

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. _____

**A RESOLUTION TO APPROVE THE CALPERS 180-DAY WAIT PERIOD
EXCEPTION FOR CALPERS RETIREE, RICHARD F. HINCHCLIFF, TO BE HIRED
AS AN EXTRA HELP DEPUTY DISTRICT ATTORNEY, SENIOR**

WHEREAS, in compliance with Government (Gov.) Code section 7522.56 of the Public Employees' Retirement Law, the Board must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since their retirement date; and

WHEREAS, Richard F. Hinchcliff, ID# 1885, retired from the County of Lake in the position of Chief Deputy District Attorney, effective December 29, 2023; and

WHEREAS, Gov. Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 27, 2024 without this certification resolution; and

WHEREAS, Gov. Code section 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, the County of Lake, and Richard F. Hinchcliff certify that Richard F. Hinchcliff has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the Board hereby appoints Richard F. Hinchcliff as an extra help retired annuitant to perform the duties of the Deputy District Attorney, Senior for the Lake County District Attorney's Office under Gov. Code section 21224 effective April 4, 2024; and

WHEREAS, the entire employment agreement, contract or appointment document between Richard F. Hinchcliff and the County of Lake has been reviewed by this body and is attached herein; and

WHEREAS, no matters, issues, terms or 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 for all CalPERS employers; 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, the maximum base hourly rate for this position is \$59.67 per hour, and the minimum base hourly rate for this position is \$49.09; and

WHEREAS, the hourly rate paid to Richard F. Hinchcliff will be \$54.12; and

WHEREAS, Richard F. Hinchcliff 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; and

THEREFORE, BE IT RESOLVED THAT the Board hereby certifies the nature of the appointment of Richard F. Hinchcliff as described herein and detailed in the attached employment agreement/contract/appointment document and that this appointment is necessary to fill the critically needed position of Extra Help Deputy District Attorney, Senior for the County of Lake by April 4, 2024 because the backlog of work which is a result of four currently vacant Deputy District Attorney positions.

THIS RESOLUTION was passed and adopted by the Board of Supervisors of the County of Lake at a regular meeting thereof held on the _____ day of _____, 2024 by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

Chair, BOARD OF SUPERVISORS


ATTEST: SUSAN PARKER
Clerk of the Board

APPROVED AS TO FORM:
LLOYD GUINTIVANO
County Counsel

By: _____

By: 
Lloyd Guintivano (Mar 18, 2024 14:58 PDT)

AUDITOR ACCOUNTING REVIEW:
JENAVIVE HERRINGTON
Auditor-Controller

By: 
Jenavive Herrington (Mar 18, 2024 16:48 PDT)

PREFERRED START DATE 04/04/24	COUNTY OF LAKE REPORT OF APPOINTMENT/PERSONNEL ACTION EXTRA HELP ASSIGNMENT APPROVAL -PUBLIC EMPLOYMENT RETIREE	BUDGET UNIT 2110
NAME OF EMPLOYEE LAST NAME: HINCHCLIFF FIRST NAME: RICHARD MIDDLE INITIAL: F		
IMPORTANT: The prospective employee MUST complete the Prospective Employee Questionnaire. Staple that form to this approval form before submitting to HR.		
CLASS TITLE: DEPUTY DISTRICT ATTORNEY, SENIOR		
TYPE OF ASSIGNMENT Special Project <input checked="" type="checkbox"/> Handle Backlog of Work <input checked="" type="checkbox"/> Seasonal Project <input type="checkbox"/> Handle Excess Regular Work <input checked="" type="checkbox"/> Other <input type="checkbox"/> BRIEFLY DESCRIBE ASSIGNMENT/PROJECT: Special Projects may involve reviewing old case files for possible destruction in order to free up storage space. The backlog of work will consist of reviewing and possible charging of police reports, which have statute of limitation constraints. The excess work is due to a shortage (currently 4 vacant DDA positions) of DDAs - he will review and charge police reports as needed.	DURATION OF ASSIGNMENT END DATE OF ASSIGNMENT: DATE: 4/4/2025 IF THERE IS NO KNOWN CALENDAR END DATE FOR THE END OF THE ASSIGNMENT, PLEASE DESCRIBE BELOW THE CONDITIONS THAT WILL TRIGGER THE END OF ASSIGNMENT AND SOME "GUESSTIMATE" AS TO THE DURATION OF THE ASSIGNMENT: WILL THE EMPLOYEE WORK MORE THAN 900 HOURS IN A FISCAL YEAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> IMPORTANT NOTE: THE RETIREE <u>MAY NOT</u> WORK MORE THAN 960 TOTAL EXTRA HELP HOURS IN A FISCAL YEAR FOR CalPERS AGENCIES (except in a BOS appointed Interim position under special circumstances - contact HR to discuss)	SPECIALIZED SKILLS <i>(Note that familiarity with the department and/or department processes is <u>not</u> considered a specialized skill by CalPERS)</i> DESCRIBE THE SPECIALIZED SKILLS THAT THIS EMPLOYEE POSSESSES THAT ARE NEEDED FOR THE ASSIGNMENT/PROJECT: Mr. Hinchcliff has been a Deputy District Attorney for our office since 1995. The skillset acquired during the past several decades will enable him to perform the Assignments described.
DISTRIBUTION IF DENIED: ORIGINAL RETURNED TO: DEPARTMENT COPIES TO: HR FILE FOR DEPARTMENT	DISTRIBUTION IF APPROVED: ORIGINAL TO: PERSONNEL FILE COPIES TO: PAYROLL DEPARTMENT RETIREE/EMPLOYEE	
APPOINTING OFFICIAL SIGNATURE I certify that the action provided hereby is necessary to the official conduct of County business and meets all County regulations and requirements pertinent to such action. I further certify that sufficient funds are available for the purposes being proposed herein. Signature: <u>Susan Gomez</u> Date: <u>3/18/24</u>		COMPLETED BY HR Appears to meet CalPERS' criteria for retired annuitant employment? APPROVED <input type="checkbox"/> NEEDS MORE REVIEW <input type="checkbox"/> ANALYST REVIEWED:
PERSONNEL APPROVAL No personnel action is final until approved by an authorized representative of the Human Resources Director or by the Chairman of the Board of Supervisors upon instruction by the Board. Signature: _____ Date: _____		If MORE REVIEW, Counsel and/or HR Director review: APPROVED <input type="checkbox"/> DISAPPROVED <input type="checkbox"/>
Form Rev. 04/2018		









Resolution to Approve CalPERS 180-Day Wait Period Exception for Richard Hinchcliff

Final Audit Report

2024-03-18

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"Resolution to Approve CalPERS 180-Day Wait Period Exception for Richard Hinchcliff" History

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