

R-10

February 9, 2021

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution approving an exception to the 180-day waiting period for Public Agencies pursuant to Government Code 7522.56 and 21224 to hire Maria Armijo for a limited duration to work in the Technology and Innovation Department. (Citywide)

DISCUSSION

On January 1, 2013, the Public Employees' Pension Reform Act added Sections 7522.56 and 21224 to the Government Code, which set forth post-retirement employment requirements applicable to all retirees who are employed by CalPERS employers on or after January 1, 2013. This change added the requirement that all retirees must wait 180 days after their retirement date before they are eligible to begin post-retirement employment with a CalPERS agency. An exception to the 180-day wait period can be made if a public agency certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed. The appointment must be approved by the governing body of the employer in a public meeting and may not be placed on a consent calendar.

The Technology and Innovation Department (TID) requests City Council approval to hire Maria Armijo, former Systems Support Specialist III in TID, as a Retired Annuitant – Specialized Support, effective February 10, 2021, for a limited duration to assist with the ongoing technical support of the Police Department. Since Ms. Armijo's proposed start date is less than the required 180-day waiting period subsequent to her retirement on December 30, 2020, City Council approval to hire Ms. Armijo is required. The approved rate of pay will be \$45.229 per hour. This amount represents the hourly rate she received upon retirement and is within the minimum and maximum compensation paid to other employees performing comparable duties as listed in the City of Long Beach's (City) publicly available pay schedule and will be funded by the TID.

Ms. Armijo has worked with the City for 14 years as a Systems Support Specialist. Ms. Armijo's continued support of TID operations at the Police Department is critical due to her institutional knowledge and expertise and current staffing shortages caused by the pandemic. Also, Ms. Armijo's assistance including troubleshooting issues, installing software, and assisting with computer replacements will allow other TID staff to continue to focus and prioritize the Police Departments Records Management System/Jail Management System projects reducing potential project implementation delays. The department will prioritize filling the vacancy for her position, but due to the extensive background process required by the Police Department, her continued involvement until the position is filled is imperative.

This matter was reviewed by Principal Deputy City Attorney Gary J. Anderson and Revenue Management Officer Geraldine Alejo on January 28, 2021.

TIMING CONSIDERATIONS

City Council action is requested on February 9, 2021, to ensure continued support of the Police Department RMS/JMS implementation.

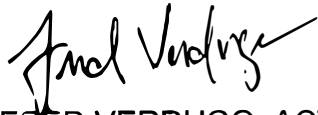
FISCAL IMPACT

The total annual cost is estimated to not exceed \$44,049.00 (960 hours at \$45.229/hour plus Medicare) during each CalPERS fiscal year ending June 30th. These costs will be funded by the General Services Fund Group in the Technology and Innovation Department and will be absorbed within current budget appropriation. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



FRED VERDUGO, ACTING DIRECTOR
DEPARTMENT OF HUMAN RESOURCES

Attachment – Resolution

APPROVED:



THOMAS B. MODICA
CITY MANAGER

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

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH APPROVING THE EXCEPTION TO
THE 180-DAY WAIT PERIOD GOVERNMENT CODE
SECTIONS 7522.56 AND 21224 FOR RETIRED ANNUITANT
MARIA ARMIJO

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

WHEREAS, Maria Armijo, CalPERS ID 5208847625, retired from the City of
Long Beach in the position of Systems Support Specialist III, effective December 30,
2020; and

WHEREAS, Section 7522.56 requires that post-retirement employment
commence no earlier than 180 days after the retirement date, which is June 28, 2021,
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 City Council, the City Manager, the City of Long Beach and
Maria Armijo, certify that Maria Armijo has not and will not receive a Golden Handshake or
any other retirement-related incentive; and

WHEREAS, the City Manager with City Council approval hereby appoints
Maria Armijo, as an extra help retired annuitant to perform the duties of the Retired
Annuitant – Specialized Support NC, which are comparable to the duties of Systems
Support Specialist III for the City of Long Beach under Government Code Section 21224,
effective February 3, 2021; and

WHEREAS, the appointment letter between Maria Armijo and the City of

1 Long Beach has been reviewed by this body and is attached hereto; 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;
5 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, at the direction of City Council, the hourly rate paid to Maria
13 Armijo as a retired annuitant will be \$45.229; and

14 WHEREAS, Maria Armijo 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 Maria Armijo 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 NC, for the City of Long Beach effective February 3, 2021, for the
23 purpose of continuing technology support for the Police Department while the Technology
24 and Innovation Department conducts recruitment to fill the vacancy.

25 Section 2. Maria Armijo has acquired the relevant experience and
26 specialized skills from her employment with the City of Long Beach as a Systems Support
27 Specialist. She has worked with the City for 14 years and has completed the extensive
28 background as required by the Police Department. The recruitment and extensive

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

1 background process required by the Police Department could delay the progress of the
2 Records Management System/Jail Management System projects, as project staff would
3 be diverted to the day-to-day tasks currently being performed by Ms. Armijo. Ms. Armijo,
4 even part-time, will be able to assist with day-to-day tasks including troubleshooting
5 issues, installing software, and assisting with computer replacements to allow staff to
6 complete and accomplish the pending projects at the Police Department while the
7 department recruits for her replacement. The effective date of this appointment will be
8 February 3, 2021. The compensation for retired annuitant Maria Armijo will be \$45,229.

9 Section 3. This resolution shall take effect immediately upon its adoption
10 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

11 I hereby certify that the foregoing resolution was adopted by the City Council
12 of the City of Long Beach at its meeting of _____, 20____, by the following vote:

13
14 Ayes: Councilmembers: _____

15 _____

16 _____

17 _____

18 Noes: Councilmembers: _____

19 _____

20 Absent: Councilmembers: _____

21 _____

22 Recusal(s): Councilmembers: _____

23 _____

24 _____

25 _____

26 _____

27 _____

28 _____

City Clerk

January 29, 2021

Ms. Maria "Suzy" Armijo
[REDACTED]
Whittier, CA 90605

Dear Ms. Armijo:

It is my pleasure to make you a conditional offer of employment as a Retired Annuitant – Specialized Support in the Technology and Innovation Department, pending City Council approval. Your appointment as a PERS retired annuitant will be effective February 10, 2021, at an hourly rate of \$45.229.

As a PERS retired annuitant, you are limited to 960 hours during the PERS fiscal year (July 1 through June 30).

Thank you for your continued technical support of the City's Police Department's needs.

Sincerely,



Thomas Modica
City Manager

cc: Fred Verdugo, Acting Director, Human Resources
Lea Eriksen, Director, Technology & Innovation
Nicole Gross, Administrative Officer, Technology & Innovation
Personnel File

