

RESOLUTION NO. 6461-2022

RESOLUTION OF THE COUNCIL OF THE CITY OF SEBASTOPOL APPROVING AN EXCEPTION TO THE 180-DAY WAITING PERIOD TO HIRE A CALPERS RETIRED ANNUITANT IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 7522.56 and 21224.

WHEREAS, in compliance with Government Code Section 7522.56 the City of Sebastopol must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since their retirement dates; and

WHEREAS, Tracy Peters retired from the City of Sebastopol, Police Department, from the position of Records/Dispatch Supervisor, effective June 11, 2022; and

WHEREAS, Section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is December 8, 2022, without this certification; and

WHEREAS, Section 7522.56 provides that this exception to the 180-day waiting period shall not apply if the retiree accepts any retirement-related incentive; and

WHEREAS, The City of Sebastopol and Tracy Peters certify that Tracy Peters has not and will not receive a Golden Handshake or any other retirement related incentive; and

WHEREAS, the City of Sebastopol hereby appoints Tracy Peters as an extra-help retired annuitant to perform critical work related to federal and state mandates and duties similar to a Police Records and Support Services Manager for the City of Sebastopol, in the Police Department, under Government Code Section 21224, effective July 19, 2022; 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;

WHEREAS, the maximum base salary for this position is \$7,516 per month and the hourly equivalent is \$43.36; and

WHEREAS, the hourly rate paid to Tracy Peters will be \$43.36; and

WHEREAS, Tracy Peters will certify in writing that she has not received any unemployment insurance compensation related to her employment with the City of Sebastopol in the last 12 months; and

WHEREAS, Tracy Peters 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.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Sebastopol hereby approve a resolution approving an exception to the 180-day waiting period to hire a CalPERS retired annuitant (Tracy Peters) in accordance with Government Code Sections 7522.56 and 21224.

PASSED AND ADOPTED, by the CITY COUNCIL of THE CITY OF SEBASTOPOL, COUNTY OF SONOMA, of STATE OF CALIFORNIA on this 19<sup>th</sup> day of July 2022.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by City of Sebastopol City Council following a roll call vote:

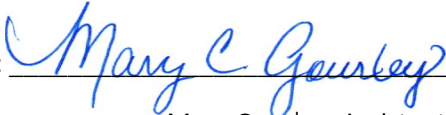
**VOTE:**

Ayes: Councilmembers Glass, Gurney, Rich and Mayor Slayter  
Noes: None  
Absent: Vice Mayor Hinton  
Abstain: None

APPROVED:

  
Mayor Patrick Slayter

ATTEST:



Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM:



Larry McLaughlin, City Attorney