

RESOLUTION 2021 - XXX

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS APPOINTING TIMM BORDEN AS INTERIM PARKS AND PUBLIC WORKS DIRECTOR Government Code Section 21221(h) March 15, 2022

WHEREAS, in compliance with Government (Gov.) Code section 21221(h) of the Public Employees' Retirement Law permits the governing body to appoint a CalPERS retiree to a vacant position requiring specialized skills during recruitment for a permanent appointment, and provides that such appointment will not subject the retired person to reinstatement from retirement or loss of benefits so long as it is a single appointment that does not exceed 960 hours in a fiscal year; and

WHEREAS, the Town of Los Gatos desires to appoint Timm Borden as an interim appointmentretired annuitant to the position of Parks and Public Works Director for the Town of Los Gatos under Gov. Code section 21221(h), effective March 28, 2022; and

WHEREAS, the Town of Los Gatos and Timm Borden certify that Timm Borden has not and will not receive a Golden Handshake or any other retirement-relatedincentive; and

WHEREAS, an appointment under Gov. Code section 21221(h) requires the retiree is appointedinto the interim appointment during recruitment for a permanent appointment; and

WHEREAS, the governing body has authorized the search for a permanent appointment on March 15, 2022; and

WHEREAS, this Gov. Code section 21221(h) appointment shall only be made once and thereforewill end 12 months from the date of the interim appointment or sooner; 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 monthly salary for this position is \$18,497.83 and the hourly equivalent is \$106.72; the minimum base monthly salary for this position is \$13,702.08 and the hourly equivalent is \$79.05; and

WHEREAS, the hourly rate paid to Timm Borden will be \$106.72; and

WHEREAS, Timm Borden 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 employment of Timm Borden and that this appointment is necessary to fill the critically needed position of Parks and Public Works Director for the Town of Los Gatos by March 28, 2022 due to vacancy and current recruitment for Parks and Public Works Director.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 15th day of March 2022, 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: _____