

R-28

April 6, 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 Stephanie Kemp for a limited duration to work in the Human Resources Department. (Citywide)

DISCUSSION

On January 1, 2013, the Public Employees' Pension Reform Act added Section 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 Human Resources Department requests City Council approval to hire Stephanie Kemp, former Special Projects Officer in Human Resources, as a Retired Annuitant-Special Projects NC, effective April 12, 2021, for a limited duration to provide technical and administrative support for the City's legacy Human Resources and Payroll Management system, including the review of personnel transactions, providing technical security oversight, and responding to errors in the system. Ms. Kemp's support is needed until the City implements the new Tyler Munis HR/Payroll system, allowing current staff to focus on critical project milestones. Ms. Kemp's technical expertise and historical knowledge will also reduce project risks and ensure streamlined continuity with current personnel and payroll transactions. Ms. Kemp has over 29 years of service with the City and 25 of those years as the City's Human Resources system administrator.

Since Ms. Kemp's proposed start date is less than the required 180-day waiting period subsequent to her retirement on March 26, 2021, City Council approval to hire Ms. Kemp is required. The approved rate of pay for the limited duration is \$55.272 per hour. This amount represents the compensation she received upon retirement and is consistent with the compensation of other employees performing comparable duties and will be funded by the Human Resources Department.

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This matter was reviewed by Principal Deputy City Attorney Gary J. Anderson on March 16, 2021 and by Revenue Management Officer Geraldine Alejo on March 18, 2021.

TIMING CONSIDERATIONS

City Council action is requested on April 6, 2021, to ensure the continued support of the Human Resources Department's participation in the Tyler Munis project.

FISCAL IMPACT

The total estimated annual cost is will not exceed \$57,120. The cost is based on 960 hours over the CalPERS fiscal year ending June 30th, at a salary rate of \$55.272 per hour plus Medicare and FICA. Actual costs will be based on hours worked and are not expected to exceed 960 hours in FY 21 covering the period from April 12, 2021 to September 30, 2021. These costs will be funded within the existing appropriations in the Employee Benefits Fund Group in the Human Resources Department. 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
HUMAN RESOURCES DIRECTOR

ATTACHMENT - RESOLUTION

APPROVED:



THOMAS B. MODICA
CITY MANAGER

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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 PER GOVERNMENT CODE
SECTIONS 7522.56 AND 21224 FOR RETIRED ANNUITANT,
STEPHANIE KEMP

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, Stephanie Kemp, CalPERS ID 6238152370, retired from the
City of Long Beach in the position of Special Projects Officer effective March 26, 2021;
and

WHEREAS, Section 7522.56 requires that post-retirement employment
commence no earlier than 180 days after the retirement date, which is September 22,
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
Stephanie Kemp, certify that Stephanie Kemp 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
Stephanie Kemp as an extra help retired annuitant to perform the duties of the Retired
Annuitant – Special Projects which are comparable to the duties of Special Projects
Officer for the City of Long Beach, under Government Code Section 21224, effective April
12, 2021; and

WHEREAS, the appointment letter between Stephanie Kemp 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 \$115.38 and the minimum base salary for this position is
11 \$2,500 monthly and the hourly equivalent is \$14.42; and

12 WHEREAS, at the direction of City Council, the hourly rate paid to Stephanie
13 Kemp as a retired annuitant will be \$55.272; and

14 WHEREAS, Stephanie Kemp 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 Stephanie Kemp as described herein and detailed in the attached appointment letter
21 and that this appointment is necessary to fill the critically needed position of Retired
22 Annuitant – Special Projects for the City of Long Beach effective April 12, 2021, for the
23 purpose of providing support in the transition of the legacy system to Munis, within the
24 Human Resources Department.

25 Section 2. Stephanie Kemp has acquired the relevant experience and
26 specialized skills from her employment with the City of Long Beach as a Special Projects
27 Officer. Ms. Kemp will provide technical and administrative support for the City’s legacy
28 Human Resources and Payroll Management system, including the review of personnel

1 transactions, providing technical security oversight, and responding to errors in the
2 system. Ms. Kemp’s support is needed until the City implements the new Tyler Munis
3 HR/Payroll system, allowing current staff to focus on critical project milestones. Ms.
4 Kemp’s technical expertise and historical knowledge will also reduce project risks and
5 ensure streamlined continuity with current personnel and payroll transactions. Ms. Kemp
6 has over 29 years of service with the City of Long Beach and 25 of those years as the
7 City’s Human Resources system administrator. The effective date of this appointment will
8 be April 12, 2021. The compensation for retired annuitant Stephanie Kemp will be
9 \$55,272.

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

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

14
15 Ayes: Councilmembers: _____
16 _____
17 _____
18 _____

19 Noes: Councilmembers: _____
20 _____

21 Absent: Councilmembers: _____
22 _____

23 Recusal(s): Councilmembers: _____
24 _____

25 _____
26 _____

27 _____
28 City Clerk

THOMAS B. MODICA
City Manager

March 19, 2021

Stephanie Kemp
[REDACTED]
[REDACTED]

Dear Ms. Kemp,

The City of Long Beach is pleased to offer you the position of Retired Annuitant-Special Projects Non-Career for the Labor Relations Bureau in the Department of Human Resources. In your capacity, you will continue to assist the Department with the transition of the legacy Human Resources Management Systems (HRMS) into MUNIS and other related projects. This appointment is effective April 7, 2021. The hourly rate of pay for this position is \$55.272.

If you accept this opportunity, please sign the letter below and return it to Omar Ramos, Administrative Officer, at Omar.Ramos@LongBeach.Gov by Wednesday, March 24, 2021. If you have any questions, Mr. Ramos can be reached at (562) 570-6060.

Sincerely,



Thomas B. Modica
City Manager

Acknowledgment: _____
Stephanie Kemp

Date

CC: Personnel File