



DATE: December 4, 2013

TO: Honorable Mayor and City Councilmembers

FROM: Property Management

SUBJECT: **ADOPT A RESOLUTION TO CERTIFY AND APPROVE THE HIRING OF WILLIAM MARQUIS AS A PART-TIME HOURLY EXTRA HELP CONSULTING ASSISTANT WITH PROPERTY MANAGEMENT IN AN AMOUNT NOT TO EXCEED \$26,000**

SYNOPSIS

Staff recommends that the City Council adopt a resolution to certify and approve the hiring of William Marquis as a part-time hourly extra help consultant assistant, in an amount not to exceed \$26,000, during the calendar year 2014, to fill a critically needed position to provide assistance to the Property Management Division in completing real property related projects. Mr. Marquis would start part-time work on January 7, 2014.

BACKGROUND

Mr. Marquis has been with the City of Oceanside for over thirty years, primarily working in Property Management. Over the course of his employment with the City, Mr. Marquis has amassed a vast amount of knowledge working on significant projects such as the San Luis Rey Flood Control Project and the mapping of City-owned properties together with supporting data and transactional documentation.

The above referenced projects have not yet been completed and Mr. Marquis has announced his retirement effective December 19, 2013. Property Management is currently in the process of recruiting for his replacement. Allowing Mr. Marquis to work part-time will also provide training opportunities for the Senior Property Agent position currently being recruited.

ANALYSIS

As a result of the longevity of the San Luis Rey River Flood Control Project, which began in the 1970's, the acquisition of City-owned properties over the past thirty years, and Mr. Marquis' intimate involvement with both these projects, Mr. Marquis' knowledge is critical

in completing the projects. By working as a part-time hourly extra help consultant assistant for Property Management, Mr. Marquis can provide unique knowledge to assist in completing the projects and ensuring a proper transition to Mr. Marquis' replacement. Mr. Marquis would work approximately 12 hours per week during calendar year 2014, not to exceed \$26,000.

California statutory law states that a retired person shall not be eligible to be employed by the city in which he or she served for a period of 180 days unless certain conditions are met. Those conditions require the employer to certify the nature of employment and that employment is necessary to fill a critically needed position. Accordingly, staff is asking the City Council to certify and approve the hiring of Mr. Marquis prior to the 180 day waiting period.

FISCAL IMPACT

The payment to Mr. Marquis would be equal to his current salary rate on a part-time hourly extra help basis, at \$41.08 per hour. As a result of the proposed 12 hours per week schedule, the number of hours for calendar year 2014 will be capped at 624 hours. Additionally, the agreement with Mr. Marquis would not require payment of benefits. There are adequate funds in Property Management account no. 320000101.5105, to pay the additional amount not to exceed \$26,000.

COMMISSION OR COMMITTEE REPORT

Not applicable.

CITY ATTORNEY'S ANALYSIS

Government Code section 7522.56 provides that a retired person receiving a pension benefit from a public retirement system shall not be employed by, or a under contract with, a public employer in the same retirement system from which the retiree receives the pension benefit without reinstatement from retirement. However, there are limited exceptions to this general rule. A retiree may work for a public employer during an emergency to prevent stoppage of public business. In addition, a retiree may serve without reinstatement from retirement because the retired person has skills needed to perform work of a limited duration. Appointments of this nature are limited to 960 hours and the statute limits the compensation that a retiree can be paid. A retired person is not eligible for employment for a period of 180 days following retirement unless, among other exceptions, the City Council certifies at a public meeting that the appointment is needed to fill a critically needed position before the 180 days have passed.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution to certify and approve the hiring of William Marquis as a part-time hourly extra help consultant assistant, in an amount not to exceed \$26,000, during the calendar year 2014, to fill a critically needed position to provide assistance to the Property Management Division in completing real property related projects. Mr. Marquis would start part-time work on January 7, 2014.

PREPARED AND SUBMITTED BY:



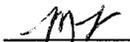
Douglas E. Eddow
Real Estate Manager

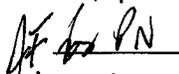


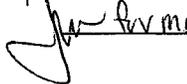
Steven R. Jepsen
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager
Pat Nunez, Human Resources Director
Michael Blazenski, Interim Financial Services Director







Attachments:

1. Resolution

1 RESOLUTION NO. _____

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY
3 OF OCEANSIDE CERTIFYING THE APPOINTMENT OF
4 WILLIAM MARQUIS TO FILL A CRITICALLY NEEDED
5 POSITION PURSUANT TO GOVERNMENT CODE
6 SECTION 7522.56(f)(1)

7 The City Council of the City of Oceanside does resolve as follows:

8 SECTION 1. Pursuant to Government Code section 7522.56(f)(1), the City Council
9 certifies that employment of William Marquis is necessary to fill a critically needed position to
10 provide real estate related services connected to the San Luis Rey Flood Control project. Mr.
11 Marquis possesses unique knowledge related to this complicated project that cannot be acquired
12 by hiring additional personnel.

13 SECTION 2. Employment of Mr. Marquis as an hourly extra help employee following
14 his retirement shall be subject to all of the restrictions of Government Code section 7522.56,
15 however, due to the critically needed nature of the services, Mr. Marquis shall be eligible for
16 employment immediately upon his retirement for a period not to exceed 960 hours and shall be
17 limited to no more than \$26,000.

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1 SECTION 3. This resolution was adopted following a public meeting in accordance
2 with the Brown Act and this item was not placed on the consent calendar.

3 PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this
4 _____ day of _____, 2013, by the following vote:

5 AYES:

6 NAYES:

7 ABSENT:

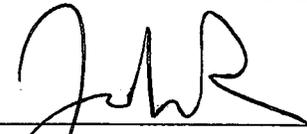
8 ABSTAIN:

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10 _____
MAYOR, CITY OF OCEANSIDE

11 ATTEST:

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CITY CLERK

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15 APPROVED AS TO FORM:

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18 CITY ATTORNEY
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