



FILED
OFFICE OF THE CITY CLERK
OAKLAND

15 FEB 25 PM 12:10

AGENDA REPORT

TO: JOHN A. FLORES
INTERIM CITY ADMINISTRATOR

FROM: Renée Mayne

SUBJECT: Amendment to the Salary Schedule
of the Salary Ordinance (No. 12187 CMS)

DATE: February 23, 2015

City Administrator
Approval

Date

2/24/15

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the City Council Adopt.

Ordinance Amending the Salary Schedule of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Increase Salaries for Classifications Represented by the Oakland Police Officers' Association (OPOA) and Oakland Police Management Association (OPMA) in the Amounts Set Forth in the Adopted July 1, 2006 through June 30, 2015 Memoranda of Understanding (MOUs).

OUTCOME

The proposed amendment to the Salary Schedule of the Salary Ordinance has been prepared to provide a 2% Cost of Living Adjustment (COLA) in July 1, 2014; and 2% COLA in January 1, 2015 in conformance with agreements memorialized in the current Memorandum of Understandings (MOUs) for the Oakland Police Officers Association (OPOA) and Oakland Police Management Association (OPMA).

BACKGROUND/LEGISLATIVE HISTORY

The current MOUs between the City of Oakland and the Oakland Police Officers Association (OPOA) and Oakland Police Management Association (OPMA) were originally for the period of July 1, 2006 through June 30, 2010; however, parties reached an agreement effective July 1, 2011 and extended the MOUs through June 30, 2015.

On July 26, 2011, the Department of Human Resources Management (DHRM), formerly the department where Employee Relations resided, presented to the City Council a report and

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Finance and Management Committee
March 10, 2015

resolution requesting approving the agreement between the City of Oakland and the Oakland Police Officers Association (OPOA) covering the period of July 1, 2011 through June 30, 2015, which was approved by Council. (*Attachment 1*) The Salary Ordinance was not prepared nor presented to Council at that time.

ANALYSIS

The proposed amendment to the Salary Schedule of the Salary Ordinance is required to authorize and implement the salary increases agreed to by the City and memorialized in the OPOA and OPMA MOUs. Given that the salary schedule amendments require two readings, will be presented for its first reading on March 17, 2015, for consideration and approval, and second reading on April 21, 2015 (*Attachment 2*).

PUBLIC OUTREACH/INTEREST

This item did not require any additional public outreach other than the required posting on the City's website.

COORDINATION

This report has been reviewed and approved by the City Attorney's Office, Human Resources Department and the Budget Department.

COST SUMMARY/IMPLICATIONS

There is no additional cost to the City as the negotiations for these MOUs were in completed and approved with the extension on July 26, 2011 and the COLA salary increased proposed in the attached Salary Ordinance amendments have been included in the Adopted Policy Budget for Fiscal Years 2013-2014 and 2014-2015.

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SUSTAINABLE OPPORTUNITIES

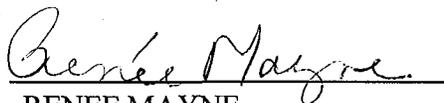
Economic: There are no economic opportunities associated with this report.

Environmental: There are no environmental opportunities associated with this report.

Social Equity: There is no social equity opportunities associated with this report.

For questions regarding this report, please contact RENEE MAYNE, DIRECTOR OF EMPLOYEE RELATIONS, at 510.238.6466.

Respectfully submitted,



RENEE MAYNE

Director, Employee Relations Department

Attachment(s):

1. July 26, 2011 Agenda Report
2. Draft Salary Ordinance

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2011 JUL 21 PM 5:58

TO: Office of the City Administrator
 ATTN: P. Lamont Ewell
 FROM: Department of Human Resource Management
 DATE: July 26, 2011

SUBJECT: Resolution Approving the Agreement Between the City of Oakland and The Oakland Police Officers Association (OPOA), Covering the Period of July 1, 2011 through June 30, 2015

SUMMARY

The City of Oakland has reached an agreement on wages and other terms and conditions of employment with the Oakland Police Officers Association (OPOA). The Agreement is effective July 1, 2011 and extends through June 30, 2015. This modifies the existing closed contract that was to extend through FY13. Key economic provisions include: (i) 9% contribution to PERS; (ii) additional delay in the original 4% COLA arbitration award until FY15; (iii) two additional holiday concessions for FY13-15; (iv) two-tiered retirement (3% @55); (v) reduction in first step pay by 10% and reduction in trainee pay by 15% below new first step. Key non-economic provisions include: (i) no layoff or furlough guarantee; (ii) limitations on the use of annuitants; (iii) resolution of pending grievance arbitration to provide for Sergeant supervision of radio room; (iv) resolution of pending arbitration regarding sick leave; (v) no 5/8 shifts for patrol (maintains current 4/10 and 3/12 mix). The Agreement results in net General Fund savings of \$40.2 million and all funds savings of \$50.5 million over the four year contract period, in addition to concessions previously agreed to in 2009.

FISCAL IMPACT

The Agreement results in net General Fund savings of \$40.2 million and all funds savings of \$50.5 million over the four year contract period. Details are as follows:

Contract year	2011-2012	2012-2013	2013-2014	2014-2015
<u>9 %Pers Contribution</u>	\$7.9 M	\$7.1 M	\$6.2 M	\$6.2 M
<u>4% COLA delay</u>	0	\$2.3 M	\$4.6 M	\$2.4
<u>2 additional holidays FY13-15</u>	0	\$0.5 M	\$0.3 M	0
<u>Two-tiered Retirement</u> 3% @ 55 PERS Plan for New Hires based on highest 3-year average	\$0 M	tbd	tbd	tbd
<u>Step 1 and Trainee Pay Reduction</u>	0	\$0.4 M	\$0.9 M	\$1.4 M
Total GPP Savings	\$7.9M	\$10.3 M	\$12.0 M	\$10.0 M
Total All Funds Savings	\$9.5M	\$12.9 M	\$15.6 M	\$12.5 M

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ATTACHMENT 1

Sick Leave Incentive Program

The 2008 arbitration left the resolution of a sick leave incentive program to be determined later. For various reasons, that was never resolved and is scheduled for new arbitration in July. This provision settles this arbitration by providing OPOA members sick leave benefits roughly in line with those of Miscellaneous staff with a few enhancements.

At ratification, all time in member "virtual" sick leave banks (over 480 hours) is to be converted to vacation time on a 2 sick day to 1 vacation day conversion. Thereafter, member sick leave balances in excess of 480 hours will be converted in January at the same 2 to 1 rate. At termination, sick leave balances will also be cashed out on the same 2 to 1 rate. This latter term compares to the cash out rate for miscellaneous employees at a 3 to 1 rate.

Other Provisions

The Agreement provides that the City will not support eliminating binding arbitration (City Charter Section 910) as it relates to the OPOA or the concessioners are null and void.

The Agreement maintains the current 4/10 (and 3/12) patrol shift and does not permit a 5/8 patrol shift.

The Agreement is contingent on the City getting equivalent percentage savings from other bargaining units.

The Agreement prohibits layoffs, furloughs, or rank reversion (except for discipline), or the use of annuitants (except 7 existing annuitants).

The Agreement provides members access to their supervisory notes files and maintains the status quo regarding written reprimands.

SUSTAINABLE OPPORTUNITIES

There are no sustainable opportunities identified.

DISABILITY AND SENIOR CITIZEN ACCESS

There are no Americans with Disability Act (ADA) or senior citizen issues associated with this report.

RECOMMENDATION AND RATIONALE.

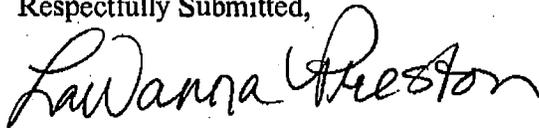
Staff recommends that the City Council approve the Resolution to approve the Agreement between the City of Oakland and the OPOA covering the period of July 1, 2011 to June 30, 2015.

The Agreement results in net General Fund savings of \$40.2 million and all funds savings of \$50.5 million over the four year contract period.

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the City Council approve the Resolution to approve the Agreement between the City of Oakland and the OPOA covering the period of July 1, 2011 to June 30, 2015.

Respectfully Submitted,



LaWanna Preston
Human Resources Manager
Department of Human Resources Management

Prepared by:
Dan Lindheim
Chief Negotiator

**APPROVED FOR FORWARDING TO
THE CITY COUNCIL**



City Administrator's Office

Item: _____
City Council
July 26, 2011

OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. 83508 - C.M.S.

2011 JUN 21 PM 5:00

RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OAKLAND AND THE OAKLAND POLICE OFFICERS ASSOCIATION, REPRESENTING EMPLOYEES IN REPRESENTATION UNIT PP1 AND UN2, EXTENDING THE CURRENT MEMORANDUM OF UNDERSTANDING UNTIL JUNE 30, 2015

WHEREAS, the Memorandum of Understanding between the City of Oakland and the Oakland Police Officers Association, has been presented to the City Council for determination pursuant to Section 3505.1 of the Government Code of the State of California; and

WHEREAS, the current Memorandum of Understanding shall be extended until June 30, 2015;

WHEREAS, the terms and conditions contained in the Memorandum of Understanding are in the best interest of the City, now, therefore; be it

RESOLVED: That said Agreement be, and is hereby approved; and be it

FURTHER RESOLVED: That the provisions of the Memorandum of Understanding are effective as of July 1, 2011.

JUL 26 2011

IN COUNCIL, OAKLAND, CALIFORNIA, _____

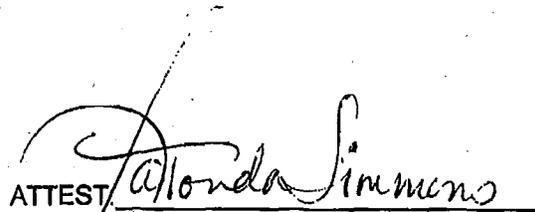
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, ~~DE LA FUENTE~~, KAPLAN, KERNIGHAN, NADEL, ~~SCHAAT~~ and PRESIDENT REID - 6

NOES - Schaat, De La Fuente - 2

ABSENT - 0

ABSTENTION - 0

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

FILED
INTRODUCED BY COUNCIL MEMBER _____
OFFICE OF THE CITY CLERK
OAKLAND

Raymond G. R.

City Attorney

2015 FEB 25 PM 12:15

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE 12187 C.M.S. (THE SALARY ORDINANCE) TO INCREASE SALARIES FOR CLASSIFICATIONS REPRESENTED BY THE OAKLAND POLICE OFFICERS' ASSOCIATION (OPOA) AND OAKLAND POLICE MANAGEMENT ASSOCIATION (OPMA) IN THE AMOUNTS SET FORTH IN THE ADOPTED JULY 1, 2006 THROUGH JUNE 30, 2015 MEMORANDA OF UNDERSTANDING (MOUS)

WHEREAS, the Memorandum of Understanding between the City of Oakland and the Oakland Police Officers' Association has been approved by the parties pursuant to Section 3505.1 of the Government Code of the State of California; and

WHEREAS, the Memorandum of Understanding between the City of Oakland and the Oakland Police Management Association has been approved by the parties pursuant to Section 3505.1 of the Government Code of the State of California; and

WHEREAS, said agreements are approved and include increases to salaries of 2% in July 1, 2014 and 2% in January 1, 2015; and

WHEREAS, Oakland City Charter Section 202 allows the City Council to set the salaries for all employees; now, therefore

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

Section 1. Effective July 1, 2014, the classifications and associated salaries listed in the current Memorandum of Understanding between the City and the Oakland Police Officers' Association are increased by two percent (2%).

Section 2. Effective July 1, 2014, the classifications and associated salaries listed in the current Memorandum of Understanding between the City and the Oakland Police Management Association are increased by two percent (2%).

Section 3. Effective January 1, 2015, the classifications and associated salaries listed in the current Memorandum of Understanding between the City and the Oakland Police Officers' Association are increased by two percent (2%) effective.

Section 4. Effective January 1, 2015, the classifications and associated salaries listed in the current Memorandum of Understanding between the City and the Oakland Police Management Association are increased by two percent (2%) effective.

Section 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, and PRESIDENT KERNIGHAN

NOES-

ABSENT-

ABSTENTION-

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

DATE OF ATTESTATION: _____

**ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE
12187 C.M.S. (THE SALARY ORDINANCE) TO INCREASE SALARIES FOR
CLASSIFICATIONS REPRESENTED BY THE OAKLAND POLICE
OFFICERS' ASSOCIATION (OPOA) AND OAKLAND POLICE
MANAGEMENT ASSOCIATION (OPMA) IN THE AMOUNTS SET FORTH
IN THE ADOPTED JULY 1, 2006 THROUGH JUNE 30, 2015 MEMORANDA
OF UNDERSTANDING (MOUS)**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2015 FEB 25 PM 12:15

DIGEST

Ordinance Amending the Salary Schedule of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Provide a 2% Cost of Living Adjustment Increase to Sworn Employees' Salaries for July 1, 2014 and to Provide a 2% Cost of Living Adjustment Increase to Sworn Employees' Salaries for January 1, 2015 Pursuant to the Memoranda of Understanding between the City of Oakland and the Oakland Police Officers' Association; and the Oakland Police Management Association

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