

1 RESOLUTION NO. RES-18-0124

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH APPROVING THE EXCEPTION  
5 TO THE 180-DAY WAIT PERIOD PURSUANT TO  
6 GOVERNMENT CODE SECTIONS 7522.56 AND 21224  
7 FOR RETIRED ANNUITANT MONTE H. MACHIT  
8

9 WHEREAS, in compliance with Government Code (GC) Section 7522.56  
10 the City of Long Beach must provide CalPERS this certification resolution when hiring a  
11 retiree before 180 days has passed since his or her retirement date; and

12 WHEREAS, Monte H. Machit, CalPERS ID 3502309340, will retire from the  
13 City of Long Beach in the position of Assistant City Attorney, effective September 7,  
14 2018; and

15 WHEREAS, Government Code Section 7522.56 requires that post-  
16 retirement employment commence no earlier than 180 days after the retirement date,  
17 which is March 6, 2019, without this certification resolution; and

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

21 WHEREAS, the City Council, the City Attorney, the City of Long Beach and  
22 Monte H. Machit certify that Monte H. Machit has not and will not receive a Golden  
23 Handshake or any other retirement-related incentive; and

24 WHEREAS, the City Attorney with City Council approval hereby appoints  
25 Monte H. Machit as an extra help retired annuitant to perform the duties of a Principal  
26 Deputy City Attorney for the City of Long Beach under Government Code Section 21224,  
27 effective September 25, 2018; and

28 WHEREAS, no matters, issues, terms or conditions related to this

1 employment and appointment have been or will be placed on a consent calendar; and

2 WHEREAS, the employment shall be limited to 960 hours per fiscal year;

3 and

4 WHEREAS, the compensation paid to retirees cannot be less than the  
5 minimum nor exceed the maximum monthly base salary paid to other employees  
6 performing comparable duties, divided by 173.333 to equal the hourly rate; and

7 WHEREAS, the maximum base salary for this position is \$25,000.00  
8 monthly and the hourly equivalent is \$144.231, and the minimum base salary for this  
9 position is \$4,000.00 monthly and the hourly equivalent is \$23.076; and

10 WHEREAS, at the direction of City Council, the hourly rate paid to Monte H.  
11 Machit as a retired annuitant will be \$109.545; and

12 WHEREAS, Monte H. Machit has not and will not receive any other benefit,  
13 incentive, compensation in lieu of benefit or other form of compensation in addition to this  
14 hourly pay rate; and

15 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
16 follows:

17 Section 1. The City Council hereby certifies the nature of the  
18 appointment of Monte H. Machit as described herein and detailed in the attached  
19 appointment letter and that this appointment is necessary to fill the critically needed  
20 position of Principal Deputy City Attorney for the City of Long Beach by September 25,  
21 2018, for the purpose of overseeing several critical pending civil trials and related  
22 projects. Mr. Machit will represent the City in several pending civil lawsuits, negotiations  
23 and settlements.

24 Section 2. Mr. Machit is qualified to oversee these projects and has  
25 acquired the relevant experience and specialized skills from his employment with the City  
26 as the Assistant City Attorney. He has over 20 years of service with the City working in  
27 City Attorney's office. As a result of his expertise, he has successfully overseen many  
28 trials, negotiations and settlements. The effective date of this appointment will be

1 September 25, 2018;

2 Section 3. The compensation for retired annuitant Monte H. Machit will  
3 be \$109.545 per hour; and

4 Section 4. This resolution shall take effect immediately upon its adoption  
5 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

6 I hereby certify that the foregoing resolution was adopted by the City  
7 Council of the City of Long Beach at its meeting of August 21, 2018, by the following  
8 vote:

9  
10 Ayes: Councilmembers: Pearce, Price, Supernaw,  
11 Andrews, Uranga, Richardson.

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13  
14 Noes: Councilmembers: None.

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16 Absent: Councilmembers: Gonzalez, Mungo, Austin.

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19   
20 City Clerk

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