

STAFF REPORT

City Council Business Item

DATE: August 7, 2023

TO: City Council

FROM: Cameron Mull, Parks & Recreation Director

THROUGH: Merritt Perry, City Manager

SUBJECT: **Appointment of CalPERS Retired Annuitant to Extra Help Bus Driver 1 Position**

STAFF RECOMMENDATION:

Consider adopting *Resolution 2023-24*, appointing Orlando Payne as a retired annuitant for the extra help part-time Bus Driver 1 position.

EXECUTIVE SUMMARY:

Orlando Payne was selected as the top candidate for a part-time Bus Driver 1 position, which is considered a permanent part-time position. He is a retired annuitant of CalFire, in which this agency (along with the City of Fortuna) falls under the CalPERS retirement system. State and Federal laws provide specific employment restrictions for retirees who return to work with an employer in the same public retirement system from which they receive a benefit. These restrictions are intended to prevent the “double dipping” of a retiree receiving a monthly retirement benefit while also receiving a salary from regular employment within that same retirement system. Due to these restrictions he was not able to fill the permanent part-time Bus Driver 1 position.

However, due to the lack of qualified candidates it is being proposed by staff to hire Orlando as an extra help retired annuitant. According to CalPERS retirement regulations, a retired employee returning to work for another CalPERS agency has stipulations where employees continuing beyond retirement cannot exceed 960 hours per fiscal year. The limitation of working 960 hours or less per fiscal year equates to about 18 hours per week of work. This request is for City Council to adopt a resolution in order to hire Orlando Payne in the position of extra help Bus Driver 1 as a retired annuitant.

FISCAL IMPACT:

This position will fall under the existing pay scale for the Bus Driver 1 position in the City’s budget, so there would be no additional financial expense to the City’s current budget since the permanent part time position is currently vacant. Should the permanent part time job be filled then Orlando’s employment with the City would be terminated.

RECOMMENDED COUNCIL ACTION:

1. Receive staff report presentation and review Council questions with staff
2. Open Public Comment
3. Close Public Comment
4. Motion to adopt *Resolution 2023-24 and* read by title only. Roll call vote.

ATTACHMENT:

- *Resolution 2023-24; A Resolution of the City Council of the City of Fortuna Appointing Retired Annuitant Orlando Payne as an extra help Part-Time Bus Driver 1.*
- A Guide to CalPERS Employment After Retirement