

STAFF REPORT*CITY OF OCEANSIDE*

DATE: March 5, 2014

TO: Honorable Mayor and City Councilmembers

FROM: City Manager's Office

SUBJECT: **ADOPTION OF A RESOLUTION TO CERTIFY AND APPROVE THE HIRING OF PETER WEISS AS A PART-TIME HOURLY EXTRA HELP CONSULTING ASSISTANT WITH THE CITY MANAGER'S OFFICE IN AN AMOUNT NOT TO EXCEED \$72,000**

SYNOPSIS

Staff recommends that the City Council adopt a resolution to certify and approve the hiring of Peter Weiss as a part-time hourly extra help consultant assistant, in an amount not to exceed \$72,000 during the calendar year 2014, to fill a critically needed position to provide assistance to the City Manager's Office in completing a number of Economic Development and Successor Agency projects and to assist with Oceanside Harbor transition issues.

BACKGROUND

Mr. Weiss retired from the City in December 2013. He had been the City Manager for the past seven years. Prior to that time, he served as both the Public Works Director and City Engineer and was personally involved in a number of key projects. These projects have not yet been completed and are in a critical stage where the continuity with Mr. Weiss' involvement, along with his specific project expertise and inherent knowledge would be more efficient than transitioning these projects to another staff member.

With the recent resignation of Frank Quan from the Harbor, it is an opportune time to conduct an overall management assessment of the various Harbor and Beaches duties and responsibilities.

ANALYSIS

The City has been experiencing renewed interest in key Economic Development and Successor Agency projects. These projects include the potential development of the downtown parking/mixed use project, the beach resort negotiations and development agreement, the potential recreation uses at Goat Hill, the International Swimming Hall of Fame negotiations, and the coordination of the Oceanside Successor Agency wind-down. Mr. Weiss' knowledge and background is critical in completing these projects. By working as a part-time hourly extra help consultant assistant for the City Manager's Office, Mr. Weiss can provide unique knowledge to assist in completing the projects.

Mr. Weiss will be conducting a review and assessment of the Harbor's functional areas to identify opportunities for efficiencies and technology improvements. He will also be evaluating the Harbor's on-going maintenance issues, implementation of Capital Projects, improving the asset value of the Harbor, and developing options for the management of the Harbor. The goal is to develop a plan to improve the overall appearance of the Harbor, evaluate the strategic value of the Harbor's assets, and update the Harbor Master Plan.

FISCAL IMPACT

The payment to Mr. Weiss would be significantly less than his prior salary rate on a part-time hourly extra help basis, at \$75.00 per hour. As a result of the proposed part-time schedule, the number of hours per year will be capped at 960 hours (or until such time as the projects can be effectively transitioned). Additionally, the agreement with Mr. Weiss would not require payment of any additional health or retirement benefits. There are available funds within the former Redevelopment Area/Successor Agency budget, 17 percent from 300010973.5305 SA and 83 percent from 300341973.5305 SA, for a portion of the costs, and additional funding will also be available due to personnel savings in the Harbor budget.

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 Peter Weiss as a part-time hourly extra help consultant assistant, in an amount not to exceed \$72,000 during the calendar year 2014, to fill a critically needed position to provide assistance to the City Manager's Office in completing Economic Development and Successor Agency projects and to assist with Oceanside Harbor transition issues.

PREPARED AND SUBMITTED BY:



Steven R. Jepsen
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager
Pat Nunez, Human Resources Director
James R. Riley, Financial Services Director



Attachments:
Resolution

1 RESOLUTION NO.

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

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

7 SECTION 1. Pursuant to Government Code section 7522.56(f)(1), the City Council
8 certifies that employment of Peter Weiss is necessary to fill a critically needed position to
9 provide assistance to the City Manager's Office in completing a number of Economic
10 Development and Successor Agency projects, as well as to assist with Oceanside Harbor
11 transition issues.

12 SECTION 2. Employment of Mr. Weiss as an hourly extra help following his retirement
13 shall be subject to all of the restrictions of Government Code section 7522.56, for a period not
14 to exceed 960 hours and shall be limited to no more than \$72,000.

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

17
18 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,
19 this _____ day of _____, 2014, by the following vote:

20
21 AYES:

22 NAYS:

23 ABSENT:

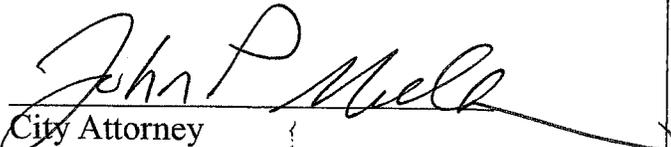
24 ABSTAIN:

25 MAYOR OF THE CITY OF OCEANSIDE

26
27 ATTEST:

APPROVED AS TO FORM:

28 _____
City Clerk



City Attorney