



AGENDA REPORT


TO: Jestin D. Johnson
City Administrator

FROM: Mary Hao
HRM Director

SUBJECT: Amendment to Ordinance No. 12187
C.M.S. (The Salary Ordinance)
Including Elected Officials

DATE: May 28, 2024

City Administrator Approval


Jestin Johnson (Jun 11, 2024 03:41 PDT)

Date: Jun 11, 2024

RECOMMENDATION

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

- (a) Add The Full-Time Equivalent Classification Of Pool Manager; And**
- (b) Amend The Title Of The Full-Time, Permanent Part-Time, And Part-Time Classifications Of Senior Services Program Assistant to Senior Services Program Analyst; And**
- (c) Amend The Title And Salary Of The Full-Time Classification Of Planning Investigator Supervisor To Planning Inspector, Supervising; And**
- (d) Amend The Salary For Council Member, City Attorney, And City Auditor In Accordance With The Oakland Public Ethics Commission’s Charter-Mandated Salary Adjustments.**

EXECUTIVE SUMMARY

Adoption of the proposed ordinance will ensure the accuracy of the City’s classification plan and Salary Schedule. This ordinance includes a variety of routine actions to approve modifications to existing classifications that have already been approved by the Civil Service Board. Further, this ordinance includes routine actions to modify the salaries of existing classification titles for three 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 the following departments: City Council; Office of the City Attorney; City Auditor’s Office; Oakland Parks, Recreation, and Youth Development (OPRYD) Department; Human Services Department (HSD); and Planning and Building Department (PBD).

BACKGROUND / LEGISLATIVE HISTORY

The Salary Ordinance (Ordinance No. 12187 C.M.S.) establishes salaries as well as 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, staff in the Human Resources Management (HRM) Department consults with departments regarding classification needs. 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 10, 2024, and May 22, 2024, meetings 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).

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, including actions that have taken place at the PEC Meetings on March 13, 2024, April 10, 2024, and May 22, 2024. In cases in which union involvement was required, the appropriate notification and/or discussions occurred with the applicable unions regarding bargaining unit modifications. Notably, elected officials are not represented by bargaining groups.

Citywide Priorities include: (1) **holistic community safety**, (2) **housing, economic, and cultural security**, (3) **vibrant, sustainable infrastructure**, and (4) **responsive, trustworthy government**. The work of the HRM Department indirectly affects holistic community safety and housing, as well as economic and cultural security through the amendment of classifications in support of recreation, planning and building, and senior services initiatives. The PEC advances the charter-mandated salary adjustment process for these elected official positions. 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 also promotes the Citywide Priority of responsive, trustworthy government. Adoption of the proposed ordinance advances multiple Citywide Priorities.

Creation Of A Full-Time Equivalent Classification For Existing Permanent Part-Time And Part-Time Equivalent Classifications – Pool Manager: A new classification equivalent is being created to bolster OPRYD operations and staffing for the recreation facilities with swimming

pools. The City is taking steps to ensure that swimming facilities are sufficiently staffed to deliver services and meet the needs of the community. The permanent part-time and part-time Pool Manager classifications have existed for more than two decades. Still, this new full-time equivalent classification is being created because of increased demands to surpass current swimming pool hours of operation. The Service Employees International Union (SEIU, Local 1021) was notified of the proposal to create the new full-time equivalent classification in May 2024. City and union representatives discussed the item, and there were no objections to the proposed new equivalent classification. SEIU fully supports full-time employment opportunities for their members.

Title Change – Senior Services Program Analyst: A classification in HSD requires a title change, which will ensure that the classification accurately conveys the appropriate scope and level of the position as needed by HSD in their current configuration: Senior Services Program Assistant. The classification is being retitled to Senior Services Program Analyst, which should assist in recruitment efforts. The existing title was misleading and suggested that the position was administrative rather than analytical; this classification most closely aligns with existing Administrative Analyst and Program Analyst classifications in the City of Oakland. The International Federation of Professional and Technical Engineers (IFPTE, Local 21) was notified of the proposal to revise the title in February 2022. The City and union representatives discussed the item at two meetings. In March 2022, the union confirmed there were no objections to the proposed title change. The changes to the title and classification specification were approved by the Civil Service Board on March 17, 2022, as part of routine classification specification revisions. The salary ordinance amendment is the final step in implementing the title change.

Title And Salary Adjustments – Planning Inspector, Supervising: An existing classification is being amended because of the findings from a classification study completed in October 2022. HRM and PBD collaborated on a revised job description to encompass the full scope and authority of work required to fulfill PBD's planning inspection and compliance services. Further, the title is being changed from Planning Investigator Supervisor to Planning Inspector, Supervising to appropriately reflect the assigned duties. This revised classification will primarily be responsible for: enforcing City zoning codes; monitoring projects and reviewing construction management plans submitted by contractors for compliance with permit approval regulations; planning, directing, and participating in field surveys and investigations; coordinating joint inspections with other departments; developing and implementing a case monitoring system; training, evaluating, and supervising assigned staff; and performing related duties as assigned. IFPTE, Local 21 was notified of the proposed revised and re-titled classification specification in December 2023. City staff and union representatives met several times over a 5-month period to discuss the matter and resolve concerns about potential impacts. Discussions concluded in April 2024, which is when the union confirmed there were no objections to the proposed revisions, title change, and adjusted salary rate. The revised classification was approved at the April 18, 2024, Civil Service Board Meeting.

Council Member Salary Adjustment – On March 13, 2024, the Oakland Public Ethics Commission passed the attached Resolution No. 24-01 **Attachment A** to approve a 5% increase to the salary rate for the Council Member classification to raise the annual salary to \$108,802.91, which will take effect on July 6, 2024. This action is consistent with Section 202 of the City of Oakland Charter that requires a bi-annual adjustment to Council Member salaries

that aligns with the Consumer Price Index (CPI) over the preceding two years and to optionally adjust salaries beyond the increase in the CPI up to a total of five percent per year. Staff in the Public Ethics Commission conducted the bi-annual analysis of the Salary Schedule for the Council Member classification and communicated the change to the City Administration for implementation and inclusion in an upcoming salary ordinance amendment prepared by HRM.

In 2022, the PEC was advised by the City Attorney that the increase is automatically applied unless Council Members voluntarily and affirmatively decline the increase. This determination would have to be made by the Council Members themselves and is separate from the salary amount available to Council Members in the salary ordinance.

City Attorney Salary Adjustment: On April 10, 2024, the PEC passed the attached Resolution No. 24-03, **Attachment B**, to approve an increase to the salary rate for the City Attorney classification to raise the annual salary to \$320,958.84, which will take effect on July 6, 2024. Based on the data in the PEC staff report, which relies on the criteria set forth in the City Charter Section 401(1), an adjustment from \$25,582.55 per month to a salary of \$26,746.57 per month was approved by the PEC as it provides equity and alignment of the City Attorney's compensation by adding a 20% differential above the highest paid subordinate attorneys and staff in the office, is comparable to salaries of attorneys in other Bay Area cities, accounts for the salaries of other City department heads, and also accounts for the scheduled 2% negotiated wage increase for other City employees effective July 2024.

City Auditor Salary Adjustment: On May 22, 2024, the PEC passed the attached Resolution No. 24-04, **Attachment C**, to approve an increase to the salary rate for the City Auditor classification to raise the annual salary to \$226,612.19, which will take effect on July 6, 2024. 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 \$17,761.46 per month to a salary of \$18,884.35 per month was approved by the PEC as it provides equity and alignment of the City Auditor's salary by adding a 20% 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% negotiated wage increase for other City employees effective July 2024.

FISCAL IMPACT

The title change for the Human Services classification is budget neutral. The increase in salary for the Planning Inspector, Supervising, and the elected official positions, along with the insertion of full-time Pool Manager positions, will be reconciled as part of mid-year budget adjustments for FY 2024-25.

PUBLIC OUTREACH / INTEREST

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

COORDINATION

HRM coordinated with each of the departments regarding the proposed modifications. When necessary, Employee Relations was also involved. Representative unions were formally notified of the proposed legislation, as applicable, because many of the related actions are mandatory subjects of bargaining. Discussions took place, and any objections relating to potential impacts raised by the representative unions, as applicable, were fully vetted.

HRM also coordinated with the PEC regarding implementing salary adjustments to elected official positions. Union involvement was unnecessary because the elected official positions are not represented by bargaining groups.

Public notices regarding the Civil Service Board actions to approve classification specifications are posted pursuant to the provisions of the California Brown Act and City of Oakland Sunshine Ordinance.

Additionally, the preparation of this report was coordinated with HRM, City Attorney's Office, and the 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

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

Respectfully submitted,



MARY HAO
Director, Human Resources Mgmt.

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Recruitment & Classification Division

Prepared by:
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Recruitment & Classification Division

Attachments (3):

- A: PEC Resolution #24-01 Regarding Council Member Salary
- B: PEC Resolution #24-03 and PEC Staff Report Regarding City Attorney Salary
- C: PEC Resolution #24-04 and PEC Staff Report Regarding City Auditor Salary