



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2012 NOV 28 PM 12:11

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: ANDREA R. GOURDINE
DHRM DIRECTOR

SUBJECT: Amendment to Ordinance No. 12187 CMS ("Salary Ordinance")
DATE: November 19, 2012

City Administrator
Approval

Date

11/27/12

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the City Council approve an Ordinance Amending the Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Make Corrections to Ordinance No. 13125 C.M.S. and Ordinance No. 13130 C.M.S.

OUTCOME

City Council adopted Ordinance No. 13125 C.M.S. on June 19, 2012 (*Attachment A*) which authorized the addition of the classification of Neighborhood Law Corps Attomey to the Salary Schedule of Ordinance No. 12187 C.M.S. (the Salary Ordinance), however the salary amount of \$40,000 per year (\$3333.34 per month) was stated incorrectly in the ordinance document and should have been \$42,000 per year (\$3500 per month). The proposed ordinance seeks to correct the error. City Council also adopted Ordinance No. 13130 C.M.S. on July 3, 2012 (*Attachment B*) which authorized the addition of the classification of Sewer Maintenance Planner to the Salary Schedule of Ordinance No. 12187 C.M.S. (the Salary Ordinance), however the bargaining unit assignment and biweekly hours schedule were stated incorrectly. The proposed ordinance seeks to correct the error.

Unless the record is corrected, the classifications of Neighborhood Law Corps Attomey and Sewer Maintenance Planner cannot be implemented as adopted. Staff recommends that City Council adopt the revised ordinance to make the necessary corrections and amend the Salary Ordinance as originally intended.

BACKGROUND/LEGISLATIVE HISTORY

The Salary Ordinance was amended by Ordinance No. 13125 C.M.S. to add the classification of Neighborhood Law Corps Attomey to provide the Office of the City Attomey with an

Item: _____
Finance & Management Committee
December 11, 2012

appropriate classification for the work performed as part of the Neighborhood Law Corps Program. Implementing the new classification has been delayed pending correction to the salary rate.

The Salary Ordinance was also amended by Ordinance No. 13130 C.M.S. to add the classification of Sewer Maintenance Planner. Implementing the new classification has been delayed pending correction to the bargaining unit and biweekly hours schedule.

ANALYSIS

The lawyers hired for the Neighborhood Law Corps Program are currently classified as Exempt Limited Duration Employees (ELDEs), but that classification is not appropriate because the Civil Service Rules require that ELDEs serve terms limited to one year and the attorneys in the Neighborhood Law Corps Program serve terms not to exceed three years. The addition of the new classification to the Salary Ordinance provided a Rules-compliant method of engaging attorneys for the program. The Sewer Maintenance Planner classification is needed to allow the City to comply with the Environmental Protection Agency's (EPA) Administrative Order (AO) to take specific actions related to the City's wastewater collection system.

PUBLIC OUTREACH/INTEREST

The Civil Service Board is responsible for the City's classification plan and all classification specifications must be approved by the Board prior to inclusion in the City's plan. The proposal to add the classifications of Neighborhood Law Corps Attorney and Sewer Maintenance Planner were posted publicly in conformance with the Sunshine Ordinance and Brown Act prior to the Civil Service Board's review of the items at its meetings. The classification of Neighborhood Law Corps Attorney is exempt from Civil Service and is unrepresented. Local 21 represents the Sewer Maintenance Planner classification and staff met with the union prior to the classification being presented to the Civil Service Board for inclusion in the City's classification plan. The union had no objections and the Board adopted the classification.

COORDINATION

DHRM coordinated the creation of the classification specifications with the respective departments, the Civil Service Board, and the representative union.

COST SUMMARY/IMPLICATIONS

There are no new costs associated with the proposed actions of correcting the salary schedule for Neighborhood Law Corps Attorney and Sewer Maintenance Planner. Amending the classifications will serve to provide appropriate titles for work that is already budgeted.

SUSTAINABLE OPPORTUNITIES

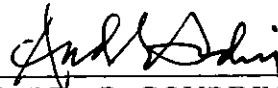
Economic: No opportunities have been identified.

Environmental: No opportunities have been identified.

Social Equity: No opportunities have been identified.

For questions regarding this report, please contact Kip Walsh, Recruitment & Classification Manager, at kwalsh@oaklandnet.com.

Respectfully submitted,



ANDREA R. GOURDINE

Director, Dept. of Human Resources Management

Prepared by:

Kip Walsh, Recruitment & Classification Manager


Attachment A) Ordinance No. 13125 C.M.S.

Attachment B) Ordinance No. 13130 C.M.S.

Attachment C) Ordinance: An Ordinance Amending the Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Make Corrections to Ordinance No. 13125 C.M.S. and Ordinance No. 13130 C.M.S.

APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCILMEMBER _____


CITY ATTORNEY

OAKLAND CITY COUNCIL

ORDINANCE NO. 13125 -C.M.S.

**AN ORDINANCE AMENDING THE SALARY SCHEDULE OF
ORDINANCE NO. 12187 C.M.S. ("SALARY ORDINANCE") TO
ADD THE CLASSIFICATION OF NEIGHBORHOOD LAW
CORPS ATTORNEY**

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 title is added in Ordinance No. 12187 C.M.S. in the Unit SC1.80.043 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Steps
<u>Neighborhood Law Corps Attorney</u>	<u>AL011</u>	1 <u>3333.34</u>

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 19 2012, 2012

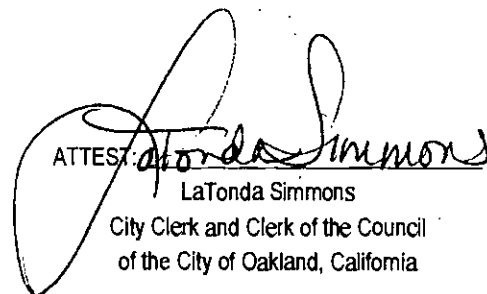
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, OE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

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

DATE OF ATTESTATION June 26, 2012

Introduction Date JUN 5 2012

**AN ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S.
("SALARY ORDINANCE") TO ADD THE CLASSIFICATION OF NEIGHBORHOOD LAW
CORPS ATTORNEY**

DIGEST

An Ordinance Amending the Salary Schedule of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Add The Classification of Neighborhood Law Corps Attorney

APPROVED AS TO FORM AND LEGALITY

Tracy Christ
City Attorney

INTRODUCED BY COUNCIL MEMBER FILED
OFFICE OF THE CITY CLERK
OAKLAND

2012 JUN 30 PM 12:18
OAKLAND CITY COUNCIL
ORDINANCE NO. 13130 - C.M.S.

AN ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 (THE SALARY ORDINANCE) TO ADD THE CLASSIFICATION OF SEWER MAINTENANCE PLANNER

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~~; 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 added in Ordinance No. 12187 C.M.S. in the Unit TF1.80.004 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Steps
<u>Sewer Maintenance Planner</u>	<u>TR205</u>	<u>1 6264.03</u>
		<u>2 6593.85</u>
		<u>3 6941.47</u>
		<u>4 7306.89</u>
		<u>5 7691.46</u>

JUL 3 2012

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, ~~KERNIGHAN~~, NADEL, SCHAAF, and PRESIDENT REID - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused - Kernighan - 1

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

Introduction Date **JUN 19 2012**

DATE OF ATTESTATION: 7-26-12

**AN ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE
NO. 12187 (THE SALARY ORDINANCE) TO ADD THE CLASSIFICATION
OF SEWER MAINTENANCE PLANNER**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2012 MAY 30 PM 12:19

DIGEST

An Ordinance Amending the Salary Schedule of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Add the Classification of Sewer Maintenance Planner

INTRODUCED BY COUNCIL MEMBER
OFFICE OF THE CITY CLERK
OAKLAND

DRAFT

CITY ATTORNEY

2012 NOV 28 PM 12:00 **OAKLAND CITY COUNCIL**

ORDINANCE No. _____ C.M.S.

AN ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S. ("SALARY ORDINANCE") TO MAKE CORRECTIONS TO ORDINANCE NO. 13125 C.M.S. AND ORDINANCE NO. 13130 C.M.S

WHEREAS, Ordinance No. 13125 C.M.S. amending the Salary Schedule of Ordinance No. 12187 C.M.S. (the Salary Ordinance) and adopted June 19, 2012 was found to contain an erroneous salary amount for the classification of Neighborhood Law Corps Attorney; and

WHEREAS, Ordinance No. 13130 C.M.S. amending the Salary Ordinance and adopted July 3, 2012 was found to contain typographical errors for the classification of Sewer Maintenance Planner; and

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 amended in Ordinance No. 12187 C.M.S. in the Unit ~~SC1-80-043~~ TM1.75.002 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Steps
<u>Neighborhood Law Corps Attorney</u>	AL011 <u>AL041</u>	1 3333.34 <u>3500.00</u>

Section 3. Effective upon passage, the following classification is amended in Ordinance No. 12187 C.M.S. in the Unit ~~TR1-80-004~~ TW1.75.013 Pay Grade Table to read as follows:

Classification Title	Class No.	Pay Steps
<u>Sewer Maintenance Planner</u>	TR205 <u>TR206</u>	1 6264.03 <u>6264.02</u> 2 6593.85 3 6941.47 4 7306.89 <u>7306.88</u> 5 7691.46

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2012

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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

DATE OF ATTESTATION _____

FILED
OFFICE OF THE CITY CLERK
OAKLAND

AN ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S.
("SALARY ORDINANCE") TO MAKE CORRECTIONS TO ORDINANCE NO. 13125 C.M.S.
AND ORDINANCE NO. 13130 C.M.S.

DIGEST

Ordinance Amending the Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") to Make Corrections to Ordinance No. 13125 C.M.S. and Ordinance No. 13130 C.M.S.
