

## **RESOLUTION NO. 2013-0016**

Adopted by the Sacramento City Council

January 15, 2013

### **A RESOLUTION APPOINTING SABINA GILBERT AS A TEMPORARY EMPLOYEE UNDER CALIFORNIA GOVERNMENT CODE SECTIONS 7522.56 AND 21224**

#### **BACKGROUND**

- A. Sabina Gilbert ("Retiree") retired from the City of Sacramento in the position of Senior Deputy City Attorney effective December 28, 2012.
- B. Under California Government Code sections 7522.56 and 21224, a retired person may serve without reinstatement from retirement or loss of interruption of benefits provided by CalPERS either during an emergency to prevent stoppage of public business or because the retired person has specialized skills needed in performing work of limited duration.
- C. The Retiree has specialized skills and the institutional knowledge needed to perform work of a limited duration as temporary extra help due to the institutional knowledge of its application she has obtained over many years, given the complexity of the Zoning Code and the unique understanding she has of the work required in its revision.
- D. The annual pay for a Senior Deputy City Attorney in the City of Sacramento is a minimum \$101,253 to a maximum of \$151,879. The hourly rate for the retiree will be based on an annual rate within this pay scale of \$144,233. The monthly rate is \$12,018.93 and the hourly rate is \$69.34, therefore pay of \$69.34 per hour is within the salary permitted by the Government Code.
- E. The Retiree has attained "normal retirement age" as that term is used in the Government Code and therefore no bona fide separation is required. The retiree has received no retirement incentives.
- F. The City desires to appoint Retiree to work for the City to provide temporary extra help and it is within the authority of the City Attorney to execute an employment agreement with Retiree.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

Section 1. The Retiree is appointed to work for the City pursuant to Government Code sections 7522.56 and 21224 to provide temporary extra help and to perform work of a limited duration.

Section 2. The appointment shall be effective on January 15, 2013 and will not exceed a total of 960 hours in the 2012-2013 fiscal year, regardless of whether the Retiree works for one or more employers.

Section 3. The Retiree's sole compensation from the City shall be payable at the rate of \$69.34 and Retiree will not receive any benefit, incentive, compensation in lieu of benefits, or other form of compensation in addition to this hourly pay rate.

Section 4. The City Attorney has authority to execute an employment agreement under the terms as described above.

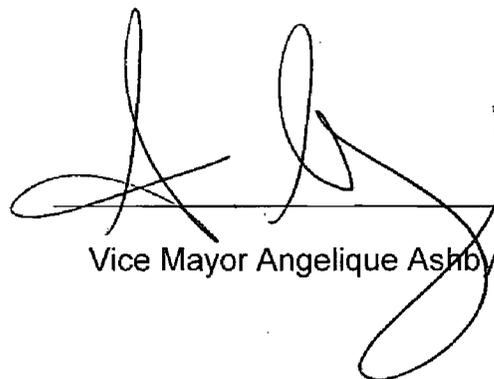
Adopted by the City of Sacramento City Council on January 15, 2013 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, Hansen, McCarty, Pannell, Schenirer, Warren, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



Vice Mayor Angelique Ashby

Attest:



Shirley Concolino, City Clerk