

RESOLUTION NO. 2023- 8856 \_\_\_\_\_

**ADOPT RESOLUTION APPOINTING JOHN CUNNINGHAM, RETIRED ANNUITANT, AS  
THE INTERIM DIRECTOR OF BUILDING SERVICES FOR BUILDING DEPARTMENT  
GOVERNMENT CODE SECTION 21221(h)**

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 Plumas County Board of Supervisors desires to appoint John Cunningham as an interim appointment retired annuitant to the vacant position of Director of Building Services under Gov. Code section 21221(h), effective October 3, 2023; and

WHEREAS, the Plumas County Board of Supervisors certify that John Cunningham 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, the governing body has authorized the search for a permanent appointment on September 20, 2023; and

WHEREAS, this Gov. Code section 21221(h) appointment shall only be made once and therefore will end on June 15, 2024 (termination date of appointment); and

WHEREAS, the entire employment agreement, contract or appointment document between John Cunningham 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 hourly rate paid to John Cunningham will be \$57.13; and

WHEREAS, John Cunningham 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; and

THEREFORE, BE IT RESOLVED THAT the Plumas County Board of Supervisors hereby certifies the nature of the employment of John Cunningham as described herein and detailed in the attached Personnel Action Form (PAF) and that this appointment is necessary to fill the critically needed position of Director of Building Services by October 3, 2023 due to Director of Building Services vacancy, it is imperative to temporarily fill this position with John

Cunningham as a retired annuitant. This position may be a challenge to fill due to the qualifying requirements to fill this position.

The foregoing Resolution is duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on the 3rd day of October, 2023 by the following vote:

AYES: Supervisors Ceresola, McGowan, Goss, Engel and Hagwood

NOES:

ABSENT:

  
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Greg Hagwood Chairperson, Board of Supervisors

ATTEST:

  
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Kristina Rogers, Deputy Clerk of the Board