

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
GLENDALE APPOINTING GREGORY FISH AS INTERIM FIRE
CHIEF PURSUANT TO GOVERNMENT CODE SECTION
21221(h)**

WHEREAS, Government Code Section 21221(h) addresses the temporary employment of retirees in accordance with the Public Employees' Retirement Law, as administered by the California Public Employees' Retirement System (CalPERS), and permits the City Council to appoint a retired annuitant 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 position of Fire Chief for the City of Glendale will become vacant at 11:59 p.m. on February 29, 2024; and

WHEREAS, during the recruitment, selection and final employment of a permanent Fire Chief, the City Council desires to appoint Gregory Fish as an interim appointment retired annuitant to the vacant position of Fire Chief for the City under Government Code section 21221(h), effective March 1, 2024, to provide the leadership, managerial and organizational skills necessary to manage the Fire Department effectively and efficiently; and

WHEREAS, Gregory Fish has many years of fire management experience with an extensive history in leading and managing public fire departments, including previously serving as Fire Chief for the City and the Carpinteria-Summerland Fire District, and is currently serving as acting Fire Chief for the City; and

WHEREAS, an appointment under Government Code section 21221(h) requires an active, publicly posted recruitment for a permanent replacement; and

WHEREAS, the City is actively recruiting for this vacancy and needs to fill the position on a temporary basis to prevent stoppage of public business until a permanent replacement is hired; and

WHEREAS, the current status of this recruitment is as follows: the City Manager has appointed, and the Council has approved the appointment of, Gregory Fish to the permanent position of Fire Chief effective March 1, 2024 or upon CalPERS' approval of Gregory Fish's application for reinstatement from retirement, whichever occurs later; and

WHEREAS, it is understood by the City and Gregory Fish that he will serve as Fire Chief on an interim basis, immediately following his appointment as acting Fire Chief,

pending the acceptance of his application of his reinstatement and commencement of service to the permanent position of Fire Chief; and

WHEREAS, this Government Code Section 21221(h) appointment shall only be made once and therefore will end on the date immediately preceding the date on which the permanent appointment to the vacant position of Fire Chief for the City commences his or her employment or, if earlier, the date that this appointment is terminated by the City or Gregory Fish; and

WHEREAS, it is understood by the City and Gregory Fish that the combined total hours to be served by Gregory Fish in any fiscal year, for all positions and for all CalPERS employers combined, shall not exceed the 960-hour limitation set forth in California Government Code Section 21221(h) and Section 7522.56(d); 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, minimum the minimum hourly rate for the Fire Chief position is \$106.28, and the maximum hourly rate for this position is \$144.22; and

WHEREAS, the hourly rate to be paid to Gregory Fish for his services as Fire Chief on an interim basis is \$144.22, subject to any subsequent adjustment to the payrate as adopted by the City Council; and

WHEREAS, Gregory Fish has not and will not receive any other benefit, incentive, compensation in lieu of benefit or any other form of compensation in addition to this hourly pay rate; and

WHEREAS, pursuant to Government Code Section 7522.56(e)(1), Gregory Fish must certify in writing to the City of Glendale, upon accepting an offer of employment, that he has not received any unemployment insurance compensation arising out of prior employment with a public employer that is subject to Section 7522.56 during the 12-month period preceding the effective date of this appointment.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Glendale, California as follows:

Section 1. The Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

Section 2. Gregory Fish has the specialized skills needed to perform the work required of fulfill the responsibilities of the vacant position of Fire Chief on an interim basis until a permanent Fire Chief is appointed and thereafter begins his or her service.

Section 3. The Council hereby appoints Gregory Fish as Fire Chief on an interim basis effective March 1, 2024 pursuant to the authority provided under Government Code sections 21221(h), during the recruitment, selection and employment of a permanent Fire Chief, to provide the critically-needed, specialized skills necessary to manage the Fire Department.

ADOPTED by the Council of the City of Glendale, California on the ____ day of February, 2024, by the following vote:

Mayor

ATTEST:

City Clerk

STATE OF CALIFORNIA)
) SS
COUNTY OF LOS ANGELES)

I, Suzie Abajian, PhD, Clerk of the City of Glendale, certify that the foregoing Resolution No. _____ was adopted by the Council of the City of Glendale, California, at a regular meeting held on the _____ day of _____, 2024, and that same was adopted by the following vote:

Ayes:

Noes:

Absent:

Abstain:

City Clerk