

**RESOLUTION NO. 2023 -**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, APPOINTING ERIC DENNIS AS INTERIM BUILDING OFFICIAL AND WILLIAM LOPEZ AS INTERIM STREET & WASTERWATER MAINTENANCE SUPERINTENDENT PER GOVERNMENT CODE SECTION 21221 (h)**

**WHEREAS**, Government (Gov.) 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 of National City ("City") desires to appoint Eric Dennis as an interim appointment retired annuitant to the vacant position of Building Official for the City under Gov. Code section 21221(h), effective June 13, 2023; and

**WHEREAS**, the City desires to appoint William Lopez as an interim appointment retired annuitant to the vacant position of Street & Wastewater Maintenance Superintendent for the City under Gov. Code section 21221(h), effective June 26, 2023; and

**WHEREAS**, the City Council of the City, the City, Eric Dennis, and William Lopez certify that Eric Dennis and William Lopez have not and will not receive a Golden Handshake or any other 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 opened the searches for a permanent Building Official on May 18, 2023 and for a permanent Street & Wastewater Maintenance Superintendent on June 22, 2023; and

**WHEREAS**, these Gov. Code section 21221(h) appointments shall only be made once each and will end when the permanent hires for each position are on boarded or when the retirees reach 960 hours worked, whichever occurs first; 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 City Council adopted National City Management Salary Schedule states the base salary range for Building Official is \$46.57-\$69.25 per hour and the base salary range for Street & Wastewater Maintenance Superintendent is \$38.70-\$57.09 per hour; and

**WHEREAS**, the hourly rate paid to Eric Dennis will be \$69.00 and the hourly rate paid to William Lopez will be \$57.09, and neither has nor will receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to these hourly pay rates.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1:** That the City Council hereby certifies the nature of the employment of Eric Dennis as described herein and that this appointment is necessary to fill the critically needed position of Building Official for the City of National City effective June 13, 2023 because the position became vacant and his employment is needed to continue to perform the critically needed and specialized duties of the position until a permanent Building Official is hired.

**Section 2:** That the City Council hereby certifies the nature of the employment of William Lopez as described herein and that this appointment is necessary to fill the critically needed position of Street & Wastewater Maintenance Superintendent for the City of National City effective June 26, 2023 because the position became vacant and his employment is needed to continue to perform the critically needed and specialized duties of the position until a permanent Street & Wastewater Maintenance Superintendent is hired.

**Section 3:** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED and ADOPTED this 1st day of August, 2023.**

---

Ron Morrison, Mayor

**ATTEST:**

---

Shelley Chapel, MMC, City Clerk

**APPROVED AS TO FORM:**

---

Barry J. Schultz, City Attorney