



INTER OFFICE MEMORANDUM

TO: Whitney Barazoto
Executive Director

FROM: Anil Comelo
Director

SUBJECT: Ethics Commission Questions
Councilmembers Classification/Compensation

DATE: April 8, 2016

This memo was prepared in response to a request from the Public Ethics Commission made at its February 1, 2016 meeting. The Commission asked that the City administration provide a summary of all compensation, benefits, position classifications (full-time or part-time), expectation of hours worked, and whether there are any policies/restrictions regarding outside employment for the position of City Council Member. The following response was prepared by the Human Resources Management Department in collaboration with the Office of the City Attorney.

1) *What are the position classification(s) and the employment category (full-time or part-time) for Council Members?*

The City of Oakland's Council Member classification (EM100) is full time per the Salary Schedule of the Salary Ordinance (No. 12187 CMS). All City of Oakland Council Members are employed in this classification.

2) *What is the expectation of hours worked for City of Oakland Council Members?*

Since Council Members are expected to perform all of the duties for which they were elected, as employees exempt from the Fair Labor Standards Act (FLSA) the City does not require them to work a specified minimum number of hours.

3) *What are the policies or restrictions regarding outside employment for the position of City Council Member?*

Council Members are not prohibited from outside employment, but there are several provisions in Chapter 1200 of the City Charter that govern their City employment relationship. Specifically, Council Members must comply with sections: 1200 Conflict of Interest, 1201 Incompatible Activities, 1202 Conflict in Office. Additionally, Council Members must comply with the City of Oakland Government Ethics Act, section 2.25 of the Oakland Municipal Code (OMC).

4) *What is the current annual salary of the position of the City Council Member classification?*

Oakland City Council Members currently receive an annual salary of \$81,550.20. By resolution at its Feb. 1, 2016 meeting, the Public Ethics Commission authorized a salary increase effective July 1, 2016, to \$85,382.97 annually.

5) For which benefits are City Council Members eligible?

As full time employees, Oakland City Council members receive a complete benefits package consistent with that provided to all full time City employees, which includes:

- a. Medical health benefits for the employee and his/her eligible family members (spouse, children)
- b. Dental and vision coverage
- c. Death benefit equal to one year's salary
- d. Eligible for elective programs of Optional/Voluntary Life Insurance for self, spouse and dependents, Short Term and Long Term Disability, Deferred Compensation, Flexible Spending Account (FSA-MCAP and DCAP)

The following apply uniquely to City Council Members:

- e. Council Members retirement benefit in CalPERS (California Public Employees Retirement System) is governed and restricted by State law. Enrollment is optional and is also influenced by whether the Council Member had been in the CalPERS system before being elected.
- f. Monthly automobile allowance of \$550 per month
- g. Free parking space
- h. Council Members do not accrue vacation or sick leave

Please let me know if you need any additional information.



ANIL COMELO
Director of Human Resources Management