

## Legislation Text

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File #: #20-026, Version: 1

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**PREPARED BY:** REINA SCHWARTZ

**DATE OF MEETING:** 01/21/20

**SUBJECT:**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPOINTING CALPERS RETIRED ANNUITANT CYNTHIA KASTEN TO THE POSITION OF INTERIM HUMAN RESOURCES MANAGER AND APPROVING AN EMPLOYMENT CONTRACT PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 21221(G)

**CITY MANAGER RECOMMENDATION**

Adopt Resolution

**COMPLIANCE STATEMENTS**

Approval of this item is not directly related to a specific policy priority in the FY2019-21 City Council Priority Workplan, but is required for efficient functioning of City operations.

**CEQA Compliance Statement**

This is not a project under CEQA.

**BACKGROUND**

The position of Human Resources Manager for the City is anticipated to be vacant due to an approved leave of absence by the incumbent from approximately mid-February through June 2020. As a result, it is necessary to provide for backup for that position during the leave.

The Public Employee's Retirement Law (PERL) generally prohibits CalPERS employers from hiring retirees unless they are first reinstated from retirement; however, an exception to this rule allows local agencies to hire retired annuitants pursuant to Government Code Section 21221(g), provided certain key eligibility requirements are satisfied. Under this Government Code provision, a retiree may serve without reinstatement when the services of a retiree possessing specialized skills are needed during a leave of absence. Appointments under this section must be made pursuant to a City Council resolution and reported to CalPERS.

Ms. Cynthia Kasten is a skilled and experienced human resources professional who has served in several communities and has previously provided interim services for the City of San Pablo. She possesses the skills required during this time.

**FISCAL IMPACT**

Ms. Kasten will be compensated at the monthly salary maximum permissible for this position \$73.02 per hour (\$12,657 monthly salary/173.333) in accordance with the City's adopted salary schedule for the Human Resources Manager classification for FY 2019/20, but will receive no other benefit, incentive, compensation in lieu of benefits, or other form of compensation in addition to the hourly pay rate.

For the period anticipated for the leave of absence, at approximately 25-30 hours per week, the maximum cost is anticipated at approximately \$40,000. This expense is not currently budgeted but will be covered in this fiscal year within existing resources.