



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY MANAGER

File #: 20-260

Board Meeting Date: 5/5/2020

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Michael Callagy, County Manager
Subject: Resolution Certifying the Critical Need for Retiree Appointment

RECOMMENDATION:

Adopt a resolution authorizing the extra-help hiring of the Office of Sustainability's retired director Jim Eggemeyer pursuant to government code section 7522.56(f)(1) and certifying that the nature of employment and the appointment is necessary to fill a critically-needed position during the 180-day post-retirement separation period.

BACKGROUND:

In September 2012, the California Public Employees' Pension Reform Act (PEPRA) was signed into law as Assembly Bill 340. The PEPRA legislation includes provisions in Government Code §7522.56 requiring a 180 day separation ("sit-out") 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 that appointment is necessary to fill a critically-needed position before the 180 day has passed. For the exception to the 180-day separation period to apply, state law requires that the Board, as the County's governing body, approve by resolution the appointment in a public meeting and not on the consent calendar.

DISCUSSION:

On April 1, 2020 Jim Eggemeyer retired after 26 years of employment with the County of San Mateo, most recently serving as the Director of the Office of Sustainability for five years. Prior to that, he served as the Director of Planning and Building for four years, and he previously held other management-level positions within the County. On March 3, 2020, County Public Health Officer Dr. Scott Morrow declared a local health emergency in San Mateo County due to the introduction in the County of a novel coronavirus, which causes a disease named COVID-19. The County Manager's Office ("CMO") was in a recruitment process for a new Director of the Office of Sustainability, but due to the local health emergency, the CMO redirected its resources to address the emergency and thus postponing the hiring of a new Director. In accordance with the Governor's Executive Order N-35-20, Mr. Eggemeyer was rehired in April in order to ensure adequate staffing during the COVID-19 emergency. The passage of this resolution will allow Jim Eggemeyer to continue to provide services

as the Director of the Office of Sustainability in order to provide continuity of operations and services by the Office of Sustainability even if the State's declaration of emergency or the Governor's Executive Orders are otherwise modified. Jim Eggemeyer has the institutional knowledge, qualifications, and expertise necessary to maintain the operations and services of the Office of Sustainability and to serve as needed for emergency-related operations to address critical County needs during the emergency.

FISCAL IMPACT:

There is no increase in net county cost associated with the recommended action beyond Office of Sustainability budgeted expenses for this staffing. Appropriations to cover extra help costs are included in the Office of Sustainability budget.