

RESOLUTION NO. 21-9008

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
FOR EXCEPTION TO THE 180-DAY WAITING PERIOD TO HIRE A
RETIRED ANNUITANT AS A TEMPORARY EXTRA HELP
EMPLOYEE (GOVERNMENT CODE SECTIONS 7522.56 AND
21224)**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

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

WHEREAS, Craig Temple (CalPERS ID 3020979521) retired from the City of Santa Clara in the position of Principal Engineer, effective July 15, 2021;

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is January 15, 2022, without this certification resolution;

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;

WHEREAS, the City of Santa Clara and Craig Temple certify that Craig Temple has not and will not receive a Golden Handshake or any other retirement-related incentive;

WHEREAS, the City of Santa Clara hereby appoints Craig Temple as an extra help retired annuitant to perform the critically needed duties of Temporary Employee for the City of Santa Clara under Government Code section 21224, effective October 4, 2021;

WHEREAS, the entire employment agreement, contract or appointment document between the City of Santa Clara and Craig Temple has been reviewed by this body and is attached herein;

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar;

WHEREAS, the employment shall be limited to 960 hours per fiscal year;

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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, effective October 3, 2021, the maximum monthly base salary for the Consultant position is \$34,666.66 and the hourly equivalent is \$200.00, and the minimum monthly base salary for this position is \$2,712.66 and the hourly equivalent is \$15.65;

WHEREAS, the hourly rate paid to Craig Temple will be \$107.27; and,

WHEREAS, Craig Temple 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 FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. The City of Santa Clara hereby certifies the appointment of Craig Temple and that this appointment is necessary to fill the critically needed position of Temporary Employee for the City of Santa Clara by October 4, 2021. The retired annuitant was the former Principal Engineer for the City of Santa Clara and will be rehired performing the comparable duties of the Principal Engineer classification. Prior to his retirement, the annuitant was responsible for performing day to day management functions of the Field Services Division. The City would like to rehire Mr. Temple as an extra help consultant under to oversee and manage the transition projects. Mr. Temple will provide critical planning and strategic consultation to the City as it relates to construction management and inspection.

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2. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 28TH DAY OF SEPTEMBER, 2021, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Becker, Chahal, Hardy, Jain, Park, and Watanabe, and Mayor Gillmor
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NOES:	COUNCILORS:	None
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ABSENT:	COUNCILORS:	None
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ABSTAINED:	COUNCILORS:	None
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ATTEST:



NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Craig Temple Offer Letter



**City of
Santa Clara**
The Center of What's Possible

Human Resources

September 16, 2021

Craig Temple
[REDACTED]
[REDACTED]

Dear Craig:

Congratulations! This is to confirm our offer of employment for the As-needed position of Temporary Employee in the Department of Public Works with the City of Santa Clara. This appointment is pursuant to the City Council Resolution for Exception to the 180-Day Waiting Period to Hire a Retired Annuitant as a Temporary Extra Help Employee (Government Code Section 7522.56 and 21224).

Below are a few key provisions for your offer of employment:

- **Effective Date:** Monday, October 4, 2021
- **Salary:** As approved by the resolution, your hourly pay rate is \$107.27 per hour.
- **Employment Status:** As-needed employment is not to be considered permanent. Under CalPERS regulations and the City of Santa Clara practices, as-needed rehired annuitants are not permitted to work more than 960 hours per fiscal year (July 1 through June 30). If you reach 960 hours during the fiscal year, your assignment will end. If you have been previously employed by a CalPERS employer and have funds on deposit with CalPERS, you will be enrolled in CalPERS and Social Security upon your first date of as-needed employment with the City of Santa Clara.
- **New Hire Orientation:** New hire orientation will be conducted via Zoom. All employees are required to show documentation which proves their identity and their eligibility to work in the United States. A list of acceptable documentation can be found at <http://uscis.gov/i-9-central/acceptable-documents>. **Please bring I-9 employment verification identification with you on your first day of employment; original documents are required.**

Please sign and date this offer letter and return it to me by October 4, 2021. If you have questions, please contact the Human Resources Department at (408) 615-2080.

Sincerely,
[REDACTED]

Ashley Lancaster
Human Resources Division Manager

I accept the terms and conditions of my employment with the City of Santa Clara.

Craig Temple

Date

cc: Craig Mobeck, Director of Public Works