

STAFF REPORT*CITY OF OCEANSIDE*

DATE: June 3, 2015

TO: Honorable Mayor and City Councilmembers

FROM: Police Department

SUBJECT: **ADOPT A RESOLUTION TO CERTIFY AND APPROVE THE HIRING OF RONALD M. HARDY AS AN HOURLY EXTRA HELP CONSULTING ASSISTANT WITH THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$21,600**

SYNOPSIS

Staff recommends that the City Council adopt a resolution to certify and approve the hiring of Ronald M. Hardy as an hourly extra help consulting assistant, effective June 4, 2015, in the amount not to exceed \$21,600 per year, to fill a critically needed position in the Police Department Evidence and Property Unit.

BACKGROUND

After working with the City of Oceanside Police Department for over 28 years, as a Sworn Officer, Detective and Sergeant, Mr. Hardy recently retired from service. His retirement came at the same time an Evidence and Property Consulting Assistant announced his resignation, leaving the Evidence and Property Unit significantly understaffed.

Mr. Hardy's experience and training as a Police Officer is invaluable during this staffing shortage as it will take at least a year to select, background check, and train a replacement.

ANALYSIS

As a result of the recent inventory/audit of the Police Department's Evidence and Property Unit, it has become evident that over the years the Evidence and Property Unit has retained too much evidence from cases that have been adjudicated or not prosecuted. The accumulation of unneeded evidence takes up valuable space and compounds the possibility of misplacing items. Being able to use Mr. Hardy's experience and training as a sworn member of the department will allow the unit to expedite the research and decision making process required to dispose of unneeded evidence in an efficient manner.

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. Hardy prior to the 180-day waiting period.

FISCAL IMPACT

Payment to Mr. Hardy would be on an hourly extra help basis of \$28.21 - \$36.00 per hour, for a period not to exceed 960 hours. Adequate funds exist in the Police Department's Investigations Division's Temporary/Extra Help Employees account 500503101.5110 to fund this request.

CITY ATTORNEY'S ANALYSIS

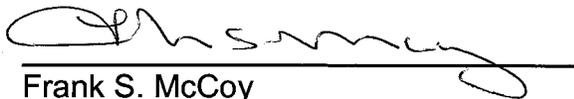
Government Code Section 7522.56 provides that a retired person receiving a pension benefit from a public retirement system shall not be employed by, or under contract with, a public employer in the same retirement system from which the retiree received the pension benefit without reinstatement from retirement. 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 limited duration. Appointments of this nature are limited to 960 hours a year 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 Ronald M. Hardy as an hourly extra help consulting assistant, effective June 4, 2015, in the amount not to exceed \$21,600 per year, to fill a critically needed position in the Police Department Evidence and Property Unit.

PREPARED BY:

SUBMITTED BY:



Frank S. McCoy
Chief of Police



Michelle Skaggs Lawrence
Interim City Manager

REVIEWED BY:

Pat Nunez, Human Resources Director

Jane McPherson, Interim Finance Director



ATTACHMENTS:

A – Resolution

1 for a period not to exceed 960 hours and shall be limited to no more than \$21,600 a year.

2 SECTION 5. This resolution was adopted following a public meeting in accordance
3 with the Brown Act and this item was not placed on the consent calendar.

4 PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this
5 day of _____, 2015, by the following vote:

6 AYES:

7 NAYES:

8 ABSENT:

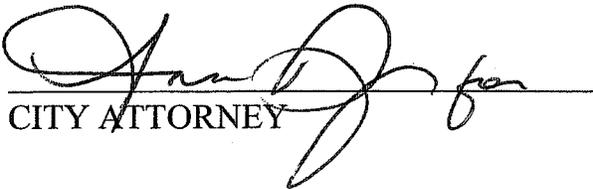
9 ABSTAIN:

10 _____
11 MAYOR, CITY OF OCEANSIDE

12 ATTEST:

13 _____
14 CITY CLERK

15 APPROVED AS TO FORM:

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18 CITY ATTORNEY
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