

RESOLUTION 24-03

**RESOLUTION OF THE GOVERNING BOARD OF SWEETWATER AUTHORITY
APPROVING AN EXCEPTION TO THE 180-DAY WAITING PERIOD TO HIRE A
CALPERS RETIRED ANNUITANT IN ACCORDANCE WITH GOVERNMENT CODE
SECTION 7522.56 & 21224**

WHEREAS, in compliance with Government (Gov.) Code section 7522.56 of the Public Employees' Retirement Law, the Sweetwater Authority must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since their retirement date; and

WHEREAS, Mark Hatcher (CalPERS ID 3687203348) retired from Sweetwater Authority in the position of Water Quality Manager, effective December 29, 2023; and

WHEREAS, Gov. Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 26, 2024 without this certification resolution; and

WHEREAS, Gov. Code 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 Sweetwater Authority Governing Board, the Sweetwater Authority and Mark Hatcher certify that Mark Hatcher has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the Sweetwater Authority Governing Board hereby appoints Mark Hatcher as an extra help retired annuitant to perform extra help in the Water Quality Department, which duties of the Water Quality Manager for the Sweetwater Authority under Gov. Code section 21224 effective February 15, 2024; and

WHEREAS, the entire employment agreement, contract or appointment document between Mark Hatcher and the Sweetwater Authority has been reviewed by this body and is attached herein; and

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

WHEREAS, the employment shall be limited to 960 hours per fiscal year for all CalPERS employers; 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 173.333 to equal the hourly rate; and

WHEREAS, the maximum monthly base salary for this position is \$16,159 and the hourly equivalent is \$93.22, and the minimum monthly base salary for this position is \$13,296 and the hourly equivalent is \$76.70; and

WHEREAS, the hourly rate paid to Mark Hatcher will be \$93.22; and

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

NOW, THEREFORE, BE IT RESOLVED that the Sweetwater Authority Governing Board hereby certifies the nature of the appointment of Mark Hatcher as described herein and detailed in the attached employment agreement document and that this appointment is necessary to fill the critically needed position of Water Quality Manager for the Sweetwater Authority by February 15, 2024 because due to recent departures and a planned reorganization there are duties of this position which cannot be performed by existing staff and this position performs duties which are critical and essential to the on-going water quality and safety of the Sweetwater Authority and ensuring the continuing operations of the Water Quality Department.

PASSED AND ADOPTED by the Governing Board of Sweetwater Authority at a regular meeting duly held on the 14th of February, 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Paulina Martinez-Perez, Chair

Attest:

Ligia Hoffman, Board Secretary