

RESOLUTION NO. 2022-112

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA
APPOINTING THERESA ST. PETER AS THE INTERIM HUMAN
RESOURCES/RISK MANAGEMENT DIRECTOR PURSUANT TO
GOVERNMENT CODE SECTION 21221(h)**

WHEREAS, Government (Gov.) Code section 21221(h) of the Public Employees' Retirement Law permits the governing body to appoint a CalPERS retiree to a vacant position requiring specialized skills during recruitment for a permanent appointment, and provides that such appointment will not subject the retired person to reinstatement from retirement or loss of benefits so long as it is a single appointment that does not exceed 960 hours in a fiscal year;

WHEREAS, the City Council of the City of Pomona desires to appoint Theresa St. Peter as an interim appointment retired annuitant to the vacant position of Human Resources/Risk Management Director for the City of Pomona under Gov. Code section 21221(h), effective August 8, 2022;

WHEREAS, the City Council of the City of Pomona and Theresa St. Peter certify that Theresa St. Peter has not and will not receive a Golden Handshake or any other retirement-related incentive;

WHEREAS, an appointment under Gov. Code section 21221(h) requires the retiree to be appointed into the interim appointment during recruitment for a permanent appointment;

WHEREAS, the recruitment for the Human Resources/Risk Management Director position is active and was publicly posted on June 27, 2022;

WHEREAS, this Gov. Code section 21221(h) appointment shall only be made once and therefore will end on or before August 8, 2023 but in no event shall the appointment extend beyond the date on which a permanent employee is hired to fill the position, whichever occurs first;

WHEREAS, the entire employment appointment document between Theresa St. Peter and the City of Pomona has been reviewed by the City Council and is attached hereto;

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, the maximum annual base salary for the position of Human Resources/Risk Management Director effective August 28, 2022 is \$197,333, the monthly base salary is \$16,444.42, and the hourly equivalent is \$94.87, and the minimum annual base salary for this position is \$147,253, the monthly base salary is \$12,271.08, and the hourly equivalent is \$70.79;

WHEREAS, the hourly rate paid to Theresa St. Peter will be \$94.87; and

WHEREAS, Theresa St. Peter has not and will not receive any other benefit, incentive, compensation in lieu of benefits, or other form of compensation in addition to this hourly pay rate.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Pomona as follows:

SECTION 1. The City Council hereby certifies to the nature of the appointment of Theresa St. Peter, as described herein and detailed in the offer of employment document, attached hereto as Exhibit “A,” and that this appointment is necessary to fill the critically needed position of Interim Human Resources/Risk Management Director for the City of Pomona by August 8, 2022 due to the vacancy of the Human Resources/Risk Management Director position in order to provide leadership and continuity of the services and programs of the Department while the City is engaged in an active recruitment to permanently fill the position.

SECTION 2. The City Clerk shall attest and certify to the passage and adoption of this resolution and it shall become effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 1st day of August, 2022.

CITY OF POMONA:

Tim Sandoval
Mayor

APPROVED AS TO FORM:

Sonia Carvalho
City Attorney

ATTEST:

Rosalia A. Butler, MMC
City Clerk

I, HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of Pomona at a regular meeting thereof held on August 1, 2022 by the following vote of the Council:

AYES:

NOES:

Resolution No. 2022-112

August 1, 2022

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ABSTAIN:
ABSENT:

Rosalia A. Butler, MMC
City Clerk