

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
2006 JUL 29 PM 7:51

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Finance and Management Agency
DATE: July 11, 2006

RE: **A Resolution Recommending to the Civil Service Board that the Classification of Deputy Director of Police (Non-Sworn) be Exempted from the Operation of the Civil Service**

SUMMARY

A resolution has been prepared for consideration by the City Council recommending to the Civil Service Board that the classification of Deputy Director of Police (Non-Sworn) be exempted from the operation of the Civil Service. This action is based on the salary, duties, and responsibilities of the proposed new Deputy Director of Police (Non-Sworn) classification.

FISCAL IMPACTS

There are no fiscal impacts associated with this recommended action to exempt the classification of Deputy Director of Police (Non-Sworn) from the operation of the Civil Service.

The position of Deputy Director of Police (Non-Sworn) will be an authorized position and contained in the FY 2005-07 Adopted Budget. Once the Police Services Agency fills the position, adjustments will likely be needed to reflect increased salary costs. Any fiscal impacts associated with creating and filling the position will be addressed at that time.

BACKGROUND

Oakland City Charter Section 902(f) authorizes the City Council to recommend for Civil Service Board approval, the exemption of classifications from the requirements and tenure of Civil Service. Management positions are typically exempt from Civil Service, allowing the City Administrator to have greater flexibility in the appointment of staff and the opportunity to respond quickly to Mayor and City Council priorities.

A classification review was conducted and it was determined that no existing job description adequately described the duties and responsibilities expected of the proposed Deputy Director of Police (Non-Sworn) position. A new classification specification must be established to reflect the nature and scope and the level of authority of the position. The proposed position will be considered a high-level, management position in the City's organizational structure.

KEY ISSUES AND IMPACTS

The nature and scope of responsibilities in management classifications are broad, and individuals in these positions must deal with the most challenging and complex policy issues. Management-level positions are responsible for sensitive and confidential matters that require substantial tact, discretion, and diplomacy. Such positions receive a high level of compensation based upon their technical and programmatic expertise. Incumbents also have the authority to speak on behalf of the City on matters related to their area of expertise, requiring trust and confidence in staff and the public's perception of the authority and responsibility of these influential positions. The goals and priorities of Council and other elected officials may change and require rapid accommodation, and the appointing authorities need to have the ability to select staff whose skills, experiences and knowledge closely mirror the requirements of the Mayor, City Council, and citizens of Oakland.

SUSTAINABLE OPPORTUNITIES

None.

DISABILITY AND SENIOR CITIZEN ACCESS

None.

RECOMMENDATION AND RATIONALE

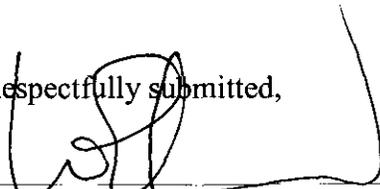
Article IX, Section 902 of the Charter of the City of Oakland authorizes the Council to recommend job classifications for exemption from the Classified Service. Appointing authorities in the City require the flexibility to appoint management staff and hold them accountable for attaining the goals of the Mayor and City Council. Therefore, staff recommends that the Deputy Director of Police (Non-Sworn) classification be exempt from Civil Service based upon the description and rationale provided below. The Civil Service Board has the authority to consider and approve the proposed classification specification.

Deputy Director of Police (Non-Sworn): Under administrative direction in the Oakland Police Department, the Deputy Director of Police (Non-Sworn) plans, organizes, directs and evaluates the administrative and fiscal operations of the assigned Police Bureau. The Deputy Director of Police (Non-Sworn) is responsible for administering and directing the day-to-day operations including fiscal and budgetary decisions, policy, long and short term goal development, and implementation of the administrative functions and associated divisions of the Police Department; and performing related work as required.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution recommending to the Civil Service Board that the Deputy Director of Police (Non-Sworn) classification be exempted from Civil Service.

Respectfully submitted,



William E. Noland,
Director, Finance & Management Agency

Reviewed by:
Marcia L. Meyers, Director
Office of Personnel Resource Management

Prepared by:
Jaime Pritchett, Senior Human Resource Analyst
Office of Personnel Resource Management

APPROVED AND FORWARDED TO THE
FINANCE AND MANAGEMENT COMMITTEE:



OFFICE OF THE CITY ADMINISTRATOR

Kathleen Helen Boyd
Oakland City Attorney's Office

OFFICE OF THE CITY CLERK
OF OAKLAND
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OAKLAND CITY COUNCIL

RESOLUTION No. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION RECOMMENDING TO THE CIVIL SERVICE BOARD THAT THE CLASSIFICATION OF DEPUTY DIRECTOR OF POLICE (NON-SWORN) BE EXEMPTED FROM THE OPERATION OF THE CIVIL SERVICE

WHEREAS, Article IX, Section 902 of the Charter of the City of Oakland authorizes the Council to recommend job classifications for exception from the Classified Service; and

WHEREAS, the classification of Deputy Director of Police (Non Sworn) is a management-level position with responsibility for the overall administration of the day-to-day fiscal, policy, and personnel operations of the assigned bureau of the Police Department; and

WHEREAS, the nature and scope of this position poses substantial confidentiality and liability risks to the City; and

WHEREAS, the Chief of Police must maintain the fullest flexibility to select staff for this position in order to guarantee that the skills, experiences and knowledge of the Deputy Director of Police (Non Sworn) closely mirror the requirements of the Mayor, City Council, and Citizens of Oakland; now, therefore be it

RESOLVED: that the City Council hereby recommends to the Civil Service Board that the classification of Deputy Director of Police (Non Sworn) be exempted from Civil Service.

IN COUNCIL, OAKLAND CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES-

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council of the City of
Oakland, California