

## RESOLUTION R2019-\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO TEMPORARILY EXTEND THE TERM OF AN OVERFILLED COMMUNITY DEVELOPMENT DIRECTOR POSITION DURING TRANSITIONAL SERVICES FOR COMPLEX PROJECTS, TO ALLOW FORMER COMMUNITY DEVELOPMENT DIRECTOR RICK TOOKER TO PROVIDE ON-CALL ADVISORY SERVICES TO THE CITY MANAGER, IN RETURN FOR LIMITED COMPENSATION IN THE FORM OF HEALTH AND DENTAL BENEFITS

WHEREAS, pursuant to Resolution R2017-092, the City Manager is authorized to hire City employees to fill temporary position allocations, in anticipation of the resignation of an incumbent employee, for a period of up to 180 days; and

WHEREAS, in anticipation of the planned resignation of Rick Tooker from the position of Community Development Director (with his last day in the office being October 31, 2018, with paid leave benefits through February 8, 2019), the City Manager hired the current Community Development Director, Vin Smith, with an effective hire date of January 12, 2019; and

WHEREAS, in order to assist the City in transitioning complex community projects, former Community Development Director Rick Tooker has agreed to provide on-call advisory services to the City Manager for a temporary period through October 6, 2019 (which exceeds the 180-day limit of R2017-092) under the terms summarized in this resolution; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

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

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.

2. The City Council hereby authorizes the City Manager to establish a temporary position allocation for former Community Development Director Rick Tooker to provide on-call advisory services to the City Manager through October 6, 2019, under the terms summarized in this resolution.

3. The City Council hereby authorizes the City Manager to document the terms by which the City will compensate Mr. Tooker for the on-call advisory services,

through the City's payment of premiums for health and dental benefits at the family premium rate, which are currently \$1,821.65 per month for Kaiser health benefits and \$137.43 per month for Delta Dental dental benefits. Since the City estimates that Mr. Tooker's on-call advisory services will be at least 10 hours per week, the compensation paid by the City for health and dental benefits will be equivalent to approximately \$51.43 per hour of service. The City will not pay any other form of compensation to Mr. Tooker for the on-call advisory services (e.g., salary, leave accruals, life insurance, alternative retirement benefits, or CalPERS service credit).

4. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 5th day of February 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_

Tiffany Carranza  
City Clerk

Approved as to form:

\_\_\_\_\_  
Michael W. Barrett  
City Attorney