



DATE: August 23, 2023

TO: Honorable Mayor and City Councilmembers

FROM: Police Department

SUBJECT: **RESOLUTION TO CERTIFY AND APPROVE THE HIRING OF NITA POWELL AS AN HOURLY EXTRA HELP CONSULTING ASSISTANT WITH THE POLICE DEPARTMENT**

SYNOPSIS

Staff recommends that the City Council adopt a resolution to certify and approve the hiring of Nita Powell as an hourly extra help Consulting Assistant, effective September 2, 2023, in the amount not to exceed \$36,316 per year, to fill a critically needed position in the Police Department's Dispatch Unit.

BACKGROUND

After working with the City's Police Department as a Dispatcher, Ms. Nita Powell recently retired from service on April 1, 2023. Her retirement comes at a time when staffing in the Dispatch Unit is critically low. Current staffing levels in the Dispatch Unit consist of 15 dispatchers, three trainees, and four dispatch supervisors; seven Dispatch positions are currently vacant. With these vacancies, the majority of the dispatchers are working extra hours, including overtime, to fill this staffing gap. It has also become routine for the Communications Manager to come in on either their day off or during their regular shift to have to work the communications floor as a dispatcher. These critical levels of understaffing have not been previously seen within this unit. New hires must train for up to one year before they are able to work without the supervision of a trainer, so this staffing shortage is expected to continue in the foreseeable future.

ANALYSIS

As a retired Oceanside Police Dispatcher, Nita Powell possesses all the technical expertise necessary to manage the workload required by a Dispatcher. Ms. Powell's knowledge of the systems, codes, and protocols within the Dispatch unit would allow her immediate deployment as a Dispatcher. Ms. Powell's skills can immediately be used. Moreover, due to the amount of overtime the current dispatchers are working, this resolution would allow for Ms. Powell to fill in shifts and allow staff in this unit to get some much-needed time off for their physical and mental health. Additionally, this would allow the Communications Manager the ability to manage the unit appropriately without having to take on dispatcher duties.

FISCAL IMPACT

Payment to Ms. Powell would be on an hourly extra help basis of \$36.40 per hour, for a period not to exceed 960 hours, charged to Public Safety Communications account 500506101.5110, which has a current available balance of \$62,296; therefore, sufficient funds are available.

Position Budget in FY2023-24	PCN	Account	Budget in FY 2023-24
Consulting Assistant	XPO005	500506101.5110	\$36,316

COMMISSION OR COMMITTEE REPORT

Not applicable.

CITY ATTORNEY'S ANALYSIS

Government Code Section 7522.56 provides that a retired person receiving a pension benefit from a public retirement system shall not be employed by, or under contract with, a public employer in the same retirement system from which the retiree received the pension benefit without reinstatement from retirement. However, there are limited exceptions to this general rule. A retiree may work for a public employer during an emergency to prevent the stoppage of public business. In addition, a retiree may serve without reinstatement from retirement because the retired person has the skills needed to perform work of a limited duration. Appointments of this nature are limited to 960 hours a year and the statute limits the compensation that a retiree can be paid. A retired person is not eligible for employment for a period of 180 days following retirement unless, among other exceptions, the City Council certifies at a public meeting that the appointment is needed to fill a critically needed position before the 180 days have passed.

RECOMMENDATION

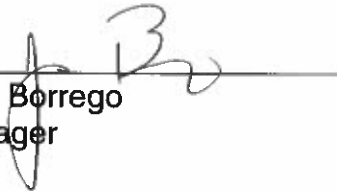
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PREPARED BY:

 1726


Michael Kos
Police Captain

SUBMITTED BY:

_____
Jonathan Borrego
City Manager

REVIEWED BY:

Kedrick Sadler, Chief of Police
Rob O'Brien, Deputy City Manager
Jill Moya, Financial Services Director



ATTACHMENTS:

1. Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OCEANSIDE AUTHORIZING AND CERTIFYING THE HIRING
OF NITA POWELL AS AN HOURLY EXTRA HELP
CONSULTING ASSISTANT WITH THE POLICE
DEPARTMENT

WHEREAS, the City of Oceanside Police Department is currently faced with critically low staffing levels in the Dispatch Unit; and

WHEREAS, several Dispatch positions are currently vacant, resulting in excessive overtime work for existing staff and improper distribution of managerial duties; and

WHEREAS, the training for new hires takes up to one year before they are able to work without the supervision of a trainer; and

WHEREAS, Nita Powell, a retired Oceanside Police Dispatcher, possesses the technical expertise and familiarity with the systems, codes, and protocols within the Dispatch unit, allowing for immediate deployment as a Dispatcher; and

WHEREAS, the hiring of Nita Powell as an hourly extra help Consulting Assistant would alleviate the overtime pressures on existing staff and enable the Communications Manager to manage the unit effectively; and

WHEREAS, the exceptions of Government Code Section 7522.56 allow for a retiree to work for a public employer during an emergency to prevent the stoppage of public business or because the retiree has the skills needed to perform work of a limited duration; and

WHEREAS, consistent with California law, all conditions required to employ a retired person previously employed with the City are satisfied.

NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

SECTION 1. To certify and approve the hiring of Nita Powell as an hourly extra help Consulting Assistant with the Police Department to fill a critically needed position in the Police Departments Dispatch Unit;

1 SECTION 2. To approve the budget as set forth in the staff report under the Fiscal Impact
2 section; and

3 SECTION 3. To authorize the City Manager, the Police Chief and/or their designees to
4 take all necessary actions to implement this Resolution.

5
6 PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this
7 _____ day of _____, 2023 by the following vote:

8
9 AYES:

10 NAYS:

11 ABSENT:

12 ABSTAIN:

13
14 Mayor of the City of Oceanside

15
16 ATTEST:

17 APPROVED AS TO FORM:

18
19 _____
20 City Clerk

21
22 
23 _____

24 Senior Deputy City Attorney for City Attorney
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