



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 12/02/2025

ITEM NO: 18

DATE: December 2, 2025
TO: Mayor and Town Council
FROM: Chris Constantin, Town Manager
SUBJECT: **Adopt a Resolution for the California Public Employees' Retirement System Retirement Plan to Waive the 180-day Retiree Rehire Wait Period for Janette Judd**

RECOMMENDATION: Adopt a Resolution for the California Public Employees' Retirement System Retirement Plan to waive the 180-day retiree rehire wait period and to appoint Janette Judd as an extra help Executive Assistant to the Town Manager in the Town Manager's Office.

FISCAL IMPACT:

It is anticipated that hiring Janette Judd as an extra help Executive Assistant will not result in any additional costs for the Town. As a retiree, she is not eligible for benefits associated with permanent employment aside from the Town's Medicare contribution, and she will likely be working fewer than 40 hours per week.

This position is funded through the Town Manager's Office, and the cost of staff time is already accounted for in the adopted Fiscal Year 2025/26 budget.

STRATEGIC PRIORITY:

This action does not relate to a strategic priority.

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 the 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,

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Human Resources Director

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

SUBJECT: Resolution for the California Public Employees' Retirement System Retirement Plan for Janette Judd

DATE: December 2, 2025

referred to as a retired annuitant. PERL requires that a non-safety retired annuitant may not work for a CalPERS contracting agency unless the retired annuitant has been retired for at least 180 days (Gov. Code section 7522.56). In lieu of the 180-day wait period, an agency's governing body may approve a resolution to waive the 180 days. PERL also requires that if a retired annuitant is placed into a role that is deemed for special projects or limited duration, the governing body must approve a resolution appointing the retired annuitant as an extra help employee. (Gov. Code section 21224.)

DISCUSSION:

Recently, Ms. Judd provided her notice of intent to retire from the Town with her last day of work to occur on December 30, 2025, resulting in a CalPERS retirement effective date of December 31, 2025. Before Ms. Judd can be hired as a retired annuitant, the Town Council must adopt a CalPERS resolution to allow staff to request that the re-employment begin earlier than the 180-day wait period and to appoint Ms. Judd as extra help for the Town Manager's Office. A retired annuitant may be appointed in an extra help position should the position be of a limited duration to eliminate a backlog, work on a special project, or work that is in excess of what regular staff can do. Ms. Judd will be hired to help complete special projects in the Town Manager's office. This help with special projects is critically needed because the work will be essential to continue to help the Town Manager and Town Council provide services and support to the community.

The rate of pay may not be less than or more than the current approved salary range for the vacant position. Also, a retired annuitant may not work more than 960 hours in a CalPERS fiscal year. The CalPERS fiscal year begins July 1 and ends on June 30. The tentative first day of employment as a retired annuitant for Ms. Judd is January 5, 2026, subject to CalPERS approval of the executed resolutions.

CONCLUSION:

Staff recommends that the Town Council adopt a Resolution to waive the CalPERS 180-day wait period and appoint Janette Judd as extra help for the Town Manager's Office.

COORDINATION:

This memo was coordinated with the Finance Department and the Town Attorney's Office.

ENVIRONMENTAL ASSESSMENT:

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

PAGE 3 OF 3

SUBJECT: Resolution for the California Public Employees' Retirement System Retirement Plan for Janette Judd

DATE: December 2, 2025

Attachments:

1. CalPERS Resolution for a 180-Day Wait Period Exception and Appointment of Janette Judd to an Extra Help position for the Executive Assistant to the Town Manager
2. Offer of Retired Annuitant Employment for Janette Judd