

City of Sacramento

Legislation Text

File #: 2019-01136, **Version:** 1

Title:
(Housing Authority) Authorization to Hire a Staff Aide

File ID: 2019-01136

Location: Citywide

Recommendation:

1) Pass a Motion certifying the critical need for a temporary staff aide to be appointed on or before October 2, 2019; 2) adopt a Housing Authority Resolution: a) certifying the need to appoint David Levin as a staff aide on October 2, 2019; and b) authorizing the Executive Director of the Sacramento Housing and Redevelopment Agency to approve the appointment letter with David Levin; and 3) adopt a Housing Authority Resolution certifying the need to appoint David Levin as a staff aide on October 2, 2019.

Contact: James Shields, Director of Administration, (916) 440-1319, Sacramento Housing and Redevelopment Agency

Presenter: James Shields, Director of Administration, (916) 440-1319, Sacramento Housing and Redevelopment Agency

Attachments:

- 1-Description/Analysis
- 2-Housing Authority Resolution - Appointment
- 3-Exhibit A - Appointment Letter
- 4-Housing Authority Resolution - Certification

Description/Analysis

Issue Detail: Assembly Bill 340, the Public Employee Pension Reform Act of 2013, also known as PEPRA, was signed into law on September 12, 2012 and went into effect on January 1, 2013. PEPRA created Government Code Section 7522.56, which requires public agency retirees to wait 180 days after retirement before returning to work at a public agency. This waiting period can be waived should the public agency determine there is a critical need to fill a specific position. This

report is requesting that the Housing Authority waive the 180-day wait period and authorize the hire of David Levin as a staff aide.

David Levin, General Counsel for the Agency, retired from his position on October 1, 2019. Mr. Levin has a unique skill set and familiarity with the operations and requirements of the Agency's legal department. As a result, it is critical that he begin work as a retired annuitant to assist the Executive Director while the Agency recruits for a new General Counsel. Critical ongoing activities that need to be addressed during the transition period include:

- Housing Successor Agency Duties - Finalize the transfer of Property.
- Twin Rivers Project - Coordination of the legal documents on the current phase of construction which is scheduled to close at the end of 2019 with construction to begin in first quarter of 2020.
- Transformative Climate Communities Grant - Complete the negotiations with the Strategic Growth Council on all contracts for the implementation of the grant.
- Rental Assistance Demonstration (RAD) - Finalize and coordinate all legal transactions on the closure of Phase I RAD program.
- Current Litigation - Coordination of the Agencies outside legal counsel with the City Attorney and the County Counsel on pending litigation impacting the City, County and the JPA.

Policy Considerations: Upon approval by the Housing Authority, the Sacramento Housing and Redevelopment Agency, as the exclusive employer for the Housing Authority, may hire retired annuitants immediately once the 180-day waiting period is waived.

Economic Impacts: None

Environmental Considerations: The recommendation in this report is not a project under the California Environmental Quality Act (CEQA) because it involves organizational or administrative activities that will not result in direct or indirect physical changes in the environment, as contemplated by Section 15378(b)(5) of the CEQA Guidelines (Cal. Code Regs., tit. 14, §15000 et seq.), and is, therefore, not subject to CEQA pursuant to Section 15060(c)(3) of the CEQA Guidelines.

Sustainability: Not applicable

Commission/Committee Action: Not applicable.

Rationale for Recommendation: The Housing Authority may waive the 180-day waiting period for retired annuitants when there is a critical need. No current Housing Authority/Agency employees have the background knowledge of the Agency's legal department functions to provide legal advice concerning the matters described above.

Financial Considerations: There is sufficient funding in the Agency's operating budget to support the recommendation. Funding for the temporary Staff Aide will be provided through cost savings as a result of vacancies in the legal department.

LBE - M/WBE and Section 3 requirements: Not applicable to this report.