



City Council Report

915 I Street, 1st Floor

Sacramento, CA 95814

www.cityofsacramento.org

File ID: 2019-00125

February 12, 2019

Consent Item 10

Title: Authorization to Hire a Staff Aide

Location: Citywide

Recommendation: 1) Pass a Motion certifying the critical need for a temporary staff aide on or before February 12, 2019; and 2) adopt a Resolution authorizing the City Manager or City Manager's designee to appoint Steve Gorman as a Staff Aide.

Contact: Katherine Robbins, Support Services Manager, (916) 808-1562, Human Resources

Presenter: None

Attachments:

1-Description/Analysis

2-Appointment Letter

3-Resolution

4-CalPERS Resolution

Description/Analysis

Issue Detail: Assembly Bill 340, the Public Employee Pension Reform Act of 2013 also known as PEPRA, was signed into law on September 12, 2012 and went into effect on January 1, 2013. PEPRA created Government Code Section 7522.56 which requires public agency retirees to wait 180 days after retirement before returning to work for a public agency. This waiting period can be waived should the City Council determine it is critical to fill a specific position. Therefore, this request is before Council for approval.

Steve Gorman, Deputy Chief Building Official overseeing the Building Division's Permit Services/Customer Services and Field Inspections sections in the Community Development Department (CDD), retired from his position from the City of Sacramento on December 31, 2018. Over the past 20 years, Mr. Gorman has developed an extensive knowledge of the building and planning processes and regulations that govern the City of Sacramento's public building infrastructure.

During his time as Deputy Chief Building Official, Mr. Gorman has overseen the development of electronic plan submittal and payment processes for the CDD. He was the project lead that assembled and ensured inclusion of the Building, Planning, Accela and Information Technology teams. This process has been completed for commercial building permits, however, CDD must also integrate the residential and planning processes to increase the participation rate of our electronic submittals by our developers and builders. Mr. Gorman's knowledge uniquely qualifies him to continue to act as the project lead overseeing this significant project at a critical time as the City moves to streamline the overall development process.

This work is of limited duration, is critical and highly specialized; the City requires an experienced individual to oversee the success of this project, and the appointment should be made on or before February 12, 2019 to ensure an efficient transition. Staff therefore requests Council approve the attached resolution allowing the City to hire Steve Gorman on a temporary basis to fill this role.

Policy Considerations: The City Council may waive the 180-day waiting period for retired annuitants.

Economic Impacts: None

Environmental Considerations: Under the California Environmental Quality Act (CEQA) guidelines, continuing administrative activities do not constitute a project and are therefore exempt from review.

Sustainability: Not applicable

Commission/Committee Action: None

Rationale for Recommendation: The City Council may waive the 180-day waiting period for retired annuitants when there is a critical need. Expertise and continuity in the City's building and planning permit process and electronic plan submittals require Steve Gorman's expertise and immediate attention.

Financial Considerations: Funding for the temporary Staff Aide will be provided by the CDD. There is sufficient funding in the CDD FY2018/19 Operating Budget to support the recommendation.

Local Business Enterprise (LBE): Not applicable.

February 12, 2019

Steve Gorman
[REDACTED]
[REDACTED]

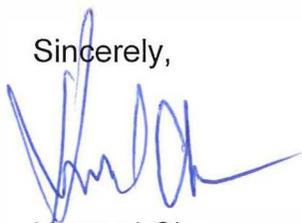
Dear Steve,

Congratulations on your appointment as a retired annuitant. This appointment is an at-will exempt management position of Staff Aide in the Community Development Department serving at the pleasure of the City Manager. Your Salary will be \$65.709826 an hour. Your appointment will not extend beyond 960 hours in the calendar year. Your appointment is effective February 12, 2019.

Additional terms and conditions of employment are outlined on the enclosed Compensation and Appointment Information form. You may be required to file a conflict of interest statement, which is a determination made by the City Clerk. Your department will provide the appropriate forms.

You have my best wishes for success and my support in this important position. I know you will do well!

Sincerely,



Howard Chan
City Manager

Enclosure

RESOLUTION NO. 2019-

**Adopted by the Sacramento City Council
February 12, 2019**

**RESOLUTION AUTHORIZING THE
CITY MANAGER TO HIRE STAFF AIDE
GC sections 7522.56 & 21224**

BACKGROUND

- A. In compliance with Government Code section 7522.56 the City Council must provide CalPERS a resolution when hiring a retiree before 180 days has passed since his or her retirement date.
- B. Steve Gorman, CalPERS ID 5375645033, retired from the City of Sacramento in the position of Deputy Chief Building Official, effective December 31, 2018; and
- C. Section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 30, 2019 without the necessary resolution.
- D. Section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive.
- E. The City Council, the City of Sacramento and Steve Gorman certify that Steve Gorman has not and will not receive a Golden Handshake or any other retirement-related incentive.
- F. The City Council hereby authorizes City Manager Howard Chan to hire Steve Gorman as a retired annuitant in a staff aide classification to perform the duties of a Deputy Chief Building Official for the City of Sacramento under Government Code section 21224, effective February 12, 2019.
- G. No matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar.
- H. The employment shall be limited to 960 hours per fiscal year.
- I. The compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate.

- J. The maximum yearly base salary for this position is \$63,081 for which the hourly equivalent is \$65.71. The monthly base salary for this position is \$5256 for which hourly equivalent is \$65.71; and
- K. The hourly rate paid to Steve Gorman will be \$65.71.
- L. Steve Gorman has not received, and will not receive, any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The appointment of Steve Gorman as project lead on or before February 12, 2019, is necessary to oversee the integration of the residential and planning electronic plan submittals to streamline the City's development process.
- Section 2. The City Manager, or the City Manager's designee, is authorized to approve the attached appointment letter with Steve Gorman.

RESOLUTION NO. 2019-

Adopted by the Sacramento City Council February 12, 2019

RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD

GC sections 7522.56 & 21224

WHEREAS, in compliance with Government Code section 7522.56 the City Council must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

WHEREAS, Steve Gorman, CalPERS ID 5375645033, retired from the City of Sacramento in the position of Deputy Chief Building Official, effective December 31, 2018; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 30, 2019 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 of Sacramento and Steve Gorman certify that Steve Gorman has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the City Council hereby appoints Steve Gorman as a retired annuitant to perform the duties of the Staff Aide for the City of Sacramento under Government Code section 21224, effective December 12, 2018; and

WHEREAS, the appointment document between Steve Gorman and the City of Sacramento has been reviewed by this body and is attached herein; 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

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

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

WHEREAS, the maximum yearly base salary for this position is \$63,081 for which the hourly equivalent is \$65.71. The monthly base salary for this position is \$5256 for which hourly equivalent is \$65.71; and

WHEREAS, the hourly rate paid to Steve Gorman will be \$65.71; and

WHEREAS, Steve Gorman has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

THEREFORE, BE IT RESOLVED THAT the City Council hereby certifies the nature of the appointment of Steve Gorman as described herein and detailed in the attached appointment document and that this appointment is necessary to fill the critically needed position of Deputy Chief Building Official for the City of Sacramento before February 13, 2019, because of the City's need to have him oversee the integration of the residential and planning electronic plan submittals to streamline the City's development process. His knowledge uniquely qualifies him to continue to act as a project lead overseeing this significant project at a critical time as the City moves to streamline the overall development process.