#### **RESOLUTION NO. 2017-88**

## Adopted by the Albany City Council December 4, 2017

### **RESOLUTION FOR 180-DAY WAIT PERIOD EXCEPTION**

G.C. sections 7522.56 & 21221(h)

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

WHEREAS, Darla Majors, CalPERS ID 6560781336 retires from the City of Albany in the position of Communications Clerk (Public Safety Dispatcher), effective December 17, 2017; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 16, 2018 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 City Council, the City of Albany and Darla Majors certify that Darla Majors has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the City Council hereby appoints Darla Majors as an interim appointment retired annuitant to the vacant position of Communications Clerk (Public Safety Dispatcher) for the City of Albany under Government Code section 21221(h), effective January 1, 2018; and

WHEREAS, an appointment under Government Code section 21221(h) requires an active, publicly posted recruitment for a permanent replacement; and

WHEREAS, the current status of this recruitment is active; and

WHEREAS, this section 21221(h) appointment shall only be made once and therefore will end on June 30, 2018; and

WHEREAS, the entire employment agreement, contract or appointment document between Darla Majors and the City of Albany 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 \$6,908.00 and the hourly equivalent is \$39.8539, and the minimum base salary for this position is \$5,155.00 and the hourly equivalent is \$29.7404; and

WHEREAS, the hourly rate paid to Darla Majors will be \$39.8538; and

 WHEREAS, Darla Majors 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 City Council hereby certifies the nature of the employment of Darla Majors 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 Communications Clerk (Public Safety Dispatcher) for the City of Albany by January 1, 2018 because this position is critical to the daily operations of the Albany Police Department Public Safety Dispatch Center and Public Safety Answering Point while the City of Albany recruits to fill the position on a permanent basis.

REGGY/MCQUAID, MAYOR

Exhibit A: Agreement For Temporary Employment



# City of Albany

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#### **RESOLUTION NO. 2017-88**

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 4th day of December, 2017, by the following votes:

AYES: Council Members Barnes, Mass, Nason, Pilch and Mayor McQuaid

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

5th day of Deember, 2017.

Eileen Harrington

DEPUTY CITY CLERK

Eilen Harrington