

SAUSALITO-MARIN CITY SANITARY DISTRICT

RESOLUTION NO. 973

**A RESOLUTION CERTIFYING THE NATURE OF AND NEED FOR THE
POST-RETIREMENT APPOINTMENT OF ROBERT SIMMONS BEFORE 180 DAYS
PASSES AFTER SIMMONS' RETIREMENT**

RESOLVED, by the Board of Sausalito-Marín City Sanitary District, Marin County, CA that:

WHEREAS, the Board of Directors of the Sausalito-Marín City Sanitary District ("SMCSD") has determined that Robert Simmons ("Simmons"), who is currently employed as General Manager of SMCSD but has stated his intention to retire effective February 1, 2013, has specialized skills needed to perform work for SMCSD after his retirement for a limited duration;

WHEREAS, pursuant to Government Code section 7522.56(f)(1), the Board of Directors of SMCSD certifies that Simmons' appointment is necessary to perform critically needed tasks before 180 days passes after Simmons' retirement on February 1, 2013.

WHEREAS, pursuant to Government Code section 7522.56(f)(1), the Board also certifies the nature of Simmons' post-retirement appointment shall include engineering assistance and work on various special projects including, but not limited to:

1. Beach Force Main Abandonment,
2. Design of the Headwork's, Primary and Secondary Improvement project and National Park Service right of way easement renewal,
3. Design of the Highway Booster Sewer Pump Station and Scotties Wet Weather pump station,
4. Revision of the City of Sausalito service agreement,
5. Implementation of the TCSD service agreement, and
6. Development of the next 10-year CIP plan.

Simmons may also work on other projects as assigned by the General Manager.

WHEREAS, the Board has determined as follows:

- Assuming Simmons retires effective February 1, 2013, Simmons' post-retirement appointment shall commence as of February 4, 2013 and shall not exceed 960 hours in a fiscal year;
- Simmons' post-retirement hourly rate of pay shall be \$84/hour which is approximately equivalent to his current hourly rate of pay in his position as General Manager;
- Simmons shall receive no other compensation or benefits other than the above-stated hourly rate of pay;
- Simmons shall be required to submit to SMCSD an invoice listing his hours worked on a bi-weekly basis;
- SMCSD shall monitor Simmons' hours to ensure that he does not exceed 960 hours in a fiscal year;

- Simmons has not been provided a retirement incentive upon his retirement; and
- Simmons has certified in writing that he shall not apply for unemployment insurance compensation arising out of his SMCSD employment and does not expect to receive any unemployment insurance compensation arising out of his SMCSD employment after he retires effective February 1, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors that Simmons shall be appointed to a limited duration position, effective February 4, 2013, after he has retired from his position as General Manager, under the conditions set forth above.

I certify that the foregoing Resolution was duly and regularly adopted by the Board of Directors of the Sausalito-Marin City Sanitary District, Marin County, California, at a public meeting held on January 7, 2013 by the following vote:

AYES, and in favor thereof, Directors: Arnott, Beers, Gergus, Rheiner, Ring

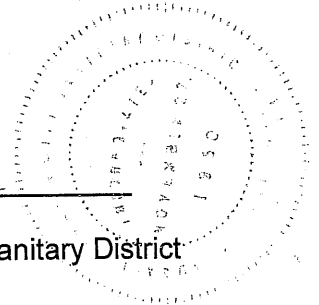
NOES, Directors:

ABSTAIN, Directors:

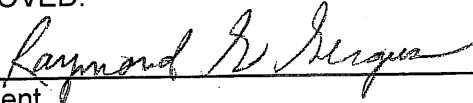
ABSENT, Directors:



Secretary
Sausalito-Marin City Sanitary District



APPROVED:



President