

RESOLUTION NO. 20-21

**A RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA,
RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD
GC SECTIONS 7522.56 & 21224**

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, Yader Bermudez, has retired from the City of Richmond in the position of Public Works Director, effective January 29, 2021; and

WHEREAS, there exists several critical projects and issues which will benefit from the unique expertise and knowledge of Yader Bermudez, including the Wastewater Program, the State Revolving Fund, Collection, Cogeneration Systems, Sludge Thickener replacement, and the Ferry Point Sewer Lift Pump; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is July 31, 2021 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, the City of Richmond and Yader Bermudez certify that Yader Bermudez has not and will not receive any other retirement-related incentive; and

WHEREAS, the City Council hereby appoints Yader Bermudez as a retired annuitant to perform some of the duties of the Public Works Director for the City of Richmond under Government Code section 21224, effective February 24, 2021; 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 173.33 to equal the hourly rate; and

WHEREAS, the hourly rate paid to Yader Bermudez will be \$98, he 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, BE IT RESOLVED THAT the City Council hereby certifies the nature of the appointment of Yader Bermudez as described herein that this appointment is necessary to provide critically needed services to support the City of Richmond Public Works Department.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held February 23, 2021, by the following vote:

AYES: Councilmembers Bates, Jimenez, Martinez, McLaughlin, Willis, Vice Mayor Johnson, and Mayor Butt.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

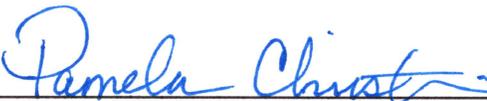
THOMAS K. BUTT
Mayor

Approved as to form:

TERESA STRICKER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 20-21**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on February 23, 2021.



Pamela Christian, Clerk of the City of Richmond