



Request for City Council Committee Action from the Department of Human Resources

Date: January 2, 2009

To: Mayor R. T. Rybak and the Executive Committee

Referral to: Ways and Means Committee

Subject: New Appointed Position: Supervising Attorney - Criminal (608 points, grade 13)

Recommendation:

1. Find that the proposed position meets the criteria in Section 20.1010, Council to Establish (Appointed) Positions, as follows:
 - (1) The person occupying the position will report to the head of the designated city department or the designated city department head's deputy.
 - (2) The person occupying the position will be part of the designated department head's management team.
 - (3) The duties of the position involve significant discretion and substantial involvement in the development, interpretation, or implementation of city or department policy.
 - (4) The duties of the position do not primarily require technical expertise where continuity in the position would be significant.
 - (5) The person occupying the position needs to be accountable to, loyal to, and compatible with the mayor, the city council, and the department head.
2. Approve the proposed position: Supervising Attorney - Criminal (Appointed), allocated to grade 13 with 608 points.
3. Approve an annual salary for the position that is not in accordance with the adopted appointed employee's compensation plan, but provides promotional incentive as the represented jobs that the position will supervise have higher established salary rates than would be provided, with a top-step salary rate of \$96,620, by the appointed employee's compensation plan. The proposed salary schedule is proportionately between the salary rates for Assistant City Attorney III, an AFSCME-represented job with 593 total points, allocated to grade 13, and Deputy City Attorney – Criminal, an appointed position with 740 total points and allocated to grade 16. The 2008 salary schedules for all of these jobs are shown below:

Deputy City Attorney Criminal	Points/Grade	Step A	Step B	Step C	Step D
	740 / 16	\$106,807	\$112,429	\$115,801	\$118,050

Assistant City Attorney III	Points/Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
	593 / 13	70,615	81,480	85,976	90,530	95,441	100,563	106,100	111,380

Assistant City Attorney II	Points/Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
	543 / 12	66,476	76,806	81,092	85,410	90,025	94,936	100,027	105,089

Effective January 2, 2008 (2008 rates)

Supervising Attorney Criminal	Points/Grade	Step A	Step B	Step C	Step D
	608 / 13	\$101,388	\$106,724	\$109,926	\$112,060

Previous Directives: None.

Prepared or Submitted by: Timothy Giles, Director of Employee Services; 673-3341

Approved by: _____

Pam French
Director of Human Resources

Steven Bosacker
City Coordinator

Permanent Review Committee (PRC) - Not Applicable
Policy Review Group (PRG) - Not Applicable

Presenters in Committee: Pam Nelms, Human Resources Senior Consultant 673-3344

Financial Impact (Check those that apply)

- No financial impact (If checked, go directly to Background/Supporting Information).
- Action requires an appropriation increase to the ____ Capital Budget or ____ Operating Budget.
- Action provides increased revenue for appropriation increase.
- Action requires use of contingency or reserves.
- Business Plan: ____ Action is within the plan. ____ Action requires a change to plan.
- Other financial impact (Explain):
- Request provided to department's finance contact when provided to the Committee Coordinator.

Background/Supporting Information

Dear Mayor Rybak:

The City Attorney envisions the creation of four positions to assist the Deputy City Attorney - Criminal in running the Criminal Division of the City Attorney's Office. The creation of the positions will address the issue of having a manageable span of control levels in the division.

Currently the Deputy City Attorney - Criminal supervises forty individuals. The proposed positions will supervise trial teams composed of between nine and eleven members made up of Assistant City Attorneys I, Assistant City Attorneys II, Paralegals, Victim-Witness Assistant, and Case Investigators. The Deputy City Attorney Criminal would directly supervise the four proposed positions, a support services supervisor and an Office Support Specialist II. The proposed positions will be responsible for, but not limited to the following specific job duties:

- Supervise a trial team providing direction on work activities:
- Supervise high profile or complex cases and other criminal cases referred to the division.
- Support to the Deputy City Attorney and the City Attorney as part of the management team.
- Participate in policy-making and policy implementation by identifying areas of concern and recommending appropriate responses and by maintaining and developing statistics on various department and division initiatives in support of policymaking.
- Assist with department planning and in the development and implementation of initiatives.
- Represent the department in dealings with policy-making and law-making bodies as requested.
- Prepare materials for and present continuing legal education topics when assigned.
- Support the implementation of information technology initiatives in the department.
- Attend meetings on behalf of or with the Deputy City Attorney and other criminal justice partners.
- Approve team members' requests to remove a Judge when the Deputy City Attorney is unavailable.
- Investigate complaints from various sources and report information to the Deputy City Attorney with a recommendation on resolution as requested.

Below is a summary of the study conducted to ensure proper evaluation of the position. See attached classification report for a complete description and a more detailed discussion of the factor analysis.

Factor	Points	Analysis
Pre-requisite Knowledge (1)	75 points	Jurist Doctorate degree, licensed to practice law in Minnesota, admission to practice law in Federal District Court and at least five years experience practicing criminal law. Must demonstrate ability to lead a work team or significant project.
Decisions and Actions (2)	65 points	This position will regularly make independent decisions of significance; will have considerable discretion and freedom to act.
Supervisory Responsibility (3)	15 points	The four positions will each supervise, on average, twelve employees. These include: Assistant City Attorneys I and II, Paralegals, Case Investigator and Victim/Witness Assistant positions.
Relationships Responsibility	65 points	Wide variety of contacts internally and externally: Daily or frequent contact with the Deputy City Attorney and others

(4)		in the criminal division and other members of the City Attorney's office, Communications Department, Police Department, District Court personnel including Judges, and various community representatives.
Working Conditions (5)	20 points	Normal office setting.
Effort (6)	65 points	Significant time pressures and deadlines, working with potentially difficult topics in an adversarial environment.

Attached: Classification Report

Facts supporting the five criteria of Minneapolis Code of Ordinances, Section 20.1010 are listed at the end of the attached classification study.