

**CITY OF SAN MATEO
RESOLUTION NO. ____ (2019)**

**WAIVING THE 180-DAY SIT-OUT PERIOD FOR A RETIRED ANNUITANT
TO PROVIDE ESSENTIAL SAFETY AND HOMELESS AMBASSADOR
SERVICES FOR THE POLICE DEPARTMENT**

WHEREAS, the State Legislature has adopted AB 340 in order to implement comprehensive pension reform through the enactment of the California Employees' Pension Reform Act of 2013 (PEPRA) as well as other statutory changes; and

WHEREAS, PEPRA applies to all public employers that participate in the California Public Employees' Retirement System (PERS) on or after January 1, 2013; and

WHEREAS, California Government Code section 7522.56, as enacted in PEPRA, requires newly retired persons to sit out for at least 180 days before returning to work for an employer in the same retirement system in which they receive a retirement allowance; and

WHEREAS, an exception can be made if the City Council certifies that the nature of the employment and the appointment is necessary to fill a critically needed position and the 180 days has not yet passed; and

WHEREAS, David Johnson (Johnson) has been employed by the City for approximately 9 years and served as a Police Officer for the Police Department; and

WHEREAS, Johnson retired from City service on September 22, 2018, and will not be accepting a retirement incentive upon retirement; and

WHEREAS, Johnson is currently a subject matter expert on issues related to homelessness, homeless outreach and mental health resources for the Police Department; and

WHEREAS, Johnson's experience and extensive knowledge makes him uniquely positioned to connect individuals and families with services in the most efficient and effective manner possible; and it is critical that he provide continuity of service for these homeless and mental health cases and continue to represent the interests of the Police Department on projects related to these topics; and

WHEREAS, the City is currently in the midst of several high-profile projects that have a mental health and homeless services element, and therefore, Johnson is needed to assist in liaising with these critical functions to provide history, context, expertise and continuity.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, RESOLVES that:

1. The City Council certifies that the employment of David Johnson is necessary to provide critically needed duties, and the 180-day sit-out period, pursuant to Government Code section 7522.56, has not yet passed.
2. David Johnson shall be assigned duties and functions consistent with the Senior Project Manager position at \$63.73, the current hourly base rate for that position, and no other compensation or benefits shall be provided.

3. David Johnson shall work on a temporary and sporadic basis, depending upon the needs of the Police Department, but shall not work more than nine hundred and sixty (960) hours.
4. David Johnson is authorized to be employed as a retired annuitant pursuant to this Resolution from January 8, 2019 through December 31, 2019.
5. David Johnson has certified in writing that he did not, during the 12-month period preceding the reemployment date of January 8, 2019, receive unemployment insurance arising from prior employment with the City.
6. This Resolution was adopted at a properly noticed public meeting and was not placed on the consent calendar, in compliance with Government Code section 7522.56(f)(1).