

RESOLUTION NO. 23-093

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF WEST HOLLYWOOD FOR EXCEPTION TO
THE 180-DAY WAIT PERIOD GC SECTION 7522.56
& 21224.

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY
RESOLVE AS FOLLOWS:

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

WHEREAS, Oscar Delgado retired from the City of West Hollywood in the position of Assistant City Manager, effective September 4, 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 March 4, 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 City of West Hollywood City Council, the City of West Hollywood and Oscar Delgado certify that Oscar Delgado has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the entire employment agreement between Oscar Delgado and the City of West Hollywood 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 base salary for this position is \$27,622.66 monthly and the hourly equivalent is \$159.36 and the minimum base salary for this position is \$19,855.33 monthly and the hourly equivalent is \$114.55; and

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WHEREAS, the hourly rate paid to Oscar Delgado will be \$159.36; and

WHEREAS, Oscar Delgado 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.

THEREFORE, BE IT RESOLVED THAT the City of West Hollywood City Council hereby certifies the nature of the employment of Oscar Delgado as described herein and detailed in the attached employment agreement is necessary to perform temporary specialized services for the City of West Hollywood under Government Code section 21224 effective October 17, 2023. Oscar Delgado was the executive team leader and lead negotiator for the City of West Hollywood's Sunset Arts & Advertising Program when he retired. At the time of his retirement, there were eight projects in the approval process. Mr. Delgado is uniquely qualified to provide executive management of the review and negotiation process for the projects currently in the approval process due to his institutional knowledge, experience, and extensive involvement in the Sunset Arts & Advertising Program.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 16th day of October, 2023 by the following vote:

AYES:	Councilmember:	Byers, Heilman, Mayor Pro Tempore Erickson, and Mayor Shyne.
NOES:	Councilmember:	Meister.
ABSENT:	Councilmember:	None.
ABSTAIN:	Councilmember:	None.

DocuSigned by:



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SEPI SHYNE, MAYOR

ATTEST:

DocuSigned by:



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MELISSA CROWDER, CITY CLERK