

RESOLUTION NO. 19-0081

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL FOR AN EXCEPTION TO THE 180-DAY WAIT PERIOD PURSUANT TO GOVERNMENT CODE SECTIONS 7522.56 AND 21221(h) AND APPROVING AN EMPLOYMENT AGREEMENT WITH JEFFERY W. GIBSON TO SERVE AS INTERIM DIRECTOR OF COMMUNITY DEVELOPMENT

WHEREAS, in compliance with Government Code section 7522.56 the 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, Jeffery W. Gibson (CalPERS ID-5552370530) retired from the City of Torrance in the position of Community Development Director, effective April 6, 2019; and

WHEREAS, section 7522.56 requires that post-retirement employment with a CalPERS agency commence no earlier than 180 days after the retirement date, which is October 3, 2019 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 Manhattan Beach and Jeffery W. Gibson certify that Jeffery W. Gibson has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the City Council hereby appoints Jeffery W. Gibson as an interim appointment retired annuitant to the vacant position of Director of Community Development for the City of Manhattan Beach under Government Code section 21221(h), effective August 12, 2019; 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 that the recruitment is active and it has been publically announced with applications being accepted; and

WHEREAS, this section 21221(h) appointment shall only be made once and therefore will end on or before June 30, 2020; and

WHEREAS, the entire employment agreement, contract or appointment document between Jeffery W. Gibson and the City of Manhattan Beach 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

WHEREAS, the maximum base salary for this position is \$17,353 and the hourly equivalent is \$100.11, and the minimum base salary for this position is \$13,315 and the hourly equivalent is \$76.82; and

WHEREAS, the hourly rate paid to Jeffery W. Gibson will be \$86.54; and

WHEREAS, Jeffery W. Gibson 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

THEREFORE, BE IT RESOLVED THAT the City Council of the City of Manhattan Beach hereby certifies the nature of the employment of Jeffery W. Gibson as described herein and detailed in the attached employment agreement and that this appointment is necessary to fill the critically needed position of Director of Community Development for the City of Manhattan Beach by August 12, 2019 because providing for continuity in the position of Director of Community Development Department is important to provide for the administration of the ongoing projects and activities of the Department and in meeting the Council's priorities. It is also important to successful functioning of municipal operations and providing leadership and direction to City staff. Mr. Gibson 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 government management and his extensive knowledge of community development functions in the region, retiring after a planning and community development career of over 38 years in the neighboring City of Torrance.

BE IT FURTHER RESOLVED THAT, the attached Employment Agreement between the City of Manhattan Beach and Jeffery W. Gibson is approved and the City Manager is authorized to execute the agreement on behalf of the City.

ADOPTED on August 6, 2019.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

NANCY HERSMAN
Mayor

LIZA TAMURA
City Clerk