



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** OCTOBER 1, 2019

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** KENNETH A. DOMER, CITY MANAGER

**PREPARED BY:** GRETCHEN BEATTY, DIRECTOR OF HUMAN RESOURCES

**SUBJECT:** RATIFICATION OF EMPLOYMENT AGREEMENT FOR INTERIM POLICE CAPTAIN

---

### **SUMMARY**

Ratification of employment agreement with Eric Carter to serve as an interim Police Captain to address a temporary staffing shortage among the command staff of the Fullerton Police Department and to provide mentorship to current command staff as part of succession planning within the Fullerton Police Department.

### **RECOMMENDATION**

Adopt Resolution No. 2019-XX.

RESOLUTION NO. 2019-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING AN AGREEMENT RETAINING ERIC CARTER AS AN INTERIM POLICE CAPTAIN IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 7522.56 AND 21224

### **PRIORITY POLICY STATEMENT**

This item matches the following Priority Policy Statement/s:

- Fiscal and Organizational Stability
- Public Safety.

### **FISCAL IMPACT**

The cost of the agreement is estimated at \$161,100.

Funds are available in the Police Department budget to absorb the cost.

## DISCUSSION

Since the retirement of one of two Police Captains in late 2018 and the appointment of now Police Chief Robert Dunn to an acting role as Chief of Police, the two budgeted Police Captain positions have been vacant or filled on a temporary basis with former employees who retired at the rank of Police Lieutenant. A recruitment that concluded in early 2019 was unsuccessful bringing outside candidates to the position. In addition, there were no internal candidates for the positions as all employees serving in the rank of Police Lieutenant at the time were within their first year promotional probation period and ineligible to promote.

This temporary staffing shortage in the top ranks of the Police Department command staff creates an urgent need to retain the services, skill and expertise of Eric Carter (Carter), a retired Anaheim Police Department Captain. Carter has agreed to assist the Fullerton Police Department on a limited term extra help basis until the staffing shortage has been resolved.

The appointment is limited to 960 hours per fiscal year and the term of the agreement will end by April 2, 2021 or when his services are no longer needed, whichever occurs first. Carter will be paid at a rate of \$83.924 per hour, which represents Step 5 on the Police Captain salary schedule. At the time of agenda preparation, the appointment is under review by the California Public Employees Retirement System (CalPERS) for approval.

In accordance with CalPERS rules, this item is required to be placed on the City Council agenda as regular business. In addition, due to the straight forward nature of this action, there is no PowerPoint presentation.

### Attachments:

- Attachment 1 – Draft Resolution No. 2019-XX
- Attachment 2 – Carter Employment Agreement