

CITY OF OAKLAND
COUNCIL AGENDA REPORT

TO: City Manager's Office
ATTN: Robert C. Bobb
FROM: Office of Personnel Resource Management
DATE: October 26, 1999

SUBJECT: ORDINANCE AMENDING THE OAKLAND MUNICIPAL CODE BY ADDING CHAPTER 2.29 ENTITLED "AGENCIES, DEPARTMENTS AND OFFICES IN THE CITY OF OAKLAND" AND AN ORDINANCE ESTABLISHING EMPLOYMENT CLASSIFICATIONS WITHIN THE CITY OF OAKLAND AND RELATED COMPENSATION MATTERS AND SETTING A SCHEDULE OF THE SALARY FOR EACH ESTABLISHED CLASSIFICATION AND REPEALING ORDINANCE 4727 C.M.S. AND AMENDMENTS THERETO

SUMMARY

Two ordinances submitted in tandem to replace Ordinance 4727 C.M.S. (Popularly known as "the Salary Ordinance") and its many amendments are presented for your consideration. When first enacted Ordinance 4727 C.M.S. had a dual scope: it described the organization of City government and it set up employee job classifications and accompanying salaries. Multiple amendments to the classification/salary section of the ordinance have been made in subsequent years, but the City organizational description has not been kept as contemporaneous. As a single document Ordinance 4727 C.M.S. is lengthy and cumbersome to reenact with each amendment. In addition, the law disfavors multiple subjects in a single ordinance. Thus, 4727 C.M.S. has been redrafted in the form of two ordinances which, in order to avoid a legal gap, must either be adopted or defeated together.

The proposed ordinance establishing the salary schedule also amends the Executive Management Pay Plan Table to re-title the classification of Agency Director, Budget and Finance to Agency Director, Financial Services and changes the pay grade from 29 to 30; re-titles Budget Manager to Budget Director and changes the pay grade from 23 to 26; changes the pay grade for the classification of Agency Director, Life Enrichment from 29 to 30; changes the pay grade for the classification of Controller from 23 to 26; changes the pay grade for the classification Treasury Manager from 23 to 26; and, changes the pay grade for the classification of Deputy City Attorney V from 24 to 25.

The ordinance also amends the Salary Schedule to implement the agreed upon salary increases recently negotiated for sworn Firefighters represented by the International Association of

Firefighters, Local 55.

FISCAL IMPACTS

The proposed ordinance establishing the Salary Schedule for classifications contains the salary increases granted in the Memorandum of Understanding between the City and the International Association of Firefighters, Local 55. This increase is covered by prior year funds, current year appropriations and a transfer from fund balance.

There are no other budget impacts created by implementing the proposed ordinances.

DISCUSSION

The ordinance capturing the current organization of City government entitled An Ordinance Amending the Oakland Municipal Code by Adding Chapter 2.29 Entitled "Agencies, Departments and Divisions in the Organization of Oakland City Government" is intended for inclusion in the Oakland Municipal Code as it has import in the interpretation of the City Charter and other codes. This ordinance establishes six Agencies, several Administrative Departments under the supervision and control of the City Manager, the Office of the City Manager, and preserves City Charter offices, as follows:

<u>Agencies</u>	<u>Administrative Departments</u>
■ Police Services Agency	■ Office of Information Technology
■ Fire Services Agency	■ Office of Personnel Resource Management
■ Financial Services Agency	■ Office of Retirement and Risk Management
■ Public Works Agency	■ Department of Arts and Cultural Affairs
■ Life Enrichment Agency	
■ Community and Economic Development Agency	
<u>Office of the City Manager</u>	<u>City Charter Offices</u>
■ Administration	■ Office of the Mayor
■ Budget	■ Office of the City Council
■ Contract Compliance	■ Office of the City Attorney
■ ADA Compliance	■ Office of the City Auditor
■ Citizens' Police Review Board	■ Office of the City Clerk
■ Fund Development and Government Relations	■ Office of the City Manager

The ordinance entitled An Ordinance Establishing Employment Classifications Within the City of Oakland and Related Compensation Matters and Setting a Schedule of the Salary for Each

Established Classification and Repealing Ordinance 4727 C.M.S. and Amendments Thereto is the City Council's basic authorization for the payment of compensation to City Employees. It shall serve as the Ordinance which with some regularity must be amended as job classifications are added and deleted and pay adjustments are authorized by Council.

In addition to dividing the former salary ordinance into two distinct documents, one of which will now be codified and both of which, when read together, will accurately reflect all city agencies, departments, divisions, job classifications and salaries, these ordinances have a few provisions not heretofore contained in the former Ordinance 4727 C.M.S. and its amendments. Foremost is the authorization in the new salary ordinance for the appointing authorities to enter into hiring agreements authorizing up to three (3) months of severance pay to attract candidates to top managerial positions which are without job tenure (civil service exempt positions) and up to six months for employees with ten (10) or more years of service in a covered position. In addition, the organizational ordinance cross-references to various sections of the City Charter to explain who is a department head within the meaning of the Charter, given that the Charter does not define this terminology.

Additionally, the new salary ordinance amends the Executive Management Pay Plan Table and the Range and Other Salary Pay Plan Table as follows:


- Re-titles the classification of Agency Director, Budget and Finance to Agency Director, Financial Services and changes the pay grade from 29 to 30. The change is required due to the reorganization of Budget and Finance Agency with the budget functions now under the City Manager's Office. The pay grade change places the classification at the same level as other Agency Directors. The incumbent's salary will be upgraded by approximately \$2300 annually.
- Re-titles Budget Manager to Budget Director and changes the pay grade from 23 to 26. Position will assume additional responsibilities for performance monitoring, operations analysis, service delivery systems, the Banishing Bureaucracy initiative, and report to the City Manager.
- Changes the pay grade for the classification of Agency Director, Life Enrichment from 29 to 30. The pay grade change puts the classification at the same level as other Agency Directors.
- Changes the pay grade for the classification of Controller from 23 to 26. Position will assume additional responsibilities for purchasing functions.
- Changes the pay grade for the classification of Treasury Manager from 23 to 26. Responsibilities in the position have become more complex and will include debt financing related to assessment districts, loans and redevelopment activities.

- Changes the pay grade for the classification of Deputy City Attorney V from 24 to 25. Corrects a long standing error that placed the Deputy City Attorney V classification only one pay grade above Deputy City Attorney IV. Because of the overlap, employees newly promoted to Deputy City Attorney V start at a higher rate than some of the incumbents in the promoted class.
- Implements the wage increases granted in the new Memorandum of Understanding between the City and IAFF, Local 55.

Finally, due to the complexity of these ordinances, there are amendments in the Salary Schedule that have been pending since September but could not be implemented until the proposed two ordinances have been approved by Council. The back logged amendments will be presented for Council consideration once these ordinances are approved.

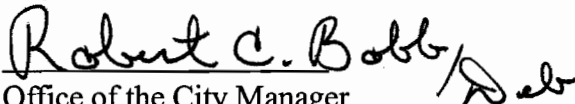
RECOMMENDATION

It is recommended that the proposed ordinances be approved.


WALTER L. JOHNSON, SR.
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Approved for Forwarding to
City Council


Office of the City Manager