



DATE: December 14, 2021

CATEGORY: New Business

DEPT.: Human Resources

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

RECOMMENDATION

Adopt a Resolution of the City Council of the City of Mountain View Appointing Jannie Quinn as an Interim City Attorney under Government Code Section 21221(h), to be read in title only, further reading waived (Attachment 1 to the Council report).

BACKGROUND

City Attorney Krishan Chopra announced his retirement from the City of Mountain View effective December 30, 2021 after 12 years of service with the City. The recruitment and selection process for a successor City Attorney is currently being conducted by Teri Black and Company and is expected to be completed in spring 2022. It is necessary to appoint an interim City Attorney to serve until the appointment of Mr. Chopra's successor.

The City Attorney position requires extensive knowledge and experience as a municipal attorney to advise the City Council, boards, commissions, and City officials in matters of law related to the conduct of City business. Jannie Quinn retired on August 2, 2019 from her position as City Attorney after 24 years of service with the City of Mountain View. Ms. Quinn has the experience and qualifications to serve as interim City Attorney until the City Council can fill the position on a permanent basis.

ANALYSIS

As the City contracts with the Public Employees Retirement System (CalPERS), Ms. Quinn is a CalPERS retired annuitant. Under California Government Code 21221(h), retired annuitants with specialized skills may be appointed by a governing body to a vacant position on an interim basis while the agency is actively recruiting to fill the vacancy. The retired annuitant is required to have reached normal retirement age at the time of separation. In addition, there must be a 180-day waiting period after retirement before the 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, Ms. Quinn meets the aforementioned CalPERS requirements to be appointed to an interim position.

Staff recommends appointing Ms. Quinn as Interim City Attorney with an hourly rate of \$144.231 effective January 3, 2022. Ms. Quinn will not receive any other benefit, incentive, compensation in lieu of benefit, or other form of compensation in addition to this hourly pay rate.

FISCAL IMPACT

Funding for this interim assignment is available in the City Attorney's Office's budget due to salary savings, and no additional funding is required. No benefits will be provided with this appointment.

ALTERNATIVES

1. Do not certify the nature of Ms. Quinn's employment to fill the City Attorney on an interim basis.
2. Provide other direction.

PUBLIC NOTICING – Agenda posting.

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Attachment: 1. Resolution