



SAN RAFAEL
THE CITY WITH A MISSION

Agenda Item No: 4.d

Meeting Date: January 16, 2024

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Human Resources

**Prepared by: Angela Robinson Piñon,
Assistant City Manager**

City Manager Approval: _____

TOPIC: JOB CLASSIFICATION AND COMPENSATION FOR A RISK MANAGER POSITION

SUBJECT: RESOLUTION APPROVING THE NEW CLASSIFICATION AND COMPENSATION OF RISK MANAGER; AND DELETING AN EXISTING 1.0 FULL-TIME EQUIVALENT (FTE) ADVANCED PROFESSIONAL TEMPORARY POSITION TO A 1.0 FTE RISK MANAGER POSITION

RECOMMENDATION:

Adopt the resolution to authorize the new Risk Manager classification, update the Mid-Management Salary Schedule with the Risk Manager salary range, delete an existing unfilled Advanced Professional Temporary position in the Finance Department, and add the new Risk Manager position.

BACKGROUND:

Periodically, the Human Resources Department seeks to establish, reallocate, amend, or delete positions to reorganize or restructure staffing to serve the community’s and City’s goals. This staff report outlines a recommendation to add a Risk Manager position to the Mid-Management Employees group.

On July 19, 2021, the San Rafael City Council approved Resolution No. 14955, to establish Mid-Management Employees’ compensation and working conditions. The salary schedule is included in Exhibit A of the resolution and covers the period from July 1, 2021, through June 30, 2024.

ANALYSIS:

The Human Resources Department is responsible for the full scope of traditional personnel services and programs for the City of San Rafael. In addition to the provision of personnel services, Human Resources has also been responsible for oversight of risk management functions: safety, workers’ compensation, general liability, risk transfer, and specialty insurance coverages (property, boiler and machinery, marina hull, dishonesty, and theft bond, etc.). These responsibilities have been shared amongst the City Attorney’s Office, the City Manager’s Office, the Finance Department, and administrative staff in all City departments.

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

Why a Risk Manager Position is Needed

Risk Managers play a crucial role in organizations by helping them identify, assess, and manage risks. In addition, Risk Managers provide valuable information to decision-makers. By quantifying and qualifying risks, they enable informed decision-making that accounts for potential challenges and uncertainties. Moreover, Risk Managers ensure that the organization complies with relevant regulations and industry standards. They help establish and maintain governance structures that promote ethical behavior and adherence to risk management policies. Effective risk management contributes to financial stability by minimizing the impact of adverse events on the organization's financial health. This is achieved through measures such as insurance, hedging, and other risk mitigation strategies. In addition, identifying and mitigating risks can enhance operational efficiency. By addressing potential disruptions or issues before they escalate, Risk Managers help ensure the smooth functioning of business operations.

This position would reduce insurance-related work required for the administration of contracts, provide oversight of liability claims from initiation to closure, work with the City Attorney's Office on litigation, evaluate the City's insurance coverage to inform the appropriate insurance levels and coverage, develop workplace safety initiatives and policies, address audit deficiencies, achieve compliance with Occupational Safety and Health Administration (OSHA) regulations, and provide better management and support to departments/employees for their Workers' Compensation claims. Staff time lost due to active Workers' Compensation claims can reduce overtime backfill of positions and can alleviate productivity losses.

In summary, this position would help to maintain the long-term sustainability and success of the City of San Rafael by proactively managing uncertainties, improving employee health, safety and wellness, and supporting strategic decision-making. This role extends across various aspects of the organization, contributing to its overall resilience and adaptability. While the specific structure and responsibilities of a risk management function may vary depending on the size of the jurisdiction, the presence of a dedicated risk manager is seen as a best practice for effective organizational governance and resilience.

Development of the Recommendation

Over a decade ago, the City had a dedicated Risk Manager position providing oversight, but due to the economic crises facing public agencies at that time, the position was eliminated with tasks absorbed across the organization. However, due to organizational capacity constraints, and changes in regulatory requirements, the reassignment of this work is not sustainable in the long term. Therefore, the City requested that Municipal Resource Group, LLC ("MRG") assess the City's risk management functions. The MRG assessment concluded that the City should create a Risk Manager job classification, and staff worked with MRG to create the attached job description. Adding a Risk Manager position would allow the City to recruit someone with technical expertise to meet the full scope of municipal Risk Management best practices. This will help mitigate the City's risk exposure and improve loss prevention practices to reduce claims, reduce the cost of claims, and reduce the cost of insurance premiums over time.

Based on MRG's thorough analysis of the organizational structure of the administrative functions of the City, staff recommends the deletion of an unfilled Advanced Professional Temporary position in the Finance Department and the addition of a Risk Manager position to the City Manager's Office. In a jurisdiction the City's size, and due to the risk management work being cross departmental in nature, the MRG recommended this position reside in the City Manager's Office.

City staff has looked at similar job descriptions in other jurisdictions and believes the compensation and working conditions are comparable to positions included in the Mid-Management group. The recommended salary range for the Risk Manager Position is \$11,173 (Step A) to \$13,581 (Step E) per month, which is internally aligned with other mid-management positions within the City of San Rafael.

The item was presented at the City Council Finance Committee meeting on December 8, 2023.

City staff has satisfied its responsibilities to notice and offer to meet and confer with the affected bargaining unit per the Meyers-Milias-Brown Act before implementation.

All relevant attachments including the job description and updated salary schedule are attached to this staff report.

COMMUNITY OUTREACH:

Public notice for this item was provided per the City of San Rafael's Municipal Code, and the public will have the opportunity to comment on this item during a meeting of the San Rafael City Council.

FISCAL IMPACT:

By deleting the unfilled Advanced Professional Temporary position and adding a Risk Manager, the number of full-time equivalent employees (FTEs) remains the same, and the proposed position would have a total compensation cost increase of approximately \$130,000 annually. The costs in the current fiscal year are estimated to be \$45,000, depending upon the date the position is filled and will be offset by salary savings from vacant positions. The Risk Manager position will be included in the Fiscal Year (FY) 2024-25 budget in the City's Liability Fund.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt the resolution.
2. Adopt resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION:

Adopt the resolution to authorize the new Risk Manager classification, update the Mid-Management Salary Schedule with the Risk Manager salary range, delete an existing unfilled Advanced Professional Temporary position in the Finance Department, and add the new Risk Manager position.

ATTACHMENTS:

- A. Resolution Approving a New Classification and Compensation of a Risk Manager
- B. Risk Manager Job Description
- C. Mid-Management Salary Schedule

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
APPROVING THE NEW CLASSIFICATION AND COMPENSATION
FOR A RISK MANAGER; AND DELETING AN EXISTING 1.0 FULL-TIME
EQUIVALENT (FTE) ADVANCED PROFESSIONAL TEMPORARY POSITION TO A
1.0 FTE RISK MANAGER POSITION**

WHEREAS, periodically, the Human Resources Department seeks to establish, reallocate, amend, or delete positions to reorganize or restructure staffing to serve the community's and City's goals; and

WHEREAS, on July 19, 2021, the San Rafael City Council approved Resolution No. 14955 establishing the compensation and working conditions for Unrepresented Mid-Management Employees; and

WHEREAS, the City retained the Municipal Resource Group, LLC (MRG) to conduct an assessment of the Risk Management function and to make recommendations on a possible staffing model; and

WHEREAS, MRG's analysis concluded that the City should add a Risk Manager position to meet the full scope of municipal Risk Management best practices; and

WHEREAS, Staff concurs with MRG's analysis and recommends deleting 1.0 Full-Time Equivalent (FTE) Advanced Professional Temporary position in the Finance Department and adding a Risk Manager classification to meet the full scope of municipal Risk Management best practices, and to help mitigate the City's risk exposure; and

WHEREAS, the proposed job specification for the Risk Manager position was created and is attached hereto; and

WHEREAS, the City has determined that the compensation and working conditions associated with this role is comparable to job classifications in the Unrepresented Mid-Management group and recommends a salary range of \$11,173 (Step A) to \$13,581 (Step E) per month, which is internally aligned with other mid-management positions within the City of San Rafael; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of San Rafael hereby approves the recommended personnel compensation, title, and classification changes per the Mid-Management Salary Schedule included with the Staff Report for this resolution.

I, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael, held on Tuesday, the 16th day of January 2024, by the following vote, to wit:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

Lindsay Lara, City Clerk

City of San Rafael

Job Class Specification

Job Title: Risk Manager

SUMMARY

Administers, manages, and directs the City's risk management and safety program, including loss control and prevention, public liability, occupational health and safety, and workers' compensation. Responsible for leading and coordinating the activities supporting these services with other City departments, divisions, and outside agencies. Proactively analyzes, develops and recommends new and improved risk management procedures and programs that cost-effectively minimize the City's exposure to liability and loss, and protect people and City financial and physical assets. Performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

The Risk Manager position is responsible for managing the city's risk management portfolio with considerable independent action and judgement to ensure that best practices, procedures, and policies are implemented. The Risk Manager will interface closely with the City Attorney and Assistant City Attorney on litigation resulting from liability claims. The Risk Manager will be a working partner for the Human Resources Director as the Risk Manager is charged with managing workers' compensation and workplace safety. Specifically, the Risk Manager will report formally to the Assistant City Manager, and, in addition, the Human Resources Director will provide matrixed functional oversight over workers' compensation and workplace safety. The Risk Manager may act for the Human Resources Director in their absence.

SUPERVISION RECEIVED AND EXERCISED

General direction is provided by the Assistant City Manager. The Risk Manager may provide direct or indirect supervision of lower-level professional, technical, and support services personnel.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. This list is intended to be illustrative and does not represent an exhaustive list of duties and responsibilities. Incumbents may not perform all duties and responsibilities listed. Other duties may be assigned.

- Plan, organize, and manage the City's overall risk management and safety unit and other assigned programs, including occupational health and safety, Workers' Compensation, insurance coverage, risk transfer, subrogation, insurance specifications and purchases, loss control, claims management, and litigation management.
- Direct, oversee and participate in the development of the Risk Management work plan; undertake and assign work activities, projects and programs; monitor workflow; review and evaluate work products, methods and procedures.
- Understand and interpret City, state, and federal regulations and statues relative to risk management and other assigned programs.
- Workers' Compensation & Workplace Safety
 - Receive claims for employee's workplace related injury and illness and work with

the City's Workers' Compensation Third Party Administrator to manage claims.

- Coordinate with Human Resources Department on claims processing and general administration.
 - Develop, update, and maintain City policies and procedures pertaining to injury and illness prevention, integration of leave types and employee benefits, modified/light duty, medical separations, and related matters.
 - Identify training needs and develop and implement effective training programs conforming to CAL/OSHA, ADA, FEHA, other applicable rules and regulations, and goals of the City for employees, management, departments, outside agencies and the public on safety and risk-related matters.
 - Maintain records of employee training on safety and risk-related matters.
 - Coordinate with Human Resources on the City's health and retirement benefits programs including disability retirements and industrial disability retirements.
 - Investigate employee injuries. Collect and analyze information on injuries, accidents and near accidents; recommend injury prevention programs and assist in implementation.
 - Develop procedures and methods to ensure City-wide conformance to California OSHA standards including record keeping, injury reporting and hazard identification correction.
 - Supervise the preparation, proper filing and completion of worker's compensation claims; monitors and advises departments regarding temporary transitional work assignments/return to work policies and procedures.
 - Monitor and manage FMLA, COBRA, and DOT testing compliance.
 - Facilitate the workplace safety committee comprised of City employees to develop recommendations to reduce employee injuries and address other health and safety related matters.
- Risk Transfer / Contracts
 - Review contracts and leases regarding risk transfer including insurance, indemnification, hold harmless provisions, requirements for endorsements, and subrogation.
 - Work with the City Attorney's Office on any exemptions or complex risk transfer situations in contracts or agreements.
 - Review certificates of insurance and endorsements for adequacy. Ensure the tracking and monitoring of certificates of insurance for currency.
 - Provide assistance to support the development and administration of City contracts and agreements.
 - Provide training to departments, develop templates and procedures, and act as an information resource to departments on procurement and contracting issues.
- Liability / Litigation
 - Provide oversight of liability claims through initiation to closure; review tort claims for legal sufficiency and sends to the Third Party Administrator; work with the Third Party Administrator during investigation of allegations; coordinates communications with claimant through the Third Party Administrator; interface with departments to collect information relevant to claim and provides that information to the Third Party Administrator; make recommendations for settlement, denial, or compromise of

claims; settle or deny claims within their delegated authority; monitor denied claims to determine if lawsuit is brought; monitor expenditures and reserve levels of litigated claims; report claim status to excess carrier; and maintain liability claims register.

- Work with and support the City Attorney's Office on all aspects of City litigation; provides updates to the City Manager and City Attorney; participates in and prepares for City Council closed session meetings; make recommendations to the City Manager and City Attorney regarding litigation and settlement of claims; attend and recommend settlements; maintain excess insurance program; represent the City in small claims court; prepare and coordinate staff for required court appearances with expertise from the City Attorney's Office.
- Coverage / Insurance
 - Maintain current information regarding valuations for buildings, assets, contents, and property, claims experience, City activities and other pertinent data.
 - Work with the Finance Department to ensure maintenance of appropriate insurance levels and/or reserves.
 - Oversee the renewal of the City's insurance coverage.
 - Establish, monitor, and adjust rates as necessary.
- Risk Analysis & Investigations
 - Survey facilities, operations, and programs to identify hazards and potential liabilities; recommend corrective actions to affected departments; conduct industrial-injury investigations, determine causation and initiate corrective action.
 - Draft and present risk reports and proposals to executive leadership and senior staff.
- General Risk Management
 - Conduct risk assessments, collecting and analyzing documentation, statistics, reports, and trends.
 - Establish policies and procedures to identify and address risks in the organization's services and departments.
 - Review and assess risk management policies and protocols; makes recommendations and implements modifications and improvements.
 - Recommend and implement risk management solutions such as insurance, safety and security policies, business continuity plans, or recovery measures.
- May represent the City at various boards, commissions, and other bodies as assigned; serve as a liaison with contract service providers, insurance brokers, and external agencies such as the County, excess pool, etc.
- Participate in the development and implementation of goals, objectives, policies, and priorities.
- Continuously monitor and evaluate the efficiency and effectiveness of service delivery methods and procedures; proactively implement improvements.
- Supervise assigned professional, technical and clerical staff.
- Participate in the development of the division's budget.
- Respond to and resolve difficult and/or sensitive citizen, claimant, and employee inquiries and complaints.

- Perform related duties as assigned.

KNOWLEDGE AND ABILITIES:

- Principles, practices, and methods of public agency Risk Management, asset protection, loss control, insurance, contracts, liability, property claims adjusting and settlement methods, subrogation recovery, Workers' Compensation, occupational health and safety, compliance, and related areas.
- Organizational and management principles as applied to analysis and evaluation of programs, policies, and operational needs.
- Methods of liability claims investigation, adjustment, and administration.
- Pertinent federal, state, and local laws, codes, and regulations, including California law in the areas of public entity tort, contract, other relevant areas and basic litigation processes.
- Statistical analysis methods and concepts as they pertain to assigned areas. Principles and techniques of effective report writing.
- Principles and practices of budget preparation and cost allocation. Project management methods and techniques.
- Statutory requirements of public records retention as it pertains to area of assignment.
- Office procedures, methods, and equipment including computers and applicable software applications such as word processing, spreadsheets, and databases.
- Methods and techniques of conducting employee investigations.
- Principles of supervision, training, and performance evaluation.

ABILITY TO:

- Develop, implement, administer and make sound decisions in order to provide an effective and efficient risk management and safety program.
- Identify problems, collect and analyze data, develop effective solutions, project consequences of proposed actions, and implement recommendations in support of goals.
- Analyze, interpret, and apply federal, state, and local policies, procedures, laws, regulations, and statutes relative to risk management, self-insurance, workers compensation, and occupational health and safety.
- Read, analyze, and interpret common scientific and technical journals, financial reports, and legal documents.
- Effectively negotiate with various outside agencies and professionals.
- Research, analyze, and evaluate new service delivery methods, procedures, and techniques.
- Respond to inquiries or complaints from customers, regulatory agencies, or members of the business community; resolve conflicts in a tactful and professional manner.
- Effectively present information to management, public groups, and/or City Council or committees.

- Gain cooperation through discussion and persuasion.
- Establish appropriate priorities and meet deadlines.
- Establish and maintain program control and status reporting systems.
- Travel to various locations within and outside the city limits; and work flexible hours to provide training or investigation as needed.
- Prepare and administer a budget.
- Operate office equipment including computers and supporting word processing, spreadsheet, and database applications.
- Communicate clearly and concisely, both orally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of the work.

EDUCATION AND/OR EXPERIENCE

Any combination equivalent to the education and experience likely to provide the required knowledge and abilities would be qualifying. A typical way to gain such knowledge and abilities would be:

Education - A Bachelor's degree from an accredited college or university with major course work in public administration, insurance administration, or a related field. A Master's degree is highly desirable.

Experience - Five years of progressively responsible experience, preferably in the public sector, and experience in risk management, loss control, general liability, and occupational health and safety.

License or Certificate – Possession of a valid California driver's license and a satisfactory driving record. Professional certification such as Associate of Risk Management (ARM) and/or Certified Professional in Disability Management (CPDM) designation is desirable.

SPECIAL REQUIREMENTS:

- Possession of a valid California Driver's License

WORK ENVIRONMENT:

- Work in an office environment; sustained posture in a seated position for prolonged periods of time.

FLSA Status: Exempt

By: HR Department

Prepared Date:

Approved By: City Council

Approved Date: Approved

SAN RAFAEL UNREPRESENTED MID-MANAGEMENT

SALARY SCHEDULE

Effective January 16, 2024

Grade	Position	A	B	C	D	E
7315	Accounting Manager	\$ 10,080	\$ 10,584	\$ 11,113	\$ 11,668	\$ 12,252
2303	Assistant Community Development Director	\$ 12,646	\$ 13,278	\$ 13,942	\$ 14,639	\$ 15,371
2400	Assistant Library and Recreation Director	\$ 11,355	\$ 11,923	\$ 12,519	\$ 13,145	\$ 13,802
2202	Assistant Public Works Director	\$ 12,886	\$ 13,530	\$ 14,207	\$ 14,917	\$ 15,663
2302	Chief Building Official	\$ 11,975	\$ 12,574	\$ 13,202	\$ 13,863	\$ 14,556
4203	Civic Design Manager	\$ 10,229	\$ 10,741	\$ 11,278	\$ 11,842	\$ 12,434
2122	Code Enforcement Supervisor	\$ 7,796	\$ 8,186	\$ 8,595	\$ 9,025	\$ 9,477
4204	Data & Infrastructure Manager	\$ 11,328	\$ 11,894	\$ 12,489	\$ 13,113	\$ 13,769
4213	Deputy Building Official	\$ 10,778	\$ 11,317	\$ 11,882	\$ 12,477	\$ 13,100
1105	Deputy City Attorney I	\$ 10,852	\$ 11,395	\$ 11,965	\$ 12,563	\$ 13,191
1109	Deputy City Attorney II	\$ 11,965	\$ 12,564	\$ 13,192	\$ 13,852	\$ 14,544
7125	Deputy Director of Emergency Management	\$ 12,886	\$ 13,530	\$ 14,207	\$ 14,917	\$ 15,663
7127	Deputy Fire Chief	\$ 14,663	\$ 15,396	\$ 16,166	\$ 16,974	\$ 17,823
2120	Deputy Fire Marshall	\$ 10,193	\$ 10,702	\$ 11,237	\$ 11,799	\$ 12,389
2135	Deputy Public Works Director	\$ 11,707	\$ 12,292	\$ 12,907	\$ 13,552	\$ 14,230
7313	Economic Development Coordinator	\$ 9,834	\$ 10,326	\$ 10,842	\$ 11,385	\$ 11,954
2128	Economic Development Manager	\$ 10,814	\$ 11,355	\$ 11,923	\$ 12,519	\$ 13,145
7117	Emergency Services Manager	\$ 9,595	\$ 10,075	\$ 10,579	\$ 11,108	\$ 11,663
2137	Housing Manager	\$ 11,173	\$ 11,732	\$ 12,318	\$ 12,934	\$ 13,581
2107	Human Resources Operations Manager	\$ 9,779	\$ 10,268	\$ 10,781	\$ 11,320	\$ 11,886
2208	Operations and Maintenance Manager	\$ 10,661	\$ 11,194	\$ 11,754	\$ 12,341	\$ 12,958
2208	Operations and Maintenance Manager (SRSD)	\$ 10,661	\$ 11,194	\$ 11,754	\$ 12,341	\$ 12,958
2703	Parking Services Manager	\$ 9,834	\$ 10,326	\$ 10,842	\$ 11,385	\$ 11,954
7312	Parks Superintendent	\$ 9,735	\$ 10,222	\$ 10,733	\$ 11,269	\$ 11,833
2116	Planning Manager	\$ 11,173	\$ 11,732	\$ 12,318	\$ 12,934	\$ 13,581
2206	Principal Civil Engineer (SRSD)	\$ 13,404	\$ 14,074	\$ 14,778	\$ 15,517	\$ 16,293
2143	Principal HR Analyst	\$ 9,779	\$ 10,268	\$ 10,781	\$ 11,320	\$ 11,886
4206	Product Manager	\$ 10,229	\$ 10,741	\$ 11,278	\$ 11,842	\$ 12,434
8103	Recreation Supervisor	\$ 8,242	\$ 8,654	\$ 9,087	\$ 9,541	\$ 10,019
TBD	Risk Manager*	\$ 11,173	\$ 11,732	\$ 12,318	\$ 12,934	\$ 13,581
7317	Senior Code Enforcement Supervisor	\$ 8,605	\$ 9,036	\$ 9,487	\$ 9,962	\$ 10,460
2101	Senior Management Analyst I	\$ 7,985	\$ 8,384	\$ 8,803	\$ 9,243	\$ 9,705
2105	Senior Management Analyst II	\$ 9,507	\$ 9,982	\$ 10,481	\$ 11,005	\$ 11,555
2203	Senior Project Manager	\$ 9,729	\$ 10,216	\$ 10,726	\$ 11,263	\$ 11,826
8102	Senior Recreation Supervisor	\$ 9,097	\$ 9,552	\$ 10,030	\$ 10,531	\$ 11,058
7310	Sewer Maintenance Superintendent	\$ 9,735	\$ 10,222	\$ 10,733	\$ 11,269	\$ 11,833
7311	Street Maintenance Superintendent	\$ 9,735	\$ 10,222	\$ 10,733	\$ 11,269	\$ 11,833
7245	Supervising Librarian	\$ 8,242	\$ 8,654	\$ 9,087	\$ 9,541	\$ 10,019
2150	Sustainability Program Manager	\$ 8,013	\$ 8,413	\$ 8,834	\$ 9,275	\$ 9,739

**New Position per Council Action*