



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

For the meeting of: May 8, 2018

Date: April 19, 2018
To: Board of Supervisors
From: Jeffrey S. Blanck, County Counsel
Subject: Temporary Employment of Retired Annuitant as Deputy County Counsel
in the County Counsel's Office

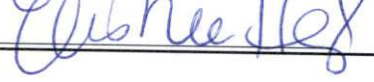



RECOMMENDATION(S):

That the Board of Supervisors:

1. Resolve that the employment of Joyce Stigter as a temporary retired annuitant Deputy County Counsel with the Humboldt County Counsel's office is necessary to fill a critically needed position and that Joyce Stigter's employment as a temporary retired annuitant is needed before the California Public Employees Retirement System (CalPERS) 180-day wait period has expired; and
2. Adopt the attached resolution for an exception to the 180-day wait period.

SOURCE OF FUNDING:

County Counsel budget unit 1100-121

Prepared by	Jeffrey S. Blanck/Teri Gridley	CAO Approval	
REVIEW:			
Auditor		County Counsel	
		Personnel	
		Risk Manager	
		Other	
TYPE OF ITEM:		BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT	
<input type="checkbox"/> Consent		Upon motion of Supervisor	
<input checked="" type="checkbox"/> Departmental		Seconded by Supervisor	
<input type="checkbox"/> Public Hearing		And unanimously carried by those members present,	
<input type="checkbox"/> Other		The Board hereby adopts the recommended action	
PREVIOUS ACTION/REFERRAL:		contained in this report.	
Board Order No.		Dated:	
Meeting of:		Kathy Hayes, Clerk of the Board	
		By:	

DISCUSSION:

Deputy County Counsel Joyce Stigter retired on May 4, 2018, with 30 years of experience working for the County. Ms. Stigter has extensive experience working with various departments such as Public Works/Real Property/Aviation/Land Use, Assessor, Special Districts, Purchasing, Library and Agriculture Commissioner, and worked on various litigation matters.

It is recommended that your Board approve Ms. Stigter as a temporary retired annuitant Deputy County Counsel to fill a critically needed position and the Board of Supervisors resolve that Ms. Stigter's employment as a temporary retired annuitant is needed before the expiration of the CalPERS 180-day wait period as required by California Government Code § 7522.56(f)(1). The attached resolution is needed to comply with CalPERS requirements for an exception to the 180-day wait period for post-retirement employment.

The appointment of Ms. Stigter is necessary to ensure that critically needed functions of the department continue, and to provide sufficient service levels until such time as the position can be adequately filled. Additionally, the appointment would allow for the training of the new hire. Ms. Stigter is qualified as a Deputy County Counsel IV and will also be working on some of the long-term projects that have been in the works as needed.

FINANCIAL IMPACT:

Ms. Stigter would be hired into an existing job class with a designated wage assignment. Ms. Stigter would provide training and support on a part-time basis. The hourly rate will be \$58.96 (Deputy County Counsel IV, Step E). It is anticipated that Ms. Stigter would begin her part-time assignment on or about May 14, 2018. Sufficient salary savings exist due to a lack of overlap and reduced salary for the new Deputy County Counsel.

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

OTHER AGENCY INVOLVEMENT: None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board may choose to decline staff's recommendation. This is not recommended as this would leave the office and county departments with reduced resources.

ATTACHMENTS:

A – Resolution for exception to the 180-day wait period

ATTACHMENT "A"

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting on

RESOLUTION NO. _____

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

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

WHEREAS, Joyce Stigter (Employee ID #S4996) retired from the Humboldt County Counsel's Office in the position of Deputy County Counsel, effective May 4, 2018; and

WHEREAS, § 7522.56 requires that post-retirement employment commence no earlier than 180 days after retirement date, which is October 31, 2018, without this certification resolution; and

WHEREAS, § 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, Humboldt County County's office and Joyce Stigter certify that Joyce Stigter has not and will be receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the Humboldt County Board of Supervisors hereby appoints Joyce Stigter as an extra help retired annuitant to perform duties of the Deputy County Counsel for the Humboldt County Counsel's office under Government Code § 21224, effective May 8, 2018; and

WHEREAS, the entire employment agreement, contract or appointment document between Joyce Stigter and the Humboldt County Counsel's office has been reviewed by this body and is attached herein; and

WHEREAS, no matters, issues, terms or conditions related to this employment 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

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

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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 base monthly salary for this position is \$9,580.32 and the hourly equivalent is \$58.96, and the minimum base salary for this position is \$7,465.81 and the hourly equivalent is \$45.94; and

WHEREAS, the hourly rate paid to Joyce Stigter will be \$58.96; and

WHEREAS, Joyce Stigter has not and will not receive any other benefit incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate.

NOW, THEREFORE, BE IT RESOLVED that the Humboldt County Board of Supervisors hereby certifies the nature of the appointment of Joyce Stigter as described herein and detailed in the attached agenda item titled 'Temporary Employment of Retired Annuitant as Deputy County Counsel in the Humboldt County Counsel's office by May 14, 2018, because Joyce Stigter has unique knowledge and skills related to legal operations of the County Counsel's office. Additionally, the incoming Deputy County Counsel does not have familiarity with the County Counsel's office operations. This appointment will allow a brief period of support and instruction that will provide for uninterrupted operation of the department's personnel operation and a smooth transition for the new Deputy County Counsel.

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

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DATED: _____

Ryan Sundberg, Chair
Humboldt County Board of Supervisors

Adopted by Supervisor _____, seconded by Supervisor _____
and the following vote:

AYES: Supervisors--

NOES: Supervisors--

ABSENT: Supervisors--

ABSTAIN: Supervisors--

STATE OF CALIFORNIA)
) ss.
County of Humboldt)

I, KATHY HAYES, 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

KATHY HAYES

Clerk of the Board of Supervisors of
the County of Humboldt, State of
California

By _____