

RESOLUTION NO. 2021- ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS,
CALIFORNIA, APPOINTING CHRISTOPHER BOYD AS AN INTERIM APPOINTED
RETIRED ANNUITANT TO THE VACANT POSITION OF CITY MANAGER PURSUANT
TO GOVERNMENT CODE SECTION 21221(h)**

WHEREAS, Government Code section 21221(h) of the Public Employees' Retirement Law permits the governing body to appoint a CalPERS retiree to a vacant position requiring specialized skills during recruitment for a permanent appointment, and provides that such appointment will not subject the retired person to reinstatement from retirement or loss of benefits so long as it is a single appointment;

WHEREAS, Christopher Boyd is normally restricted to working no more than 960 hours for City per fiscal year. However, given the current state of emergency, and with the Governor's Executive Order N-25-20 and CalPERS Circular Letter: 200-015-20 which suspends the 960-hour limitation during the state of emergency to ensure adequate staffing during the state of emergency, any hours worked by Christopher Boyd to ensure adequate staffing during the state of emergency will not be counted toward the 960-hour limit for the fiscal year. In addition, the 180-day break in service requirement under Government Code 7522.56(f) is suspended under Governor's Executive Order N-25-20 and CalPERS Circular Letter: 200-015-20;

WHEREAS, the City desires to appoint Christopher Boyd as an interim appointment retired annuitant to the vacant position of City Manager for the City of Citrus Heights under Gov. Code section 21221(h), effective May 13, 2021;

WHEREAS, the City and Christopher Boyd certify that he has not and will not receive a Golden Handshake or any other retirement-related incentive;

WHEREAS, an appointment under Gov. Code section 21221(h) requires the retiree is appointed into the interim appointment during recruitment for a permanent appointment;

WHEREAS, this Gov. Code section 21221(h) appointment shall only be made once and therefore will end on May 13, 2022, or upon appointment of a permanent City Manager;

WHEREAS, the entire employment agreement between Christopher Boyd and the City has been reviewed by this body and is attached herein;

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;

WHEREAS, based on the most recent contract for the full-time City Manager position, the base annual salary for this position is \$267,903.00, and the hourly equivalent is \$128.7995;

WHEREAS, the hourly rate paid to Christopher Boyd will be \$128.7995 per hour;

WHEREAS, Christopher Boyd has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this monthly pay rate; and

WHEREAS, the City has begun the process to initiate a recruitment to permanently fill the position of City Manager.

NOW THEREFORE BE IT RESOLVED AND ORDERED that the City Council hereby certifies the nature of the employment of Christopher Boyd as described herein and detailed in the attached employment agreement and that this appointment is necessary to fill the critically needed position of City Manager for the City of Citrus Heights on May 13, 2021, because his employment is needed to provide day-to-day management of the City until a permanent City Manager is hired.

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Citrus Heights, California, this 13th day of May 2021, by the following vote, to wit:

AYES: **Council Members:**
NOES: **Council Members:**
ABSTAIN: **Council Members:**
ABSENT: **Council Members:**

Steve Miller, Mayor

ATTEST:

Amy Van, City Clerk

Exhibit

A. Employment Agreement