

SWEETWATER AUTHORITY

Governing Board

February 14, 2024



Consideration of Resolution Establishing Exception to the 180-Day Waiting Period, Appointment CalPERS Retired Annuitant Mark Hatcher to Perform Extra Help Duties for a Limited Term and Approval of Employment Agreement

RECOMMENDATION

Staff recommends that the Governing Board adopt Resolution 24-03, Approving an Exception to the 180-day waiting period to hire a CalPERS retired annuitant, and approve the Employment Agreement with Mark Hatcher.

Mark Hatcher retired from the Sweetwater Authority on Friday, December 29, 2023, as the Water Quality Manager in the Water Quality Department. Due to his departure and current plans to reorganize, as well as special projects, the Department has a current need for regulatory support, monitoring and Water Quality Laboratory support that cannot be met with current staff and which are critical duties.

Mark Hatcher has the necessary skills and knowledge to perform these duties immediately; however, CalPERS regulations preclude retirees from being hired as retired annuitants within 180-days of their retirement date without a resolution certifying the need and require appointment by the Board. Government Code sections 7522.56 and 21224 allow the Board to waive the 180-day waiting period by adopting a resolution certifying that the Authority has determined that the appointment is necessary to fill a critically needed position and hire Mr. Hatcher as an extra-help annuitant. The appointment is also required to meet additional requirements for employment of retired annuitants specified in the attached employment agreement and resolution. Without such resolution, Mark Hatcher would not be eligible to return as a retired annuitant until expiration of the 180 day period (June 26, 2024).

The attached resolution and employment agreement will appoint Mark Hatcher to perform the extra help duties related to laboratory and regulatory compliance in the Water Quality Department, in compliance with Sections 7522.56 and 21224. These duties are critical and essential to the on-going water quality and safety of the Authority and ensuring the continuing operation of the Water Quality Department.

FISCAL IMPACT

The FY 2023-24 Budget Operating Expense line item 10-80-800-5610 – General Plant Salaries has funding for the proposed retired annuitant employee salary; the annuitant hours for this fiscal year are expected not to exceed 460 hours based on a rate of \$93.222 per hour for a total of \$42,882.12. Funding for additional support will be included in the FY 2024-25 Budget.

NEXT STEPS

1. Adopt Resolution 24-03, Approving an Exception to the 180-day waiting period to hire a CalPERS retired annuitant, and approve the Employment Agreement with Mark Hatcher.

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2. Other direction as determined by the Governing Board.

Staff Contact:

Carlos Quintero, General Manager

Leslie Payne, Director of Administrative Services

Leticia Munguia, Human Resources Manager

SUPPORTING INFORMATION

Attachments

1. Resolution 24-03
2. Employment Agreement
3. Salary Schedule

Strategic Plan

Strategic Plan Goal 5; Workforce Development and Constructive Labor Relations (WD) – Attract, retain and develop a highly-skilled, adaptable workforce; Equip employees to effectively and safely perform their jobs and prepare for career advancement; Promote constructive labor relations.