

DRAFT 12/12/17 MCT

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE APPROVING AN EXCEPTION TO THE CALPERS 180 DAY WAIT PERIOD AND INTERIM APPOINTMENT OF BRICE MCQUEEN TO CASUAL MANAGEMENT 2 POSITION (GOV'T. CODE 7522.56, 21224)**

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

WHEREAS, Brice McQueen retired from the City in the position of Senior Management Analyst effective December 30, 2017; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, July 1, 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 of Sunnyvale and McQueen certify that McQueen has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the City of Sunnyvale hereby appoints McQueen as an extra help retired annuitant to perform the duties of Senior Management Analyst for the City of Sunnyvale on an interim basis under Government Code section 21224 effective January 3, 2018; and

WHEREAS, the entire employment agreement, contract or appointment document between McQueen and the City of Sunnyvale has been reviewed by this body as part of the Report to Council associated with this resolution; 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 minimum base salary for the Senior Management Analyst position is \$112,683.96 and the hourly equivalent is \$54.17, and the maximum base salary for this position is \$132,600.00 and the hourly equivalent is \$63.75; and

WHEREAS, the hourly rate paid to McQueen will be \$62.57; and

WHEREAS, McQueen 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 CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

The City of Sunnyvale hereby certifies the nature of the appointment of McQueen as described in this resolution and detailed in the employment appointment document (this resolution and the related Report to Council), and finds that this appointment is necessary complete specialized work of limited duration related to management of the City's Redevelopment Successor Agency and former Redevelopment Agency. McQueen has over twenty years of previous experience and skill managing the Redevelopment and Successor Agencies for the City. The position requires specialized skills and experience related to administration and management of Redevelopment Agency programs, and is necessary to ensure continuity of Redevelopment operations.

Adopted by the City Council at a regular meeting held on December 19, 2017, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  
RECUSAL:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
(SEAL)

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney