

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

RESOLUTION NO. RES-22-0006

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

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH APPROVING THE EXCEPTION TO
THE 180-DAY WAIT PERIOD PURSUANT TO
GOVERNMENT CODE SECTIONS 7522.56 AND 21224 FOR
RETIRED ANNUITANT MICHAEL J. MAIS

WHEREAS, in compliance with Government Code (GC) 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, Michael J. Mais, CalPERS ID 1519060960, retired effective
December 4, 2021, from the City of Long Beach in the position of Assistant City Attorney;
and

WHEREAS, GC Section 7522.56 requires that post-retirement employment
commence no earlier than 180 days after the retirement date, which is June 2, 2022,
without this certification resolution; and

WHEREAS, GC 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 Attorney, the City of Long Beach and
Michael J. Mais certify that Michael J. Mais has not and will not receive a Golden
Handshake or any other retirement-related incentive; and

WHEREAS, the City Attorney with City Council approval hereby appoints
Michael J. Mais as a Retired Annuitant-Management Support-NC to perform duties for
the City of Long Beach under Government Code Section 21224, effective January 5,
2022; and

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

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

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

6 WHEREAS, the maximum base salary for this position is \$30,000 monthly
7 and the hourly equivalent is \$173.077; and the minimum base salary for this position is
8 \$4,000.00 monthly and the hourly equivalent is \$23.076; and

9 WHEREAS, at the direction of City Council, the hourly rate paid to Michael
10 J. Mais as a retired annuitant will be \$127.274; and

11 WHEREAS, Michael J. Mais has not and will not receive any other benefit,
12 incentive, compensation in lieu of benefit or other form of compensation in addition to this
13 hourly pay rate; and

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

16 Section 1. The City Council hereby certifies the nature of the
17 appointment of Michael J. Mais as described herein and detailed in the attached
18 appointment letter. This appointment is necessary to fill the critically needed position of
19 Retired Annuitant-Management Support-NC for the City of Long Beach by January 5,
20 2022, for the purpose of providing needed critical and time sensitive legal services
21 relating to important CEQA litigation, various Airport matters, as well as pending and
22 anticipated Development Services, Planning, and Public Works matters, including
23 pending California Environmental Quality Act (CEQA) cases where Mr. Mais has the
24 institutional knowledge and has handled since their inception. Mr. Mais will continue to
25 provide critical environmental law advice and assistance related to the proposed
26 Southern California International Gateway (SCIG) project which could, if not appropriately
27 regulated, cause severe noise and air quality impacts to west Long Beach residents and
28 businesses.

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

Section 2. Mr. Mais is qualified to assist and provide critically needed advice and legal services. He possesses institutional knowledge, specialized legal skills and experience for a number of critical projects. Mr. Mais has acquired the relevant experience and specialized legal skills from his 37 years of employment with the City and as an Assistant City Attorney for the last eight years. As a result of his expertise and skills, Mr. Mais has been an essential and integral employee and manager. The effective date of this appointment will be January 5, 2022.

Section 3. The compensation for retired annuitant Michael J. Mais will be \$127.274 per hour.

Section 4. This resolution shall take effect immediately upon its adoption 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 January 4, 2022, by the following vote:

Ayes:	Councilmembers:	Zendejas, Allen, Price, Supernaw, _____
		Mungo, Saro, Uranga, Austin, _____
		Richardson. _____
Noes:	Councilmembers:	None. _____

Absent:	Councilmembers:	None. _____

Recusal(s):	Councilmembers:	None. _____



City Clerk



OFFICE OF THE CITY ATTORNEY

411 W. Ocean Boulevard, 9th Floor
Long Beach, CA 90802
Writer's Direct Dial: (562) 570-2295
Facsimile: (562) 436-1579
E-Mail: charles.parkin@longbeach.gov

CHARLES PARKIN
City Attorney

MICHAEL J. MAIS
Assistant City Attorney

January 5, 2022

Michael J. Mais

RE: Conditional Offer of Employment – Retired Annuitant-Management Support-NC

Dear Mike:

It is my pleasure to make you a conditional offer of employment as a Retired Annuitant – Management Support in the Long Beach City Attorney's Office, as approved by the City Council on January 4, 2022. Your appointment as a PERS retired annuitant will be effective January 5, 2022, at an hourly rate of \$127.274.

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

I look forward to continuing to work with you.

Very truly yours,

CHARLES PARKIN
City Attorney

A21-05483: 01337744.docx

cc: Tyler Pike, Legal Administrator
Personnel File