

RESOLUTION NO. 2020-_____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA CERTIFYING THE NECESSITY OF
APPOINTING A CALPERS RETIREE WITHIN 180-DAYS
OF RETIREMENT, PURSUANT TO GOVERNMENT CODE
SECTIONS 7522.56 AND 21224**

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

WHEREAS, Gary Halbert (CalPERS ID 3876353456) retired from the City of Chula Vista in the position of City Manager, effective June 20, 2020; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is December 18, 2020, 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 of the City of Chula Vista, the City of Chula Vista and Gary Halbert certify that Gary Halbert has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the City Council of the City of Chula Vista hereby appoints Gary Halbert as an extra help retired annuitant to perform the duties of the Assistant Director of Development Services for the City of Chula Vista under Government Code section 21224, effective July 15, 2020; and

WHEREAS, the City Council finds that the temporary appointment of Mr. Halbert to this position is necessary to fill a critically needed position before 180 days have passed, in that, Mr. Halbert has skills needed to perform work of limited duration; and

WHEREAS, the entire employment agreement, contract or appointment document between Gary Halbert and the City of Chula Vista 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 \$15,411.00 monthly and the hourly equivalent is \$88.91 and the minimum base salary for this position is \$12,678.66 monthly and the hourly equivalent is \$73.15; and

WHEREAS, the hourly rate paid to Mr. Halbert will be \$88.91; and

WHEREAS, Mr. Halbert 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.

THEREFORE, BE IT RESOLVED THAT the City Council of the City of Chula Vista hereby certifies the nature of the employment of Gary Halbert as described herein and detailed in the attached employment agreement, and that this appointment is necessary to fill the critically needed position of Assistant Director of Development Services for the City of Chula Vista by July 15, 2020 because the duties Mr. Halbert will be performing directly relate to the Commercial Cannabis application appeals process, which is required to follow specific timeframes and deadlines.

Presented by

Approved as to form by

MARIA KACHADOORIAN
City Manager

GLEN GOOGINS
City Attorney