



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – SPECIAL MEETING

Date: March 17, 2020

Time: 7:00 a.m.

*and via conference call:

437 E. Elm Street
Lodi, CA 95240

For information regarding this Agenda please contact:

Pamela M. Farris
Assistant City Clerk
Telephone: (209) 333-6702

A. Call to Order / Roll Call

B. Consent Calendar

Res. B-1 Adopt Resolution Approving Exception to 180-Day Waiting Period for Appointing a Retired Annuitant to Serve as City’s Public Information Officer (CM)

C. Adjournment

Pursuant to Section 54956.2(a) of the Government Code of the State of California, this agenda was posted at a place freely accessible to the public 24 hours in advance of the scheduled meeting.

Pamela M. Farris
Assistant City Clerk

All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk, located at 221 W. Pine Street, Lodi, and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk’s Office as soon as possible and at least 72 hours prior to the meeting date. Language interpreter requests must be received at least 72 hours in advance of the meeting to help ensure availability. Contact Pamela M. Farris at (209) 333-6702. Solicitudes de interpretación de idiomas deben ser recibidas por lo menos con 72 horas de anticipación a la reunión para ayudar a asegurar la disponibilidad. Llame a Pamela M. Farris (209) 333-6702.

****NOTICE:** Pursuant to Government Code §54954.3(a), public comments may be directed to the legislative body concerning any item contained on the agenda for this meeting before (in the case of a Closed Session item) or during consideration of the item.**



**CITY OF LODI
COUNCIL COMMUNICATION**

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AGENDA TITLE: Adopt Resolution Approving the Exception to the 180-day Waiting Period for Appointing a Retired Annuitant to Serve as City’s Public Information Officer and Appropriate Funds (\$60,000)

MEETING DATE: March 17, 2020

SUBMITTED BY: Human Resources Manager

RECOMMENDED ACTION: Adopt resolution approving the exception to the 180-day waiting period for appointing a retired annuitant to serve as City’s Public Information Officer and appropriate funds (\$60,000).

BACKGROUND INFORMATION: The City of Lodi is a member of California Public Employee’s Retirement System (PERS); as such the City must comply with the Government Code which sets forth post-retirement employment requirements which are applicable to all retirees. The Government Code provides specific criteria for hiring qualified annuitants. With the passage of Public Employees’ Pension Reform Act of 2013 (PEPRA), all retirees must serve a 180-day waiting period before they can be hired as an annuitant. Section 7522.56(f) (1) of the Government Code provides for the following exception to the 180-day waiting period:

The employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed and the appointment has been approved by the governing body of the employer in a public meeting. The appointment may not be placed on a consent calendar.

On March 11, 2020, the World Health Organization (WHO) declared that the Coronavirus (COVID-19) is a pandemic. The federal Center for Disease Control and Prevention (CDC), the State of California, and San Joaquin County Public Health Services (PHS) have jurisdiction over the health response to the COVID-19, and the City is monitoring all recommendations from these agencies as they are updated. This is a fluid situation and the City will follow recommendations from these agencies as they are issued.

On March 11, 2020, The Governor of the State of California recommended the cancellation of large group events and activities involving more than 250 participants. The City of Lodi Hutchins Street Square facility has numerous events and activities (indoor/outdoor) that are impacted by the Governor’s recommendation and will need to be cancelled or rescheduled. As such, and in order to address the myriad of phone calls, email messages, text messages, and social media communications, the City needs a single point of contact to address this fluid situation with members of the public, Council, public health agencies (WOW, CDC, PHS) and City of Lodi employees.

The City proposes to hire Jeff Hood, who retired on November 1, 2019, to perform this critical work on a limited duration basis. Mr. Hood possesses the required knowledge and experience to perform this work and served as the Public Information Officer for the City of Lodi prior to his retirement. Mr. Hood will be paid an hourly rate of \$65.00 and shall be limited to no more than 960 hours in the fiscal year.

APPROVED: _____
Stephen Schwabauer, City Manager

Staff requests that Council approve the resolution approving the exception to the 180-day waiting period and appoint Jeff Hood as a retired annuitant in the position of part-time Public Information Officer, effective March 18, 2020.

FISCAL IMPACT: This position will cost \$65.00 an hour and will be utilized based on need, not to exceed \$60,000.

FUNDING AVAILABLE: Staff is requesting appropriations of \$60,000 from the General Fund balance to the City Manager account 10010000.71003 for the remainder of the Fiscal Year 2019/20.

Adele Post, Human Resources Manager

Andrew Keys, Deputy City Manager/Internal Services Director

RESOLUTION NO. 2020-

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING EXCEPTION TO THE 180-DAY WAIT
PERIOD FOR RETIRED ANNUITANT AND
APPROPRIATING FUNDS (\$60,000)

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

WHEREAS, Jeff Hood, CalPERS ID 7952597534, retired from the City of Lodi in the position of Parks, Recreation and Cultural Services (PRCS) Director/Public Information Officer, effective November 1, 2019; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is May 6, 2020 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 Lodi City Council, the City of Lodi and Jeff Hood certify that Jeff Hood has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the Lodi City Council hereby appoints Jeff Hood as an extra help retired annuitant to perform the duties of the part-time Public Information Officer for the City of Lodi under Government Code section 21224, effective March 18, 2020; and

WHEREAS, the entire employment agreement, contract or appointment document between Jeff Hood and the City of Lodi 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 monthly base salary for this position is \$11,266.66 and the hourly equivalent is \$65.00, and the minimum monthly base salary for this position is \$11,266.66 and the hourly equivalent is \$65.00; and

WHEREAS, the hourly rate paid to Jeff Hood will be \$65.00; and

WHEREAS, Jeff Hood 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

NOW THEREFORE, BE IT RESOLVED THAT the Lodi City Council hereby certifies the nature of the appointment of Jeff Hood as described herein and detailed in the attached employment agreement/contract/appointment document and that this appointment is necessary to fill the critically needed position of part-time Public Information Officer for the City of Lodi by March 18, 2020, to communicate with public health officials, council, employees and members of the public regarding actions and activities pertaining to the Coronavirus (COVID-19) pandemic; and

BE IT FURTHER RESOLVED THAT the Lodi City Council hereby appropriate \$60,000 from the General Fund to the City Manager account 10010000.710033

Doug Kuehne
Mayor

Dated: March 17, 2020

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I hereby certify that Resolution No. 2020- was passed and adopted by the City Council of the City of Lodi in a regular meeting held March 17, 2020, by the following vote:

AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAIN: COUNCIL MEMBERS –

PAMELA M. FARRIS
Assistant City Clerk

2020-

CITY COUNCIL

DOUG KUEHNE, Mayor
ALAN NAKANISHI,
Mayor Pro Tempore
MARK CHANDLER
BOB JOHNSON
JOANNE MOUNCE

CITY OF LODI

2015 "Wine Region of the Year"

HUMAN RESOURCES, 221 WEST PINE STREET
P.O. BOX 3006

LODI, CALIFORNIA 95241-1910
(209) 333-6702 / FAX (209) 333-6807
www.lodi.gov cityclerk@lodi.gov

STEPHEN SCHWABAUER
City Manager

PAMELA M. FARRIS
Assistant City Clerk

JANICE D. MAGDICH
City Attorney

March 18, 2020

Mr. Jeff Hood
868 Bernal Road
Galt, CA 95632

Mr. Hood:

This letter is to officially offer you employment as a retired annuitant part-time Public Information Officer with the City of Lodi. This is a short-term assignment to serve in the capacity of a Public Information Officer to address concerns regarding the Coronavirus (COVID-19) pandemic. Your hourly rate of pay will be \$65.00, not to exceed the monthly salary of \$11,266.66. Your employment shall be limited to 960 hours per fiscal year.

Sincerely,

Adele Post
Human Resources Manager