



Legislation Text

File #: 20-1195, **Version:** 1

Recommendation to adopt resolution approving an exception to the 180-day waiting period for Public Agencies pursuant to Government Code 7522.56 and 21224 to hire Charles Tripp for a limited duration to work in the Energy Resources Department. (Citywide)

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 Energy Resources Department requests City Council approval to hire Charles Tripp, Manager of Electric Generation, as a Retired Annuitant-Management Support NC, effective January 2, 2021 for a limited duration, to provide technical oversight of operations and business administration of the Southeast Resource Recovery Facility (SERRF) plant and the contractor. Since Mr. Tripp's proposed start date is less than the required 180-day waiting period subsequent to his retirement on December 19, 2020, City Council approval to hire Mr. Tripp is required. The approved rate of pay will be \$87.146 per hour. This amount represents the hourly rate he will receive 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 SERRF operating funds.

Mr. Tripp has over 20 years with the City and has the educational background and technical expertise in overseeing SERRF operations and the City's waste to energy enterprise operations. Mr. Tripp and the current SERRF Operations Officer are the only two staff members in the City that have the knowledge and expertise to oversee the technical and business operations of the SERRF plant and the contractor. As a retired annuitant, Mr. Tripp will assist with the technical and business operations oversight of the bureau's operations during any absences by the current SERRF Operations Officer including furlough, vacation and sick leave absences. Bringing Mr. Tripp back as a retired annuitant will help ensure critical oversight and retention of historical knowledge of these unique operations. This matter was reviewed by Principal Deputy City Attorney Gary J. Anderson on November 11, 2020 and by Revenue Management Officer Geraldine Alejo on November 13, 2020.

City Council action is requested on December 8, 2020, to ensure minimal impact to the SERRF operations in the Energy Resources Department.

The total Fiscal Year 2021 fully-loaded cost for this position will not exceed \$84,873 (960 hours at \$87.146/hour plus Medicare). These costs will be funded by the SERRF Fund Group in the Energy Resources 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.

Approve recommendation.

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FRED VERDUGO
ACTING HUMAN RESOURCES DIRECTOR

APPROVED:

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CITY MANAGER