



TO: JOHN A. FLORES
INTERIM CITY ADMINISTRATOR

FROM: Anil Comelo

SUBJECT: Amendment to Ordinance No. 12187 C.M.S. **DATE:** June 1, 2015
(The Salary Ordinance)

City Administrator
Approval

Date

6/5/15

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff Recommends that Council:

Adopt an Ordinance Amending the Salary Schedule of Ordinance No. 12187 C.M.S. (“Salary Ordinance”) to Amend the Classification, Salary and Rep Unit of Executive Director, Public Ethics Commission and Create the Classifications of Deputy Director, Public Ethics Commission, Ethics Investigator, Ethics Analyst I, and Ethics Analyst II.

OUTCOME

The Salary Ordinance amendment is proposed to create positions in the Public Ethics Commission (PEC) to serve in compliance with newly adopted requirements of the Oakland City Charter section 603. As approved by the Oakland voters in November 2014, new administrative staffing for the Public Ethics Commission is required and takes effect July 1, 2015, to fulfill the functions and duties set forth in the amended Charter section.

BACKGROUND/LEGISLATIVE HISTORY

The Salary Ordinance (Ordinance No. 12187 C.M.S.) establishes salaries and other terms and conditions of City employment including the classification titles of positions. It is amended from time to time to accommodate the City’s evolving classification needs. Pursuant to the Personnel Manual of the Civil Service Board, Section 302(b), classification specifications are prepared, maintained and amended by the Personnel Director with the approval of the Civil Service Board. At the time of this writing, it is anticipated that staff from the Human Resources Management Department (HRM) will present the classifications of Executive Director, Public Ethics Commission; Deputy Director, Public Ethics Commission, Ethics Investigator, Ethics Analyst I, and Ethics Analyst II to the Civil Service Board for final approval at its June 18, 2015, meeting.

Item: _____
Finance & Management Committee
June 23, 2015

ANALYSIS

Based upon the new City Charter Provision 603 requiring the appropriation of sufficient budget to complete the organizational mission of the Public Ethics Commission, HRM created new job descriptions for the proposed Executive Director, Public Ethics Commission, Deputy Director, Public Ethics Commission, Ethics Investigator, Ethics Analyst I, and Ethics Analyst II classifications. It was determined that new classification specifications were needed to ensure that the City has classifications that adequately capture the duties required to fulfill this demand. The Public Ethics Commission was established to ensure “fairness, openness, honesty and integrity” in City government and is responsible for reviewing, administering and enforcing Oakland’s Campaign Reform Act (OCRA), Sunshine Ordinance, Limited Public Financing Act, False Endorsement in Campaign Literature Act, Lobbyist Registration Act, and the new Government Ethics Act.

The individuals in the Executive Director and Deputy Director positions will be required to address sensitive and confidential matters and execute the completion of difficult, sensitive and complex public investigations and complaints with a high degree of autonomy and impartiality. Similarly, the Ethics Investigator will also research complaints and carry out investigations of sensitive and complex matters. Lastly, the Ethics Analyst I and II positions will be responsible for more routine matters in support of the Public Ethics Commission including education, outreach, program planning and evaluation, and technological support. The newly amended Charter section governing the Public Ethics Commission specifically designated the positions of Executive Director and Deputy Director of the Public Ethics Commission as exempted from civil service.

The Executive Director will not be represented by an employee union or association, the Deputy Director position will be represented by the Confidential Management Employees Association (CMEA), and the remaining three classifications will be represented by the International Federation of Professional and Technical Engineers (IFPTE, Local 21). All mandatory bargaining obligations were satisfied regarding the proposed new classification specifications prior to submission to the Civil Service Board.

PUBLIC OUTREACH

The proposal to amend the classification and salary of Executive Director, Public Ethics Commission and add the classifications of Deputy Director, Public Ethics Commission, and Ethics Investigator, Ethics Analyst I, and Ethics Analyst II will have been posted publicly in conformance with the Sunshine Ordinance and Brown Act prior to the Civil Service Board’s review of the items.

COORDINATION

HRM coordinated the creation of the classification specifications of Executive Director, Public Ethics Commission; Deputy Director, Public Ethics Commission and Ethics Investigator with existing staff from the Public Ethics Commission. At the time of this writing, it is anticipated that the classification specifications for the classifications will be presented to the Civil Service

Item: _____
Finance & Management Committee
June 23, 2015

Board for approval at its June 18, 2015, meeting. Public notices regarding the Salary Ordinance amendment by City Council and Civil Service Board action to approve the classification specifications are posted pursuant to the provisions of the California Brown Act and City of Oakland Sunshine Ordinance.

COST SUMMARY/IMPLICATIONS

The PEC currently has two allocated positions: Executive Director to Public Ethics Commission and Program Analyst I. The new Charter provision that takes effect on July 1, 2015 will add four (4) positions to the PEC. The salary for Executive Director, Public Ethics Commission is being adjusted commensurate with the Citizens' Police Review Board (CPRB) Executive Director classification. Four (4) new classifications are being added to the PEC: Deputy Director, Public Ethics Commission; Ethics Investigator; Ethics Analyst I; and Ethics Analyst II. The required funding was anticipated in the Mayor's Proposed Policy Budget and once the budget for fiscal year 2015-2017 is adopted, the funding for these positions will be available.

SUSTAINABLE OPPORTUNITIES

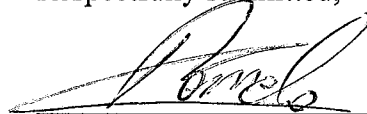
Economic – there were no economic opportunities identified in this report.

Environmental – there were no environmental opportunities identified in this report.

Social Equity – there were no social equity opportunities identified in this report.

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

Respectfully submitted,



Anil Comelo, Director
Human Resources Management

Prepared by:
Eric Williams – Human Resource Analyst

Reviewed by:
Kip Walsh, HR Manager for Recruitment & Classification

FILED
OFFICE OF THE CITY CLERK
INTRODUCED BY COUNCIL MEMBER

[Signature]
6/2/2015
CITY ATTORNEY

2015 JUN 10 PM 4:00

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S. ("SALARY ORDINANCE") TO AMEND THE CLASSIFICATION, SALARY AND REPRESENTATION UNIT OF EXECUTIVE DIRECTOR, PUBLIC ETHICS COMMISSION AND CREATE THE CLASSIFICATIONS OF DEPUTY DIRECTOR, PUBLIC ETHICS COMMISSION; ETHICS INVESTIGATOR; ETHICS ANALYST I; AND ETHICS ANALYST II.

WHEREAS, on November 5, 2014 the voters approved Measure CC which created Oakland City Charter Section 603 to provide the Public Ethics Commission with greater independence, enforcement authority, responsibility and staffing; and

WHEREAS, the newly approved Charter amendment provided for specific staffing positions and requirements; and

WHEREAS, pursuant to Oakland City Charter Section 603, the Executive Director, Public Ethics Commission is excepted from the civil service and serves at the pleasure of the Public Ethics Commission, and the Deputy Director, Public Ethics Commission is excepted from the civil service and serves at the pleasure of the Executive Director, Public Ethics Commission; now, therefore

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

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

Section 2. Effective upon passage, the following classification is created in Ordinance No. 12187 C.M.S. in the UK1.75.041 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Range	
<u>Executive Director, Public Ethics Commission</u>	<u>EM261</u>	<u>Min</u>	<u>9220.55</u>
		<u>Max</u>	<u>13830.77</u>

Section 3. Effective upon passage, the following classification is deleted in Ordinance No. 12187 C.M.S. in the Unit U31.75.018 Pay Grade Table:

Classification Title	Class No.	Pay Steps	
Executive Director to the Public Ethics Commission	AP365	Step 1	8236.74
		Step 2	8670.99
		Step 3	9126.41
		Step 4	9607.19
		Step 5	10113.34

Section 4. Effective upon passage, the following classification is created in Ordinance No. 12187 C.M.S. in the Unit U31.75.016 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Steps	
<u>Deputy Director, Public Ethics Commission</u>	<u>EM262</u>	<u>Step 1</u>	<u>7471.15</u>
		<u>Step 2</u>	<u>7864.52</u>
		<u>Step 3</u>	<u>8279.04</u>
		<u>Step 4</u>	<u>8714.70</u>
		<u>Step 5</u>	<u>9172.92</u>

Section 5. Effective upon passage, the following classification is created in Ordinance No. 12187 C.M.S. in the Unit UM2.75.012 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Steps	
<u>Ethics Investigator</u>	<u>MA159</u>	<u>Step 1</u>	<u>6145.83</u>
		<u>Step 2</u>	<u>6470.12</u>
		<u>Step 3</u>	<u>6809.90</u>
		<u>Step 4</u>	<u>7169.43</u>
		<u>Step 5</u>	<u>7545.89</u>

Section 6. Effective upon passage, the following classification is created in Ordinance No. 12187 C.M.S. in the Unit TW1.75.006 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Steps	
<u>Ethics Analyst I</u>	<u>AP444</u>	<u>Step 1</u>	<u>4586.46</u>
		<u>Step 2</u>	<u>4827.56</u>
		<u>Step 3</u>	<u>5081.35</u>
		<u>Step 4</u>	<u>5349.23</u>
		<u>Step 5</u>	<u>5631.22</u>

Section 7. Effective upon passage, the following classification is created in Ordinance No. 12187 C.M.S. in the Unit TW1.75.009 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Steps	
<u>Ethics Analyst II</u>	<u>AP445</u>	<u>Step 1</u>	<u>5309.74</u>
		<u>Step 2</u>	<u>5588.92</u>
		<u>Step 3</u>	<u>5883.59</u>
		<u>Step 4</u>	<u>6192.37</u>
		<u>Step 5</u>	<u>6519.47</u>

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2015

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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

DATE OF ATTESTATION: _____

AN ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S. ("SALARY ORDINANCE") TO AMEND THE CLASSIFICATION, SALARY AND REP UNIT OF EXECUTIVE DIRECTOR, PUBLIC ETHICS COMMISSION AND CREATE THE CLASSIFICATIONS OF DEPUTY DIRECTOR, ETHICS COMMISSION, ETHICS INVESTIGATOR, ETHICS ANALYST I, AND ETHICS ANALYST II.

DIGEST

Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Amend The Classification, Salary And Rep Unit Of Executive Director, Public Ethics Commission And Create The Classifications Of Deputy Director, Public Ethics Commission, Ethics Investigator, Ethics Analyst I, And Ethics Analyst II.
