

RESOLUTION 2022 –

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS TO WAIVE THE 180-DAY WAITING PERIOD TO HIRE CHERIE STRAND AS A RETIRED ANNUITANT TO FILL A CRITICAL POSITION AS PERMIT TECHNICIAN PURSUANT TO GOV. CODE SECTIONS 7522.56 & 21224

September 6, 2022

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, Cherie Avery-Strand retired from Town of Los Gatos in the position of Permit Technician, effective September 17, 2022; 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 16, 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 Cherie Avery-Strand certify that Cherie Avery-Strand has not and will not receive any other retirement-related incentive; and

WHEREAS, the Town Council hereby appoints Cherie Avery-Strand as an extra help retired annuitant to perform the duties of the Permit Technician for the Town of Los Gatos under Gov. Code section 21224, effective September 19, 2022; and

WHEREAS, the entire employment agreement, contract or appointment document between Cherie Avery-Strand 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 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

ATTACHMENT 1

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 monthly base salary for this position is \$7,962.93 and the hourly equivalent is \$45.94, and the minimum monthly base salary for this position is \$6,158.53 and the hourly equivalent is \$35.53; and

WHEREAS, the hourly rate paid to Cherie Avery-Strand will be \$45.94; and

WHEREAS, Cherie Avery-Strand 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 Cherie Avery-Strand as described herein and detailed in the attached employment agreement and that this appointment is necessary to fill the critically needed position of Permit Technician for the Town of Los Gatos by September 19, 2022 because the Permit Technician role is essential to the continued operation of the Community Development Department and its permitting functions.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 6th day of September, 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: _____