

**MINUTES OF THE FOWLER CITY COUNCIL  
SPECIAL MEETING  
DECEMBER 15, 2020**

Mayor Cardenas called the meeting to order at 6:00 p. m. Roll call was taken.

Councilmembers Present: Cardenas, Rodriquez, Kazarian, Mejia, and Parra (via teleconference)

City Staff Present: City Manager Davis, City Attorney Cross, Deputy City Clerk Burrola

**ADOPTION OF RESOLUTION NO. 2485**

City Manager Davis said that as discussed at a previous Council meeting, she planned to retire on December 30, 2020. The Council asked that she continue working either by an extension of her contract, or by working as a retired annuitant, until the recruitment process for a new city manager was complete. Ms. Davis stated that she wished to stay with the December 30th retirement date and continue working as a retired annuitant.

City Attorney Cross explained the rules under the California Public Employees' Retirement law (CalPERS) for retirees to return to work. Government Code section 7522.56(f) provides that a retired person shall not be eligible to be employed pursuant to Section 7522.56 for a period of 180 days following the date of retirement unless the retiree's appointment is necessary to fill a critically needed position before the 180 day waiting period has passed. He said the appointment for Ms. Davis to return as a retired annuitant is necessary to immediately fill the critically needed vacant position of City Manager, effective December 31, 2020, therefore, pursuant to Government Code section 7522.56(f)(1), the 180-day wait period shall not apply to this appointment. As a retired annuitant, Ms. Davis will be receiving her current monthly salary for the City Manager position and no other benefits, compensation or incentives, pursuant to CalPERS regulations.

Councilmember Kazarian made a motion to approve resolution No. 2485, "A Resolution of the City Council of the City of Fowler appointing Jeannie Davis as a Retired Annuitant Pursuant to Government Code Section 21221(h) and clarifying the Exception to the 180-day Waiting period for Appointment", seconded by Mayor Pro-Tem Rodriquez. The motion carried by roll call vote: Ayes: Kazarian, Rodriquez, Cardenas, Mejia, and Parra. Noes: None. Abstain: None. Absent: None.

**APPOINT BRIAN HAMMER TO THE PLANNING COMMISSION**

Mayor Cardenas recommended appointing Brian Hammer to fill the vacancy of the Planning Commission due to the expiring of Gary Mukai's term. Councilmember Parra made a motion to approve the appointment, seconded by Councilmember Kazarian. The motion carried by roll call vote: Ayes: Parra, Kazarian, Cardenas, Parra, and Rodriquez. Noes: None. Abstain: None. Absent: None.

## **ADJOURNMENT**

Having no further business, Councilmember Kazarian made a motion, seconded by Mayor Pro-Tem Rodriguez to adjourn. The motion carried and the meeting adjourned at 6:22 p.m.