



CITY OF SAN MATEO

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Agenda Report

Agenda Number: 21

Section Name: {{section.name}}

Account Number: 10-5141

File ID: {{item.tracking_number}}

TO: City Council

FROM: Alex Khojikian, City Manager

PREPARED BY: Police Department

MEETING DATE: November 20, 2023

SUBJECT:

Public Employee Pension Reform Act-180 Day Waiting Period Waiver Request – Police Department

RECOMMENDATION:

Adopt a Resolution to waive the Public Employee Pension Reform Act 180-day waiting period to hire retired annuitant Michelle Licata for a critically needed position.

BACKGROUND:

Assembly Bill 340, the Public Employee Pension Reform Act of 2013 also known as PEPRA, was signed into law on September 12, 2012 and went into effect on January 1, 2013. PEPRA created Government Code Section 7522.56, which requires public agency retirees to wait 180 days after retirement before returning to work for a public agency. This waiting period can be waived should the City Council determine it is critical to fill the specific position. Therefore, this request is before Council for approval at this time.

Michelle Licata, Records Specialist II for the Police Department is set to retire November 30, 2023 after 25 years of service. The tasks performed by the Records Unit are critical to the operation of the Police Department and require intricate knowledge of procedures relating to compliance with laws pertaining to record release and retention. The Records Unit has had unexpected turnover in the last year, with Records Specialists promoting to different positions in the Department or leaving law enforcement. Because of this, half of the fulltime Records Specialists are recent hires still in training. The training for Records Specialists can take up to a year to ensure employees are well versed in all policies, processes, legislature, and Government Codes relating to their duties. Michelle has been relied on for her institutional knowledge of the legal obligations pertaining to the Unit. She is the primary trainer for new Records Specialists. Having a period of overlap of service for Ms. Licata and her successor will allow for adequate knowledge transfer and training while preventing a significant gap in coverage of critical aspects of the workload. When Michelle retires the Unit will only have one Records Specialist and one Senior Records Specialist capable of training three employees.

The services needed from Ms. Licata include more than training her replacement; the primary need for her return is to assist in the completion of critical projects. Prior to her retirement, Ms. Licata was engaged in several projects related to specialized support of the Police Department including digitizing all warrants; working with the Courts to recall erroneous warrants; and updating the Public Records Act request process to streamline record release. These projects will be completed within the next year, and it is essential that Ms. Licata continue to provide her expertise to these critical projects. It is anticipated that Ms. Licata would be required to return January 6, 2024, and would in no case work more than 20 hours per week.

BUDGET IMPACT:

There are sufficient funds in the Police Department operating budget to cover this expenditure.

ENVIRONMENTAL DETERMINATION:

This action is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 – Proposed Resolution

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