



County of Fresno

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Fresno, California
93721-2198

Legislation Text

File #: 19-0061, **Version:** 1

DATE: February 12, 2019

TO: Board of Supervisors

SUBMITTED BY: Robert W. Bash, Director of Internal Services/Chief Information Officer

SUBJECT: Resolution to Fill Information Technology Analyst Position with Extra-Help Retiree - California Public Employees' Pension Reform Act Exception

RECOMMENDED ACTION(S):

Adopt resolution to fill an Information Technology Analyst position with Extra-Help retiree Lori Fleenor, part-time, effective February 25, 2019, finding, pursuant to Government Code section 7522.56(f)(1), that 180 day separation period for retired employees 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) that, except certain critically needed position, retirees are subject to a 180 day separation 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 requirement of the California Public Employees' Pension Reform Act (PEPRA), which went into effect January 1, 2013.

ALTERNATIVE ACTION(S):

Your Board could choose not to approve the recommended action, which would result in the loss of expertise in the current property tax application and potentially impact implementation of the Megabyte property software system.

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 current year budget and will be included in the requested FY 2019-20 budget for Internal Services Department - Information Technology Division Org 8905.

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 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.

Implementation of the County's new property tax system is a coordinated effort between the Assessor's Office, Auditor-Controller/Treasurer-Tax Collector's Office, and the Internal Services Department - Information Technology Division (ISD-IT).

Lori Fleenor has 17 years of experience and background on the current property tax system that runs on IBM Mainframe computers. She has over 20 years of programming experience using Cobol, which is the coding language that was used to construct the current Fresno County Tax system. Ms. Fleenor's area of focus has been with the Tax Collector, Special Accounting, and Treasury and Revenue Collection Unit and she will be supporting these areas in their daily processes as assistance to the Megabyte conversion. She will be providing assistance and will serve as a knowledge resource programmer in support of the current Fresno County Property Tax system.

It is anticipated that the need for Ms. Fleenor to provide support for the current Fresno County Property Tax system and assist in the Megabyte conversion would be part-time and short-term through November of 2019. In this part-time, extra-help capacity, Ms. Fleenor will return as an Information Technology Analyst IV, Step 1 and will not work more than 960 hours during the year as set forth in PEPR. ISD-IT will be subject to, and will comply with, all other extra-help rules and requirements. The Fresno County Employees' Retirement Association and the County Human Resources - Employment Services Division have reviewed this item and have no objections to Ms. Fleenor's extra-help employment

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolution

CAO ANALYST:

Yussel Zalapa