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AGENDA REPORT

2014 OCT 30 PM 2:28

TO: HENRY L. GARDNER
INTERIM CITY ADMINISTRATOR

FROM: Arturo M. Sanchez
Interim Assistant City Administrator

SUBJECT: Amendments to Oakland Municipal Code Chapter 2.29
DATE: October 20, 2014

COUNCIL DISTRICT: CITY-WIDE

RECOMMENDATION

Staff Recommends that City Council adopt an ordinance amending Chapter 2.29 of the Oakland Municipal Code entitled "City Agencies, Departments and Offices" to create the Oakland Animal Services Department as a department within the City Administrator's Office (*Attachment A*).

SUMMARY

On June 10, 2014 the Public Safety Committee of the Oakland City Council accepted staff's recommendation in an informational report to create a stand-alone Animal Services Department. The proposed amendment to Chapter 2.29 of the Oakland Municipal Code (OMC) formally creates the new department.

BACKGROUND/LEGISLATIVE HISTORY

City Council amended the OMC Chapter 2.29 through Ordinance No. 13249 CMS on July 29, 2014. The Ordinance brought the structure of the Police Department into alignment with the deployment model sought by department leadership. The current ordinance would further impact the Police Department by removing animal care and shelter operations from within the Oakland Police Department and transfer that authority to the newly formed department.

The changes that create the Oakland Animal Services Department align the administrative departments of the City to the Council direction provided on June 10, 2014. In addition to these changes staff will also be making changes to the salary ordinance which will complete the alignment of the department and director to be consistent with the equivalent department in the City.

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ANALYSIS

At its June 10, 2014 meeting, the Public Safety Committee discussed several options for managing the City's animal care and shelter functions. One of the recommendations proposed by staff was referred to as "Option B" and provided for separating out the care and shelter functions from the animal control functions (see the Oakland Animal Shelter Report, Public Safety Committee, and June 10, 2014; report file no. 13-0543). The recommendation was to create a stand-alone Animal Services Department in the City Administrator's Office, shift certain related positions currently budgeted in the Police Department to the new department, and identify additional funding to create staff positions that could provide greater shelter operations and rescue support.

Since the Public Safety Committee's acceptance of staff's "Option B" recommendation, staff has been engaged in the support activities required to implement the recommendations. As part of the mid-cycle budget process in June and July 2014, City Council approved an additional appropriate of \$400,000 to provide for additional staffing of Animal Services. Human Resources Management (HRM) worked closely with the City Administrator's Office to conduct recruitment for a new Director of Animal Services. HRM also revised the classification specification for the Animal Care Attendant and Animal Control & Shelter Manager classifications, met and conferred with the representative unions (SEIU Local 1021 and IFPTE Local 21, respectively) and brought the new specification to the Civil Service Board for approval. Additionally, the City Administrator's Office designated a community liaison and convened a community committee to discuss the changes needed at the animal shelter and to inform planning in advance of the transfer.

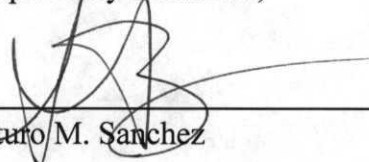
Approving the recommended amendment to the Oakland Municipal Code Section 2.29 to create the Oakland Animal Services Department in the City Administrator's Office is consistent with previous Council discussions and staff recommendations. The specific structure of the new department, the assignments of employees, and the service delivery model will all be under review by the new Director, when appointed. This means that all employees currently employed in Animal Services will be moved to the new department. SEIU Local 1012 and IFPTE Local 21 received written notice of the proposed change to transfer Animal Services from the Police Department to the City Administrator's Office. Both unions expressed in writing no objections to the proposal. The unions reserved their right to meet and confer on the impacts of any operational changes being proposed once the new department is established, and their interest in labor management talks to ensure the unions' voices are heard when considering operational changes.

COST SUMMARY/IMPLICATIONS

If adopted as presented, there is nominal fiscal impact as the positions are currently funded in the fiscal year budget and Council provided additional funding in FY 13-14 for the additional staffing that is necessary to implement these changes. The proposed modification to the Municipal Code Section 2.29 will formalize and implement the direction of the Council.

For questions regarding this report, please contact Arturo M. Sanchez, Interim Assistant City Administrator at (510) 238-7542.

Respectfully submitted,



Arturo M. Sanchez

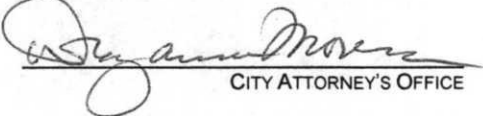
Reviewed by:
Chantal Cotton
Assistant to the City Administrator

Attachments (1)

- A. Ordinance Amending Chapter 2.29 of the Oakland Municipal Code Entitled "City Agencies, Departments And Offices" to Create the Oakland Animal Services Department in the City Administrator's Office

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CITY ATTORNEY'S OFFICE

ORDINANCE NO. _____ C.M.S.

ORDINANCE AMENDING CHAPTER 2.29 OF THE OAKLAND MUNICIPAL CODE ENTITLED "CITY AGENCIES, DEPARTMENTS AND OFFICES" TO ESTABLISH THE OAKLAND ANIMAL SERVICES DEPARTMENT IN THE CITY ADMINISTRATOR'S OFFICE

WHEREAS, Section 600 of the Charter of the City of Oakland provides that the City Council shall by ordinance provide the form of the organization through which the functions of the City under the jurisdiction of the City Administrator are to be administered; and

WHEREAS, on March 18, 2014, City Council passed Ordinance No. 13218 C.M.S. which revised the organizational structure of the City as established in Chapter 2.29 of the Oakland Municipal Code; and

WHEREAS, Chapter 2.29 of the Oakland Municipal Code is revised from time to time when the structure or description of the City organization changes;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby adopts and incorporates them into this Ordinance.

SECTION 2. Oakland Municipal Code Chapter 2.29, which establishes the City of Oakland organizational structure, is hereby amended to modify sections as set forth below; additions are indicated by underscoring and deletions are indicated by ~~strike-through type~~; portions of the Chapter not cited or not shown in underscoring or strike-through type are not changed.

2.29.010 - Purpose.

The rendition of efficient and effective services in the City is best accomplished through the establishment of departments and agencies, each of which shall function under the leadership of a single Director or Chief and may consist of divisions and/or bureaus. The Director of any department shall serve as "department head" within the meaning of Article IX of the City Charter.

2.29.015 - Definitions.

"Bureau(s)" as used in this chapter shall mean a combination of work units, comprised of several divisions, clustered together to report to one Deputy Director/Chief or Assistant Director/Chief that reports to a Department Director or Chief.

"Division" as used in this chapter shall mean a combination of work units, comprised of like functions that are clustered together under one division manager that reports to a bureau Deputy Director/Chief or Assistant Director/Chief when the division is subordinate to a bureau, or reports directly to a Department Director or Chief when the division is independent of a bureau.

2.29.020 - Police Department.

There is established in the City government a Police Department which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said department shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Police Department shall be the responsibility of the Chief of Police who shall serve as Director of said department, subject to the direction of the City Administrator. In the Police Department there shall be an Office of the Chief of Police and the following bureaus: Field Operations, Risk Management, and Services; and there shall be the following divisions: Field Operations, Administration, Support Operations, Internal Affairs, Office of the Inspector General, Criminalistics, Personnel & Training, Communications, Fiscal Services, Project Resource Management, Records, and Criminal Investigation.

2.29.030 - Fire Department.

There is established in the City government a Fire Department which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said department shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Fire Department shall be the responsibility of the Chief of Fire who shall serve as Director of said department, subject to the direction of the City Administrator. In the Fire Department there shall be the following bureaus: Field Operations, Fire Prevention and Support Services; and there shall be the following divisions: Fiscal and Administration Services, Emergency Management Services, Medical Services, and Communications & Information Technology.

- A. The Bureau of Field Operations shall consist of the following subordinate divisions: Fire Suppression & Emergency Response, Special Operations, and Urban Search & Rescue Program.
- B. The Bureau of Fire Prevention & Support Services shall consist of the following subordinate divisions: Fire Prevention & Public Education Outreach, and Training & Support Services.

2.29.040 - Finance Department.

There is established in the City government a Finance Department which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said department shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Finance Department shall be the responsibility of the Director of Finance, subject to the direction of the City Administrator. In the Finance Department there shall be the following bureaus: Treasury, Controller, and Revenue Management; and there shall be a Division of Administration.

2.29.050 - Oakland Public Works Department.

There is established in the City government an Oakland Public Works Department which shall be under the supervision and administrative control of the City Administrator. The powers, functions, and duties of said department shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Oakland Public Works Department shall be the responsibility of the Director of Public Works, subject to the direction of the City Administrator. In the Oakland Public Works Department there shall be the following bureaus: Administration, Engineering & Construction, Infrastructure & Operations, and Facilities & Environment.

- A. The Bureau of Infrastructure & Operations shall consist of the following subordinate divisions: Electrical Services & Traffic Maintenance, Equipment Services, and Infrastructure Maintenance.
- B. The Bureau of Engineering & Construction shall consist of the following subordinate divisions; ADA Programs, Engineering Design & Right of Way Management, Project Delivery, Transportation Planning & Funding, and Transportation Services.
- C. The Bureau of Facilities & Environment shall consist of the following subordinate divisions: Environmental Services, Facilities Services, Keep Oakland Clean & Beautiful, and Parks & Tree Services.
- D. The Bureau of Administration shall consist of the following subordinate divisions: Business & Information Analysis, Fiscal Services, Human Resources, Public Works Call Center, and Safety & Training Program Administration.

2.29.060 - Human Services Department.

There is established in the City government a Human Services Department which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said department shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Human Services Department shall be the responsibility of the Director of Human Services, subject to the direction of the City Administrator. In the Human Services Department there shall be the following divisions: Administration, Policy & Planning, Early Childhood & Family Services, Children & Youth Services, Aging & Adult Services, and Community Housing Services.

2.29.070 - Housing & Community Development Department.

There is established in the City government a Housing & Community Development Department which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said department shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Housing & Community Development Department shall be the responsibility of the Director of Housing & Community Development, subject to the direction of the City Administrator.

2.29.080 - Oakland Parks & Recreation Department.

There is established in the City government an Oakland Parks & Recreation Department, which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said department shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Oakland Parks & Recreation Department shall be the responsibility of the Director of Parks & Recreation, subject to the direction of the City Administrator. In the Oakland Parks & Recreation Department there are the following divisions: Administration, Aquatics (East Oakland Sports Center, Pools/Boating), City Wide Cultural Arts, City Wide Sports (Adult & Youth), Citywide Reservations/Activities, Recreation Centers, and Ball Fields.

2.29.090 - Planning & Building Department.

There is established in the City government a Planning & Building Department, which shall be under the supervision and administrative control of the City Administrator. The powers, functions, and duties of said department shall be those assigned, authorized, and directed by the City Administrator. The management and operation of the Planning and Building Department shall be the responsibility of the Director of Planning & Building, subject to the direction of the City Administrator. In the Planning & Building there are two bureaus; Planning and Building.

- A. The Bureau of Planning shall consist of the following subordinate divisions: Administration, Development/Zoning Review, Development/Zoning Permits, Oakland Municipal Code (OMC) Zoning Revisions, Historic Preservation, General Plan Oversight, and Strategic Planning.
- B. The Bureau of Building shall consist of the following subordinate divisions: Inspections, Engineering & Architectural Plan Approval, Building Permits, and Code Enforcement Services.

2.29.100 - Oakland Public Library Department.

There is established in the City government an Oakland Public Library Department, which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said department shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Oakland Public Library Department shall be the responsibility of the Director of Library Services, subject to the direction of the City Administrator. In the Oakland Public Library Department there are

the following divisions: African American Museum & Library at Oakland, Branch Services, Library System Wide Support, Literacy Programs, and Main Library Services.

2.29.110 - Human Resources Management Department.

There is established in the City government a Human Resources Management Department, which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said department shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Human Resources Management Department shall be the responsibility of the Director of Human Resources Management, subject to the direction of the City Administrator. The Director of Human Resources Management shall also serve as the City's Director of Personnel, subject to the direction of the City Administrator. In the Human Resources Management Department there are the following divisions: Recruitment & Classification, and Risk and Benefits.

2.29.120 - Information Technology Department.

There is established in the City government an Information Technology Department, which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said department shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Information Technology Department shall be the responsibility of the Director of Information Technology, subject to the direction of the City Administrator. In the Information Technology Department there are the following divisions: Administration, Customer Support, Application Services, Infrastructure Systems, and Public Safety Systems.

2.29.130 - Economic & Workforce Development Department.

There is established in the City government an Economic & Workforce Development Department, which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said department shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Economic & Workforce Development Department shall be the responsibility of the Director of Economic & Workforce Development, subject to the direction of the City Administrator. The Economic and Workforce Development Department shall consist of the following divisions: Economic Development, Workforce Development, Marketing, and Project Implementation.

2.29.140 - Office of the City Administrator.

There is established in the City government an Office of the City Administrator to assist in the operation and execution of functions as described in the City Charter under Articles IV, V, VI, VIII and IX. There shall be in the Office of the City Administrator the following departments which shall be under the supervision and administrative control of the City Administrator: Budget, Citizens' Police Review Board/Complaint Intake, Employee Relations, Oakland Animal Services and the Public Ethics Commission; there shall also be the following divisions which shall be under the supervision and administrative control of the City Administrator: Administration, Contracts & Compliance, Neighborhood Services, and Equal Opportunity Programs.

Pursuant to City of Oakland Charter Section 402, the City Clerk shall be appointed or discharged by the City Administrator subject to confirmation by the Council.

2.29.150 - Preservation of City Charter Offices.

Consistent with the Oakland City Charter and to assist in the operation and execution of functions described therein, there shall be an Office of the Mayor, Office of the City Council, Office of the City Attorney, Office of the City Auditor, and Office of the City Clerk.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared invalid.

SECTION 4. Pursuant to City of Oakland Charter Section 216, this ordinance shall become effective immediately on final adoption if it receives six (6) or more affirmative votes; or, if it receives five (5) affirmative votes, 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: _____

NOTICE AND DIGEST

ORDINANCE AMENDING CHAPTER 2.29 OF THE OAKLAND MUNICIPAL CODE ENTITLED "CITY AGENCIES, DEPARTMENTS AND OFFICES" TO ESTABLISH THE OAKLAND ANIMAL SERVICES DEPARTMENT IN THE CITY ADMINISTRATOR'S OFFICE

This Ordinance would amend Oakland Municipal Code Chapter 2.29, which established the organizational structure of the City of Oakland per Oakland Charter section 600, to establish the Oakland Animal Services Department in the City Administrator's Office.

Upon final adoption on second reading this ordinance will become effective immediately if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.