

1 RESOLUTION NO. RES-21-0104

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH APPROVING THE EXCEPTION TO
5 THE 180-DAY WAIT PERIOD GOVERNMENT CODE
6 SECTIONS 7522.56 AND 21224, FOR RETIRED ANNUITANT
7 BRIAN TULIAU
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, BRIAN TULIAU, CalPERS ID 3621000865, retired from the City
13 of Long Beach in the position of Police Sergeant, effective April 16, 2021; 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 13, 2021,
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 Brian Tuliau, certify that Brian Tuliau, 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 Brian Tuliau, as an extra help retired annuitant, to perform the duties of Retired Annuitant-
24 Management Support, which are comparable to the duties of Business Services Officer,
25 for the City of Long Beach under Government Code Section 21224, effective August 25,
26 2021; and

27 WHEREAS, the appointment letter between Brian Tuliau and the City of
28 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 \$30,000 monthly
9 and the hourly equivalent is \$173.077, and the minimum base salary for this position is
10 \$4,000 monthly and the hourly equivalent is \$23.077; and

11 WHEREAS, at the direction of City Council, the hourly rate paid to Brian
12 Tuliau as a retired annuitant will be \$50.00; and

13 WHEREAS, Brian Tuliau 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 of
19 Brian Tuliau as described herein and detailed in the attached appointment letter and that
20 this appointment is necessary to fill the critically needed position of Retired Annuitant-
21 Management Support, for the City of Long Beach effective August 25, 2021, to provide
22 critical oversight to the Business License Division. Mr. Tuliau will oversee the
23 investigation and issuance of business licenses and entertainment permits, cannabis
24 business licenses, enforcement field operations, identifying and bringing into compliance
25 unlicensed businesses, and aiding various business organizations. The Business
26 Services Officer plans, organizes and directs Business License staff.

27 Section 2. Mr. Tuliau retired as a Sergeant from the Long Beach Police
28 Department after 27 years of service. He holds a Bachelor's degree in Public Policy. He

1 has experience in leadership, code enforcement, interagency collaboration, and
2 knowledge of the law. He managed large teams of both officers and civilian staff,
3 reviewed employee reports, completed performance reviews, trained patrol officers, and
4 provided counseling. His experience coordinating public facing services and
5 multijurisdictional investigations, training in community engagement, and evidence
6 gathering experience are uniquely helpful in management of an administrative and field
7 enforcement operation. His management supervision is required to prevent further impact
8 and delays. The effective date of this appointment will be August 25, 2021. The
9 compensation for retired annuitant Brian Tuliau will be \$50.00.

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 August 24, 2021, by the following vote:

14			
15	Ayes:	Councilmembers:	<u>Zendejas, Allen, Price, Supernaw,</u>
16			<u>Saro, Uranga, Austin, Richardson.</u>
17			<u></u>
18			<u>None.</u>
19	Noes:	Councilmembers:	<u></u>
20			<u></u>
21	Absent:	Councilmembers:	<u>Mungo.</u>
22			<u></u>
23	Recusal(s):	Councilmembers:	<u>None.</u>
24			<u></u>

25
26 
27 City Clerk
28

July 20, 2021

Mr. Brian Tuliau
[REDACTED]
[REDACTED]

Dear Mr. Brian Tuliau:

It is my pleasure to make you a conditional offer of employment as Retired Annuitant-Management support 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 \$50.00, contingent upon approval by the Human Resources Director and City Council.

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,

Thomas B. Modica
City Manager

Acknowledgment: _____ Date _____

