

RESOLUTION NO. 234-43

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA
WAIVING THE 180-DAY WAITING PERIOD FOR A CALPERS ANNUITANT TO
BEGIN POST RETIREMENT EMPLOYMENT
[Government Code Sections 7522.56 & 21224]**

WHEREAS, in compliance with Government Code section 7522.56, the City of Arcata must provide CalPERS this certification resolution when hiring a retiree before 180 days have passed since his or her retirement date; and

WHEREAS, Danette Demello (5284272050) retired from the City of Arcata in the position of Assistant City Manager, effective April 13, 2024; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is October 13, 2024, without this certification resolution; and

WHEREAS, 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 City Council of the City of Arcata, and Danette Demello certify that Danette Demello has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the City Council of the City of Arcata hereby appoints Danette Demello as an extra help retired annuitant to perform the duties of Professional Expert for the City of Arcata under Government Code section 21224, effective May 1, 2024; and

WHEREAS, an appointment under Government Code section; and

WHEREAS, the entire employment agreement, contract or appointment document between Danette Demello and the City of Arcata 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; 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 173.33 to equal the hourly rate; and

WHEREAS, the maximum base salary for this position is \$12,999.75/month and the hourly equivalent is \$75, and the minimum base salary for this position is \$8,666.50/month and the hourly equivalent is \$50.00; and

WHEREAS, the hourly rate paid to Danette Demello will be \$60; and

WHEREAS, Danette Demello 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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Arcata hereby certifies the nature of the appointment of Danette Demello as described herein and detailed in the attached employment agreement/appointment document; and that this appointment is necessary to fill the critically needed position of (position name) for the City of Arcata by May 1, 2024 , because the expertise and knowledge of the retiree is needed for succession planning, completion of time sensitive complex work, and to assist with work in excess of that which regular staff can do.

This resolution shall be effective upon its adoption.

DATED: May 1, 2024

ATTEST:

APPROVED:

City Clerk, City of Arcata

Mayor, City of Arcata

Clerk's Certificate

I hereby certify that the foregoing is a true and correct copy of Resolution No. 234-43, passed and adopted at a regular meeting of the City Council of the City of Arcata, Humboldt County, California, held on the 1st day of May, 2024, by the following vote:

AYES:

NOES: **NONE**

ABSENT:

ABSTENTIONS: **NONE**

City Clerk, City of Arcata