

RESOLUTION NO. 33-12

RESOLUTION OF THE CITY OF RICHMOND APPROVING THE EMPLOYMENT OF ROBERT LARSON TO ASSIST WITH POTENTIAL AND PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 21223

WHEREAS, the position of Human Resources Personnel Officer is responsible for the management of specified human resources programs and gathering necessary and confidential information to administer such programs; and

WHEREAS, the City's Human Resources Personnel Officer has knowledge and information that is essential to the City's ability to prepare for and defend against administrative and judicial claims filed against the City;

WHEREAS, Robert Larson was employed previously by the City of Richmond in the position of Human Resources Personnel Officer; and

WHEREAS, Government Code section 21223 allows the employment of a retiree of the California Public Employees' Retirement System (CalPERS) without reinstatement to the retirement system when the services of a retiree "are or may be necessary in preparing for trial or in testifying as to matters within or based upon his or her knowledge acquired while employed";

WHEREAS, Government Code section 21223 also allows for a retiree employed under its provisions to receive a per diem rate, so long as any retirement annuity received by the retiree is deducted from that per diem rate for each day of employment under its provisions; and

WHEREAS, Robert Larson has knowledge and information that was acquired during her employment related to potential and actual claims involving the City that is critical to the City's ability to defend against those claims; and

WHEREAS, the City has provided a per diem rate of \$785 per day to other individuals who have provided comparable services to the City under Government Code section 21223; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RICHMOND,

1. Robert Larson is hereby employed pursuant to the provisions of Government Code section 21223, on an as needed basis, for the purpose of providing services and testimony in connection potential and pending claims and lawsuits involving the City.
2. Robert Larson will receive a per diem rate of \$785 per day, less any retirement annuity received by her for each day of actual employment under this Resolution.
3. Employment under this Resolution is on a temporary, as needed basis for the sole purpose provided herein.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held on April 23, 2013, by the following vote:

AYES: Councilmembers Bates, Myrick, Rogers, and Vice Mayor Boozé.

NOES: Mayor McLaughlin.

ABSTENTIONS: None.

ABSENT: Councilmembers Beckles and Butt.

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

BRUCE GOODMILLER
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. 33-13, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on April 23, 2013.