

November 9, 2021

R-56

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 Steve Suttles for a limited duration to work in the Technology and Innovation 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 Technology and Innovation Department (TID) requests City Council approval to hire Steve Suttles, recently retired Communications Specialist VI in TID, as a Retired Annuitant – Management Support, effective November 9, 2021, for a limited duration, to act as the interim Data Center Officer while TID conducts a recruitment for a permanent replacement. Mr. Suttles worked with the City of Long Beach (City) for over 30 years. Mr. Suttles' continued support of the TID's operations in the Data Center is critical due to his institutional knowledge and expertise. During his 30-year tenure with the City, Mr. Suttles worked with almost every City department and almost every City application and team. He oversaw the growth of the Data Center to over 1,000 physical servers followed by the evolution of those physical servers to virtual server technology. Mr. Suttles capably managed the backend services that allow all of our advanced technologies to work reliably, including backups and recoveries, antivirus, patch management, endpoint management, and server problem escalations. He mentored and assisted staff in resolving complex technical challenges and built strong working relationships with staff, customers, and vendors over the years. The department will prioritize filling the vacancy for this position, but due to the 24/7 nature of the Data Center Officer position, having an interim officer is imperative.

Since Mr. Suttles' proposed start date is less than the required 180-day waiting period subsequent to his retirement on July 1, 2021, City Council approval to hire Mr. Suttles is required. The approved rate of pay for the limited duration is \$70.637 per hour. This amount represents the compensation consistent to the compensation of other employees performing comparable duties.

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This matter was reviewed by Principal Deputy City Attorney Gary J. Anderson on October 18, 2021 and by Revenue Management Officer Geraldine Alejo on October 20, 2021.

TIMING CONSIDERATIONS

City Council action is requested on November 9, 2021, to ensure continued leadership and oversight of Data Center operations.

FISCAL IMPACT

The total annual cost is estimated to not exceed \$72,999. The estimated cost is based on 960 hours over the CalPERS fiscal year ending June 30th, at a salary rate of \$70.637 per hour plus Medicare and FICA. The cost is budgeted in the General Services Fund Group in the Technology and Innovation Department. Actual costs will be based on hours worked and not expected to exceed 960 hours over the CalPERS fiscal year. 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, DIRECTOR
DEPARTMENT OF HUMAN RESOURCES

ATTACHMENT - RESOLUTION

APPROVED:



THOMAS B. MODICA
CITY MANAGER

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
STEVE SUTTLES

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, Steve Suttles, CalPERS ID 1997272529 retired from the City of
Long Beach in the position of Communications Specialist VI, effective July 1, 2021; and

WHEREAS, Section 7522.56 requires that post-retirement employment
commence no earlier than 180 days after the retirement date, which is December 28,
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
Steve Suttles, certify that Steve Suttles 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
Steve Suttles, as an extra help retired annuitant to perform the duties of the Retired
Annuitant – Management Support, for the City of Long Beach under Government Code
Section 21224, effective November 9, 2021; and

WHEREAS, the appointment letter between Steve Suttles and the City of
Long Beach has been reviewed by this body and is attached herein; and

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 \$12,632.36
8 monthly and the hourly equivalent is \$72.599, and the minimum base salary for this
9 position is \$11,259.75 monthly and the hourly equivalent is \$64.712; and

10 WHEREAS, at the direction of City Council, the hourly rate paid to Steve
11 Suttles as a retired annuitant will be \$70.637; and

12 WHEREAS, Steve Suttles 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; and

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 Steve Suttles 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 – Management Support, for the City of Long Beach by November 9, 2021, for the purpose
21 of continuing leadership and oversight for the Data Center Operations while the
22 Technology and Innovation Department conducts a recruitment to fill the vacancy.

23 Section 2. Steve Suttles has acquired the relevant experience and
24 specialized skills during his employment with the City as a Communication Specialist VI
25 for the City of Long Beach. He worked with the City for over 30 years during which time
26 he worked with almost every City Department and almost every City Application and Team
27 and oversaw the growth of the data center to over 1,000 physical servers and then the
28 evolution of those physical servers to virtual server technology. Mr. Suttles capably

1 managed the backend services that allow all of our advanced technologies to work
2 reliably, including backups and recoveries, antivirus, patch management, endpoint
3 management, and server problem escalations. The effective date of this appointment will
4 be November 9, 2021. The compensation for retired annuitant Steve Suttles will be
5 \$70.637/hour.

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

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

11
12 Ayes: Councilmembers: _____

13 _____

14 _____

15 _____

16 Noes: Councilmembers: _____

17 _____

18 _____

19 Absent: Councilmembers: _____

20 _____

21 Recusal(s): Councilmembers: _____

22 _____

23 _____

24 _____
City Clerk

November 9, 2021



Dear Mr. Steve Suttles:

It is my pleasure to make you a conditional offer of employment as a Retired Annuitant – Management Support in the Technology and Innovation Department, pending City Council approval. Your appointment as a PERS retired annuitant will be effective November 10, 2021 at an hourly rate of \$70.637.

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 An Lan Pham-Jenkins, Administrative Analyst in the Department of Technology and Innovation.

If you have any questions, please direct them to Nicole Gross, Administrative Officer in the Department of Technology and Innovation. She can be reached at 562-570-6272.

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

Sincerely,

Thomas B. Modica
City Manager

Acknowledgement: _____

Date

