



## Board Agenda Item 7.3

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DATE: April 11, 2023

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, County Administrative Officer

SUBJECT: Resolution to Fill Assistant County Administrative Officer Position with Extra-Help-Retiree-California Public Employees' Pension Reform Act Exception

RECOMMENDED ACTION(S):

**Adopt resolution to fill an Assistant County Administrative Officer position with Extra-Help retiree Greg Reinke, part-time, effective April 12, 2023, finding, pursuant to Government Code section 7522.56 (f)(1), that a 180-day separation period for retired employees returning to employment as Extra-Help is not applicable based on your Board 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) that, except 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):

Your Board could choose to not approve the recommended action, which would result in a loss of expertise in preparation and development of the County budget and financial operations in the immediate future.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Sufficient appropriations and revenues for the appointment are included in the FY 2022-23 County Administrative Office Org 0120 Adopted Budget. In addition, if required, sufficient appropriations will be included in the budget request for Org 0120.

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.

Greg Reinke has extensive experience in County Budgeting and the development and preparation of the County's Recommended Budget. Mr. Reinke was with the County for over 33 years and has approximately 27 years of experience in budgeting both at the Administrative Office and County departments. This is a critically needed position given the upcoming preparation of the FY 2023-24 Recommended Budget.

It is anticipated that the need for Mr. Reinke to work extra help will continue until the budget process is complete, which will be mid-September 2023. In this part-time, extra-help capacity, Mr. Reinke will return as an Assistant County Administrative Officer and not work more than 960 hours during the year as set forth in PEPR. The County Administrative Office 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:

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