



Board Agenda Item 13

DATE: July 8, 2025

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Resolution to Fill Public Works and Planning Position with Extra-Help Retiree - California Public Employees' Pension Reform Act Exception

RECOMMENDED ACTION(S):

Adopt Resolution to fill a Senior Engineering Tech position with Extra-Help retiree, William LaRue Goossen, effective July 21, 2025, finding pursuant to Government Code Section 7522.56(f)(1), that a 180-day separation period for retired employee returning to employment as Extra-Help is not applicable based on your Board's certification that the nature of employment and appointment is necessary to fill a critically needed position before the 180-day separation period.

Approval of the recommended action will adopt a resolution consistent with exceptions identified in the provisions of Government Code section 7522.56 (f)(1) which state that, except in certain critically needed positions, retirees are subject to a 180-day separation ("sit-out") period following the date of retirement for employees who are re-employed by a public agency within the same retirement system. The recommended action meets the requirements of the California Public Employees' Pension Reform Act (PEPRA), which went into effect January 1, 2013. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended action, there would be a reduction in experienced oversight within the Construction Management division that could potentially delay project completions and increase costs.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Sufficient appropriations and revenues for the extra-help employee will be included in the FY 2025-26 Department of Public Works and Planning Org 45104512 Recommended Budget.

DISCUSSION:

On September 12, 2012, the California Public Employees' Pension Reform Act, which is known as "PEPRA" (Assembly Bill 340), was signed into law effective January 1, 2013. Additionally, Assembly Bill 197, which amends a portion of the 1937 Act, was signed into law the same date to become effective January 1, 2013. The PEPRA legislation includes provisions in Government Code section 7522.56 requiring a 180-day separation ("sit-out") period following the date of retirement for retirees who are re-employed by a public agency within the same retirement system as an employee or through a contract unless:

- The employee is a "public safety officer", or

- The employer certifies the nature of the employment, and that appointment is necessary to fill a critically needed position before the 180 days has passed.

For the second exception above, legislation stipulates that your Board, as the employer's governing body, must approve, by resolution, the appointment in a public meeting and not on the consent calendar.

William LaRue Goossen has an extensive background with over 27 years of experience in the field of Construction Management within the County of Fresno. This experience has given him a unique understanding of the Public Works and Planning Department, including overseeing County projects and a vast knowledge of a variety of construction issues that could arise on projects. Mr. Goossen would be able to assist with overseeing County projects, assist in training newer Senior Engineering Technicians, drafting correspondence to contractors, and act as the primary contact between contractors and the County. Mr. Goossen would be the designated Senior Engineering Technician on two upcoming projects as all the current Senior Engineering Technicians in the department already oversee 3-6 projects each. The projects he would oversee include Contract No. 25-04-PR, Kearney Park Improvements and Contract No. 24-24-PR, Choinumni Park Improvements. If additives are awarded, the working days for each contract will total anywhere from 100-135 days, which equates to approximately 7 months of work, however this does not include any unforeseen circumstances which may cause delays on either project and extend the completion dates. Also, the division has seen an upward trend in additional County projects being awarded. If this continues, the need for Mr. Goossen's extra help may need to be extended.

In this part-time, extra-help capacity, Mr. Goossen will return as a Senior Engineering Technician Step 5, \$39.64/hour, and will not work more than 960 hours during the year as set forth in PEPR. The Public Works and Planning Department will be subject to, and will comply with, all other Extra-Help rules and requirements

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolution

CAO ANALYST:

Maria Valencia