



COUNCIL REPORT

DATE: January 24, 2023

CATEGORY: New Business

DEPT.: Human Resources

TITLE: **Resolution Appointing a Retired Annuitant as Interim Police Chief Under Government Code Section 21221(h)**

RECOMMENDATION

Adopt a Resolution of the City Council of the City of Mountain View Appointing Max Bosel as an Interim Police Chief Under Government Code Section 21221(h), to be read in title only, further reading waived (Attachment 1 to the Council report).

BACKGROUND

Police Chief Chris Hsiung is retiring on February 10, 2023, after 28 years of service with the City of Mountain View. The recruitment and selection process for a successor Police Chief is currently being conducted, and a regular appointment is expected in spring 2023. It is necessary to appoint an interim Police Chief to serve in this role until the appointment of Chief Hsiung's successor.

ANALYSIS

The Police Chief position requires specialized knowledge and experience working in a sworn capacity to manage the Police Department operations, develop policies and programs, and continue the Department's commitment to protect and serve the Mountain View community. Mr. Bosel has unique and specialized experience and qualifications in the policing profession to serve as Interim Police Chief until the City Manager appoints a permanent successor.

As the City contracts with the Public Employees Retirement System (CalPERS), Mr. Bosel is a CalPERS retired annuitant. Under California Government Code (GC) 21221(h), retired annuitants with specialized skills may be appointed by the governing body to a vacant position on an interim basis while the agency is actively recruiting to fill the vacancy. The retired annuitant is also required to reach normal retirement age at separation and a 180-day waiting period before a retired annuitant can be employed by a CalPERS agency unless the nature of the employment meets one of the exceptions and is approved via resolution by the governing body. In this case, Mr. Bosel meets the aforementioned CalPERS requirements to be appointed to an interim position.

Staff recommends appointing Mr. Bosel as Interim Police Chief with an hourly rate of \$164.74, effective February 10, 2023. Mr. Bosel will not receive any other benefits, incentives, or compensation in lieu of benefits, or other form of compensation in addition to this hourly pay rate.

FISCAL IMPACT

Funding for this interim assignment is available in the Police Department’s budget due to salary savings from vacancies, and no additional funding is required. No benefits would be provided with this appointment.

ALTERNATIVES

1. Do not certify the nature of Mr. Bosel’s employment to fill the Police Chief on an interim basis.
2. Provide other direction.

PUBLIC NOTICING—Agenda posting.

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Approved by:

Kimbra McCarthy
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Attachment: 1. Resolution