



CITY OF OAKLAND

AGENDA REPORT

TO: Steven Falk
Interim City Administrator

FROM: Ian Appleyard
HRM Director

SUBJECT: Amendment to Ordinance No. 12187
C.M.S. (The Salary Ordinance) for
City Attorney and City Auditor

DATE: May 15, 2023

City Administrator Approval

Date: May 29, 2023

RECOMMENDATION

Staff Recommends That The City Council Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. (“Salary Ordinance”) To Increase The Salary For The City Attorney And City Auditor.

EXECUTIVE SUMMARY

Adoption of the proposed ordinance will ensure the accuracy of the City’s classification plan and Salary Schedule. This ordinance includes routine actions to modify the salaries of existing classification titles for two elected official positions in accordance with the Oakland Public Ethics Commission’s charter-mandated salary adjustments. The proposed items are related to classifications that are allocated in Office of the City Attorney and the City Auditor’s Office.

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 and bargaining unit designation of positions. The Ordinance is amended periodically to accommodate the City’s evolving classification needs. Pursuant to the Personnel Manual (Civil Service Rules), Section 3.04, components of the City’s Classification Plan shall be administered and maintained by the Personnel Director with the approval of the Civil Service Board.

As applicable regulations or departmental operations change, Human Resources Management (HRM) staff consults with departments regarding classification needs and mandated changes. These changes require HRM to amend the Salary Ordinance to add, amend, or delete certain classifications. The proposed Salary Ordinance Amendment accompanying this report is comprised of various routine actions to update the salary schedule.

In November 2022, Oakland voters passed Measure X, which amended Oakland City Charter Sections 401(1) and 403(1) to add setting the City Attorney and City Auditor salary levels, respectively, to the duties of the Oakland Public Ethics Commission (PEC). The attached PEC

staff reports and Resolutions from the PEC's April 12, 2023 meeting provide background information given to the Commission for consideration in adjusting the City Attorney and City Auditor salaries per the criteria specified by City Charter Sections 401(1) and 403(1), respectively.

ANALYSIS AND POLICY ALTERNATIVES

As stated above, the proposed action is recommended to update the Salary Schedule of the Salary Ordinance to align it with other actions that have taken place at the PEC Meeting on April 12, 2023. Union involvement was not required as these are elected officials, and a bargaining group does not represent these classifications.

Citywide Priorities include (1) holistic community safety, (2) housing, economic, and cultural security, (3) vibrant, sustainable infrastructure, and (4) responsive, trustworthy government. The PEC advances the charter-mandated salary adjustment process for these elected official positions, and the attached memoranda illustrate the methodology for calculating salary changes. HRM facilitates the implementation of the salary modifications via the salary ordinance amendment process. In partnering with the PEC, the adoption of the proposed ordinance advances the Citywide Priority of responsive, trustworthy government.

City Attorney Salary Adjustment – On April 12, 2023, the PEC passed the attached Resolution No. 23-04 **Attachment A** to approve an increase to the salary rate for the City Attorney classification to raise the annual salary to \$306,990.63, which will take effect on July 8, 2023. Based on the data in the PEC staff report, which relies on the criteria set forth in City Charter Section 401(1), an adjustment from \$20,301.55 per month to a salary of \$25,582.55 per month was approved by the PEC as it provides equity and alignment of the City Attorney's compensation by adding a 15 percent differential above the highest paid subordinate attorneys and staff in the Office, is comparable to salaries of attorneys in other Bay Area cities, and accounts for the scheduled 2.5 percent negotiated wage increase for other City employees effective July 2023.

City Auditor Salary Adjustment – On April 12, 2023, the PEC passed the attached Resolution No. 23-05 **Attachment B** to approve an increase to the salary rate for the City Auditor classification to raise the annual salary to \$213,137.51, which will take effect on July 8, 2023. Based on the data in the PEC staff report, which relies on the criteria set forth in City Charter Section 403(1), an adjustment from \$15,100.26 per month to a salary of \$17,761.46 per month was approved by the PEC as it provides equity and alignment of the City Auditor's salary by adding an 18 percent differential above the highest paid subordinate auditor and staff salaries in the Office, is comparable to the salaries of auditors in other Bay Area cities, and accounts for the scheduled 2.5 percent negotiated wage increase for other City employees effective July 2023

FISCAL IMPACT

The increases in salary for the City Attorney and City Auditor classifications are being accounted for in the department budgets as part of the biennial budget planning for FY 2023-25.

PUBLIC OUTREACH / INTEREST

No public outreach was deemed necessary other than the required posting on the City's website.

COORDINATION

Human Resources Management coordinated with the PEC regarding the implementation of the salary changes. Union involvement was unnecessary because the two elected official positions are not represented by bargaining groups.

When applicable, public notices regarding the Civil Service Board's actions to approve classification specifications are posted pursuant to the provisions of the California Brown Act and the City of Oakland Sunshine Ordinance.

Additionally, the preparation of this report was coordinated with HRM, City Attorney's Office, and Finance Department Budget Bureau.

SUSTAINABLE OPPORTUNITIES

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

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

Race & Equity: There are no social equity opportunities associated with this report.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Increase The Salary For The City Attorney And City Auditor.

For questions regarding this report, please contact Ian Appleyard, Director of Human Resources Management, at (510) 238-6450.

Respectfully submitted,



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Attachments (2):

- A: PEC Resolution #23-04 and PEC Staff Report Regarding City Attorney Salary
- B: PEC Resolution #23-05 and PEC Staff Report Regarding City Auditor Salary