

## 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 JANE  
CHAMBERS TO ASSISTANT CITY MANAGER POSITION (GOV'T.  
CODE 7522.56, 21221(h), 21224)**

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

WHEREAS, the City's Assistant City Manager position will be vacant on June 13, 2015, and the City currently has an open recruitment to fill the vacancy, which is an executive position in the City Manager's Office; and

WHEREAS, the City has hired an executive recruiter to recruit qualified candidates for the Assistant City Manager position and anticipates permanently filling the position on or before June 17, 2016; and

WHEREAS, Jane Chambers ("Chambers") will retire from the City of Ukiah in the position of City Manager, effective June 14, 2015, and is available to serve in the position of Assistant City Manager on an interim basis until the City of Sunnyvale finds a qualified candidate to permanently fill the vacancy; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which will be December 14, 2015, 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, the City of Ukiah and Chambers certify that Chambers has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, Chambers has special skills necessary to perform the duties of Assistant City Manager because she has more than thirty five years of experience working in municipal management, including eighteen years as a city manager or assistant city manager; and

WHEREAS, the City of Sunnyvale hereby appoints Chambers as an extra help retired annuitant to perform the duties of Assistant City Manager for the City of Sunnyvale on an interim basis, effective June 17, 2015 and ending on or before June 17, 2016; and

WHEREAS, the entire employment agreement, contract or appointment document between Chambers 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 Assistant City Manager position is \$183,281.00 and the hourly equivalent is \$88.116, and the maximum base salary for this position is \$215,625.00 and the hourly equivalent is (\$103.666); and

WHEREAS, the hourly rate paid to Chambers will be \$92.087; and

WHEREAS, Chambers 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 Chambers as described herein and detailed in the employment appointment document, this resolution and the related Report to Council, and finds that this appointment is necessary to fill the critically needed position of Assistant City Manager for the City of Sunnyvale by June 17, 2015 because the Assistant City Manager is a key executive-level position responsible for managing critical day-to-day operations of the City. The position requires specialized skills and experience related to managing departmental and Citywide operations and is necessary to ensure continuity of operations while the City works to complete the ongoing recruitment to permanently fill the Assistant City Manager vacancy.

Adopted by the City Council at a regular meeting held on June 9, 2015, by the following vote:

AYES:

NOES:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

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

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_

Joan Borger, City Attorney