



AGENDA ITEM NO.

H-1

SHERIFF'S OFFICE  
**COUNTY OF HUMBOLDT**

826 FOURTH STREET  
EUREKA, CALIFORNIA 95501-0516 PHONE (707) 445-7251

For the meeting of: January 13, 2015

Date: December 29, 2014  
To: BOARD OF SUPERVISORS  
From: MICHAEL DOWNEY, SHERIFF  
Subject: EMPLOYMENT AND RESOLUTION OF TEMPORARY RETIRED ANNUITANT AS EMERGENCY SERVICES MANAGER IN THE SHERIFF OFFICE

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Resolve that the employment of Dan Larkin as a temporary "retired annuitant" Emergency Services Manager with the Sheriff Office (budget unit 274) is necessary to fill a critically needed position and that Mr. Larkin's employment as a temporary "retired annuitant" is needed before the CalPERS "180-day wait period" has expired.
2. Adopt the attached resolution for an exception to the 180-day wait period and employment of Dan Larkin as a temporary "retired annuitant" Emergency Services Manager with the Sheriff Office.

**SOURCE OF FUNDING:** General Fund Sheriff budget unit 274

**DISCUSSION:**

Dan Larkin, the Emergency Services Manager for Humboldt County Office of Emergency Services, retired on December 19, 2014. Mr. Larkin began his work as the Office of Emergency (OES) Program Manager January 25, 1999. The position was reclassified in April 2014 to the current position of Emergency Services Manager. The manager is a vital and key position in the Office of Emergency Services and cannot be vacated without a suitable replacement. The Sheriff office has been working with Human Resources in order to fill this position with a person who has experience, knowledge and necessary skills to operate the Office of Emergency Services. The task has been difficult in regards to identifying a suitable replacement within the time constraints.

The appointment of Dan Larkin is necessary to ensure that the critically needed functions of the Office of Emergency Services continue and to prevent disruption of services until such time as the Emergency Services Manager position can be adequately filled. Previously your Board approved an eight week overlap for the position to insure sufficient time to train the new Emergency Services Manager. Without the additional training, the county could be in jeopardy

Prepared by

CAO Approval

REVIEW:

Auditor MM County Counsel KR Personnel LM Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

**TYPE OF ITEM:**

☐ Consent  
☒ Departmental  
☐ Public Hearing  
☐ Other \_\_\_\_\_

**PREVIOUS ACTION/REFERRAL:**

Board Order No. C-9

Meeting of: 10/14/14

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor Bohn  
Seconded by Supervisor Sundberg  
And unanimously carried by those members present,

The Board hereby adopts the recommended action contained in this report.

Dated: January 13, 2015

Kathy Hayes, Clerk of the Board

of not being prepared for a catastrophic event or other anomaly. Dan Larkin is available, on a limited basis, to assist in completing the smooth transition of the role and duties of a manager for the Office of Emergency Services.

The Sheriff's Office is requesting approval of Dan Larkin as a temporary "retired annuitant" Office of Emergency Services Manager (Budget Unit 274) to fill a critically needed position and that the Board of Supervisors resolve that Dan Larkin's employment as a temporary "retired annuitant" is needed before expiration of the CalPERS 180-day wait period as required by California Government Code section 7522.56(f)(1).

**FINANCIAL IMPACT:**

The costs associated with the extra-help employment are estimated to not exceed \$2,491 per pay period and are available in the Sheriff Office of Emergency budget. These costs will not be on-going and will be for a limited duration.

This agenda item supports the Board's Strategic Framework adopted by investing in County employees and providing community-appropriate levels of service.

**OTHER AGENCY INVOLVEMENT:** Humboldt County Human Resources Department

**ALTERNATIVE TO STAFF RECOMMENDATIONS:** The Board may choose not to employ and accept the resolution for Dan Larkin; however this is not recommended as it will leave the Sheriff Office and Humboldt County ill prepared for future disasters.

**ATTACHMENTS:** Resolution for exception to the 180-day wait period

MD: kf  
Agnoeswaive180wait

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

***Certified copy of portion of proceedings, Meeting on January 13, 2015***

**RESOLUTION NO. 15-13**

**RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD GOVERNMENT CODE SECTIONS 7522.56 & 21224**

**WHEREAS**, in compliance with Government Code section 7522.56 the Humboldt County Board of Supervisors must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his retirement date; and

**WHEREAS**, Daniel Larkin (Employee ID # L7965) retired from Humboldt County Sheriff Office in the position of Emergency Services Manager, effective December 19, 2014; and

**WHEREAS**, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 18, 2015 without this certification resolution; and

**WHEREAS**, section 7522.56 provides that this exception to the 180 day wait period shall not apply if the retiree accepts any retirement-related incentive; and

**WHEREAS**, the Humboldt County Board of Supervisors, the Humboldt County Sheriff Office and Dan Larkin certify that Dan Larkin has not and will not receive a Golden Handshake or any other retirement-related incentive; and

**WHEREAS**, the Humboldt County Board of Supervisors hereby appoints Dan Larkin as an extra help retired annuitant to perform the duties of the Emergency Services Manager for the Humboldt County Sheriff Office under Government Code section 21224, effective January 20, 2015; and

**WHEREAS**, the entire employment agreement, contract or appointment document between Dan Larkin and the Humboldt County Sheriff Office has been reviewed by this body and is attached herein; and

**WHEREAS**, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

**WHEREAS**, the employment shall be limited to 960 hours per fiscal year; and

**WHEREAS**, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

**WHEREAS**, the maximum monthly base salary for this position is \$5,398.60 and the hourly equivalent is \$31.14, and the minimum monthly base salary for this position is \$4,207.06 and the hourly equivalent is \$24.27; and

**WHEREAS**, the hourly rate paid to Dan Larkin will be \$31.14; and

**WHEREAS**, Dan Larkin has not and will not receive any other benefit, incentive, compensation in

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

***Certified copy of portion of proceedings, Meeting on January 13, 2015***

**RESOLUTION NO. 15-13**

lieu of benefit or other form of compensation in addition to this hourly pay rate; and

**THEREFORE, BE IT RESOLVED THAT** the Humboldt County Board of Supervisors hereby certifies the nature of the appointment of Dan Larkin as described herein and detailed in the attached Agenda Item, dated January 13, 2015 is necessary to fill the critically needed position of Emergency Services Manager for the Humboldt County Sheriff Office by January 20, 2015 because Dan Larkin has unique knowledge and skills related to managing a disaster, disaster response preparation and Homeland Security Grant preparation, which has brought millions of dollars to the county for the purchase of vital equipment, which no other existing County staff has. Additionally, the position of Emergency Services Manager has not been filled and is being overseen by an extra-help Administrative Analyst currently working in the Sheriff's Office of Emergency Services. This appointment will allow a temporary period of support and instruction that will provide for uninterrupted operation of the Sheriff's Office of Emergency Services business and a smooth transition for the new Emergency Services Manager.



**ESTELLE FENNELL**, Chair of the Board

Adopted on motion by Supervisor Sundberg, Seconded by Supervisor Bohn, and the following vote:

AYES: Sundberg, Lovelace, Fennell, Bohn, Bass

NAYS:

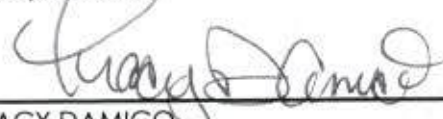
ABSENT:

ABSTAIN:

STATE OF CALIFORNIA )  
County of Humboldt )

I, TRACY DAMICO, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



**TRACY DAMICO**  
Clerk of the Board of Supervisors  
County of Humboldt, State of California