



CITY COUNCIL AGENDA REPORT



DEPARTMENT: City Manager's Office

MEETING DATE: May 19, 2020

PREPARED BY: Stephanie Luu, Senior Management Analyst

AGENDA LOCATION: AR-1

TITLE: Appointment of a Retiree to Temporarily Fill the Senior Community Services Officer Position in the Police Department; Resolution No 2020-37

OBJECTIVE: To authorize the appointment of a retiree to assist in filling a critical position in the Police Department for a limited duration

BACKGROUND: The City's current Senior Community Services Officer, is retiring on June 20, 2020, after 21 years of service with the City. The Senior Community Services Officer is a crucial and specialized position within the Police Department.

The City plans on hiring the Senior Community Services Officers' successor within the next few weeks. However, given the current impacts of COVID-19 and the State's requirements on social distancing to reduce the spread of the virus, training for the transition of the current incumbent's duties have challenges. The position is critical in nature as there is only one senior-level incumbent in the Police Department and all other Community Services Officers are specifically assigned to different divisions. This make it difficult for the duties to be absorbed by other employees who share similar classification titles. Given the current circumstances, coupled by the unique nature of this specialized position, staff is recommending that the City approve a resolution authorizing the temporary appointment of the Senior Community Services Officer to serve as a retired annuitant on a temporary, post-retirement, and interim basis.

ANALYSIS: California Government Code legislates how a California Public Employees Retirement System (CalPERS) member can work after retirement. Generally, a CalPERS retiree must have a 180-day separation from employment before being eligible to return to work at a CalPERS agency. However, Government Code 7522.56 provides an exception to this rule by allowing the reappointment of a recent CalPERS retiree to fill a critically needed position prior to the 180-days, if the governing body of the agency approves the appointment through adoption of a resolution at a public meeting through adoption of a resolution.

To that end, given the circumstances, staff would recommend that the City Council approve a resolution allowing our Senior Community Services Officer to return to her current role post-retirement, on an interim and temporary basis, to assist with the transition and provide training to her successor. Pursuant to California Government Code 21224, retired annuitants cannot exceed 960 hours of work during the fiscal year. Staff anticipates that the appointment will not exceed a four (4) month period, working approximately 30 hours per week.

FISCAL IMPACT: The designated retired annuitant position does not include medical or fringe benefits, which will result in an overall reduced rate to bring back the Senior Community Services Officer. The regular full-time and fully-loaded cost for a four (4) month period would be approximately \$25,600. In comparison, hiring the Senior Community Services Officer in a temporary role working 30-hours per week

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for a four (4) month period with no benefits is estimated to be around \$17,200, which would result in a cost savings of \$8,400.

ENVIRONMENTAL IMPACT: There are no environmental impacts associated with this action.

OPTIONS: The following options are presented for consideration:

1. Authorize the appointment of the City's Senior Community Services Officer after retirement for a limited duration and interim basis, pursuant to California Government Code 7522.56 and 21224.
2. Do not authorize the appointment of the City's Senior Community Services Officer after retirement to return for a limited duration and interim basis.

RECOMMENDATION: Staff recommends that the City Council approve Option 1 by adopting Resolution No. 2020-37 to authorize the appointment of the City's Senior Community Services Officer to fill the vacancy on a temporary and interim basis, pursuant to California Government Code Section 7522.56 and 21224.

COUNCIL ACTION REQUIRED: If the City Council concurs, the appropriate action would be a motion to adopt Resolution No. 2020-37.

RESOLUTION NO. 2020-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA, AUTHORIZING AN EXCEPTION TO THE 180-DAY WAIT PERIOD WHEN HIRING A RETIREE FOR A CRITICAL POSITION PURSUANT TO GOVERNMENT CODE SECTIONS 7522.56 AND 21224

RECITALS

WHEREAS, in compliance with Government Code section 7522.56 the Monrovia City Council must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

WHEREAS, Judy Potapa retired from the City of Monrovia in the position of Senior Community Services Officer, effective June 20, 2020; and

WHEREAS, section 7522.56 requires that a post-retirement employment commence no earlier than 180 days after the retirement date, which is December 18, 2020 without this certification resolution; and

WHEREAS, section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

WHEREAS, the Monrovia City Council, the City of Monrovia, and Judy Potapa certify that Judy Potapa has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the Monrovia City Council hereby selects Judy Potapa to fill the position of the Senior Community Services Officer for the City of Monrovia on an interim basis until a permanent replacement is hired under Government Code section 21224, effective June 22, 2020; and

WHEREAS, the entire employment agreement, contract or appointment document between Judy Potapa and the City of Monrovia has been reviewed by this body and is attached herein; and

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

WHEREAS, the employment shall be limited to 960 hours per fiscal year; and

WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

WHEREAS, the maximum base salary for this position is \$6,240.66 and the hourly equivalent is \$36.00, and the minimum base salary for this position is \$4,656.88 and the hourly equivalent is \$26.87; and

WHEREAS, the hourly rate paid to Judy Potapa will be \$36.00; and

WHEREAS, Judy Potapa has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Monrovia as follows:

SECTION 1. The City Council of the City of Monrovia hereby approves the appointment of Judy Potapa to the critically needed position of Senior Community Services Officer for the City of Monrovia on a temporary basis.

PASSED, APPROVED AND ADOPTED on this 19th day of May, 2020.

Tom Adams, Mayor
City of Monrovia

ATTEST:

APPROVED AS TO FORM:

Alice D. Atkins, MMC, City Clerk
City of Monrovia

Craig A. Steele, City Attorney
City of Monrovia