



Office of the City Manager

CONSENT CALENDAR

October 11, 2022

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Donald Ellison, Interim Director of Human Resources
 Subject: Classification and Salary: Assistant to the City Attorney

RECOMMENDATION

Adopt a Resolution to establish the Assistant to the City Attorney classification with a monthly stepped salary range of \$11,497.20- \$15,107.73 effective October 11, 2022.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

The City Attorney has identified the need for a non-attorney classification that can perform sensitive, complex and difficult analytical work. Policy proposals and referrals from the City Council and City Departments often require monitoring and research that falls outside the scope of legal analysis, including providing analytical support on issues that have significant City or community implications.

There is a need for monitoring, research, and writing related to a wide range of City projects that have significant City or community implications. Currently these functions are being performed by attorneys, but they do not always require legal expertise. A highly organized and analytical person with policy expertise and strong writing skills could perform these tasks for the City Attorney's Office at less expense to the City, thereby freeing up attorney time to be used for exclusively for tasks that require legal expertise.

The City Attorney's Office provides legal advice and support to the entire City, including the City Council, City Manager, all City Departments, as well as appointed City Boards and Commissions. Legal advice and support includes litigating on behalf of the City, drafting or reviewing contracts, leases, ordinances, and resolutions, advising on ballot measures, acting as the Risk Manager for the City, and providing legal advice to staff engaged in affordable housing, homelessness response work, pandemic response work, land-use and zoning, infrastructure projects, economic development efforts and major policy initiatives such as the Re-Imagining Public Safety Task Force and other multi departmental projects that may have legal implications.

The Human Resources Department contracted with Bryce Consulting to create the Assistant to the City Attorney. The City Attorney would like the salary to be comparable to the Assistant to the City Manager. This job is very similar to the Assistant to the City Manager classification, and therefore the proposed salary range is identical. Staff is recommending a monthly salary range of \$11,497.20- \$15,107.73.

Assistant to the City Attorney	Salary (Monthly)
Classification Step 1	\$11,497.20
Classification Step 5	\$15,107.73

BACKGROUND

The Personnel Board discussed and voted unanimously to send this classification to the City Council for approval at its September 6, 2022 meeting (Vote: Ayes: Bartlow, Dixon, Lacey, Wenk, Karpinski, Gilbert, Noes: None Abstains: None).

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

It has been the policy of the City to create the necessary classification and salary schedule to accommodate new duties and responsibilities, reflect programmatic changes, maintain competitive salaries and, when applicable, comply with regulatory requirements.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Donald E. Ellison, Human Resources, Human Resources, (510) 981-6807.

Attachments:

- 1. Resolution
Exhibit A: Classification Specification and Salary Schedule
- 2. Organizational Chart

RESOLUTION NO. -N.S.

CLASSIFICATION: ASSISTANT TO THE CITY ATTORNEY UNREPRESENTED

WHEREAS, the Human Resources Department maintains the Classification and Compensation plan for the City of Berkeley; and

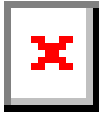
WHEREAS, the Human Resources Department has completed a classification review and recommended establishing the Assistant to the City Attorney.

WHEREAS, the City Attorney has identified the need for a non-attorney classification that can perform sensitive, complex and difficult analytical work. Policy proposals and referrals from the City Council and City Departments often require monitoring and research that falls outside the scope of legal analysis, including providing analytical support on issues that have significant City or community implications.

WHEREAS, the Personnel Board recommended on September 6, 2022 to establish the classification and salary range of Assistant to the City Attorney exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and Unrepresented, effective October 11, 2022

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Classification for Assistant to the City Attorney is established, with a salary range and classification specification as shown on Exhibit A, effective October 11, 2022.

Exhibit A: Assistant to the City Attorney, Classification Specification and Salary Schedule



Class Code:
XXXXX

Assistant to the City Attorney

Bargaining Unit: Unrepresented Classifications

CITY OF BERKELEY
Established Date: XXXX

SALARY RANGE

\$66,325.1 - \$87,159.2 Hourly
\$5,306.40 - \$6,972.80 Biweekly
\$11,497.20 - \$15,107.73 Monthly
\$137,966.40 - \$181,292.80 Annually

DESCRIPTION:

DEFINITION

Under direction, provides highly responsible and specialized administrative and analytical and support within the City Attorney's Office and performs related work as assigned.

CLASS CHARACTERISTICS

The Assistant to the City Attorney is a single level classification within the City Attorney's Office. This class performs sensitive, complex and difficult analytical work as a member of the City Attorney's staff, including providing analytical support on issues that have significant City or community implications. Incumbents have considerable latitude for the exercise of independent judgment, particularly when representing the City Attorney's Office in meetings with other agencies, boards and commissions and community groups.

EXAMPLES OF DUTIES:

The following list of duties is intended only to describe the various types of work that may be performed and the level of technical complexity of the assignment(s) and is not intended to be an all-inclusive list of duties. The omission of a specific duty statement does not exclude it from the position if the work is consistent with the concept of the classification, or is similar or closely related to another duty statement.

1. Represents and supports the City Attorney's Office with employee and citizen group discussions, and meetings; monitors pending items and keeps the City Attorney informed about matters of importance; provides the City Attorney with accurate and timely information to support decision-making and policy direction;
2. Assists in the preparation, development, and administration of the department operating budget;
3. Collects, compiles and analyzes information from various sources on a variety of specialized topics related to the operations of the City Attorney's Office;
4. Researches, evaluates, and prepares statistical, financial, and demographic data used in reports, studies, surveys and analyses; analyzes and makes recommendations in the development and administration of assigned program area;
5. Investigates, analyzes, develops and prepares special studies or projects and corresponding documentation and technical reports;
6. Negotiates and administers contracts; ensures compliance with department procedures, City policies, and pertinent laws, regulations and ordinances;
7. Assists in the development and analysis of departmental policies, procedures and systems;
8. Receives, researches, and responds to questions from outside agencies, other City departments and the general public;
9. Prepares and presents staff reports and presentations at various City Council, commission/board, and other governmental meetings; drafts City Council documents; serves on various committees and task forces;
10. Conducts research, administers special projects and assures implementation of programs developed and initiated by the City Attorney;
11. Consults with the City Attorney and Deputy City Attorneys in solving administrative issues.
12. Represent the City Attorney's Office to outside agencies and organizations; participates in outside community and professional groups and committees; provides technical assistance as necessary;
13. Builds and maintains positive working relationships with co-workers, other City employees and the public using principles of good customer service.
14. Performs related work as assigned.

KNOWLEDGE AND ABILITIES:

Note: The level and scope of the knowledges and skills listed below are related to job duties as defined under Class Characteristics.

Knowledge of:

1. Principles, practices and techniques of project management;
2. Principles and practices of public administration, including principles of organization, budgeting, fiscal analysis, long-range financial planning, and the functions and activities of a municipal government;
3. Pertinent local, state and federal rules, regulations and laws;
4. Modern office procedures and computer equipment;
5. Principles and practices of organizational analysis and management;

6. Methods of complex research and technical report writing.

Ability to:

1. Effectively represent the City in contacts with governmental agencies, community groups, and various business and professional organizations;
2. Conduct analytical, management, and operational studies, evaluating alternatives, and making sound, effective recommendations;
3. Gain cooperation through discussion and persuasion;
4. Interpret and apply City and department policies, procedures, rules and regulations;
5. Evaluate programs and services from an operational and productivity standpoint;
6. Prepare clear, concise and competent reports, correspondence and other written materials;
7. Communicate clearly and concisely, both orally and in writing;
8. Establish and maintain effective working relationships with those contacted in the course of work.

MINIMUM QUALIFICATIONS:

A TYPICAL WAY OF GAINING THE KNOWLEDGE AND SKILLS OUTLINED ABOVE IS:

Equivalent to graduation from an accredited college or university with major course work in business administration, public administration, or related field and four (4) years of increasingly responsible analytical experience in a municipal government environment that included the development and administration of programs.

OTHER REQUIREMENTS:

Specified positions may require possession of a valid California driver's license and have a satisfactory driving record. Must be a current member of the California State Bar Association. Must be willing and able to attend evening meetings.

