



CITY OF

NEWPORT BEACH

City Council Staff Report

October 12, 2021
Agenda Item No. 12

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Temporary Employment Agreement for a Senior Civil Engineer – Plan Check

ABSTRACT:

For the City Council's consideration is a temporary employment agreement with Soon Cho, a retired City of Newport Beach (City) employee, to assume the duties of a Senior Civil Engineer to provide plan check services in the Building Division. The proposed agreement would be effective October 12, 2021 through September 30, 2022, and would not exceed 960 hours.

RECOMMENDATION:

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Authorize the Mayor and Community Development Director to execute the Temporary Employment Agreement with Soon Cho to temporarily fill the position of a Senior Civil Engineer – Plan Check.

DISCUSSION:

Council Policy F-14 requires the City Council to consider any contract with a person formerly employed by the City of Newport Beach (City) within the past five years. The Community Development Department seeks to temporarily employ Soon Cho on a part-time basis to assist the department due to the vacancy of one, full-time Senior Civil Engineer, and a surge in development activity due to low interest rates. Soon would assist the Building Division by providing plan check services during the recruitment and training of a new Civil Engineer. Mr. Cho was a long-tenured and well-respected City employee. He worked for the City for over 12 years and is very familiar with the City's policies, codes, procedures and staff. He retains the necessary knowledge, skills and training to perform the anticipated duties to help the department maintain a high level of customer service.

In accordance with Government Code Section 7522.56, the City has met the following requirements:

1. Waited in excess of 180 days since the employee's retirement under PERS rules.
2. Ensured the employee is not earning less than the minimum, nor exceeding the maximum, of other employees in the classification.
3. The employee has certified that he has not received unemployment insurance compensation arising out of prior employment with a public employer during the last 12 months.

The Agreement complies with Council Policy F-14 and PERS rules:

1. On October 12, 2021, the City will engage with Mr. Cho at \$70.92 per hour; the amount does not exceed the maximum of other City employees in the classification.
2. The employee will not be authorized to work or receive overtime pay.

FISCAL IMPACT:

The FY 2021-22 department budget and salary savings due to the vacant Senior Civil Engineer position will fund this agreement. The agreement will be expensed to the Community Development Department, Part Time Salaries Account No. 0105042–711003.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENT:

Attachment A – Temporary Employment Agreement