



County of San Mateo

Inter-Departmental Correspondence

Department: PUBLIC WORKS

File #: 18-783

Board Meeting Date: 9/4/2018

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: James C. Porter, Director of Public Works
Subject: Resolution Certifying the Critical Need for Retiree Appointment

RECOMMENDATION:

Adopt a resolution authorizing the hiring of retired Public Works employee, Don Deluca, to an extra help position and certifying, pursuant to Government Code §7522.56(f)(1), that the nature of employment and appointment is necessary to fill a critically-needed position before the post-retirement 180-day separation period expires.

BACKGROUND:

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

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

For the exception to apply, legislation requires that your Board, as the employer's governing body, approve the appointment by resolution in a public meeting and the item not be placed on the consent calendar.

DISCUSSION:

Mr. Don Deluca was employed with the Department of Public Works (Department) as a Stationary Engineer II at the San Mateo Medical Center (SMMC), Health & Hospital Maintenance Section. Mr. Deluca announced his retirement to be effective on March 31, 2018, after serving almost 30 years with the Department. There is currently a shortage of staff in the Health and Hospital Maintenance Section, particularly experienced Stationary Engineers.

Mr. Deluca is a Boiler Watch Engineer, responsible for firing and maintaining proper steam pressure

and water in high pressure boilers at the SMMC. The boilers provide an essential health and safety need at the hospital in providing; hot water, heat, and instrument sterilization. Due to the high pressure and capacity of the boilers, a “Boiler Watch” is a State regulatory requirement. The Boiler Watch Engineering section is down to two, full-time employees who are responsible to provide 24/7 coverage and respond to emergencies after-hours. The Department had initiated several recruitments to fill this position and several potential employees are in background. Mr. Deluca’s employment is essential in providing crucial operational hospital maintenance while the Department is able to successfully recruit Stationary Engineers

County Counsel has reviewed and approved this resolution as to form.

Approval of this agreement contributes to the Shared Vision 2025 outcome of a Healthy Community by ensuring the Department of Public Works can effectively and efficiently maintain operations at SMMC for the health and safety of employees and the community.

FISCAL IMPACT:

There is no increase in net County cost associated with the recommended action. Appropriations to cover extra help costs are included in the Public Works’ FY 2018-19 Adopted Budget. There is no additional impact to the General Fund.