

CITY OF SAN MATEO
RESOLUTION NO. ____ 2020

WAIVING THE 180 DAY SIT-OUT PERIOD FOR A RETIRED ANNUITANT FOR THE POLICE DEPARTMENT

WHEREAS, the State Legislature adopted AB 340 in order to implement comprehensive pension reform through the enactment of the California Employees' Pension Reform Act of 2013 (PEPRA); and

WHEREAS, PEPRA applies to all public employers that participate in the California Public Employees Retirement System (PERS) on or after January 1, 2013; and

WHEREAS, California Government Code section 7522.56, as enacted in PEPRA, requires newly retired persons to sit out for at least 180 days before returning to work for an employer in the same retirement system in which they receive a retirement allowance; and

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WHEREAS, an exception can be made if the City Council certifies that the nature of the employment and the appointment is necessary to fill a critically needed position and the 180 days has not yet passed; and

WHEREAS, Karen Ortman (Ortman) has been employed by the City for approximately 43 years and serves as a Senior Police Records Specialist for the Police Department; and

WHEREAS, Ortman retired from City service on October 30, 2020, and will not be accepting a retirement incentive upon retirement; and

WHEREAS, Ortman has extensive knowledge of the complex work required in the Property and Evidence Unit of the Police Department; and it is critical that she train her replacement in the many intricacies of this work supporting the Department; and

WHEREAS, the Police Department is currently in the midst of several critical projects which require the continued participation and expertise provided by Ortman including an in-take barcoding and scanning project related to property; establishing secure return lockers for afterhours access of case evidence; and finalizing and documenting several standard operating procedures to ensure continuity of the unit. It is essential that Ortman continue to provide her expertise to these critical projects.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY RESOLVES that:

1. The City Council certifies that the employment of Karen Ortman is necessary to provide critically needed duties, and the 180 day sit-out period, pursuant to Government Code section 7522.56 has not yet passed.
2. Karen Ortman shall be employed as a Senior Program Assistant at \$36.32, the current hourly base rate for that position, and no other compensation or benefits shall be provided.

3. Karen Ortman shall work on a temporary and sporadic basis, depending on the needs of the Police Department, but shall not work more than 960 hours.
4. Karen Ortman is authorized to be hired as a retired annuitant pursuant to this Resolution from November 23, 2020 through June 30, 2021.
5. Karen Ortman has certified in writing that she did not, during the 12-month period preceding the reemployment date of November 23, 2020 receive unemployment insurance arising from prior employment with the City.
6. This Resolution was adopted at a properly noticed public meeting and was not placed on the consent calendar, in compliance with Government Code section 7522.56(F)(1).
7. This Resolution shall be effective immediately upon its adoption.