

RESOLUTION NO. 21-052

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CARSON, CALIFORNIA, FOR 180-DAY WAIT PERIOD EXCEPTION
G.C. SECTIONS 7522.56 & 21221(H)**

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

WHEREAS, Molly McLaughlin Perry (CalPERS ID XXXXXXXXXXXX) retired from the City of Irvine in the position of City Clerk, effective December 30, 2020; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 28, 2021 (date of 181st day after retirement) 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 and Ms. McLaughlin Perry certify that she has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the City Council of the City hereby appoints Ms. McLaughlin Perry as an interim appointment retired annuitant to the vacant position of Chief Deputy City Clerk for the City under Government Code section 21221(h), effective April 21, 2021; and

WHEREAS, an appointment under Government Code section 21221(h) requires an active, publicly posted recruitment for a permanent replacement; and

WHEREAS, the current status of this recruitment is active; and

WHEREAS, this section 21221(h) appointment shall only be made once and therefore will end on April 20, 2022 if not automatically terminated earlier; and

WHEREAS, the entire employment agreement, contract or appointment document between Ms. McLaughlin Perry and the City of Carson 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, except as allowed by CalPERS pursuant to executive order during the state of emergency due to the COVID-19 pandemic; 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

WHEREAS, the maximum monthly base salary for this position is \$10,367 and the hourly equivalent is \$59.81, and the minimum base salary for this position is \$8,124 and the hourly equivalent is \$46.87; and

WHEREAS, the hourly rate paid to Ms. McLaughlin Perry will be \$59.81; and

WHEREAS, Ms. McLaughlin Perry 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, THE CITY COUNCIL OF THE CITY OF CARSON DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City of Carson City Council hereby certifies the nature of the employment of Molly McLaughlin Perry as described herein and detailed in the attached employment agreement and that this appointment is necessary to fill the critically needed position of Chief Deputy City Clerk for the City by April 21, 2021 because such position is essential to maintaining the basic ongoing operations of the government of the City, ensuring adequate staffing during the state of emergency caused by the COVID-19 pandemic, and because a recruitment for the permanent position of Chief Deputy City Clerk has not been able to be completed to date.

(Signatures on Following Page)

PASSED, APPROVED, and ADOPTED this 20th day of April, 2021

Lula Davis-Holmes, Mayor

ATTEST:

Joy Simarago, Deputy City Clerk

APPROVED AS TO FORM:

Sunny K. Soltani, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Joy Simargo, Deputy City Clerk of the City of Carson, California hereby attest to and certify that the foregoing resolution, being Resolution No. 21-052 adopted by the Carson City Council at its meeting held on the 20th day of April, 2021, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Joy Simarago, Deputy City Clerk

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