



October 15, 2021

**TO:** CADA Board of Directors

**SUBJECT: October 22, 2021, Board Meeting  
AGENDA ITEM 6  
RETIRED ANNUITANT APPOINTMENT**

**CONTACT:** Jill Azevedo, Human Resources Manager

### **RECOMMENDED ACTION**

Staff recommends that the Board adopt a resolution entitled "Retired Annuitant Appointment" which authorizes the appointment of Tom Van Syoc as a Retired Annuitant effective November 1, 2021.

### **BACKGROUND**

CADA's Facilities Maintenance Manager, Tom Van Syoc, retired from the agency effective October 1, 2021. Russ Juneau took over as the new Facilities Maintenance Manager in late August 2021 and was able to train with Mr. Van Syoc for several weeks before his departure.

CADA's Maintenance operation plays a crucial role in CADA's activities by making the many day-to-day repairs its residents' apartments need and also by planning and completing a variety of complex capital improvement projects that typically involve building-wide systems such as roofing and window replacement, energy conservation upgrades, and replacement of gas and electrical utilities in a timely fashion. While Mr. Juneau possesses many years of experience in the trades, he has not yet acquired the in-depth knowledge about CADA's unique buildings and their specific maintenance histories that Mr. Van Syoc possesses due to his tenure with the agency.

Having Mr. Van Syoc available as a retired annuitant to impart specialized institutional knowledge concerning each of CADA's buildings will help the new Facilities Maintenance Manager prepare the updated CADA's 20-year Capital Improvement Program (CIP) plan for 2021 and make appropriate budget recommendations for the upcoming Mid-Year Budget update. To accomplish this, Mr. Van Syoc will work with Mr. Juneau during the months of November 2021 and possibly March 2022 to inspect each CADA building in order to identify needed repairs, prepare new cost-estimates, update existing estimates for previously-identified repairs, add this information to the CIP, and then make appropriate recommendations for the Mid-Year Budget update, as described in Attachment 1 to the Resolution. Mr. Van Syoc's assistance with these tasks will also allow Mr. Juneau to settle in to his new role without affecting the efficiency of CADA's Maintenance operation, help the agency avoid any potential stoppage of business in the Maintenance department, and position the Maintenance Department to carry out CIP repairs as soon as possible in cases where their planning may have been paused during Mr. Van Syoc's transition to Mr. Juneau.

The Public Employee's Pension Reform Act of 2013 (PEPRA), which became effective January 1, 2013, states that retirees cannot be employed by a CalPERS employer for a period of 180 days after their

retirement date without reinstating from retirement, except under certain circumstances. One such circumstance is:

The public agency or school's governing body presents CalPERS with a resolution, passed in a public meeting, that approves the appointment in which the employer has certified the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed.

### **POLICY ISSUES**

PEPRA requires that the employer certify the nature of the employment. Below is a condensed list of projects and services Mr. Van Syoc will assist with and provide as a Retired Annuitant, which need to be completed in the next few months. Please see ATTACHMENT 1 – SCOPE OF SERVICE for the scope of services Mr. Van Syoc will provide to CADA in his capacity as Retired Annuitant.

- Continued Onboarding<sup>1</sup> of the new Facilities Maintenance Manager
- Perform Building Inspections and Cost Estimates for Identified Repairs
- Update 20-Year CIP Plan
- Recommend Appropriate Budget Requests for FY21-22 Mid-Year Budget Revision

### **STRATEGIC PLAN**

This action contributes to the achievement of many of the goals of CADA's strategic plan. Utilizing Mr. Van Syoc's unique experience and years of institutional knowledge during the transition period for the new Facilities Maintenance Manager will enable CADA to continue its work of connecting the State Capitol Campus to the surrounding city fabric, creating a sustainable urban neighborhood, providing housing that is affordable and attractive to a diverse population, and being a leader in urban property management.

### **FISCAL IMPACT**

In keeping with CalPERS standards, retired annuitants cannot be paid more or less than the monthly base salary paid to other employees performing comparable duties. Mr. Van Syoc will be paid an hourly rate of \$40.00/hour, which is based on the Facilities Maintenance Manager's salary range, no to exceed 160 hours for the period between November 1, 2021 – November 30, 2021, with potential for up to 40 additional hours in March 2022. This not-to-exceed amount will be incorporated into the FY 21-22 mid-year budget revision.

### **ENVIRONMENTAL REVIEW**

Not applicable. This is an administrative action and is not a project subject to the guidelines of the California Environmental Quality Act (CEQA).

### **CONTRACT AWARD CONSIDERATIONS**

Not applicable. This action is not subject to CADA Contract Policy.

Approved for transmittal to the Board:

---

<sup>1</sup> "Onboarding" is an HR term referring to the process of assisting a new employee to become accustomed to and familiar with the culture and practices of the hiring organization.

---

Wendy S. Saunders, Executive Director

**EXHIBIT 1** –Scope of Services

## RESOLUTION NO. 21 - 39

Adopted by the Capitol Area Development Authority

October 22, 2021

### RESOLUTION FOR EXCEPTION TO THE 180 DAY WAIT PERIOD GC sections 7522.56 & 21224

**WHEREAS**, in compliance with Government Code section 7522.56 the CADA Board of Directors must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

**WHEREAS**, Tom Van Syoc, (CalPERS ID 2076550445) retired from CADA in the position of Facilities Maintenance Manager effective October 1, 2021; and

**WHEREAS**, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is March 30, 2022 without this certification resolution; and

**WHEREAS**, 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 CADA Board of Directors, CADA and Tom Van Syoc certify that Tom Van Syoc has not and will not receive a Golden Handshake or any other retirement-related incentive; and

**WHEREAS**, the CADA Board of Directors hereby appoints Tom Van Syoc as an extra help retired annuitant to perform the duties of Construction Consultant for CADA under Government Code section 21224 effective November 1, 2021; and

**WHEREAS**, the entire employment agreement, contract or appointment document between Tom Van Syoc and CADA 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; 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 salary for this position is \$8,324 and the hourly equivalent is \$48.02 and the minimum base salary for this position is \$5,550 and the hourly equivalent is \$32.02 and

**WHEREAS**, the hourly rate paid to Tom Van Syoc will be \$40.00; and

**WHEREAS**, Tom Van Syoc 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

**NOW, THEREFORE, BE IT RESOLVED THAT** the CADA Board of Directors hereby certifies the nature of the appointment of Tom Van Syoc as described herein and detailed in the attached SCOPE OF SERVICES appointment document and that this appointment is necessary to fill the critically needed position of Construction Consultant for CADA by November 1, 2022 because Tom Van Syoc possesses vast and unique institutional knowledge that will be critically needed to avoid a stoppage of business in CADA's Maintenance operation due to the onboarding of the new Facilities Maintenance Manager which began in September 2021.

---

Ann Bailey, Chair

ATTEST:

---

Tara Gandara  
Secretary to the Board of Directors

Attachment 1 – Van Syoc Temporary Retired Annuitant Employee Proposed Scope of Services

**Tom Van Syoc Retired Annuitant Limited Scope of Work**

**10-12-21**

Tom Van Syoc and Russ Juneau will collaborate in November and again in the Spring, if necessary, to prepare the Mid-Year update the current CIP and then to prepare the next year's version of the 20-year CIP.

To accomplish this, Tom will lead Russ on an interior and exterior tour of each of CADA's 52 residential and commercial buildings. During the inspections, Tom will identify for Russ the unique aspects of each building, why the current CIP Plan includes the repairs and repair priorities it does, and assist Russ in identifying which additional items need to be added to the plan and in which years. Tom will work with Russ to determine repair costs for each building's required work, updating past estimates and incorporating new estimates for work not previously identified.

The work will include discussions with CADA's Finance Director concerning any needed repairs that may require updates to the CADA budget at Mid-Year. This work will train Russ to carry on the work without outside assistance thereafter.