

R-23

July 14, 2020

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 Ms. Cathy Pingol for a limited duration to work in the Financial Management Department. (Citywide)

DISCUSSION

On January 1, 2013, the Public Employees' Pension Reform Act added Section 7522.56 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 Financial Management Department requests City Council approval to hire Ms. Cathy Pingol, former Senior Accountant, as a Retired Annuitant – Administrative Support NC, effective July 15, 2020, for a limited duration, to assist with Tidelands accounting activities that have gotten behind due to vacancies and COVID-19. Ms. Pingol's extra help is needed to prepare financial reports on Tidelands funds and to perform reconciliations of Tidelands revenues, expenses, and debt activity as well as other backlogged work, through the end of September 2020. In addition, she will train and review work from other staff regarding Tidelands Funds reporting. Since Ms. Pingol's proposed start date is less than the required 180-day waiting period post retirement, City Council approval to hire Ms. Pingol is required. The approved rate of pay for the limited duration is \$46.218 per hour. This amount represents the hourly rate she received upon retirement and within the minimum and maximum paid to other employees performing comparable duties as listed in the City of Long Beach's (City) publicly available pay schedule. Ms. Pingol has over 24 years of accounting experience with the City and has specialized skills to handle the most complex accounting assignments.

This matter was reviewed by Principal Deputy City Attorney Gary J. Anderson and Budget Manager Grace H. Yoon on June 30, 2020.

HONORABLE MAYOR AND CITY COUNCIL

July 14, 2020

Page 2

TIMING CONSIDERATIONS

City Council action is requested on July 14, 2020, to ensure minimal impact to Tidelands accounting operations in the Financial Management Department.

FISCAL IMPACT

The total FY 20 fully loaded cost for this position will not exceed \$22,506 (480 hours during July through September at salary rate of \$46.218 plus Medicare). These costs will be funded out of the Tidelands Operating Fund Group in the Financial Management Department and will be absorbed within current budgeted appropriations. 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,



ALEJANDRINA BASQUEZ
HUMAN RESOURCES DIRECTOR

ATTACHMENTS

APPROVED:



THOMAS B. MODICA
CITY MANAGER

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY
4 OF LONG BEACH APPROVING THE EXCEPTION TO THE
5 180-DAY WAIT PERIOD GOVERNMENT CODE SECTIONS
6 7522.56 AND 21224 FOR RETIRED ANNUITANT CATHY
7 PINGOL
8

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

12 WHEREAS, Cathy Pingol, CalPERS ID 3774294972, retired from the City of
13 Long Beach in the position of Senior Accountant effective May 3, 2020; and

14 WHEREAS, Section 7522.56 requires that post-retirement employment
15 commence no earlier than 180 days after the retirement date, which is October 31, 2020,
16 without this certification resolution; and

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

19 WHEREAS, the City Council, the City Manager, the City of Long Beach and
20 Cathy Pingol certify that Cathy Pingol has not and will not receive a Golden Handshake or
21 any other retirement-related incentive; and

22 WHEREAS, the City Manager with City Council approval hereby appoints
23 Cathy Pingol as an extra help retired annuitant to perform the duties of the Retired
24 Annuitant – Administrative Support NC for the City of Long Beach under Government
25 Code Section 21224, effective July 15, 2020; and

26 WHEREAS, the appointment letter between Cathy Pingol and the City of
27 Long Beach has been reviewed by this body and is attached herein; and

28 WHEREAS, no matters, issues, terms or conditions related to this

1 employment and appointment have been or will be placed on a consent calendar; and

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

3 and

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

7 WHEREAS, the maximum base salary for this position is \$8,039 monthly
8 and the hourly equivalent is \$46.218, and the minimum base salary for this position is
9 \$5,909 monthly and the hourly equivalent is \$33.972; and

10 WHEREAS, at the direction of City Council, the hourly rate paid to Cathy
11 Pingol as a retired annuitant will be \$46.218; and

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

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

17 Section 1. The City Council hereby certifies the nature of the appointment
18 of Cathy Pingol as described herein and detailed in the attached appointment letter and
19 that this appointment is necessary to fill the critically needed position of Retired Annuitant
20 – Administrative Support NC for the City of Long Beach effective July 15, 2020, to assist
21 with Tidelands accounting activities that have gotten behind due to vacancies and COVID-
22 19 within the Financial Management Department.

23 Section 2. Cathy Pingol has over twenty-four (24) years of accounting
24 experience and has specialized skills to handle complex accounting assignments with the
25 City of Long Beach. She has acquired some of this relevant experience in her former
26 position as a Senior Accountant. The effective date of this appointment will be July 15,
27 2020. The compensation for retired annuitant Cathy Pingol will be \$46.218.

28 Section 3. This resolution shall take effect immediately upon its adoption

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

June 30, 2020

Ms. Cathy Pingol
[REDACTED]

Dear Ms. Cathy Pingol:

It is my pleasure to make you a conditional offer of employment as a Retired Annuitant – Administrative Support Non-Career in the Department of Financial Management. Your appointment as a PERS retired annuitant will be effective at a mutually agreed upon date, at an hourly rate of \$46.218, contingent upon approval by the Human Resources Director and City Council (expected July 7, 2020).

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 Daniel Casey, Administrative Analyst in the Department of Financial Management.

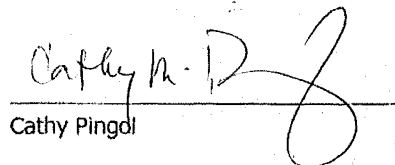
If have any questions, please direct them to Sandra Kennedy, Administrative Officer in the Department of Financial Management. She can be reached at 562-570-6688.

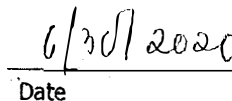
On behalf of the department staff, we look forward to continuing to work with you.

Sincerely,



John Gross
Finance Director / CFO


Cathy Pingol


Date

Enclosure

cc: Alex Basquez, Director of Human Resources