

HAYWARD CITY COUNCIL

RESOLUTION NO. 15-

Introduced by Council Member _____

RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD
AND APPROVAL OF TEMPORARY APPOINTMENT
TO THE POSITION OF ADMINISTRATIVE SECRETARY

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

WHEREAS, Susan Diaz will retire from the City of Hayward in the position of Administrative Secretary, effective November 6, 2015; and

WHEREAS, section 7522.56 requires that post retirement employment commence no earlier than 180 days after the retirement date, which is May 4, 2016 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 Hayward and Susan Diaz certify that Susan Diaz has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the City Council of the City of Hayward hereby appoints Susan Diaz as an extra help retired annuitant to perform the duties of the Administrative Secretary for the City of Hayward under Government Code section 21224, effective November 16, 2015; and

WHEREAS, the entire employment agreement, contract or appointment document between Susan Diaz and the City of Hayward 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 173.333 to equal the hourly rate; and

ATTACHMENT I

WHEREAS, the maximum base monthly salary for this position is \$6,383.87 and the hourly equivalent is \$36.83, and the minimum base monthly salary for this position is \$5,466.93 and the hourly equivalent is \$31.54; and

WHEREAS, the hourly rate paid to Susan Diaz will be \$36.83, which is the maximum hourly rate for the position of Administrative Secretary; and

WHEREAS, Susan Diaz 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;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby certifies the nature of the appointment of Susan Diaz as described herein and detailed in the attached appointment document and that this appointment is necessary to fill the critically needed position of Administrative Secretary for the City of Hayward by November 16, 2015 because of critical tasks and confidentiality for Administrative Secretary for which Susan Diaz has specialized skills and knowledge.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2015

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward