



Board Agenda Item 10

DATE: June 2, 2026

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 Supervising Surveyor position with Extra-Help retiree Mark Meyer, part-time, effective June 2, 2026, 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.

There is no increase in Net County Cost associated with the recommended action. 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):

Your Board could choose not to approve the recommended action, which would result in a loss of expertise to address operational needs, train current staff, and sustain essential surveyor services in the Department of Public Works and Planning.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Sufficient appropriations and estimated revenues for the appointment are included in the FY 2025-26 Department of Public Works and Planning Org 4510 Adopted Budget. Appropriations for FY 2026-27 will be included in the department's budget request.

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 amended a portion of the 1937 Act, was signed into law the same date and became 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.

Mark Meyer retired effective March 27, 2026. With the extensive backlog of work and upcoming projects, it is critical to have as many licensed experienced surveyors as possible within the Department. Mr. Meyer has an extensive background with over 33 years of experience in the Construction Management Division within the County of Fresno and is a licensed Professional Surveyor. Mr. Meyer would be responsible for preparing legal descriptions and documentations for the current County Surveyor (currently assigned to the Director of Public Works and Planning as the Deputy County Surveyor position is vacant). He will also be tasked with developing a detailed training program for the Surveyor’s Office which would include training on map checking, construction staking, and topographic surveying. Mr. Meyer's professional surveying license could also be utilized to complete final reviews of important, or larger, surveying projects. In this part-time, extra-help capacity, Mr. Meyer will return as a Supervising Surveyor and not work more than 960 hours during the year as set forth in PEPRA. The Department of Public Works and Planning 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 - Employee Benefits Division have reviewed this request and have no objections to Mr. Meyer’s Extra-Help employment.

On January 13, 2015, and June 7, 2016, your Board reiterated County policy that the use of Extra-Help employees should:

- be of limited duration;
- not be used as a first response to staffing requirements;
- not supplant work regularly performed by permanent employees; and
- only be used to meet the critical, seasonal, or temporary work needs of departments on a limited basis.

On June 7, 2016, your Board approved Salary Resolution Amendments that provided departments with the requested flexibility, while limiting the use of most Extra-Help employees.

REFERENCE MATERIAL:

BAI #37, June 7, 2016
BAI #19, January 13, 2015

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolution

CAO ANALYST:

Maria Valencia