

RESOLUTION NO. 22-XXXX

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL APPROVING AN EXCEPTION TO THE 180-DAY WAITING PERIOD TO HIRE RETIRED POLICE LIEUTENANT RYAN SMALL AS A CALPERS RETIRED ANNUITANT PURSUANT TO GOVERNMENT CODE SECTIONS 7522.56 and 21224 AND APPROVING AN EMPLOYMENT AGREEMENT WITH RETIRED POLICE LIEUTENANT RYAN SMALL

RECITALS

WHEREAS, in compliance with Government (Gov.) Code section 7522.56 of the Public Employees' Retirement law, the City of Manhattan Beach ("City") must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since their retirement date; and

WHEREAS, Ryan Small [CalPERS ID: 1885265873] retired from the position of Police Lieutenant for the City on December 17, 2021; and

WHEREAS, Gov. Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 16, 2022 without this certification; and

WHEREAS, Gov. Code 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 and Ryan Small certify that Ryan Small has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the entire employment agreement, contract or appointment document between Ryan Small and the City of Manhattan Beach has been reviewed by this body and is attached herein; and

WHEREAS, this appointment is necessary to fill the critically needed position of Retired Annuitant Police Lieutenant – Special Projects for the City by February 2, 2022. This appointment is critical to meet the needs of the department by overseeing the special project pertaining to the Property and Evidence Unit and in meeting the Council's priorities for the Police Department. Mr. Small is uniquely qualified to fulfill this interim assignment because of his specialized skills gained through training and experience during a long and successful career in Police Department operations and management at the City of Manhattan Beach; 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 for all CalPERS employers; and

WHEREAS, the compensation paid to retirees cannot be less than the minimum or 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 base salary for this position is \$14,796 and the hourly equivalent is \$85.36, and the minimum base salary for this position is \$13,405 and the hourly equivalent is \$77.34; and

WHEREAS, the hourly rate paid to Ryan Small will be \$85.36; and

WHEREAS, Ryan Small 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, THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Manhattan Beach City Council hereby certifies the nature of the employment of Ryan Small as described herein and detailed in the Employment Agreement between the City and Ryan Small.

SECTION 2. The City hereby appoints Ryan Small as an extra help retired annuitant to perform the duties of Retired Annuitant Police Lieutenant – Special Projects for the City of Manhattan Beach under Gov. Code section 21224, effective February 2, 2022.

SECTION 3. The City Council hereby approves the Employment Agreement between the City of Manhattan Beach and Ryan Small dated February 2, 2022, and directs the City Manager to execute the Agreement on behalf of the City.

ADOPTED on February 1, 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

HILDY STERN
Mayor

ATTEST:

LIZA TAMURA

City Clerk