

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of October 5, 2021

Resolution No. _____ for exception to the 180-day wait period Government Code Sections 7522.56 And 21224

WHEREAS, in compliance with Government Code section 7522.56 the Humboldt County Board of Supervisors must provide California Public Employees Retirement System (CalPERS) this certification resolution when hiring a retiree before 180 days has passed since his retirement; and

WHEREAS, Robert Nickell retired from the Humboldt County Agricultural Commissioner's Office in the position as Senior Agricultural/Weights and Measures Inspector, effective September 3, 2021; and

WHEREAS, Section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is March 2, 2022, without this certification resolution; and

WHEREAS, Section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

WHEREAS, the Humboldt County Board of Supervisors, the Humboldt County Agricultural Commissioner's Office and Robert Nickell certify that Robert Nickell has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the Humboldt County Board of Supervisors hereby appoints Robert Nickell as an extra help retired annuitant to perform the duties of the Senior Agricultural/Weights and Measures Inspector for the Agricultural Commissioner's Office under Government Code section 21224, effective October 5, 2021; and

WHEREAS, the entire employment agreement, contract or appointment document between Robert Nickell and the Agricultural Commissioner's Office has been reviewed by this body and is included herein; and

WHEREAS, no matters, issues, terms or conditions related to this employment appointment have been or will be placed on a consent calendar; and

WHEREAS, the employment shall be limited to 960 hours per fiscal year; 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 an hourly rate; and

WHEREAS, the maximum base monthly salary for this position is \$5,562.62 and the hourly equivalent is \$32.09, and the minimum base monthly salary for this position is \$4,334.87 and the hourly equivalent is \$25.01; and

WHEREAS, the hourly rate paid to Robert Nickell will be \$32.09; and

WHEREAS, Robert Nickell 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, BE IT RESOLVED that the Humboldt County Board of Supervisors hereby certifies the nature of the appointment of Robert Nickell as described herein and detailed in the attached agenda item titled "Temporary Employment of Retired Annuitant as Senior Agricultural/Weights and Measures Inspector for the Agricultural Commissioner's Office", is necessary to fill the critically needed position of Senior Agricultural/Weights and Measures Inspector for the Agricultural Commissioner's Office by October 5, 2021 because Robert Nickell has unique knowledge and skills related to the Commissioner/Sealer's Office and will be able to perform large commercial device inspections and provide training to staff.

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Dated: October 5, 2021

Virginia Bass, Chair

Humboldt County Board of Supervisors

Adopted on motion by Supervisor _____ seconded by Supervisor

and the following vote:

AYES: Supervisors

NAYS: Supervisors

ABSENT: Supervisors

ABSTAIN: Supervisors

STATE OF CALIFORNIA)

County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

By Tracy Damico

Deputy Clerk of the Board of Supervisors

County of Humboldt, State of California