



**DATE:** August 24, 2021

**CATEGORY:** New Business

**DEPT.:** Human Resources

**TITLE:** **Appointing an Extra-Help Retired Annuitant Under Government Code Sections 7522.56 and 21224**

### **RECOMMENDATION**

Adopt a Resolution of the City Council of the City of Mountain View for Exception to the 180-Day Wait Period, Government Code Sections 7522.56 and 21224, to be read in title only, further reading waived (Attachment 1 to the Council report).

### **BACKGROUND**

Douglas Kiner retired on July 9, 2021 from his position as the Senior Systems Specialist after 28 years of service with the City of Mountain View. As the City contracts with the Public Employees Retirement System (CalPERS), Mr. Kiner will be a CalPERS retired annuitant.

California Government Code Section 7522.56 requires a 180-day waiting period before a retired annuitant can be employed by a CalPERS agency unless the nature of the employment meets one of the qualified exceptions and is approved via resolution by the governing body. In this case, the nature of Mr. Kiner's recommended appointment will be as extra help with specialized skills to perform work of limited duration and qualifies for an exception under Government Code Section 21224. CalPERS considers extra-help retired annuitants as those who perform work of limited duration (no more than 960 hours per fiscal year), such as the elimination of backlogs, limited-term special project work, or to perform work in excess of what regular staff can do.

### **ANALYSIS**

The Senior Systems Specialist staffs the Public Safety Support Systems Unit of the Police Department and maintains systems that safeguard the welfare of the residents, employees, and visitors to Mountain View, including the Emergency Communications Center. The Senior Systems Specialist is critical to the continued maintenance of the public safety infrastructure systems in support of Police and Fire Department operations.

The current regular staffing dedicated to systems for the Police Department and Emergency Communications Center consists of 2.0 full-time equivalent (FTE) staff with a combined approximate 30 years of experience and knowledge, for which 28 years is attributed to Mr. Kiner. The City requested and received an overhire for this position in the Fiscal Year 2021-22 budget to proactively plan for the transition in this critical role. The recruitment for a successor Senior Systems Specialist was initiated upon receiving notice of Mr. Kiner's retirement. A prospective finalist is currently in the background process. While the City has been proactive in succession planning for this operation, the new appointment could not be made prior to Mr. Kiner's retirement as originally intended. Several system projects are under way and require a coordinated handoff to the successor Senior Systems Specialist to provide for institutional knowledge transfer and successful implementation.

As such, Mr. Kiner's duties as an extra-help retired annuitant performing functions of a Senior Systems Specialist are essential and will be as follows:

- Support the implementation in progress for a new Records Management System (RMS), scheduled to go live in November 2021;
- Oversee the maintenance and transfer/retention of data in what will be the legacy RMS originally implemented in 1991;
- Support the implementation in progress for a new Automated Field Reporting (AFR) system, scheduled to go live in November 2021, and integrate with the new RMS;
- Oversee the maintenance and transfer/retention of data in what will be the legacy AFR;
- Provide training as the subject matter expert on the new and legacy systems;
- Provide project support for the continued implementation of encrypted talk groups for radios in compliance with Department of Justice (DOJ) requirements;
- Be available as a resource for complex and unanticipated critical system support needs in the Emergency Communications Center; and

- Support system implementation for the April 1, 2023 compliance requirements of the Racial and Identity Profiling Act (Assembly Bill 953) with a new system scheduled for implementation in 2022.

Mr. Kiner is an experienced and tenured Senior Systems Specialist with the skills necessary to ensure system performance that provides for the continuity of emergency services and to perform the work in excess of the capacity of regular staff. Mr. Kiner's employment is imperative to the successful public safety systems operations in the interim and addresses the department's training and workload needs in excess of what regular staff can do.

### **FISCAL IMPACT**

Extra-help employment of Mr. Kiner, anticipated at up to 960 hours for Fiscal Year 2021-22, would cost up to \$84,000. Funding for this extra-help assignment is available in the Police Department budget due to salary savings, and no additional funding is required. No benefits would be provided with this appointment.

### **ALTERNATIVES**

1. Do not certify the nature of Mr. Kiner's employment to fill the Police Department's need for extra help as defined by CalPERS.
2. Provide other direction.

**PUBLIC NOTICING** – Agenda posting.

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Attachment: 1. Resolution