

July 6, 2021

R-39

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 Wendy Goetz for a limited duration to work in the Fire 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 Fire Department requests City Council approval to hire Wendy Goetz, former Deputy Fire Marshal in the Fire Department, as a Retired Annuitant-Specialized Support, effective July 17, 2021, for a limited duration, to perform plan and field inspections. Ms. Goetz has extensive knowledge of the Fire Codes and Standards, and exceptional interpersonal and customer service skills. Ms. Goetz has this skillset from working over 40 years in construction, inspections, plan review, and supervising as the Deputy Fire Marshal. She has worked for the Fire Department for 14 years and has a great understanding of the plan review and permit process, which includes the Infor permit system. The current workload on the new construction staff is not sustainable. Construction is only increasing in Long Beach and many new projects are either in construction or waiting to be reviewed and approved. The position is imperative to accommodate inspection requests in a reasonable time.

Since Ms. Wendy Goetz's proposed start date is less than the required 180-day waiting period subsequent to her retirement on May 3, 2021, City Council approval to hire Ms. Goetz is required. The approved rate of pay will be \$66.22 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 Fire Department.

This matter was reviewed by Principal Deputy City Attorney Gary J. Anderson on June 11, 2021 and by Revenue Management Officer Geraldine Alejo on June 14, 2021.

TIMING CONSIDERATIONS

City Council action is requested on July 6, 2021, to ensure the continued support of the Fire Department's plan and field inspections.

FISCAL IMPACT

The total annual cost is estimated to not exceed \$68,435. The cost is based on 960 hours over the CalPERS fiscal year ending June 30th, at a salary rate of \$66.220 per hour plus Medicare and FICA. Actual costs will be based on hours worked and not expected to exceed 960 in FY 21 covering the period from July 2021 to September 2021. The cost will be funded within current resources budgeted in the General Fund Group in the Fire 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,



JOE AMBROSINI
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 GOVERNMENT CODE
SECTIONS 7522.56 AND 21224 FOR RETIRED ANNUITANT
WENDY GOETZ

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, Wendy Goetz, CalPERS ID 7866377885, retired from the City
of Long Beach in the position of Deputy Fire Marshall, effective May 3, 2021; and

WHEREAS, Section 7522.56 requires that post-retirement employment
commence no earlier than 180 days after the retirement date, which is October 30, 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
Wendy Goetz, certify that Wendy Goetz 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
Wendy Goetz, as an extra help retired annuitant to perform the duties of the Retired
Annuitant – Specialized Support, which are comparable to the duties of Deputy Fire
Marshall, for the City of Long Beach under Government Code Section 21224, effective
July 17, 2021; and

WHEREAS, the appointment letter between Wendy Goetz and the City of
Long Beach has been reviewed by this body and is attached hereto; and

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

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

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

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

11 WHEREAS, at the direction of City Council, the hourly rate paid to Wendy
12 Goetz as a retired annuitant will be \$66.220 and

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

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

18 Section 1. The City Council hereby certifies the nature of the appointment
19 of Wendy Goetz as described herein and detailed in the attached appointment letter and
20 that this appointment is necessary to fill the critically needed position of Retired Annuitant
21 – Specialized Support, for the City of Long Beach effective July 17, 2021, for the purpose
22 of performing plan and field inspections, within the Fire Department.

23 Section 2. Wendy Goetz has acquired the relevant experience and
24 specialized skills from her employment with the City of Long Beach as Deputy Fire
25 Marshal. Ms. Goetz has extensive knowledge of the Fire Codes and Standards, and
26 exceptional interpersonal and customer service skills. Ms. Goetz has this skill set from
27 working over 40 years in construction, inspections, plan review, and supervising as the
28 Deputy Fire Marshal. She has worked for the department for 14 years and has a great

1 understanding of the plan review and permit process, which includes the Infor permit
2 system. The position is imperative to accommodate inspection requests in a reasonable
3 time. The current workload on the new construction staff is not sustainable. Construction
4 is only increasing in the City and there are many new projects that are either in
5 construction or waiting to be reviewed and approved. The effective date of this
6 appointment will be July 17, 2021. The hourly compensation for retired annuitant Wendy
7 Goetz will be \$66.220.

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

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

12
13 Ayes: Councilmembers: _____
14 _____
15 _____
16 _____

17 Noes: Councilmembers: _____
18 _____

19 Absent: Councilmembers: _____
20 _____

21 Recusal(s): Councilmembers: _____
22 _____
23 _____

24 _____
25 City Clerk

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27
28

Thomas B. Modica
City Manager

June 15, 2021

Wendy Goetz
[REDACTED]
Long Beach, CA 90808

Dear Ms. Goetz:

It is my pleasure to make you a conditional offer of employment as a Retired Annuitant – Specialized Support in the Long Beach Fire Department, contingent upon approval by the City Council on July 6, 2021. Your appointment as a PERS retired annuitant will be effective July 17, 2021, at an hourly rate of \$66.220.

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

Sincerely,



Thomas B. Modica
City Manager

cc:
Joe Ambrosini, HR Director
Personnel File

