



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 03/15/2022

ITEM NO: 11

DATE: March 10, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution for the California Public Employees' Retirement System to Appoint a Retiree as an Interim Parks and Public Works Director

RECOMMENDATION:

Adopt a Resolution for the California Public Employees' Retirement System to appoint a retiree as an Interim Parks and Public Works Director (Attachment 1).

BACKGROUND:

The Town has an existing agreement with the California Public Employees' Retirement System (CalPERS) to provide its retirement program to employees. The CalPERS retirement program is governed by Public Employees' Retirement Law (PERL). PERL contains the rules and regulations that a contracting agency must adhere to related to the hire of a CalPERS retiree, referred to as a retired annuitant. PERL also requires that if a retired annuitant will be rehired into a vacant position while a recruitment for a permanent replacement is taking place, the governing body must approve a resolution appointing the retired annuitant as an interim employee [Gov. Code section 21221(h)].

DISCUSSION:

Recently, Parks and Public Works Director Matt Morley provided his notice of intent to resign from the Town, and his last day of work will be on March 25, 2022. Staff has identified a retired annuitant, Timm Borden through Management Partners to serve in an interim capacity while the recruitment for a permanent replacement takes place. Mr. Borden has served as Interim City Manager for Cupertino from January 2019 to June 2019. Prior to that, he was Cupertino's Public Works Director for over eight years (December 2010 to January 2019). In addition, he

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Human Resources Director

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

PAGE 2 OF 2

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DATE: March 10, 2022

DISCUSSION (continued):

worked over 24 years in the City of San Jose Department of Public Works, and when he left, he was Deputy Director of Public Works (September 1986 to December 2010). He is a qualified professional who works well with staff and the public.

The Town has entered into an agreement with the executive recruitment firm of Teri Black & Co. to facilitate the search for a new Parks and Public Works Director. The typical recruitment timeline to hire an executive position is four months. To allow for uninterrupted time sensitive work in the Parks and Public Works Department and provide for continued support to the Town Manager, Town staff, boards, and commissions, staff is recommending to hire Timm Borden as an Interim Public Works Director until the permanent replacement is hired.

CONCLUSION:

Staff recommends that the CalPERS resolution to appoint Timm Borden to the Interim Parks and Public Works Director position be adopted by Council while the recruitment for a permanent replacement takes place.

FISCAL IMPACT:

It is anticipated that the hire of a retired annuitant will result in overall budget savings given that the retiree will not be eligible for benefits related to permanent employment except the Town's contribution to Medicare.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. CalPERS Resolution