



## CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

### AGENDA ITEM

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Report: Appointment of Interim General Manager of Glendale Water & Power

1. Resolution Finding the Position of General Manager of Glendale Water & Power to be Available Due to a Leave of Absence Pursuant to Government Code Section 21221(g) and Appointing Manny Robledo as Acting General Manager of Glendale Water & Power
2. Resolution of the City Council of the City of Glendale Appointing Manny Robledo as Interim General Manager of Glendale Water & Power Pursuant to Government Code Section 21221(h)

### COUNCIL ACTION

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**Item Type:** Action Item

**Approved for** July 30, 2024 **calendar**

### EXECUTIVE SUMMARY

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Staff seeks the Council's approval of CalPERS retired annuitant Manny Robledo to serve as General Manager of Glendale Water & Power on an acting basis pursuant to Government Code Section 21221(g) to be followed by an interim appointment pursuant to Government Code Section 21221(h).

## **RECOMMENDATION**

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That the Council approve the appointment of Manny Robledo as the General Manager of Glendale Water & Power, on an acting and interim basis, pursuant to Government Code Sections 7522.56 and 21221, subdivisions (g) and (h), and approve an employment agreement.

## **ANALYSIS**

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Effective October 2, 2024, there will be a vacancy in the General Manager position of Glendale Water & Power (GWP) as the incumbent will be retiring effective October 2, 2024. Additionally, the incumbent will be utilizing vacation leave time through October 1, 2024. The City Manager recommends that the City Council appoint Manny Robledo, a CalPERS retired annuitant, as the Acting General Manager effective August 5, 2024 while the City conducts a recruitment for a new General Manager. Mr. Robledo previously served as the Director of Utilities for the City of Azusa, and has significant prior experience in electric operations and integrated resource planning with the City of Anaheim and the Southern California Public Power Authority (SCPPA).

Mr. Robledo is a CalPERS retiree and would be employed by the City as a retired annuitant under CalPERS regulations. The California Government Code regulates compensation for retired annuitants and defines specific rules for appointment. Specifically, as he will be initially appointed while Mr. Young is still employed by the City, the Council must find under Government Code Section 21221(g) that the position is available due to a leave of absence.

Further, once the position becomes vacant, his appointment must also comply with Government Code Section 21221(h). In accordance with this section, the appointment of a retired annuitant to an executive level position is permissible if it is made during the recruitment for a permanent appointment to the position and it is approved by the governing body of the employer in a public meeting.

Further, compensation during the both appointments cannot be less than the minimum nor exceed the maximum hourly equivalent of the monthly base salary paid to other employees performing comparable duties as listed in the publicly available pay schedule for the agency. Additionally, the retired annuitant must not receive any benefit, incentive, compensation in lieu of benefits, or other form of compensation in addition to the hourly pay rate. The salary range for General Manager of GWP listed on the City's publicly available pay schedule lists an equivalent to a minimum hourly rate of \$102.77 per hour and a maximum hourly rate of \$152.29 per hour. The City will pay Mr. Robledo at the rate of \$152.29 per hour

In addition, both appointments under Government Code Sections 21221(g) and (h) are limited to 960 hours in a fiscal year for all retired annuitant positions with any CalPERS employers. Government Code Section 20220 also requires the enrollment of a retired annuitant in CalPERS solely for recordkeeping purposes and the reporting of retired annuitant hours within 30 days of the end of a pay period.

Staff recommends making the acting appointment pursuant to Government Code Section 21221(g) effective August 5, 2024 based on the specialized skills possessed by Manny Robledo and allowing him to serve the City as its Acting General Manager of Glendale Water & Power until the position becomes vacant for reasons other than a leave of absence, not to exceed one year. To ensure continuity in operations, and in the event that recruitment for a regular appointment continues, staff further recommends that City Council appoint Manny Robledo as Interim General Manager of Glendale Water & Power, pursuant to Government Code Section 21221(h), effective October 2, 2024, until permanent General Manager begins his or her employment or until Mr. Robledo works for 960 hours in a fiscal year, whichever comes first, unless earlier terminated by either Mr. Robledo or the City. Recruitment must remain active for the duration of the Government Code Section 21221(h) appointment.

Staff recommends approval of an employment agreement with Mr. Robledo documenting the terms of employment and compliance with the applicable provisions of the PERS law including Government Code Sections 7522.56, 20220 and 20221.

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#### **STAKEHOLDERS/OUTREACH**

Not applicable

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#### **FISCAL IMPACT**

Mr. Robledo will serve a maximum of 960 hours at an hourly rate of \$152.29, which totals \$146,198.40. No other costs associated with benefits will accrue under Mr. Robledo's employment agreement. GWP can absorb this cost.

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#### **ENVIRONMENTAL REVIEW (CEQA/NEPA)**

This action involves an administrative activity not subject to the California Environmental Quality Act.

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#### **CAMPAIGN DISCLOSURE**

This item is exempt from campaign disclosure requirements.

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#### **ALTERNATIVES TO STAFF RECOMMENDATION**

1. Council can choose not to appoint Mr. Robledo as Acting General Manager of Glendale Water & Power pursuant to Government Code Section 21221(g), followed by an appointment as Interim General Manager of Glendale Water & Power pursuant to Government Code Section 21221(h) when the position becomes vacant for reasons other than a leave of absence.

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#### **ADMINISTRATIVE ACTION**

**Submitted by:**

Michael J. Garcia, City Attorney

**Prepared by:**

Michael J. Garcia, City Attorney

**Approved by:**

Roubik R. Golanian, P.E., City Manager

**EXHIBITS/ATTACHMENTS**

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1. Employment Agreement