

RESOLUTION NO. 2022-2236

**RESOLUTION OF BOARD OF DIRECTORS OF LAS GALLINAS VALLEY
SANITARY DISTRICT APPOINTING CHRIS DEGABRIELE AS
AN INTERIM GENERAL MANAGER
Government Code Section 21221(h)**

LAS GALLINAS VALLEY SANITARY DISTRICT

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 General Manager position at the Las Gallinas Valley Sanitary District ("District") became vacant on November 18, 2021; and

WHEREAS, the Las Gallinas Valley Sanitary District Board of Directors ("Board") desires to appoint Chris DeGabriele as an interim appointment retired annuitant to this vacant position of General Manager for the District under Gov. Code section 21221(h), effective January 31, 2022 and

WHEREAS, the Board, the District and Chris DeGabriele certify that Chris DeGabriele has 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, an active recruitment began on December 10, 2021 with the announcement of and publication of a Request for Proposals for Executive Search Services to identify potential candidates for the position of the General Manager; and

WHEREAS, this Gov. Code section 21221(h) appointment shall only be made once to fill this vacant position and therefore will end on upon the District hiring of a permanent General Manager or until it is terminated by either party; and

WHEREAS, the entire employment agreement, contract or appointment document between Chris DeGabriele and the District 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 base salary for this position is \$21,694 per month and the hourly equivalent is \$125.16 the minimum base salary for this position is \$21,694 per month and the hourly equivalent is \$125.16 as reflected on the Salary Pay Schedule of the District; and

WHEREAS, the hourly rate paid to Chris DeGabriele will be \$125.16 per hour; and


WHEREAS, Chris DeGabriele 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.

NOW THEREFORE IT IS HEREBY RESOLVED that the Las Gallinas Valley Sanitary District hereby certifies the nature of the employment of Chris DeGabriele as described herein and detailed in the attached employment agreement document and that this appointment is necessary to fill the critically needed position of General Manager for the Las Gallinas Valley Sanitary District by January 31, 2022 because there is a need to fill the vacant position to prevent stoppage of public business while the executive search is underway.

* * * * *

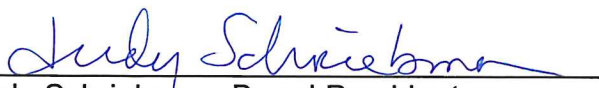
I hereby certify that the forgoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on January 20, 2022, by the following vote of the members thereof:

AYES, and in favor thereof, Members: *Clark, Ford, Murray, Schriebman, Yeaman.*
NOES, Members: *None.*
ABSTAIN, Members: *None.*
ABSENT, Members: *None.*



Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:



Judy Schriebman, Board President
Las Gallinas Valley Sanitary District

(SEAL)

