



Office of the City Manager

CONSENT CALENDAR  
February 23 2010

To: Honorable Mayor and Members of the City Council  
From: *PK* Phil Kamlarz, City Manager  
Submitted by: David W. Hodgkins, Director of Human Resources  
Subject: Classification: Deputy Director Rent Stabilization Program

RECOMMENDATION

Adopt a Resolution to establish the Deputy Director Rent Stabilization Program classification with a monthly salary range without steps of \$8629 to \$11,340, effective February 21, 2010.

FISCAL IMPACTS OF RECOMMENDATION

Assuming that the position is not filled until April 1, 2010, the estimated costs for the remainder of fiscal year 2010 is up to \$46,012 and will be funded from Budget Code 440-8901-463-11-01.

CURRENT SITUATION AND ITS EFFECTS

The Rent Board has approved creation of a new class of Deputy Director Rent Stabilization Program to provide management and oversight in support of the Rent Stabilization Program and requests that the City establish the class. Attachment A is the proposed class specification for Deputy Director Rent Stabilization Program.

The Rent Stabilization Board operates independent of the City and is governed by a nine (9) member board of commissioners elected by the citizens of Berkeley. The Rent Stabilization Board hires the Executive Director Rent Board through a contract and the staff of the Rent Stabilization Program report to the Executive Director. The Rent Stabilization Program has 19.5 budgeted positions, the majority of which are professional, with only four (4) FTE administrative support staff. In the past the staff has included as many as four (4) attorneys, one of whom was a Chief Attorney who supervised the legal staff and served as a de facto deputy director. The Rent Stabilization Board adopts the City's labor contracts through their own resolution and is a signatory to the agreements.

Positions within the Rent Stabilization Program, with the exception of the Executive Director and the Chief Attorney, are part of the City's regular career, benefited service.

The Executive Director Rent Board is recommending that the Deputy Director Rent Stabilization Program be an at-will position serving at the pleasure of the Executive Director of the Rent Board. As such, the classification and position would be exempt from the regular career service.

Over the past ten years since vacancy decontrol began, the mission of the Rent Stabilization Program has evolved, with less emphasis on legal defense and more emphasis on coordination of the Rent Board's work with related agencies and on education and outreach. To fulfill its evolving role the staffing model has reduced the number of attorneys and added planner and analyst positions assigned to policy analysis, program planning, service evaluation and research projects. In addition to day-to-day operation of the Rent Stabilization Program, the Rent Stabilization Board staff conducts more tenant outreach to inform them of their rights, provides more counseling to both tenants and landlords, and works to influence state legislation and court cases affecting Berkeley tenants. It is working to bring about closer cooperation with other City departments such as Planning and Housing to deliver coordinated services and ensure consistent enforcement of Berkeley's regulations. The proposed new Deputy Director class will take the lead in several of these efforts.

Having gone without the assistance provided by the former Chief Attorney in day-to-day operational matters, the Executive Director has determined that there is an ongoing need for a deputy to assist in providing management structure and continuity in day-to-day Rent Stabilization Program operations and carrying out special projects. Attachment B is an organization chart of the Rent Stabilization Program.

#### BACKGROUND

The Personnel Board discussed the proposal at its November 2, 2009 meeting. By unanimous vote, (Bess, Dixon, Eblé, Moore-Gaines, Reyes, Roter, and Silver), the Board recommended the following:

1. Subject to formal approval of the Rent Stabilization Board, establish the at-will classification of Deputy Director Rent Stabilization Program exempt from the overtime provisions of the Fair Labor Standards Act (FLSA), in Representation Unit Z9 (unrepresented at-will positions in the Rent Stabilization Program) with a monthly salary range without steps of \$8,629-\$11,340 effective December 28, 2009. The classification will be exempt from the regular career service and serve at the pleasure of the Executive Director Rent Board who is the appointing authority.

The Rent Board discussed the proposal at its December 21, 2009 meeting and by unanimous vote (Chong, Drake, Shelton, Stephens, Townley, Tregub, Webster) passed the following:

1. Now, therefore be it resolved that the attached proposed classification specification of Deputy Director of the Rent Stabilization Program is accepted by the Board and forwarded to City Council for final approval.

RATIONALE FOR RECOMMENDATION

It has been the policy of the City to maintain and revise the classification and salary schedule on a regular basis to accommodate assignment of new duties and responsibilities, reflect programmatic changes, maintain competitive salaries and, when applicable, comply with regulatory requirements.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

David W. Hodgkins, Director of Human Resources, 981-6805  
Paul Howard Sr. Human Resources Analyst, 981-6822

Attachments: (2)

Class Specification – Deputy Director Rent Stabilization Program (Attachment 1)  
Resolution and Exhibit A: Salary Schedule

City of Berkeley  
Class Code 1231  
February 2010

## **Deputy Director Rent Stabilization Program**

### **DESCRIPTION:**

#### DEFINITION

Under general direction, provides management and oversight in support of Rent Stabilization Program activities and functions involving complex operational, administrative and information processes; manages research and policy analyses; makes recommendations for action and assists in the development and implementation of policies, procedures and systems; and performs related work as assigned.

#### CLASS CHARACTERISTICS

The Deputy Director Rent Stabilization Program has responsibility for participating in the planning, development, administration, and evaluation of policies, operations and budget in collaboration with unit supervisors and staff. The Deputy Director must coordinate with the Executive Director Rent Board on issues concerning programs and policy and may be assigned various operating or administrative program responsibilities that include the coordination of the work of the Rent Stabilization Program with other governmental entities.

The incumbent is expected to demonstrate a high-level of skill and knowledge relating to program responsibilities and is responsible for ensuring that all assigned programs are managed effectively and efficiently. This class is distinguished from the Executive Director in that the latter has overall management responsibility for all aspects of rent stabilization and good cause for eviction programs under the direct guidance of the elected Rent Stabilization Board.

The Deputy Director Rent Stabilization Program is an at-will classification serving at the pleasure of the Executive Director Rent Board who is the appointing authority. The classification of Deputy Director Rent Stabilization Program is not part of the merit system and is exempt from the regular career service.

### **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. Assists the Executive Director Rent Board in the overall management of the department, including coordinating the efforts of the operating unit supervisors, developing general departmental administrative policies and procedures;

2. Plans, organizes, directs, assigns, reviews, and evaluates the work of professional and office support staff;
3. Provides fiscal and operational management of assigned departmental programs which may include needs assessment, program design, development of goals and objectives, establishment of work standards, program implementation and evaluation;
4. Manages, plans, coordinates and integrates departmental programs and operations with other City departments, outside agencies and concerned citizen organizations;
5. Advises the Executive Director Rent Board and others on program implications of operational or financial activity and prepares a variety of reports; maintains liaison with other affected departments, project staff, and federal and state agencies;
6. Plans and organizes complex administrative, programmatic and policy studies relating to department activities; reviews staff work, existing policies and operating procedures for overall effectiveness and develops new service approaches;
7. Provides information to the community, Executive Director Rent Board, and other agencies about the department's plan and programs;
8. Evaluates alternative courses of action and makes recommendations regarding such areas as organizational structure, staffing, facilities, equipment, cost reduction, revenue, productivity, policy or procedure modifications; prepares reports of study conclusions;
9. Acts as the Executive Director Rent Board in his or her absence and represents the Executive Director at meetings with citizen groups, boards and commissions; and
10. Performs related duties as assigned.

**KNOWLEDGE AND ABILITIES:**

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

Knowledge of:

1. Administrative principles and methods, including goal setting, program and budget development and implementation;
2. Principles and practices of program management and organizational development, including innovative planning, development, monitoring, evaluation and administration;
3. Principles and practices of public administration, including budgeting and fiscal controls, work planning, policy research and evaluation, performance measurement and project management in a municipal setting;

4. Local, state and federal requirements and policies applicable to the Rent Stabilization and Eviction for Good Cause Ordinance and related programs;
5. Principles and practices of supervision, including communication, motivation, coaching, team building, setting goals and standards and evaluating work of assigned staff; and
6. Desktop computer applications related to the work such as Word, Excel, Access, Outlook, and other related applications and systems.

Ability to:

1. Analyze complex and sensitive administrative, operational, public policy, fiscal, and organizational problems, evaluate alternatives and reach sound conclusions;
2. Perform and coordinate programmatic activities, such as data collection, analysis, and preparation of reports and recommendations pertaining to complex issues;
3. Interpret laws, policies, procedures, regulations, and statistical data;
4. Develop and implement goals, objectives, policies, procedures, work standards and management controls, including applying project management techniques;
5. Recommend comprehensive programs based upon community needs, available resources and overall Rent Board priorities and policies;
6. Establish and maintain cooperative working relationships with those contacted in the course of work; facilitate meetings with representatives, professionals, citizens and organizations to achieve problem solving and to develop effective partnerships for service delivery;
7. Coordinate and administer a variety of programs and projects, including coordinating multiple projects with other departments and agencies and meeting critical deadlines;
8. Exercise sound, fair and consistent independent judgment within established guidelines;
9. Innovate new work methods, motivate staff and create an effective and productive work environment; and
10. Operate a desktop computer with familiarity and proficiency using standard office or other business applications required to do the work.

**MINIMUM QUALIFICATIONS:**

**A TYPICAL WAY OF GAINING THE KNOWLEDGE AND ABILITIES IS:**

**EDUCATION**

Equivalent to graduation from a four year college or university with major coursework in economics, political science, public policy, urban planning, urban studies, sociology, public administration, business administration, or a closely related field; and

**EXPERIENCE**

Five (5) years of experience involving policy and program development, administration, and budget management in a governmental agency. Two of the five years must have included the supervision of subordinate staff.

**DESIRABLE EDUCATION**

A Master's degree in one of the above curricula.

**DESIRABLE EXPERIENCE**

Experience with in one or more of the following: housing issues, especially rent stabilization, landlord-tenant relations, fair housing, code enforcement, homelessness prevention, and affordable housing.

**OTHER REQUIREMENTS:**

Must be willing to travel to various locations within and outside the City of Berkeley to meet the program needs and to fulfill the job responsibilities. When driving on City business, the incumbent must maintain a valid California driver's license and a satisfactory driving record. Must be able to attend evening or weekend meetings and events, as required.

Deputy Director Rent Stabilization Program	
Classification Code	1231
Classification Established	2/2010
Classification Revised	
FLSA Status	Exempt
Administrative Leave/Overtime	Adm. Leave
Representation Unit	Z-9
Probationary Period	At-Will
Workers' Compensation Code	8810

RESOLUTION NO. ##,### N.S.

CLASSIFICATION: DEPUTY DIRECTOR RENT STABILIZATION PROGRAM

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

WHEREAS, the Executive Director of the Rent Stabilization Board has recommended the establishment of the Deputy Director Rent Stabilization Program classification; and

WHEREAS, the Personnel Board recommended on November 2, 2009 to establish the at-will classification of Deputy Director Rent Stabilization Program in Representation Unit Z9, unrepresented at-will positions in the Rent Stabilization Program, exempt from the overtime provisions of the Fair Labor Standards Act and eligible for administrative leave; and

WHEREAS, the Rent Stabilization Board approved on December 21, 2009 the establishment of the Deputy Director Rent Stabilization Program classification.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Resolution No. - N.S., be adopted to establish the Deputy Director Rent Stabilization Program as shown in Exhibit A, effective February 21, 2010.

## Salary Schedule

<b>Job Code Unit</b>	<b>Class Title</b>	<b>FLSA</b>	<b>A</b>	<b>B</b>	<b>Steps</b>			<b>E</b>	<b>Effective Date</b>
					<b>C</b>	<b>D</b>			
1231 Z9	Deputy Director Rent Stabilization Program	E	\$8,629	-	-	-	\$11,340	2/21/10	

