



## City Council Staff Report

DATE: October 7, 2015

Consent

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPOINTING AN INTERIM RETIRED ANNUITANT TO THE VACANCY POSITION OF DIRECTOR OF MAINTENANCE AND FACILITIES FOR THE CITY OF PALM SPRINGS UNDER GOVERNMENT CODE SECTION 21221(H) EFFECTIVE AUGUST 10, 2015.

FROM: David H. Ready, City Manager

BY: Human Resources

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### SUMMARY

The City's Director of Maintenance and Facilities resigned from the position as of August 20, 2015. In order to maintain services and to oversee the critical co-generation conversion project it is imperative to have management and day-to-day oversight of the department during the recruitment process to fill this position. After careful consideration of viable options within the City, it was determined that special qualifications were needed to specifically address the critical co-generation conversion project. Jan Anderson, the former Manager of Department and Maintenance, who retired from City service on June 30, 2011, has the necessary special qualifications to provide the day-to-day management and oversight of the Department during the recruitment process and until the position is filled.

Under the provisions of California Government Code 21221(h), the appointment of a retired CalPERS annuitant to a vacant position requires approval of the City Council.

### RECOMMENDATION:

1. Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPOINTING AN INTERIM RETIRED ANNUITANT TO THE VACANCY POSITION OF DIRECTOR OF MAINTENANCE AND FACILITIES FOR THE CITY OF PALM SPRINGS UNDER GOVERNMENT CODE SECTION 21221(H) EFFECTIVE AUGUST 10, 2015."
2. Authorize the City Manager to execute any documents necessary to effectuate the above actions.

ITEM NO. 21

STAFF ANALYSIS:

The City's Director of Maintenance and Facilities resigned from the position as of August 20, 2015. In order to maintain services and to oversee the critical co-generation conversion project is imperative to have management and day-to-day oversight of the department during the recruitment process to fill this position. Government Code section 21221(h) states in part that an interim assignment of a retired annuitant with specialized skill may be made to fill the position while the City actively recruits the fill.

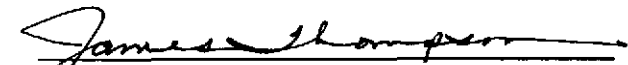
“Government Code section 21221, subdivision (h) provides that a governing body may appoint a retiree to a vacant position in an interim capacity while the agency is actively recruiting to fill the vacancy. The retired annuitant must have specialized skills necessary for the position, or be employed in an emergency to prevent the stoppage of business. The appointment shall not exceed a combined total of 960 hours each fiscal year for all CalPERS employers for whom the retiree performs work. The compensation for the interim appointment shall not exceed the maximum monthly base salary paid to other employees performing comparable duties as listed on a publicly available pay schedule for the vacant position divided by 173.333 to equal an hourly rate. The retired annuitant may not receive any benefits, incentives, compensation in lieu of benefits, or any other forms of compensation in addition to the hourly rate. The retired annuitant must not have received unemployment insurance benefits arising out of post-retirement work for a CalPERS employer within the twelve months preceding the appointment.”


Jan Anderson, the former Manager of Department and Maintenance, has the necessary special qualifications related to the City's co-generation facilities as well as extensive knowledge of overall City facilities and maintenance programs. Mr. Anderson will provide the day-to-day management and oversight of the Department during the recruitment process and until the position is filled.

FISCAL IMPACT

There is no additional fiscal impact due to salary and benefit savings.

  
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Perry Madison  
Director of Human Resources

  
\_\_\_\_\_  
James Thompson  
Chief of Staff/City Clerk

  
\_\_\_\_\_  
David H. Ready, City Manager

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPOINTING AN INTERIM APPOINTMENT RETIRED ANNUITANT TO THE VACANT POSITION OF DIRECTOR OF MAINTENANCE AND FACILITIES FOR THE CITY OF PALM SPRINGS UNDER GOVERNMENT CODE SECTION 21221(H) EFFECTIVE AUGUST 10, 2015

WHEREAS, an appointment under Government Code section 21221(h) of Jan Anderson, a retired annuitant, to the position of Director of Maintenance and Facilities; and

WHEREAS, the appointment herein shall end on or before February 28, 2016, but in no event shall the appointment extend beyond the date on which a permanent employee is hired to fill the position, whichever occurs first; and

WHEREAS, this section 21221(h) appointment shall only be made once; and

WHEREAS, the recruitment for this position is active and publicly posted for a permanent replacement; and

WHEREAS, the employment shall be limited to 960 hours per fiscal year; and

WHEREAS, the compensation paid to a retired annuitant 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 fiscal year 2015-16 minimum monthly base salary for this position is \$8,006.00 and the hourly equivalent is \$46.19, and the maximum monthly base salary for this position is \$11,308 and the hourly equivalent is \$65.24; and

WHEREAS, the hourly rate paid to Jan Anderson upon his hire date will be \$46.19; and

WHEREAS, Jan Anderson 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.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

RESOLVED, that the governing body of the City of Palm Springs hereby certifies the nature of the appointment of Jan Anderson as described herein and that this appointment is necessary to fill the critically needed position of Director of

Maintenance and Facilities for the City of Palm Springs effective August 10, 2015 in order to provide leadership and continuity of the services and programs of the Department while the City is engaged in active recruitment to permanently fill the position.

ADOPTED THIS 7TH DAY OF OCTOBER 2015

\_\_\_\_\_  
David H. Ready, City Manager

ATTEST:

\_\_\_\_\_  
James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF PALM SPRINGS )

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. \_\_\_\_ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on this 7th day of October 2015, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
James Thompson, City Clerk  
City of Palm Springs, California