



CITY OF OAKLAND

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OFFICE OF THE CITY CLERK  
OAKLAND

2019 MAR 28 PM 12: 28

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Ian Appleyard  
HRM Director

**SUBJECT:** Amendment to Ordinance No. 12187  
C.M.S. (The Salary Ordinance) for  
Deputy Chief of Violence Prevention  
Classification

**DATE:** March 18, 2019

City Administrator Approval

Date:

3/27/19

## RECOMMENDATION

**Staff Recommends That The City Council Adopt:**

- (1) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Deputy Chief of Violence Prevention From The Operation Of Civil Service.**
- (2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-time Classification Of Deputy Chief Of Violence Prevention.**

## EXECUTIVE SUMMARY

Adoption of the resolution recommending exemption of the Deputy Chief of Violence Prevention classification from the Civil Service Board and adoption of the proposed ordinance will ensure accuracy of the City's classification plan and Salary Schedule. This ordinance includes a routine action to create a new classification that will be approved by the Civil Service Board at an upcoming meeting. The proposed items are related to a classification that is allocated in the Department of Violence Prevention.

If City Council does not take the recommended action, the necessary classification will not be created and would hinder the City's ability to effectively recruit for this position.

## 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 from time to time to accommodate the City's evolving classification needs. Pursuant to the Personnel Manual (Civil Service Rules),

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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.

Section 2.29 of the O.M.C. – "City Departments and Offices," is periodically amended to reflect the organizational structure of the City as approved by the City Council as part of the budget process. City Council approved structure changes in the City organization in the fiscal year (FY) 2017-2019 Adopted Policy Budget. Further, Ordinance No. 13451 C.M.S. was approved on July 24, 2017 and formally established the Department of Violence Prevention (DVP). The Chief of Violence Prevention classification has already been established. The new Deputy Chief of Violence Prevention classification is being added now that DVP is in place and requires a second-in-command level position.

Staff from the Human Resources Management Department (HRM) anticipates that the classification of Deputy Chief of Violence Prevention will be presented to the Civil Service Board for final approval at the April 18, 2019 meeting. As applicable regulations or departmental operations change, staff in Human Resources Management (HRM) periodically consults with departments regarding classification needs. Many such changes require HRM to initiate an amendment to the Salary Ordinance to add, amend, or delete certain classifications. The proposed Salary Ordinance Amendment accompanying this report is comprised of a routine action to update the salary schedule.

#### **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 already taken place. Per the Oakland City Charter section 902(f), the new classification is being proposed for exemption from the operation of the civil service. While the new classification will be exempt from the provisions of the competitive civil service, the classification specification and request for approval of the exemption must be routed to the Civil Service Board for review and approval at an upcoming meeting.

The new classification of Deputy Chief of Violence Prevention is being proposed as an amendment to the City's Classification Plan. The classification will be responsible for assisting the Chief of Violence Prevention in leading the operations of the DVP that includes: utilizing a public health approach to eliminate violence in just, healing, and transformational ways; researching and implementing best and evidence-based practices; identifying and engaging individuals at the highest risk of participating in or being a victim of violent crime and connects them to comprehensive support services; assisting with the development, establishment, and implementation of goals, objectives, policies, and procedures; collaborating with City and County partners and concerned citizens to align efforts and sustain a citywide network of violence prevention and intervention services; and training, evaluating, and supervising assigned staff. Duties will involve knowledge of different forms of violence and their impact on communities and residents: street, gun, and group-related violence, with a special emphasis on family/domestic violence and commercial sexual exploitation of children and an understanding of the impacts of historical, structural and community violence.

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The individual in this position will be required to deal with challenging, sensitive, and confidential matters; the scope of responsibilities is broad and complex; and the individual is expected to exercise considerable discretion in carrying out the City's mission for with there is a high consequence of error. Due to the highly sensitive nature of the assigned duties, the classification of Deputy Chief of Violence Prevention should be exempt from civil service.

The Confidential Management Employees Association (CMEA) was notified of the proposal to create this new, exempt classification. CMEA reviewed the proposal and responded with an email stating there were no objections to the proposal.

The salary rate recommended for the Deputy Chief of Violence Prevention is commensurate with the rate established for other Deputy Director positions in other comparably-sized departments. The new position is similarly situated in that it serves a citywide function and is deeply involved in policy development, compliance, and attainment of City goals.

The job description will be brought to the Civil Service Board for review of its alignment within the City's overall classification plan and approval of the request to exempt it from the competitive civil service; it is anticipated that the item will be placed on the Civil Service agenda for the April 18, 2019, Civil Service Board meeting. The exemption resolution will be included as part of the agenda packet.

#### **FISCAL IMPACT**

A placeholder position was added for the Department of Violence Prevention at the proposed salary rate as part of the FY 2017-2019 Adopted Policy Budget. Adoption of this ordinance has no fiscal impacts.

#### **PUBLIC OUTREACH/INTEREST**

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

#### **COORDINATION**

HRM coordinated with the City Administrator's Office and the Department of Violence Prevention regarding the proposed new classification. When necessary, Employee Relations was also involved. The representative union was formally notified of the proposed legislation, as applicable, because the related actions are mandatory subjects of bargaining. No objections were raised by the representative union.

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, Finance Department Budget Bureau, and the City Administrator's Office.

**SUSTAINABLE OPPORTUNITIES**

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

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

**Social Equity:** There are no social equity opportunities associated with this report.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends that the City Council Adopt: (1) A Resolution Recommending To The Civil Service Board The Exemption Of The Classification Of Deputy Chief of Violence Prevention From The Operation Of Civil Service; (2) An Ordinance Amending The Salary Schedule Of Ordinance No. 12187 C.M.S. ("Salary Ordinance") To Add The Full-time Classification of Deputy Chief of Violence Prevention.

For questions regarding this report, please contact Jaime Pritchett, Principal Human Resource Analyst, at (510) 238-4735.

Respectfully submitted,



IAN APPLEYARD

Director, Human Resources Management

Reviewed by: Greg Preece  
Human Resources Manager  
Recruitment, Classification & Benefits Division

Prepared by: Jaime Pritchett  
Principal Human Resource Analyst  
Recruitment, Classification & Benefits Division

Attachment (2):

- A: 1 Resolution
- B: Ordinance

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

*Cary J. Casper*  
City Attorney's Office

2019 MAR 28 PM 12: 28

**OAKLAND CITY COUNCIL**

**RESOLUTION NO. \_\_\_\_\_ C.M.S.**

**INTRODUCED BY COUNCILMEMBER [IF APPLICABLE]**

**RESOLUTION RECOMMENDING TO THE CIVIL SERVICE BOARD THE EXEMPTION OF THE CLASSIFICATION OF DEPUTY CHIEF OF VIOLENCE PREVENTION FROM THE OPERATION OF CIVIL SERVICE**

**WHEREAS**, the Oakland City Charter Section 902(f) requires that City Council recommend positions for exemption from Civil Service prior to Civil Service Board approval of such exemption; and

**WHEREAS**, the Deputy Chief of Violence Prevention is recommended for exemption from Civil Service due to its placement in the organization, lines of authority, reporting relationships within the department, as well as the position's duties, pay grade and independence of action; and

**WHEREAS**, the Deputy Chief of Violence Prevention is an expert level classification responsible for assisting with implementation of a public health approach to eliminate violence in just, healing, and transformational ways; researching and implementing best and evidence-based practices; and demonstrating knowledge of different forms of violence and their impact on communities and residents including street, gun, and group-related violence, with a special emphasis on family/domestic violence and commercial sexual exploitation of children; and

**WHEREAS**, the Deputy Chief of Violence Prevention is a management level position responsible for overseeing staff and daily operations in the Department and is required to utilize a high degree of independence in carrying out the goals and objectives of the City Administrator and City Council; the scope of responsibilities is broad and complex, and the individual in the classification must deal with challenging, sensitive, and confidential matters; and

**WHEREAS**, the incumbent in the Deputy Chief of Violence Prevention position is expected to exercise considerable discretion in carrying out the City's mission for with there is a high consequence of error; now, therefore, be it

**RESOLVED**, the City Council of Oakland hereby recommends to the Civil Service Board that the classification of Deputy Chief of Violence Prevention be exempted from the requirements of civil service; and be it

**FURTHER RESOLVED**, that the Civil Service Board is hereby requested to approve such exemption.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California