

Agenda Report

September 28, 2015

TO: Honorable Mayor and City Council

THROUGH: Finance Committee

FROM: Department of Human Resources

SUBJECT: AMEND THE MUNICIPAL CODE (SECTIONS 2.05.150 AND 2.05.220)
AND ESTABLISH NEW CLASSIFICATION OF CITY COUNCIL DISTRICT
LIAISONS AND SALARY CONTROL RATE

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the action proposed herein is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines and, as such, is not subject to environmental review.
2. Amend chapters 2.05.150 (Employment of Assistants – Compensation) and 2.05.220 (Compensation of the Mayor and City Council) of the Municipal Code and authorize the cessation of use of City Council hired Field Representatives.
3. Establish a new classification of City Council District Liaison and related salary and establish the terms and conditions of employment for City Council District Liaisons via the Non Represented Management salary resolution.
4. Amend the fiscal year 2016 operating budget to increase the City Council budget to include 8.0 FTE City Council District Liaisons and increase appropriations by \$185,000 which is the additional cost needed for the remainder of this fiscal year.

BACKGROUND:

The City contracts with Oasis Outsourcing for Field Representatives who work on behalf of Councilmembers and facilitate work within the community. The City's agreement with Oasis Outsourcing provides that the City pay (on behalf of the Councilmember) the costs of the Field Representatives along with an administrative fee. Those costs include salary, a benefit allowance, Medicare, social security, unemployment insurance and

worker's compensation insurance. Field Representatives receive direction from and serve at the pleasure of the Councilmember they represent.

The establishment of the new classification of City Council District Liaison will allow the City to employ individuals serving under the City Clerk and support the work of Councilmembers in their council districts. Each City Council District Liaison will be assigned to a Councilmember who will establish performance expectations and work schedules, delegate assignments, regularly supervise, and conduct annual performance evaluations.

The recommended action is to establish the title and annual salary control rate of \$73,000 for a full-time position (appointments to .75 or .5 FTE will have salary and benefits pro-rated) for the new classification of City Council District Liaison. This position will be assigned to the City Clerk's Department. This classification will be unrepresented and designated as Level 4 Confidential – At-Will employees. Appointments will be made via an employment agreement.

This action authorizes an additional eight (8) FTE to the City's authorized position allocation. This will result in an increase of approximately \$185,000 in FY 2016 (assuming all City Council District Liaisons are hired as full-time employees), and will be funded through the General Fund. The increased costs are associated with the base salary and benefits provided in the non-represented management salary resolution.

The following are key terms and conditions of employment of the City Council District Liaison position:

A. Recruitment & Selection

All applicants for Council District Liaison would be required to complete a City of Pasadena employment application. Selected candidates would be required to undergo a background process which includes Department of Justice fingerprint screening, reference checking, Department of Motor Vehicle clearance, and a post offer pre-employment physical prior to beginning their employment.

B. Compensation & Benefits

City Council District Liaisons would be designated as Level 4 Confidential – At-Will employees pursuant to the Non Represented Management salary resolution. All compensation and benefits, including health benefits, retirement, and leave accruals would be provided pursuant to the Non Represented Management salary resolution. The control rate for the classification would be \$73,000 annually for 1 FTE (\$54,750 annually for .75 FTE, and \$36,500 for .5 FTE).

Councilmembers would have the option of selecting one full time equivalent (FTE) liaison, one .75 FTE liaison, or two .5 FTE liaisons. Additional compensation in the form of allowances and incentive pays would be provided on a pro-rated basis for .75 and .5 FTE liaisons. Staff recommends that City Council District Liaisons be designated as exempt under the Fair Labor Standards Act (FLSA).

C. Hours of Work

City Council District Liaisons would be assigned to a 5/40 or 9/80 work schedule and hours of work as determined by the respective Councilmember. Councilmembers would review and approve bi-weekly timecards through the City's automated timekeeping system.

D. Other Employment Matters

As City employees, City Council District Liaisons would be covered by the City's self-funded Workers' Compensation program and would be eligible for all statutorily protected leaves, including the California Family Rights Act and Family Medical Leave Act. They will participate in mandatory training including ethics training, preventing sexual harassment and adhering to City policies and procedures as well as any other programs required of city employees. As employees, City Council District Liaisons would be required to follow the policy regarding the political activities of public employees which does not permit employees to engage in political activity while also acting in their capacity as an employee.

E. At-will Employment Contract

Pursuant to the City Charter, all employees work for the City Manager, City Attorney, or City Clerk. Staff recommends that each City Council District Liaison be hired under an at-will employment contract between the City Clerk and the employee. Compensation and benefits would be commensurate with those of a Level 4 classification in the Non Represented Management salary resolution. The City Clerk would provide general oversight to the Council District Liaisons. Each liaison would be selected by a Councilmember and the Councilmember would provide day-to-day direction and supervision of the liaison.

MODIFICATION OF THE PASADENA MUNICIPAL CODE:

The City Council will be asked to introduce an ordinance amending Chapter 2.05 of the Municipal Code. The City Council will no longer utilize the services of City Council hired Field Representatives. Each member of the City Council will have the opportunity to select one full or three-quarters time City Council District Liaison or two part-time City Council District Liaisons, who will be employees of the City Clerk's office, to assist in the

duties of their office. The Municipal Code sets forth the duties, responsibilities, compensation, expense budgets of the City Council as well as its ability to utilize assistants. An ordinance is the only way to amend the Code. These amendments will provide consistency with Council direction.

COUNCIL POLICY CONSIDERATION:

This recommendation supports the City Council's strategic goal to maintain fiscal responsibility and stability.

FISCAL IMPACT:


The annual current cost of the Field Representative program is approximately \$630,695. With the establishment of the City Council District Liaisons, the cost for eight full-time positions is estimated at \$877,630. For the remainder of FY 2016 an additional \$185,000 is needed and will be funded from the unappropriated General Fund balance.

Respectfully submitted,



Kristi Recchia
Director of Human Resources

Approved by:


for MICHAEL J. BECK
City Manager