

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to request for substitute authority for one Deputy Director of Planning.

Recommendation for Council action:

APPROVE one Substitute Authority position of one Deputy Director of Planning for the period October 1, 2013 through June 30, 2014 pursuant to Section Two of the 2012-13 Department of City Planning Personnel Ordinance (Ordinance No. 182414; Council File No. 12-1700-S25).

Fiscal Impact Statement: None submitted by the Department of City Planning. According to the City Administrative Officer (CAO), there is no fiscal impact from denial of the Department of City Planning's request for one Substitute Authority.

Community Impact Statement: None submitted.

Summary:

On November 19, 2013, your Committee considered September 11, 2013 Department of City Planning (DCP) and November 18, 2013 CAO reports relative to the the request for one Substitute Authority position for of one Deputy Director of Planning for the period October 1, 2013 through June 30, 2014. The request is being made pursuant to Section Two of the 2012-13 DCP Personnel Ordinance (Ordinance No. 182414; Council File No. 12-1700-S25). According to the DCP, the approval of the substitute position will allow for the selection, hiring, and training of a new Deputy to replace the current Deputy, Eva Yuan- McDaniel, who is retiring this coming Spring. Ms. Yuan-McDaniel has been with the Department for 14 years, serving as Deputy Director for 7 of those years. In her position as head of the Administrative and Technical Services Bureau, she oversees all department administrative and financial functions, information technology systems operations, development and support, personnel services, and the operations of the City Planning Commission, the Cultural Heritage Commission and the seven Area Planning Commissions. Her experience and knowledge of department operations, systems, procedures, and work programs are unmatched, and will be extremely difficult to replace. Upon approval of this temporary position authority, City Planning will select and appoint Ms. Yuan-McDaniel's replacement with sufficient overlapping time for the new Deputy to begin acquiring the knowledge which will be necessary for the continued functioning of the Administrative and Technical Services Bureau.

According to the CAO, the DCP is requesting Council approval of a substitute authority for one Deputy Director of Planning (DDP) over the Administrative and Technical Services Bureau for the period of October 1, 2013 through June 30, 2014. The DDP position class is equivalent to an Assistant General Manager (AGM). The request was made for the purpose of selecting, hiring, and training a new DDP in anticipation of the retirement of the incumbent, Eva Yuan-McDaniel, in February 2014. The salary cost for the substitute authority would be approximately \$13,496 a month for a total direct cost from November 2013 through June 2014 of approximately \$107,968. The City Planning Department has indicated that there are sufficient salary savings projected for the year to cover this cost. The CAO has reviewed the request and recommends it be denied.

As part of the 2013-14 Budget deliberations, Council adopted a policy, effective July 1, 2013, wherein authorization of substitute positions, except for layoff avoidance, shall require Council approval. Prior to Fiscal Year 2013-14, the filling of substitute authority positions was primarily

authorized by the CAO. The CAO will continue to perform its usual review and analysis of substitute authority requests under this new policy, providing the Council with an independent analysis as it considers requests from departments. Aside from layoff avoidance, the purpose of granting substitute authorities is to enable a department or the City to resolve a temporary staffing problem such as: 1) To provide replacements for persons while on extensive sick leave with pay; 2) To meet peak workload situations which mayor may not be anticipated; 3) To reduce a backlog in workload; 4) To provide proper classification of a vacated position, the skill requirements of which have changed, provided an increase in salary is not involved, and provided that it cannot be resolved through use of an in lieu authority; 5) To provide temporary additional authority in entering level classes during periods of the year when recruitment potential is greatest.

The CAO then went on to state that the request from the DCP does not conform to these purposes. Additionally, the request was made for nine months while the hiring process, if the DCP follows the process outlined below, should be completed soon after the incumbent retires in February 2014. While AGMs perform critical functions in managing departments, using a substitute authority is not the most cost effective or efficient approach to meeting operational needs before or after their retirement.

To mitigate the impact of AGM retirements, departments should take the following steps: 1) Prepare and submit to the CAO a Request-to-Fill form before the retiring employee leaves their position; this will ensure the Managed Hiring Committee (MHC) receives the request to unfreeze the position in a timely manner; 2) Require the retiring employee to write a detailed exit report before he/she retires so that their knowledge may be accessed by the department and future employees after their retirement; 3) Before the retirement occurs, plan which duties of the retiring employee will be performed temporarily by the remaining department executive team and which will be delegated to other staff in the department until the new employee can be hired; 4) Ensure that the staff reporting to the retiring employee, if any, is well informed before the retirement of any assignments for which they will be responsible after the retirement and who they will report to on an interim basis; and, 5) General Managers should deny requests from retiring employees to use compensated time off prior to their retirement date; such requests cause gaps in time between an employee actively working and their actual retirement date as well as unnecessary department expenses in certain situations.

After further consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the substitute position as contained in the DCP report and detailed in the above recommendation. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

PERSONNEL AND ANIMAL WELFARE COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
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KORETZ:	YES
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O'FARRELL:	ABSENT
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FUENTES:	YES
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-NOT OFFICIAL UNTIL COUNCIL ACTS-