



**Resolution No. 14-10
April 16, 2014**

**RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD
GC sections 7522.56 & 21224**

WHEREAS, in compliance with Government Code section 7522.56 the Board of Directors of the Napa County Transportation and Planning Agency (NCTPA) must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

WHEREAS, Eliot Hurwitz, is to retire from the Napa County Transportation and Planning Agency in the position of Program Manager-Planning (Strategic) effective June 30, 2014 and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is December 28, 2014, without this certification resolution; and

WHEREAS, 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 Board of Directors, the Napa County Transportation and Planning Agency and Eliot Hurwitz certify that Eliot Hurwitz has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the Board of Directors hereby appoints Eliot Hurwitz as an extra help retired annuitant to perform the duties of the Program Manager-Planning for the Napa Countywide Transportation Plan - Vision 2040: Moving Napa Forward, for the Napa County Transportation and Planning Agency under Government Code section 21224, effective July 1, 2014, and

WHEREAS, the entire employment agreement, contract or appointment document between Eliot Hurwitz and the Napa County Transportation and Planning Agency 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; 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 \$9,693.00 and the hourly equivalent is \$55.92 and the minimum base salary for this position is \$8,064.00 and the hourly equivalent is \$46.52; and

WHEREAS, the hourly rate paid to Eliot Hurwitz will be \$55.92; and

WHEREAS, Eliot Hurwitz 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

THEREFORE, BE IT RESOLVED THAT the Board of Directors hereby certifies the nature of the appointment of Eliot Hurwitz 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 Program Manager-Planning for the Napa County Transportation and Planning Agency by July 1, 2014 for the provision of services related to the preparation of the Napa Countywide Transportation Plan - Vision 2040: Moving Napa Forward

Passed and Adopted the 16th day of April, 2014.


Keith Caldwell, NCTPA Chair

Ayes: BENNETT(2), BARNES(1),
CANNING(1), SEDGLEY(5),
TECHEL(5), LUCE(2),
CALDWELL(2), NEVERO(1),
WHITE(1), MOHLER(1),
DUNBAR(1)

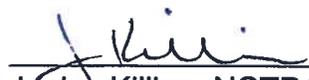
Noes: NONE

Absent: GARCIA(2)

ATTEST:


Karalyn E. Sanderlin, NCTPA Board Secretary

APPROVED:


Janice Killion, NCTPA Legal Counsel