

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION PROVIDING CERTIFICATION TO SUPPORT AN EXCEPTION TO THE 180-DAY WAIT PERIOD PURSUANT TO GOVERNMENT CODE SECTION 7522.56 AND 21221(H)

In compliance with Government Code section 7522.56 the City Council must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

Robert Hayes, retired from the City of Stockton in the position of Senior Building Inspector, effective November 2, 2018; and

Section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is May 3, 2019, without the necessary certification resolution; and

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

The City Council, the City of Stockton, and Robert Hayes certify that Robert Hayes has not and will not receive a Golden Handshake or any other retirement-related incentive; and

The City Council hereby authorizes the City Manager to employ Robert Hayes as a part-time appointment retired annuitant to the vacant position of Senior Building Inspector for the City of Stockton under Government Code section 21221(h), effective November 7, 2018; and

An appointment under Government Code section 21221(h) requires active recruitment for a permanent replacement; and

The current status of this recruitment is active; and

This section 21221 (h) appointment shall only be made once and therefore will end on June 30, 2019; and

The Personnel Action Form (CS-23) or appointment document between Robert Hayes and the City of Stockton has been reviewed by this body and is attached hereto; and

No matter, issues, terms, or conditions related to this employment and

appointment have been or will be placed on consent calendar; and

The employment shall be limited to 960 hours per fiscal year; and

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

The maximum monthly base salary for this position is \$6,612.81 for which the hourly equivalent is \$38.1509003; and

The hourly rate paid to Robert Hayes will be \$38.1509003; and

Robert Hayes has not received, 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; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS
FOLLOWS:

1. The City Council hereby certifies the nature of the employment of Robert Hayes as described herein and detailed in the attached Report on Personnel Action form (CS-23) (Exhibit 1), attached hereto and incorporated by this reference; and

2. The City Manager is hereby authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED December 4, 2018.

MICHAEL D. TUBBS
Mayor of the City of Stockton

ATTEST:

CHRISTIAN CLEGG, Deputy City Manager/
Interim City Clerk of the City of Stockton