

**R-72**

November 17, 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 John Seevers for a limited duration to work in the Financial Management 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 Financial Management Department requests City Council approval to hire John Seevers, former Superintendent of Acquisitions, as a Retired Annuitant-Special Projects NC, effective December 15, 2020 for a limited duration, to assist with the Fiscal Year 2022 (FY 22) Fleet Services MOU, fleet capital planning and procurement, inventory management, and special purchasing projects. Since Mr. Seevers' proposed start date is less than the required 180-day waiting period subsequent to his retirement on October 9, 2020, City Council approval to hire Mr. Seevers is required. The approved rate of pay will be \$55.620 per hour. This amount represents the hourly rate he 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 through regular fleet charges.

Mr. Seevers has 26 years with the City and has developed a comprehensive understanding of the City's unique acquisitions operations and inventory management. Bringing Mr. Seevers back as a Retired Annuitant will help ensure his knowledge is retained and that the City stays on target to meet the fiscal and operational needs of user departments and the City's critical financial deadlines.

This matter was reviewed by Principal Deputy City Attorney Gary J. Anderson on October 27, 2020 and by Revenue Management Officer Geraldine Alejo on October 29, 2020.

TIMING CONSIDERATIONS

City Council action is requested on November 17, 2020, to ensure minimal impact to fleet service operations in the Financial Management Department.

FISCAL IMPACT

The total FY 21 fully-loaded cost for this position will not exceed \$54,169 (960 hours at \$55.620/hour plus Medicare). These costs will be funded by the Fleet Services Fund Group in the Financial Management 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 HUMAN RESOURCES DIRECTOR

ATTACHMENT – RESOLUTION

APPROVED:



THOMAS B. MODICA  
CITY MANAGER

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Lona 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  
JOHN SEEVERS

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, JOHN SEEVERS, CalPERS ID 4576339045, retired from the  
City of Long Beach in the position of Superintendent-Fleet Acquisition, effective October 9,  
2020; and

WHEREAS, Section 7522.56 requires that post-retirement employment  
commence no earlier than 180 days after the retirement date, which is April 7, 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  
John Seevers, certify that John Seevers, 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  
John Seevers, as an extra help retired annuitant to perform the duties of the Retired  
Annuitant-Special Projects NC, which are comparable to the duties of a Special Projects  
Officer, for the City of Long Beach under Government Code Section 21224 effective  
December 15, 2020; and

WHEREAS, the conditional offer of employment letter between John

1 Seevers and the City of Long Beach has been reviewed by this body and is attached  
2 herein; and

3 WHEREAS, no matters, issues, terms or conditions related to this  
4 employment and appointment have been or will be placed on a consent calendar; and  
5 WHEREAS, the employment shall be limited to 960 hours per fiscal year;  
6 and

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

10 WHEREAS, the maximum base salary for this position is \$16,000 monthly  
11 and the hourly equivalent is \$92.308; and the minimum base salary for this position is  
12 \$2,500 monthly and the hourly equivalent is \$14.423; and

13 WHEREAS, at the direction of City Council, the hourly rate paid to John  
14 Seevers as a retired annuitant will be \$55.620; and

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

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

20 Section 1. The City Council hereby certifies the nature of the appointment of  
21 John Seevers as described herein and detailed in the attached appointment letter and that  
22 this appointment is necessary to fill the critically needed position of Retried Annuitant-  
23 Special Projects NC for the City of Long Beach effective December 15, 2020, to assist  
24 with the FY22 Fleet Services MOU, fleet capital planning and procurement, inventory  
25 management, and special purchasing projects within the Financial Management  
26 Department.

27 Section 2. John Seevers has 26 years with the City and has developed a  
28 comprehensive understanding of the City of Long Beach's unique acquisitions operations

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
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Long Beach, CA 90802-4664

1 and inventory management. His knowledge will help ensure that the City stays on target  
2 to meet the fiscal and operational needs of user departments and the City's critical  
3 financial deadlines. The effective date of this appointment will be December 15, 2020.  
4 The compensation for retired annuitant John Seevers will be \$55.620.

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

7 I hereby certify that the foregoing resolution was adopted by the City Council  
8 of the City of Long Beach at its meeting of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

9  
10 Ayes: Councilmembers: \_\_\_\_\_

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12 \_\_\_\_\_

13 \_\_\_\_\_

14 Noes: Councilmembers: \_\_\_\_\_

15 \_\_\_\_\_

16 Absent: Councilmembers: \_\_\_\_\_

17 \_\_\_\_\_

18 Recusal(s): Councilmembers: \_\_\_\_\_

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21 \_\_\_\_\_  
City Clerk

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THOMAS B. MODICA  
City Manager

November 17, 2020

Mr. John Seevers  
[REDACTED]

Dear Mr. John Seevers:

It is my pleasure to make you a conditional offer of employment as a Special Projects Non-career, contingent upon approval by the City Council on November 17, 2020. Your appointment as a PERS retired annuitant will be effective at a mutually agreed upon date, at an hourly rate of \$55.620, contingent upon approval by the City Council (expected November 17, 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 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 City staff, we look forward to continuing to work with you.

Sincerely,



Thomas B. Modica  
City Manager