

**CITY OF OJAI  
CITY COUNCIL RESOLUTION NO. 22-42**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OJAI,  
CALIFORNIA DECLARING AN EXCEPTION TO THE 180-DAY  
WAIT PERIOD FOR HIRING A RETIRED ANNUITANT IN  
ACCORDANCE WITH GOVERNMENT CODE SECTIONS 7522.56  
AND 2122(h) AND APPOINTING LINDY MOORE PALMER AS A  
RETIRED ANNUITANT AS AN EXTRA HELP PART-TIME  
EMPLOYEE IN THE CITY MANAGER'S OFFICE**

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

**WHEREAS**, Lindy Moore Palmer, CalPERS ID 5360805282 retired from City of Camarillo in the position of Public Works Administrator, effective February 25, 2022; and

**WHEREAS**, Gov. Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is August 24, 2022 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**, an appointment under Gov. Code section 21221(h) requires the retiree is appointed into the interim appointment during recruitment for a permanent appointment; and

**WHEREAS**, the City of Ojai is in the process of recruiting for an City Manager's Office Administrative Analyst for a permanent appointment; and

**WHEREAS**, the City of Ojai desires to appoint Lindy Moore Palmer as a retired annuitant to provide part-time extra help in the City Manager's Office under Gov. Code section 21221(h), effective June 28, 2022; and

**WHEREAS**, this Gov. Code section 21221(h) appointment shall only be made once and therefore will end when the City Manager's Office Administrative Analyst position vacancy is filled; 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 hourly rate paid to Lindy Moore Palmer will be \$50.22; and

**WHEREAS**, Lindy Moore Palmer 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 rate.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA, DOES HEREBY RESOLVE AND ORDER, AS FOLLOWS:**

**SECTION 1.** City Council declares an exception to the 180-day wait period for hiring a retired annuitant in accordance with government code sections 7522.56 and 21223(b).

**SECTION 2.** City Council appoint Lindy Moore Palmer as a retired annuitant as an extra help part-time employee in the City Manager's office.

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**PASSED AND ADOPTED** on this 28th day of June, 2022 by the following vote:

**AYES:** Blatz, Francina, Haney, Stix, Weirick  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

CITY OF OJAI, CALIFORNIA

By:

*Betsy Stix*

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Betsy Stix, Mayor

*July 5, 2022*

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Date signed

ATTEST:

*Gail Davis*

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Gail Davis, Deputy City Clerk

APPROVED AS TO FORM:

*Matthew T. Summers*

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Matthew T. Summers, City Attorney