

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lona Beach, CA 90802-4664

1 RESOLUTION NO. RES-22-0101

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3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH APPROVING THE EXCEPTION TO
5 THE 180-DAY WAIT PERIOD GOVERNMENT CODE
6 SECTIONS 7522.56 AND 21224, FOR RETIRED ANNUITANT
7 TYE JOHNSON

8
9 WHEREAS, in compliance with Government (Gov.) Code section 7522.56 of
10 the Public Employees' Retirement Law, the City of Long Beach must provide CalPERS
11 this certification resolution when hiring a retiree before 180 days has passed since their
12 retirement date; and

13 WHEREAS, TYE JOHNSON, CalPERS ID 2566501524, retired from the City
14 of Long Beach in the position of Firefighter, effective February 11, 2022; and

15 WHEREAS, Gov. Code section 7522.56 requires that post-retirement
16 employment commence no earlier than 180 days after the retirement date, which is
17 August 11, 2022, without this certification resolution; and

18 WHEREAS, Gov. Code section 7522.56 provides that this exception to the
19 180-day wait period shall not apply if the retiree accepts any retirement-related incentive;
20 and

21 WHEREAS, the City Council, the City Manager, the City of Long Beach and
22 Tye Johnson, certify that Tye Johnson has not and will not receive a Golden Handshake
23 or any other retirement-related incentive; and

24 WHEREAS, the City Manager with City Council approval hereby appoints
25 Tye Johnson, as an extra help retired annuitant to perform the duties of the Retired
26 Annuitant – Specialized Support, for the City of Long Beach under Government Code
27 section 21224, effective July 1, 2022; and

28 WHEREAS, the appointment letter between Tye Johnson and the City of

1 Long Beach has been reviewed by this body and is attached herein; and

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

4 WHEREAS, the employment shall be limited to 960 hours per fiscal year for
5 all CalPERS employers; and

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

9 WHEREAS, the maximum base salary for this position is \$20,000 monthly
10 and the hourly equivalent is \$115.385, and the minimum base salary for this position is
11 \$2,500 monthly and the hourly equivalent is \$14.423; and

12 WHEREAS, the hourly rate paid to Tye Johnson as a retired annuitant will
13 be \$45.845; and

14 WHEREAS, Tye Johnson has not and will not receive any other benefit,
15 incentive, compensation in lieu of benefit or other form of compensation in addition to this
16 hourly pay rate; and

17 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
18 follows:

19 Section 1. The City Council hereby certifies the nature of the appointment
20 of Tye Johnson as described herein and detailed in the attached appointment letter and
21 that this appointment is necessary to fill the critically needed position of Retired Annuitant
22 – Specialized Support, for the City of Long Beach by July 1, 2022, for the purpose of
23 assisting the Arson Unit, specifically in peer reviewing case filings, coordinating fireworks
24 response and seizure, transporting evidence, training investigators, filing cases with DA
25 and City Prosecutor's Office, creating an investigator task book, assisting in case
26 investigation (document only reports) and assisting with reviewing and updating Arson
27 policies and procedures (including the Use of Force policy) within the Fire Department.
28 The compensation for retired annuitant, Tye Johnson, will be \$45.845 per hour.

May 10, 2022

Tye Johnson



Dear Tye Johnson:

It is my pleasure to make you a conditional offer of employment as Retired Annuitant-Specialized Support in the Fire Department. Your appointment as a PERS retired annuitant will be effective at a mutually agreed upon date, at an hourly rate of \$45.845, contingent upon approval by the Human Resources Director and City Council.

As a PERS retired annuitant, you are limited to 960 hours during the PERS fiscal year (July 1 through June 30) and you will not be eligible for step increases. It will be your responsibility to monitor your hours so that they do not exceed the 960-hour limit.

If you accept this conditional offer of employment, please sign, and return this offer letter to Ernie Echeverria, Administrative Analyst in the Fire Department.

If have any questions, please direct them to Sarah Green, Administrative Officer in the Fire Department. They can be reached at 562-570-2551.

On behalf of the department staff, we look forward to continuing to work with you.

Sincerely,

A handwritten signature in black ink that reads "T.B.M." with a stylized flourish.

Thomas B. Modica
City Manager

Acknowledgment: _____

_____ Date

DC

<https://longbeach.sharepoint.com/sites/TEAM-FM-AOGroup/Shared%20Documents/Recruitments%20Management/Management%20Recruitments/2021/FM21-055%20Acting%20Business%20Services%20Officer/Brian%20Tuiiau%20Conditional%20Offer%20Letter.docx>

