



CITY OF POMONA COUNCIL REPORT

August 1, 2022

To: Honorable Mayor and Members of the City Council

From: James Makshanoff, City Manager

Submitted By: Linda Matthews, Human Resources/Risk Management Director

**SUBJECT: ADOPTION OF A RESOLUTION APPOINTING THERESA ST. PETER
AS INTERIM HUMAN RESOURCES/RISK MANAGEMENT DIRECTOR
PURSUANT TO GOVERNMENT CODE SECTION 21221(H)**

RECOMMENDATION:

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

**RESOLUTION NO. 2022-112 – A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF POMONA, CALIFORNIA, APPOINTING THERESA
ST. PETER AS THE INTERIM HUMAN RESOURCES/RISK
MANAGEMENT DIRECTOR PURSUANT TO GOVERNMENT CODE
SECTION 21221(h)**

EXECUTIVE SUMMARY:

The current Human Resources/Risk Management Director is retiring effective August 14, 2022. Approval of the attached resolution (Attachment No. 1) will appoint Theresa St. Peter, a retired annuitant through the CalPERS system, as Interim Human Resources/Risk Management Director.

FISCAL IMPACT:

There is no fiscal impact of this action. Funding for the Human Resources/Risk Management Director position is currently fully budgeted in the Fiscal Year 2022-23 Operating Budget. The City may realize some savings from not paying medical benefits, CalPERS pension contributions and other benefits.

DISCUSSION:

CalPERS rules generally prohibit hiring retired annuitants into permanent or regular staff positions without reinstatement from retirement. However section 21221(h) of the Government Code provides a limited exception to allow a retiree to serve without reinstatement from retirement for a single interim appointment to a vacant managerial, executive or other unique position. The City

Council is required to approve such an interim appointment and make specific findings of need to hire the retiree.

The position of Human Resources/Risk Management Director will be vacant as of August 14, 2022. The Human Resources/Risk Management Director oversees personnel services, including all hiring, benefits, performance management, deferred compensation, equal employment, and other human resources functions; and risk management, which includes insurance procurement, workers compensation, claims administration, litigation management, safety and emergency preparedness. This is a situation that requires securing a qualified individual with exceptional skills in public sector human resources/risk management operations for public agencies. Ms. St. Peter's interim appointment to the vacant Human Resources/Risk Management Director position meets the following PERS (GC §21221(h)) requirements for the following reasons:

- The Human Resources/Risk Management Director is a key management position that requires specialized skills and experience in public water system operations and infrastructure;
- The Human Resources/Risk Management Director position will be vacant on August 14, 2022;
- There is an open recruitment being conducted through an outside recruiter to fill the vacancy;
- The Human Resources Department needs an interim Director to maintain continuity for all operations within the Department;
- Ms. St. Peter will be paid \$94.87 per hour, which is within the published pay range for the position;
- This will be a single interim appointment not to exceed 960 hours in any fiscal year or until a permanent appointment is made, whichever occurs first, up to 12 months.
- Ms. St. Peter will not receive any other form of compensation, benefits, or incentives.

It is recommended that the City Council approve the attached resolution which will authorize Theresa St. Peter to serve as Interim Human Resources/Risk Management Director until a new Human Resources/Risk Management Director is hired or up to 12 months, whichever occurs first.

Prepared by:

Linda Matthews
Human Resources/Risk Management Director

ATTACHMENT:

Attachment No. 1 – Resolution No. 2022-112

Exhibit A – Employment Offer Letter