

Resolution No. 2019-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH  
APPOINTING DAVID KIFF AS INTERIM CITY MANAGER

WHEREAS, Government 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; and

WHEREAS, the City Council of the City of Huntington Beach desires to appoint David Kiff as an Interim appointment retired annuitant to the vacant position of City Manager for the City of Huntington Beach under Government Code Section 21221(h), effective June 10, 2019; and

WHEREAS, the City Council of the City of Huntington Beach, and David Kiff certify that David Kiff has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, an appointment under Government Code Section 21221(h) requires the retiree is appointed into the interim appointment during recruitment for a permanent appointment; and

WHEREAS, the governing body has authorized the search for a permanent appointment on May 10, 2019, and

WHEREAS, this Government Code Section 21221(h) appointment shall only be made once and therefore will end on the pay period end date immediately preceding the beginning of the pay period of appointment of the permanent appointment, or by not later than December 13, 2019, whichever is earlier; and

WHEREAS, the entire employment agreement, contract or appointment document between David Kiff and the City of Huntington Beach has been reviewed by this body and is attached herein; 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 \$22,236.93 and the hourly equivalent is \$128.29; the minimum monthly base salary for this position is \$21,264.53 and the hourly equivalent is \$122.68; and

WHEREAS, the hourly rate paid to David Kiff will be \$128.29 and

WHEREAS, David Kiff 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; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Huntington Beach hereby certifies the nature of the employment of David Kiff as described herein and detailed in the attached employment agreement/contract/appointment document and that this appointment is necessary to fill the critically needed position of City Manager for the City of Huntington Beach by June 10, 2019, because the City of Huntington Beach requires experienced administrative, managerial, and fiscal oversight at the Executive level of its more than 1500 full and part time staff and \$300 M budget (all funds) for FY 2019-20.

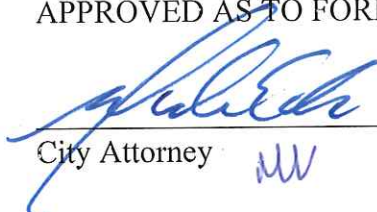
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

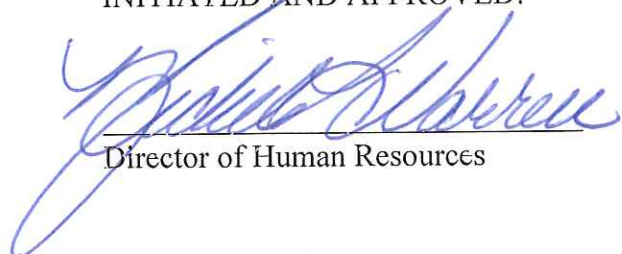
REVIEWED AND APPROVED:

\_\_\_\_\_  
City Attorney

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

INITIATED AND APPROVED:

  
\_\_\_\_\_  
Director of Human Resources