members (tows, citations, report writing, etc) to allow them to concentrate on front line law enforcement work. (Two are Golden-Handshake vacancies).
POLICE	Program Analyst III	2.00	General Fund	9/09	Golden Handshake vacancies, No requisition submitted.		X			\$38,702	\$239,368		One position is assigned to supervise the Neighborhood Svcs Coordinators and the other position is assigned to Patrol to oversee special projects specific to patrol functions (Both are Golden-Handshake vacancies).
POLICE	Volunteer Program Specialist II	1.00	General Fund	4/09	Recruitment closed 1/22/10. Awaiting HR to provide list to conduct interviews; exam scheduled in late Feb - March.	4/1/10	X			\$19,393	\$118,737		This position is necessary to coordinate the work and schedule of approx 200 volunteers at the Animal Shelter and ensuring compliance of the Dept of Justice requirements for volunteers working within a law enforcement agency.
Total		31.00								\$460,139	\$2,823,850		

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2010 FEB -4 PM 6:18

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Resolution (1) Establishing Criteria for Exemption of Positions from the Hiring Freeze That The City Council Implemented on January 19, 2010; and (2) Exempting Certain Critical Positions Funded By The General Fund From The Hiring Freeze

WHEREAS, on January 19, 2010 the City Council passed Resolution No. 82502 C.M.S., a resolution that required an immediate hiring freeze, freezing all appropriations for all vacant positions funded by the General Fund; and

WHEREAS, Resolution No. 82502 also provides that the City Administrator and other Appointing Authorities shall obtain City Council authorization/approval before filling any vacant positions funded by the General Fund; and

WHEREAS, the City Council declared that the freeze on appropriations for vacant positions funded by the General Fund is not intended to apply to promotions and transfers of employees within the City to vacant positions; and

WHEREAS, at its February 2, 2010 meeting, the City Council considered a report and resolution including an Exhibit A setting forth positions that the City Administrator needs to exempt from the freeze on General Fund appropriations for vacant positions; and

WHEREAS, at its February 2, 2010 meeting, the City Council made an urgency finding, due to the budget deficit, to include on the February 9, 2010 Finance and Management Committee agenda a discussion of criteria for exempting vacancies from the freeze on all appropriations for vacant positions funded by the General Fund; and

WHEREAS, the City Administrator has developed such criteria; now therefore be it

RESOLVED: that the following criteria shall be used to exempt General Fund positions that are subject to the January 19, 2010 freeze on all appropriations for vacant positions funded by the General Fund:

1. the position is required to comply with federal, state or local mandates,
2. the position is necessary to ensure the provision of critical City services and operations, as outlined in the City's current budget,
3. the position is part of a program or activity that is revenue-generating and fully cost recovering,
4. the position is necessary to carry out programs or grants; and be it

FINANCE & MANAGEMENT

FURTHER RESOLVED: that based on the above criteria, the City Council hereby exempts from the freeze on appropriations for vacant positions funded by the General Fund the positions listed on Attachment A attached hereto, which may be amended at the Council meeting; and be it

FURTHER RESOLVED: that the City Council exempts from the freeze on appropriations for vacant positions funded by the General Fund, additional vacancies that meet the criteria established by this resolution; and be it

FURTHER RESOLVED: that the City Administrator shall provide to the Finance and Management Committee on a quarterly basis, as part of the Quarterly Vacancy Report, an informational report showing the vacancies filled based on the criteria established in this resolution

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2010

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

CMTE.