

Resolution 2022-41

RESOLUTION OF THE CITY OF GRASS VALLEY REQUESTING APPROVAL OF PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) FOR HIRING OF ANNUITANT FOR TEMPORARY TRAINING AND FIRE INVESTIGATION SERVICES PURSUANT TO GOVERNMENT CODE SECTION 21224(a)

WHEREAS, the City of Grass Valley is in need of ongoing fire investigation services, due to the retirement of personnel who performed these services and the lack of training for performance of these specialized services in existing personnel; and

WHEREAS, the City of Grass Valley has promoted a new Deputy Fire Marshal Investigator in training, who will, over time, be trained to perform fire investigation services; and

WHEREAS, training and mentoring of the newly promoted personnel to provide these specialized services is anticipated to take several months and in the meanwhile, the need for extra help to perform these specialized services remains; and

WHEREAS, the City has identified a prior employee—former Deputy Fire Marshall Jeff Wagner—who possesses the specialized skills needed to provide fire fighter training and mentoring for existing personnel and perform fire investigation services, which is a function of firefighter and suppression services; and

WHEREAS, former Deputy Fire Marshall Jeff Wagner is a Public Employees Retirement System (PERS) annuitant, who retired from City of Grass Valley service on December 29, 2015 and is willing to accept temporary employment with the City of Grass Valley to provide the extra help needed within the parameters of Government Code Section 21224(a), as reflected in the attached Exhibit A Employment Agreement; and

WHEREAS, Government Code Section 7522.56(f)(4) provides an exception from the 180-day "wait" period following the date of retirement for hiring a PERS annuitant to perform the function of a firefighter; and

WHEREAS, the City seeks approval from PERS that the hiring of former Deputy Fire Marshall Jeff Wagner to provide extra help to perform specialized services including training and mentoring of the newly promoted Deputy Fire Marshall and fire investigation services for a limited duration, not to exceed 960 hours within a fiscal year and for an hourly rate consistent with the parameters of Government Code Section 21224(a) shall not trigger reinstatement for this PERS annuitant.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Grass Valley requests that PERS approve employment of PERS annuitant, former Deputy Fire Marshall Jeff Wagner, to perform specialized training and mentoring of a newly appointed Deputy Fire Marshall/Fire Investigator and fire investigation services for a limited duration, which shall not exceed 960 hours per fiscal year as necessary until existing full time staff has been trained or otherwise recruited to provide these services as set forth in the Employment Agreement attached as Exhibit A.

The City Clerk shall certify to the passage and adopt of this Resolution and enter it in the book of original Resolutions.

PASSED AND ADOPTED by the following vote on June 14th, 2022

AYES:

NOES:

ABSENT:

ABSTAIN:

Ben Aguilar. Mayor

ATTEST:

Taylor Day, City Clerk

APPROVED AS TO FORM:

Michael G. Colantuono, City Attorney