

# **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS**

## **Gov. Code sections 7522.56 & 21224**

**September 5, 2023**

**WHEREAS**, in compliance with Government (Gov.) Code section 7522.56 of the Public Employees' Retirement Law, the Town Council must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since their retirement date; and

**WHEREAS**, Paul Horvat will retire from the City of Santa Cruz in the position of Emergency Services Manager effective September 20, 2023; and

**WHEREAS**, Gov. Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is March 18, 2024 without this certification resolution; and

**WHEREAS**, Gov. Code 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 Town Council, the Town of Los Gatos and Paul Horvat certify that Pau Horvat has not and will not receive a Golden Handshake or any other retirement-related incentive; and

**WHEREAS**, the Town Council hereby appoints Paul Horvat as an extra help retired annuitant to perform the duties of the Emergency Services Coordinator for the Town of Los Gatos under Gov. Code section 21224, effective September 20, 2023; and

**WHEREAS**, the entire employment agreement, contract or appointment document between Paul Horvat and the Town of Los Gatos 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 for all CalPERS employers; and

**WHEREAS**, the compensation paid to retirees cannot 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 monthly base salary for this position is \$20,631.47 and the hourly equivalent is \$119.03; and

**WHEREAS**, the hourly rate paid to Paul Horvat will be \$60.00; and

**WHEREAS**, Paul Horvat 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 Town Council hereby certifies the nature of the appointment of Paul Horvat as described herein and detailed in the attached employment appointment document and that this appointment is necessary to fill the critically needed position of Emergency Services Coordinator for the Town of Los Gatos by September 20, 2023 because the Emergency Services Coordinator role is essential to the implementation of the Town's disaster response program and the Emergency Operations Center function.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 5th day of September, 2023, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_