



CITY OF POMONA COUNCIL REPORT

January 6, 2025

To: Honorable Mayor and Members of the City Council

From: Anita D. Scott, City Manager

Submitted By: René Anderson, Human Resources/Risk Management Director

SUBJECT: ADOPTION OF A RESOLUTION APPROVING EXCEPTION TO THE 180-DAY WAIT PERIOD FOR RETIRED ANNUITANT EMPLOYMENT PURSUANT TO CALIFORNIA GOVERNMENT CODE

RECOMMENDATION:

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2025-03 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING EXCEPTION TO THE 180-DAY WAIT PERIOD FOR RETIRED ANNUITANT EMPLOYMENT

EXECUTIVE SUMMARY:

California law requires that retirees from the California Public Employee Retirement System (CalPERS) wait 180 days before returning to work for a CalPERS agency. Approval of the proposed resolution will authorize an exception to the 180-day wait period to hire Carmen Barsu as a part-time Management Consultant.

SB1439/GOVERNMENT CODE §84308 APPLICABILITY:

When this box is checked, it indicates the agenda item is subject to the Levine Act SB1439 requirements. Councilmembers are reminded to check their campaign contributions and determine whether they have received a campaign contribution of \$250 or more that would require disclosure and/or recusal from discussing or acting on this agenda item. Campaign contributions of \$250 or more made 1) by any person or entity who is identified in the agenda report as the applicant or proposer or 2) on behalf of the applicant or participant, including a parent, subsidiary or otherwise related business entity, or 3) by any person who has a financial interest in the agenda item requires a councilmember to comply with SB1439.

FISCAL IMPACT:

Funding is currently available through the FY 2024-25 Public Works Engineering Division Budget. The part-time expense will be paid from Account Number 101-2530-51040-00000 for the recommended action.

DISCUSSION:

On December 27, 2024, Carmen Barsu retired from the City of Pomona as a Senior Civil Engineer, after 12 years of service. Ms. Barsu led major initiatives, including reviewing and approving large retail and residential developments, and demonstrated exceptional leadership and technical expertise. Ms. Barsu possesses unique skills and knowledge that are critical to the continuance of ongoing projects.

California Public Employees' Retirement Law, §7522.56(f) requires a retired annuitant to wait 180 days after retirement to be employed by a CalPERS employer, unless all of the following qualifying exceptions are met:

- The public agency certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed.
- Appointment has been approved by the governing body of the employer in a public meeting.
- Appointment may not be placed on a consent calendar.

An exception can be made by City Council approval. The appointment is needed immediately due to ongoing land development projects. Therefore, the Public Works Department requests approval to hire Ms. Barsu as a Management Consultant before the 180-day wait period. Her duties will include, but may not be limited to, the following:

- Overseeing the progress of large development projects.
- Providing training and mentorship to current staff to build technical and leadership skills.
- Ensuring compliance with local and/or state standards and requirements.
- Assisting with the transition and onboarding of a regular Senior Civil Engineer.

Upon approval by City Council, Ms. Barsu will return as a part-time hourly employee, limited to 960 hours maximum per fiscal year. This appointment will enable Ms. Barsu to work as a retired annuitant, and meet the requirements for exception to the 180-day wait period as required by California Public Employees' Retirement Law, Government Code Sections 7522.56(f) and 21224.

Prepared by:

Jimmy Alcantar
Human Resources Analyst II

ATTACHMENT(S):

Attachment No. 1 – Resolution No. 2025-03
Exhibit A – Offer letter