

CITY OF OAKLAND
Public Ethics Commission



RESOLUTION NO. 26-02
Adopted 4-15-26

RESOLUTION AUTHORIZING A SALARY INCREASE FOR THE OFFICE OF CITY ATTORNEY PURSUANT TO OAKLAND CITY CHARTER SECTION 401(1)

By action of the Oakland Public Ethics Commission:

WHEREAS, Oakland City Charter section 401(1) provides: “The salary of the elected City Attorney shall be set every two (2) years by the Public Ethics Commission to provide for competitive compensation and equitable alignment and, taking into account the top of the range for the highest paid professional employee in the Office of the City Attorney and salaries for other City department heads, and shall be comparable to the salaries of City Attorneys and other comparable positions, such as County Counsel or Port Attorney, in California cities, counties and agencies selected by the Commission. The City Attorney’s salary may not be reduced during the City Attorney’s term of office except as part of a general reduction of salaries of all officers and employees in the same amount or proportion”; and

WHEREAS, Oakland City Charter section 207 charges the City Council with fixing the compensation of all City employees, officers and officials unless otherwise provided by the Charter; and

WHEREAS, Ordinance No. 12187 C.M.S., the “Salary Ordinance,” as amended, sets forth a salary schedule reflecting all classifications of employment within the City including those of city employees and city officers; and

WHEREAS, a salary adjustment to **\$338,290.60** annually would provide competitive compensation and equitable alignment of the City Attorney’s salary by providing the City Attorney with a salary that is at least 15 percent above the top of the range for the highest paid professional employee in the Attorney’s Office, that is comparable with the salaries of City Attorneys in other comparable-size cities and Bay Area jurisdictions, and that also accounts for the salaries of other City department heads.

Now, therefore be it:

RESOLVED, that the Commission does hereby authorize an annual salary of **\$338,290.60 (\$28,190.88 per month)** for the office of City Attorney as mandated by City Charter Section 401(1), effective as of the first payroll period of Fiscal Year 2026-2027.

CERTIFICATION RE: APPROVAL OF RESOLUTION

The foregoing Resolution was presented for approval at a duly noticed meeting of the City of Oakland Public Ethics Commission held on April 15, 2026, where a quorum of the membership of the Commission was present. The Commission approved the resolution by a vote of 5 to 0.

AYES: BRANDON, FISHER, MICIK, TILAK, AND CHAIR UPTON IV

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NOES: None
ABSTAIN: None
ABSENT: APFELD, BAYEVA

I hereby certify that the foregoing is true and correct.



Suzanne Doran, Executive Director
Oakland Public Ethics Commission

4/15/2026

Date



Francis Upton IV, Chair
Karun Tilak, Vice Chair
Luke Apfeld
Tanya Bayeva
L. Lawrence Brandon
Angi Fisher
Ryan Micik

Suzanne Doran, Executive Director

TO: Jestin D. Johnson, City Administrator
Betsy Lake, Assistant City Administrator
Bradley Johnson, Finance Director
Mary Hao, Human Resources Director
FROM: Suzanne Doran, Executive Director, Public Ethics Commission
DATE: April 16, 2026
RE: City Attorney Salary Adjustment as Required by City Charter Section 401(1)

In November 2022, Oakland voters passed Measure X, which amended Oakland City Charter Section 401(1) to include setting the City Attorney’s salary level to the duties of the Public Ethics Commission (PEC or Commission). Every two years, the Commission is responsible for adjusting the City Attorney’s salary based on criteria specified by City Charter Section 401(1). This memorandum communicates the Commission’s decision on April 15, 2026, to authorize a salary adjustment that meets the Charter criteria and increases the salary amount for City Attorney to an annual salary of **\$338,290.60**, effective on the first payroll period of the 2026-2027 Fiscal Year.

Background

The City Attorney is the department head for the [Office of the City Attorney](#) and oversees a staff of approximately 78 full time equivalent (FTE) positions.¹ The current City Attorney was most recently elected in November 2024.

Prior to 2023, the City Attorney’s salary was set by the City Council. In November 2022, Oakland voters passed Measure X, which amended the process for adjusting the City Attorney’s salary and assigned the responsibility to the Commission. Measure OO, passed by voters in November 2024, further amended Section 401(1) by changing the adjustment to a biennial (every other year) adjustment rather than a yearly adjustment. Section 401(1) of the City Charter provides that:

The salary of the elected City Attorney shall be set every two (2) years by the Public Ethics Commission to provide for competitive compensation and equitable alignment and, taking into account the top of the range for the highest paid professional employee in the Office of the City Attorney and salaries for other City department heads, and shall be comparable to the salaries of City Attorneys and other comparable positions, such as County Counsel or Port Attorney, in California cities, counties and agencies selected by the Commission. The City

¹ This represents the number of Full Time Equivalent (FTE) positions as reported by the City’s Finance Department. Data provided by Shaleen Singh, Human Resources Operations Supervisor, Finance Department, February 23, 2026.

Attorney's salary may not be reduced during the City Attorney's term of office except as part of a general reduction of salaries of all officers and employees in the same amount or proportion.

The Commission last adjusted the salary for City Attorney by 4.6 percent in 2024, resulting in a PEC-adjusted annual salary of **\$320,958.84**.² The table at the right shows salary increases approved by the Commission from 2023 through 2024.

Year	PEC-Authorized Annual Salary	Percent Increase
2024	\$320,958.84	4.6
2023	\$306,990.63	26.0

Payroll adjustments must be included in the citywide salary schedule adopted by City Council and take effect on the first payroll period after the beginning of the new fiscal year, which begins July 1.

Analysis

Highest Paid Professional Employee – In adjusting the Attorney's salary, the Charter requires that the Commission take into account, "the top of the range for the highest paid professional employee in the Office of the City Attorney." The Assistant City Attorney is the highest-paid direct report for the City Attorney. The maximum annual salary for the Assistant City Attorney position is currently \$284,676.36 per year. According to U.S. Bureau of Labor Statistics data, the Consumer Price Index for All Urban Consumers (CPI-U) in the San Francisco-Oakland-Hayward area rose 5.4 percent from December 2023 to December 2025.³ Since the July 2024 City Attorney salary adjustment, non-sworn represented employees and most City of Oakland department heads received a salary increase of two percent effective March 1, 2025.

According to the City's Human Resources Department, best practices dictate a differential of at least 15 to 20 percent between a supervisor/manager and their highest paid direct reporting employee, although among executive management this is not always achieved. For the City Attorney salary to be 15 to 20 percent above the salary of the highest direct reporting employee would be a salary between \$327,377.81 and \$341,611.63. The City Attorney presently makes 12.7 percent more than the highest paid professional employee, which is below that range.

Other City Department Heads – In adjusting the Attorney's salary, the Charter requires that the Commission take into account "salaries for other City department heads." The salary range for Oakland department heads is from \$200,000.04 to \$350,792.40. The mean annual salary for a department head (excluding the City Attorney) is \$267,209.34 per year and the median annual salary is \$270,415.08. Of Oakland's 23 department heads, the City Attorney has the third highest salary.

In terms of staff size, the Attorney's Office is a mid-sized City department. Of the seven departments (excluding the City Attorney's Office) with between 50 and 150 FTE, the mean annual salary for a department head is \$257,237.26 per year, and the median annual salary is \$270,415.20. Oakland's City

² According to the City's current Salary Ordinance, the City Attorney's actual annual salary is \$320,958.82, \$.02 below the PEC-authorized salary. Actual salary amounts may vary slightly from the authorized annual salary due to standard payroll system calculation and rounding when annual amounts are applied across pay periods. Salary data provided by Anjali Saxena, Payroll Manager, Finance Department. January 29, 2026.

³ U.S. Bureau of Labor Statistics. San Francisco-Oakland-Hayward, CA Consumer Price Index. December 2023 – December 2025. Data retrieved January 28, 2026 from <https://data.bls.gov/timeseries/CUURS49BSA0>. Inflation formula: $(CPI2 - CPI1) / CPI1 \times 100 = __\%$

Attorney makes 24.8 percent above the mean and 18.7 percent above the median department head salary for comparable-size departments.

Public Sector Attorney Positions – In adjusting the Attorney’s salary, the Charter provides that the Attorney’s compensation shall be “comparable to the salaries of public sector Attorney positions in California cities and counties selected by the Commission.”

Based on a survey of other California cities with the four immediate higher and four immediate lower populations compared to Oakland, the salary range for the City Attorney position in comparable-size California cities is from \$285,000.00 to \$379,388.31. The mean annual salary is \$338,034.78 and the median annual salary is \$339,369.29. Oakland’s City Attorney makes 94.9 percent of the mean and 94.6 percent of the median City Attorney salary in comparable-size cities.

In accordance with the Charter criteria, staff also surveyed City Attorney salaries for surrounding Bay Area Cities, the salary of the County Counsel for Alameda County, and the salary of the Counsel for the Oakland Port Authority.

The salary range for the City Attorney position in Bay Area jurisdictions is from \$325,936.00 to \$415,625.60. The mean annual salary is \$367,314.73 per year and the median annual salary is \$367,676.00. Oakland’s City Attorney makes 87.4 percent of the mean and 87.3 percent of the median City Attorney salary in Bay Area cities.

PEC Action and Next Steps

The Public Ethics Commission discussed adjusting the City Attorney’s salary based on the salary survey data and criteria set forth in City Charter Section 401(1) and voted to approve a 5.4 percent salary adjustment resulting in a new annual salary amount of **\$338,290.60 (\$28,190.88 per month)** at its public meeting on April 15, 2026, as described in the attached Resolution.

The table below provides a summary comparing the current City Attorney salary and the new PEC-authorized salary with the Charter criteria:

		Current Salary	PEC-adjusted Salary
City Attorney salary		\$320,958.82	\$338,290.60
	Mean	Difference (%)	Difference (%)
Top Paid Employee	\$284,676.36	12.7	18.8
Other Department Heads (n=22)	\$264,154.38	21.5	28.1
50-150 FTE Department Heads (7)	\$257,237.26	24.8	31.5
Comparable-Size Cities (8)	\$338,034.78	-5.1	0.1
Bay Area Jurisdictions (10)	\$367,314.73	-12.6	-7.9

This memorandum and resolution transmit the Commission’s action to the City Administrator for implementation by Budget and Payroll staff.

Commission staff recommend that the Department of Human Resources include the Commission-approved salary adjustment in the next salary ordinance amendment to accurately reflect the total authorized salary amount available to the City Attorney.

Attachments: PEC Resolution 26-02