

CITY OF ALAMEDA
PUBLIC UTILITIES BOARD

RESOLUTION NO. 5221

RECOMMEND CITY COUNCIL AUTHORIZE AN EXCEPTION TO THE 180-DAY WAITING PERIOD TO APPOINT A RETIRED ANNUITANT TO SERVE AS TEMPORARY EXTRA HELP AND APPOINT ROBERT ORBETA AS A TEMPORARY EMPLOYEE OF THE CITY OF ALAMEDA, EFFECTIVE FEBRUARY 5, 2024

WHEREAS, in compliance with Government Code §7522.56, the City of Alameda must provide the California Public Employees' Retirement System (CalPERS) this certification resolution when hiring a retiree before 180 days has passed since their retirement date; and

WHEREAS, Robert Orbeta will retire from the City of Alameda in the position of Alameda Municipal Power (AMP) Assistant General Manager - Administration, effective February 2, 2024; and

WHEREAS, Govt. Code §7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, or on August 1, 2024, without a certification resolution from the City Council; and

WHEREAS, §7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

WHEREAS, the Board and Robert Orbeta certify that Robert Orbeta has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, AMP recommends appointing Robert Orbeta as an extra help retired annuitant for the City of Alameda under Govt. Code §21224, effective February 5, 2024, to perform critically needed duties related to requirements to issue an annual budget and to provide monthly financial statements to the Board, among other critical utility matters; and

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

WHEREAS, the employment shall be limited to 960 hours per fiscal year; and

WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

WHEREAS, effective February 5, 2024, the maximum hourly salary rate for the Temporary Employee position is \$113.65, and the minimum hourly equivalent is \$125.30 and the minimum base salary for this position is \$12,212.64 and the hourly equivalent is \$84.81;

WHEREAS, the hourly rate paid to Robert Orbeta will be \$113.65; and

WHEREAS, Robert Orbeta has not and will not receive any other benefit, incentive, compensation in lieu of benefit, or other form of compensation in addition to this hourly pay rate.

NOW, THEREFORE, BE IT RESOLVED that the Public Utilities Board recommends City Council authorize an exception to the 180-day waiting period to appoint a retired annuitant to serve as temporary extra help and appoint Robert Orbeta as a temporary employee of the City Of Alameda, effective February 5, 2024.

AYES: President McKenna, Vice President Hunter, Commissioner Serventi, Commissioner Bird, City Manager Ott

NOES:

ABSENT:

IN WITNESS WHEREOF, I have set my hand on this 23rd day of January 2024.

January 23, 2024

Date



Nicolas Procos
Public Utilities Board Secretary