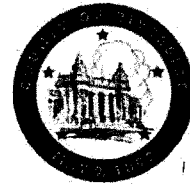


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
3.21
(ID # 7669)

MEETING DATE:

Tuesday, September 11, 2018

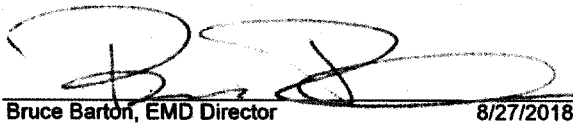
FROM : HUMAN RESOURCES:

SUBJECT: HUMAN RESOURCES: Adoption of Resolution No. 2018-149 Approving an Exception to the 180-day Wait Period for Employing a Retired Annuitant for Victoria Jauregui Burns, All Districts. [Total Cost \$42,134 - County Fire City Contracts 53%, NCC 47%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2018-149 approving an exception to the 180-day wait period for employing Victoria Jauregui Burns as a retired annuitant in compliance with Government Code Sections 7522.56 and 21224 (Attachment A);
2. Authorize the Chairperson to sign two (2) copies of the Resolution; and
3. Direct the Clerk of the Board to retain one (1) copy of the signed resolution and return one (1) copy to Human Resources Retirement Division for distribution.

ACTION: Policy

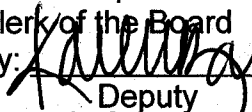

Bruce Barton, EMD Director 8/27/2018


Brenda Diederichs, Assistant CEO / Human Resources Director 8/27/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Washington, Perez and Ashley
Nays: None
Absent: Tavaglione
Date: September 11, 2018
xc: HR

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 42,134	\$ 0	\$ 42,134	\$ 0
NET COUNTY COST	\$ 19,803	\$ 0	\$ 19,803	\$ 0
SOURCE OF FUNDS: County Fire City Contracts 53%, NCC 47%			Budget Adjustment: No	
			For Fiscal Year: 18/19	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

In compliance with Government Code Section 7522.56, the County of Riverside is required to provide CalPERS with a certification and resolution when hiring a retiree before 180 days has elapsed since the retiree's retirement date. Government Code Section 7522.56 requires that a retiree's post-retirement employment cannot commence earlier than 180 days after the retirement date without a certification and resolution.

The Emergency Management Department requests to appoint retiree Victoria Jauregui Burns to work as a retired annuitant to perform the duties of a Deputy Director of Emergency Management under Government Code Section 21224. The employment period shall be limited to 960 hours per fiscal year ending June 30, 2019 and the compensation paid cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties. Additionally, the retiree will not receive any other benefits, incentives, compensation in lieu of benefits, or any other form of compensation in addition to the hourly pay rate.

It is anticipated that Victoria will continue work on special projects and provide training and support to the new deputy director during the first several months of his appointment. Victoria will continue to work on the following special projects: EMD Fee Ordinance; New Emergency Operations Center (EOC) Project; EMD Program Services Cost Distribution Report; development of a department and division financial monthly report; and the EMD Policy and Procedure Manual. Victoria will also provide the new deputy director with mentoring, coaching, and training. Training will include: EMD budget (grants and NCC) development and monitoring; year-end close out procedures; quarterly budget reports; Human Resource policies and procedures; reviewing and developing short term and long-term goals for EMD and for the Business and Finance Division; and providing guidance and direction on supporting the EMD director. Victoria is uniquely qualified as the only Deputy Director to have worked in EMD to train and orient the incoming Deputy Director that will ultimately take over her prior roles and responsibilities.

Impact on Residents and Businesses

There is no direct impact on residents or businesses in the County of Riverside.

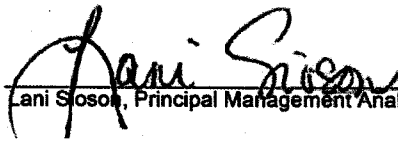
SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

Additional Fiscal Information

This position will be funded by County Fire City Contracts 53% and NCC 47%.

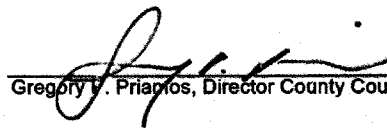
ATTACHMENTS

- A. Resolution No. 2018-149 for Exception to the 180-day Wait Period for Victoria Jauregui Burns (Government Code Sections 7522.56 and 21224).
- B. Job Description – Deputy Director of EMD



Lani Sioson, Principal Management Analyst

9/5/2018



Gregory V. Priaplos, Director County Counsel

9/4/2018

2
3 RESOLUTION NO. 2018-149

4
5 A RESOLUTION OF THE BOARD OF SUPERVISORS OF
6 THE COUNTY OF RIVERSIDE APPROVING AN EXCEPTION TO THE 180-DAY WAIT PERIOD
7 FOR EMPLOYING A RETIRED ANNUITANT FOR VICTORIA JAUREGUI BURNS
8

9 WHEREAS, pursuant to Section 7522.56 of the Government Code (“Section 7522.56”),
10 any person who is receiving a retirement benefit from a public retirement system (i.e., a retired annuitant)
11 shall not be employed by a public employer in that same public retirement system while remaining in a
12 retired status unless an exception is permitted under that section; and,

13 WHEREAS, pursuant to Section 7522.56, paragraph (c), one such exception provides that
14 a retired annuitant may be employed while remaining in a retired status because the retired person has
15 skills needed to perform work of limited duration; and,

16 WHEREAS, Victoria Jauregui Burns retired from the Emergency Management
17 Department (the “EMD”) in the position of Deputy Director of Emergency Management effective July 19,
18 2018; and,

19 WHEREAS, Ms. Burns was integral to the development of the EMD as she established the
20 budget; negotiated grant awards and distribution methodologies; established fiscal, human resources and
21 other internal operational policies and procedures; and facilitated collaboration with other County
22 departments; and,

23 WHEREAS, the EMD wishes to employ Ms. Burns as a retired annuitant for a limited
24 duration to work on special projects and to provide training and support to the new Deputy Director of
25 Emergency Management during the first several months of his appointment; and,

26 WHEREAS, pursuant to Section 7522.56, paragraph (f), a retired annuitant is ineligible for
27 employment for a period of 180 days following his or her date of retirement unless one of the conditions
28 of that section is met; and

1 WHEREAS, with respect to Ms. Burns, the date that is 180 days following her retirement
2 date is January 15, 2019; and

3 WHEREAS, pursuant to Section 7522.56, paragraph (f)(1), one of the conditions under
4 which a retired annuitant may be employed prior to the passing of 180 days following his or her date of
5 retirement is if the public employer certifies the nature of the employment and that the employment is
6 necessary to fill a critically needed position before 180 days have passed and the appointment is approved
7 by the governing body of the employer in a public meeting; and,

8 WHEREAS, as a retired annuitant, Ms. Burns will continue to work on the following
9 special projects: EMD Fee Ordinance, New Emergency Operations Center (EOC) Project, EMD program
10 services cost distribution report, development of a department and division financial monthly report; and
11 the EMD policy and procedure manual; and,

12 WHEREAS, Ms. Burns will also provide the new Deputy Director of Emergency
13 Management with mentoring, coaching and training, which training will include EMD budget (grants and
14 NCC) development and monitoring; year-end close out procedures; quarterly budget reports; human
15 resources policies and procedures; reviewing and developing short term and long term goals for EMD and
16 for the Business and Finance Division; and providing guidance and direction on supporting the EMD
17 director; and,

18 WHEREAS, this extra help is critically necessary to the EMD because Ms. Burns is
19 uniquely qualified, as the only person to have worked as the Deputy Director of Emergency Management
20 of the EMD, to train and orient the incoming Deputy Director who is assuming the roles and
21 responsibilities of that position; and,

22 WHEREAS, Section 7522.56, paragraph (g) provides that a retired annuitant who accepted
23 a retirement incentive upon retirement shall not be eligible for employment within 180 days following his
24 or her date of retirement regardless of compliance with Section 7522.56, paragraph (f); and

25 WHEREAS, the Board of Supervisors, the County of Riverside and Ms. Burns certify that
26 Ms. Burns has not and will not receive a Golden Handshake or any other retirement-related incentive; and

27 WHEREAS, the entire appointment document between Ms. Burns and the County of
28 Riverside has been reviewed by this body and is attached hereto; and

1 WHEREAS, no matters, issues, terms or conditions related to this employment and
2 appointment have been or will be placed on a consent calendar; and

3 WHEREAS, pursuant to Section 7522.56, paragraph (d), the employment of a retired
4 annuitant shall not exceed 960 hours per fiscal year across all public employers in that same public
5 retirement system; and,

6 WHEREAS, the employment of Ms. Burns shall be limited to no more than 960 hours per
7 fiscal year; and

8 WHEREAS, pursuant to Section 7522.56, paragraph (d), the rate of pay for the
9 employment of a retired annuitant shall not be less than the minimum nor exceed the maximum paid by
10 the employer to other employees performing comparable duties, which amount shall be divided by
11 173.333 to equal an hourly rate; and,

12 WHEREAS, the maximum base salary for the position of Deputy Director of Emergency
13 Management is \$12,678.90 monthly and the hourly equivalent is \$73.15, and the minimum base salary for
14 this position is \$7,066.33 monthly and the hourly equivalent is \$40.77; and

15 WHEREAS, the hourly rate paid to Ms. Burns will be \$73.15; and

16 WHEREAS, Ms. Burns has not and will not receive any other benefit, incentive,
17 compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

18 WHEREAS, pursuant to Section 7522.56, paragraph (d), a retired annuitant who is
19 employed while remaining in retired status shall not acquire service credit or retirement rights with
20 respect to that employment; and,

21 WHEREAS, Ms. Burns will not acquire any such service credit or retirement rights with
22 respect to the proposed employment as a retired annuitant; and,

23 WHEREAS, pursuant to Section 7522.56, paragraph (e)(1), a retired annuitant may not be
24 employed by a public employer if, during the 12-month period prior to employment, the retired annuitant
25 received any unemployment insurance compensation arising out of prior employment as a retired
26 annuitant; and,

27
28

1 WHEREAS, pursuant to Section 7522.56, paragraph (e)(1) a retired annuitant must certify
2 in writing prior to accepting an offer of employment that he or she is in compliance with the
3 aforementioned rule regarding unemployment insurance compensation; and,

4 WHEREAS, Ms. Burns will provide the required written certification of compliance with
5 the aforementioned rule regarding unemployment insurance compensation to the County upon accepting
6 the offer of employment; and,


7 WHEREAS, a bona fide separation in service pursuant to Section 21220.5 of the
8 Government Code is not required in this case because Ms. Burns has attained the normal retirement age;

9
10 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the
11 Board of Supervisors of the County of Riverside, assembled in regular session on September 11, 2018, at
12 9:00 a.m. or soon thereafter, in the meeting room of the Board of Supervisors located on the 1st floor of
13 the County Administrative Center, 4080 Lemon Street, Riverside, California, as follows:

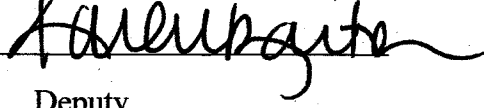
- 14
- 15 1. The Board hereby finds and declares that the above recitals are true and correct.
 - 16 2. The Board hereby certifies the nature of the appointment of Victoria Jauregui Burns as a retired
17 annuitant with the skills needed to perform work of a limited duration as described herein and as
18 detailed in the attached appointment document and further certifies that the employment of Ms.
19 Burns is necessary to fill a critically needed position prior to the passing of 180 days following her
20 date of retirement for the reasons recited herein.
 - 21 3. Pursuant to Government Code sections 7522.56 and 21224, the Board hereby approves and
22 appoints Victoria Jauregui Burns as an extra help retired annuitant to perform the duties of the
23 Deputy Director of Emergency Management for the County of Riverside as described in this
24 resolution, effective September 27, 2018.
 - 25 4. The Board hereby designates Chuck Washington, Chair of the Board of Supervisors, to sign for
26 and execute documents pertaining to Resolution No. 2018-149.
- 27
28

1 THIS RESOLUTION NO. 2018-149 WAS ADOPTED by the Board of Supervisors of the County of
2 Riverside at a regular meeting thereof on September 11, 2018, by the following vote:

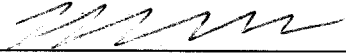
3 AYES: Jeffries, Washington, Perez and Ashley
4 NAYS: None
5 ABSENT: Tavaglione

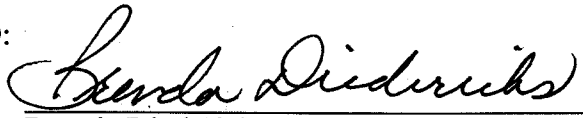
Signed: 
Name: Chuck Washington
Title: Chairman, Board of Supervisors
Date: SEP 11 2018

8 ATTEST:
9 Kecia Harper-Ihem
10 Clerk of the Board of Supervisors

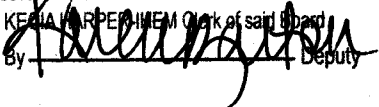
11 By: 
12 Deputy

14 APPROVED AS TO FORM:
15 Gregory P. Priamos, County Counsel

16 Signed: 
17 Name: Michael Thomas
18 Title: Deputy County Counsel
Date: August 30, 2018

19 APPROVED:
20 Signed: 
21 Name: Brenda Diederichs
22 Title: Assistant Human Resources Director
Date: _____

23 APPROVED:
24 Signed: _____
25 Name: George Johnson
26 Title: County Executive Officer
Date: _____

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.
KECIA HARPER-IHEM Clerk of said Board
By:  Deputy

DEPUTY DIRECTOR OF EMERGENCY MANAGEMENT

County of Riverside

Class Code:
37866

Bargaining Unit: Management Resolution -
Management

COUNTY OF RIVERSIDE
Established Date: Feb 18, 2016
Revision Date: Feb 18, 2016

SALARY RANGE

\$40.77 - \$73.15 Hourly
\$7,066.33 - \$12,678.90 Monthly
\$84,795.98 - \$152,146.80 Annually

CLASS CONCEPT:

Under general direction, assists the Director of Emergency Management in the planning, administration, and operation of the Emergency Management Department (EMD); plans, organizes, directs, and provides broad administrative oversight in coordinating the long-term strategic objectives of the department, including working closely with other divisions within the EMD to achieve desired organizational goals; and performs other related duties as required.

The Deputy Director of Emergency Management is a single-position class assisting in the overall administration of the EMD. The incumbent is responsible for directing the administration and operations of all divisions within the EMD. The Deputy Director of Emergency Management class differs from the Director of Emergency Management by the latter's responsibility to provide overall strategic and operational oversight for the EMD, including the planning, development, organization and coordination of integrated emergency management services Countywide. The Deputy Director of Emergency Management may assume the responsibilities of the Director of Emergency Management in their absence and is responsible for relieving the Director of many administrative duties.

This class has been designated At-Will by the Board of Supervisors, in accordance with the provisions provided under Article 6, Section 601E (2) of the County Management Resolution and serves at the pleasure of the Director of Emergency Management.

This class has been deemed eligible for the Performance Recognition Plan as set forth under Article 3, Section 311(B) of the County Management Resolution. Program eligibility requires employees to be in a leadership position, manage other employees or programs, and have significant influence on the achievement of organizational objectives.

REPRESENTATION UNIT:

Management Resolution - Management

EXAMPLES OF ESSENTIAL DUTIES:

(Depending on the area of assignment, duties may include, but are not limited to, the following)

- Assist the Director of Emergency Management in planning, organizing, coordinating, and providing oversight and leadership to the EMD and its functional divisions; manage supervisory staff within the functional divisions of the EMD in carrying out the day-to-day operations of the EMD programs; assist the Director of Emergency Management in ensuring the operational readiness of the EMD and County departments to respond to emergencies and disasters.
- Advise the Director of Emergency Management on policy and program development; identify problems within the EMD administration and operations and recommend appropriate solutions; evaluate effectiveness of the EMD programs and activities and prioritize resources to achieve measurable goals; study work processes for cost efficiency, quality continuity, time improvement, and distribution to obtain maximum value consistent with desired quality and needs of the County.
- Direct, coordinate, prepare, review, and control the EMD annual budget and associated program budgets; monitor the EMD revenue and expenditure transactions; purchase and maintain equipment to enhance response capabilities for first responders, the medical/health community, and County departments; coordinate grant and disaster recovery fund planning.
- Develop, implement, and enforce the EMD policies, protocols, and standard operating procedures to strengthen the operation of the EMD and the County's emergency preparedness; prepare reports and presentations regarding the EMD operations; represent the Department before local, state and federal regulatory, advisory and governing bodies with respect to emergency preparedness issues, and ensure preparation of required periodic reports and documentation in the absence of the Director of Emergency Management.
- Serve as a liaison with public and private agencies, and provide information to County departments, the public and agency representatives on Departmental initiatives and activities; participate in and direct staff in the development and maintenance of emergency response procedures, including information management and resource allocation for all County unincorporated areas and for individual cities; confer with and advise County department heads concerning emergency management problems and the allocation of resources for mobilization during an emergency.
- Provide leadership and work closely with the EMD management and supervisory staff to develop and retain highly competent, service-oriented staff through selection, training and day-to-day management practices that directly support the Department's mission, objectives and service expectations; interview prospective employees, make hiring decisions, perform employee evaluations, and recommend discipline; make recommendations on personnel transactions based on operational needs.

RECRUITING GUIDELINES:

Education: Possession of a Bachelor's degree from an accredited college or university, preferably with major coursework in business or public administration, emergency management, public health, environmental sciences, communications, urban studies, or a related field. (Possession of a Master's degree from an accredited college or university in business or public administration, emergency management, public health, environmental sciences, communications, urban studies, or a related field may substitute for one year of the required experience.)

Experience: Four years of professional experience at a supervisory or managerial level with responsibility for managing and coordinating a governmental program for emergency and disaster preparedness, mitigation, response, and recovery.

OR

Five years of administrative management experience which included the execution of budget preparation, personnel administration, and fiscal management.

Knowledge of: The principles, practices, policies, and procedures of emergency management administration; the principles of program development and evaluation; the responsibilities, goals and functions of local, state and federal government in planning and implementing emergency services; principles and practices necessary to plan, analyze, develop, direct, control, and evaluate a complex emergency management infrastructure; budget preparation and control; funding processes in a municipal environment as related to budget planning, cost accounting, financial planning, and management; modern supervisory practices and procedures; principles and practices of emergency program management, public administration, emergency planning, mitigation and coordinated response to emergencies, and organizational development; techniques of emergency response and recovery.

Ability to: Plan, organize, manage, and evaluate the staff and functions of an emergency management operation; direct and supervise the work of others; determine emergency management program objectives and priorities; coordinate the implementation of policies, plans and procedures for monitoring and reviewing the operations of the Department; understand, interpret and apply local, state, and federal rules, regulations and directives governing disaster/emergency preparedness; analyze data and arrive at logical conclusions; prepare clear and concise reports; establish and maintain effective working relationships with a variety of agencies, organizations and individuals; deal tactfully and effectively with others; effectively communicate verbally and in writing; analyze and evaluate statistical data and reports related to emergency management and prepare periodic reports and documentation required by the County or other agencies/departments; prepare the Department budget and claims for reimbursement of funds; plan, direct and achieve long-term departmental goals.

OTHER REQUIREMENTS:

License: Possession of a valid California Driver's License.

PRE-EMPLOYMENT:

All employment offers are contingent upon successful completion of both a pre-employment physical exam, including a drug/alcohol test, and a criminal background investigation, which involves fingerprinting. (A felony or misdemeanor conviction may disqualify the applicant from County employment.)

PROBATIONARY PERIOD:

As an Approved Local Merit System, all County of Riverside employees, except those serving "At Will," are subject to the probationary period provisions as specified in the applicable Memorandum of Understanding, County Resolution, or Salary Ordinance. Temporary and Per Diem employees serve at the pleasure of the agency/department head.