CREATION OF A NON-REPRESENTED NON-SWORN MANAGEMENT CLASSIFICATION FOR ASSISTANT CITY ATTORNEY - ETHICS OFFICER

ATTACHMENT (Y/N): YES ITEM # 22

GOVERNMENT CODE § 84308 APPLIES: NO

RECOMMENDATION:

That the City Council, by Resolution, approve the creation of a Non-Represented Non-Sworn Management classification titled Ethics Officer within the City Attorney’s Office, assignment of the classification to salary range XCR23 ($156,264 to $234,396), and related amendment to Appendix B of the Personnel Rules and Policies Covering Non-Represented Full-Time and Part-Time Employees effective February 2, 2024.

DISCUSSION:

Chapter 1.05 of the Anaheim Municipal Code establishes the City’s Personnel System and vests the Human Resources Director with the responsibility for ensuring the appropriateness of classifications based upon the type and level of duties and responsibilities performed. This occasionally requires adding classifications to meet operational needs.

At Council direction and in accordance with Section 1.05.020 of the Municipal Code, the Human Resources Director recommends creation of a new classification of Assistant City Attorney - Ethics Officer and assignment of compensation for the classification based on nature of responsibilities for the position. The classification will require active status in the California State Bar and as such is proposed to report to the City Attorney and be placed on the existing pay scale for the lateral classification of Assistant City Attorney - Confidential.

As detailed in the December 12, 2023 staff report (attached) regarding the recommendation to authorize the City Manager to conduct a job classification study for the Ethics Officer position, the role of the incumbent will be to promote public confidence in the integrity of local government by way of carrying out the following responsibilities:

- Serving as the City resource for understanding of laws, ordinances, and regulations pertaining to the conduct of public employees, elected and
appointed officials, candidates, lobbyists, and others, including the California Political Reform Act, California Public Records Act, California Brown Act, Meyers-Milias Brown Act, and local, state and federal statutes;

- Collaborating with key staff and departments such as the City Manager’s Office, City Attorney’s Office, City Clerk’s Office and Human Resources to advance conflicts and ethics efforts, and developing and implementing an ethics program;
- Developing, implementing, and sustaining an education program for employees, elected/appointed officials, lobbyists, stakeholders, and consultants to help them understand their responsibility to perform in compliance with all laws, rules, and regulations;
- Evaluating and proposing improvements to laws and policies relating to campaign finance reform, lobbying, governmental ethics, and conflicts of interest;
- Collaborate with the city’s Audit division to manage the fraud hotline and investigate incidents reported through the hotline

Attached is the draft classification specification that further details the various responsibilities of the position.

**IMPACT ON BUDGET:**

The annualized cost, salary and burden, to create this position is approximately $350,000. Staff anticipates that no budget adjustments will be required for the current fiscal year budget as the position will be filled, at the earliest, late in 2023-2024. Future budget proposals will include full funding recommendations for the position.

Respectfully submitted, Concurring by, Concurring by,

Jim Vanderpool Rob Fabela Linda Andal
City Manager City Attorney Human Resources Director

**Attachments:**

1. Resolution
2. Appendix B of Personnel Rules (final)
3. Appendix B of Personnel Rules (redline)
4. December 12, 2023 Staff Report
5. Draft Classification Specification