



CITY OF HAYWARD

Hayward City Hall
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Cover Memo

File #: PH 15-089, **Version:** 1

DATE: October 13, 2015

TO: Mayor and City Council

FROM: Director of Human Resources
Director of Utilities & Environmental Services

SUBJECT

Approval of Temporary Appointment of Solid Waste Manager (Report from Director of Human Resources Collins and Director of Utilities & Environmental Services Ameri)

RECOMMENDATION

That the City Council adopts the attached resolution for an exception to the 180-day wait period for the hiring of CalPERS annuitants and to temporarily appoint Vera Dahle-Lacaze as a recent CalPERS annuitant to the position of Solid Waste Manager in the Utilities & Environmental Services Department.

BACKGROUND

As of January 1, 2013, CalPERS requires a retired employee to wait for 180 days before accepting temporary employment with a CalPERS agency. Per Government Code 7522(f)(1), an exception to the 180-day waiting period may be made if the employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed and the appointment has been approved by the governing body of the employer in a public meeting. The Government Code also limits compensation to the hourly rate for the position that is most closely related to the duties performed, in this case, the Solid Waste Manager classification. By law, temporary employees may not receive benefits, compensation in lieu of benefits, or any other form of compensation.

Vera Dahle-Lacaze has served as a Solid Waste Manager in the Utilities & Environmental Services Department for almost two decades and is responsible for a multitude of specialized assignments in the Solid Waste, Recycling, and other waste diversion activities. They include analytical and management tasks, such as preparing and monitoring the Recycling Fund budget, developing policies and procedures for waste diversion, and preparing and submitting annual reports on waste diversion and on existing grants.

Due to an unexpected development, Ms. Dahle-Lacaze is unable to continue working full time, has submitted her resignation, and plans to retire on October 30, after an 18-year career with the City as the City's Solid Waste Manager. In order to accomplish several critical current and upcoming tasks that require specialized knowledge and skills, staff recommends the temporary appointment of Ms. Dahle-Lacaze to the position of Solid Waste Manager, in accordance with Government Code §21224.

DISCUSSION

Staff recommends that the Council approve temporarily appointing Ms. Dahle-Lacaze as a CalPERS annuitant to the position of Solid Waste Manager to perform the functions described above and other comparable projects for which she is uniquely qualified. The appointment can be terminated at any time by either party; however, the current plan is that it would continue until a new Solid Waste Manager is recruited for and filled on a permanent basis, and some knowledge transfer has occurred. The number of hours would not exceed 960 in a fiscal year. Ms. Dahle-Lacaze is agreeable to the terms and conditions of the proposed temporary employment.

With Ms. Dahle-Lacaze's upcoming retirement, staff has considered various options to continue work on important efforts in support of the Council's sustainability priorities, as well as to complete other near term limited duration assignments that are time sensitive and require specialized knowledge. While some of her responsibilities can and will be assigned to other existing staff, and, in time, a replacement Solid Waste Manager, the most cost effective means of accomplishing pending or near-term assignments within the required time frame is to temporarily appoint Ms. Dahle-Lacaze to the position. Recruitment and selection of a permanent successor to Ms. Dahle-Lacaze has already been initiated; however, there is typically a period of several months before an appointment is made and the new staff is on board.

Ms. Dahle-Lacaze's specialized expertise is particularly needed in the near term in the following areas:

- New Solid Waste Franchise Agreement - Analyzing monthly remittances, expense records and other reports.
- Special Assessments for Delinquent Trash Bills - Evaluating the list of delinquent property owners and remitting the file to the County Tax Assessor, responding to queries from property owners, and reconciling amounts due Waste Management and amounts retained by the City.
- Annual Report to State of California (CalRecycle) - Reviewing and compiling tonnage disposed documents, and completing CalRecycle's report to calculate the diversion rate.
- Annual Report to CalRecycle for Used Oil Grant - Preparing an annual grant application each June and a fiscal year-end expenditure report in August.
- Report of Measure D Revenue and Expenses - This report, which is required by StopWaste, includes a detailed description of expenses, as well as subscription levels for trash, recycling and organics collection services for single- and multi-family properties, and businesses with cart, bin and roll-off services.
- Assist with preparation of Solid Waste Management Operating FY 2017 Budget, among other matters.

FISCAL IMPACT

Costs would be fully borne by the recycling fund, with no impact on the General Fund. Given that this is continuation of an existing, budgeted position, the cost can be covered through the vacancy savings in the Departmental budget. Since no benefits or additional compensation beyond an hourly salary rate would be paid, the total cost of this temporary appointment, which will not exceed 960 hours in fiscal year 2016, will not exceed \$50,000. A full-time Solid Waste Manager would cost approximately \$75,000 for the same period. Likewise, outside consultant assistance for similar work would be considerably more expensive and would still require City staff time to guide and support the consultant.

PUBLIC CONTACT

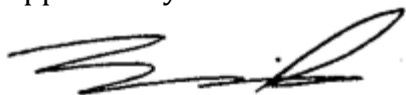
No public contact has been initiated related to this item.

NEXT STEPS

If approved by the City Council, staff will prepare the necessary documents for this temporary appointment, ensuring that all Government Code requirements are met related to retiree employment.

Prepared and Recommended by: Alex Ameri, Director of Utilities & Environmental Services and Nina S. Collins, Director of Human Resources

Approved by:



Fran David, City Manager

Attachments:

Attachment I
Attachment II

Resolution
Letter of Temporary Employment