

RESOLUTION NO. 2019-075

**A RESOLUTION OF THE COUNCIL OF THE CITY
OF SAN BUENAVENTURA APPOINTING KEN
CORNEY AS INTERIM POLICE CHIEF UNDER
GOVERNMENT CODE SECTIONS 21221(h) and
7522.56**

WHEREAS, Ken Corney [Corney] will be retiring from his employment with the City of San Buenaventura in the position of Police Chief effective December 30, 2019, meaning that the Police Chief position will be vacant as of December 31, 2019; and

WHEREAS, the City of San Buenaventura has authorized and is in the process of recruiting for a permanent Police Chief (a position that requires specialized skills), a process which is expected to take several months; and

WHEREAS, the City of San Buenaventura needs to fill the position of Police Chief on an interim basis before a permanent appointment is made, and

WHEREAS, Corney, who will be a retired annuitant beginning December 31, 2019, will at that time qualify to fill the position of Interim Police Chief pursuant to Government Code §21221(h) and 7522.56 as follows:

Government Code §21221(h) [interim appointments]

- Corney has specialized skills in the field of police management
- Corney will only be appointed once to the position of Interim Police Chief for a period of limited duration
- Corney's hours shall not exceed a combined total of 960 for all CalPERS employers during the 2019-2020 fiscal year beginning January 1, 2020, or a combined total of 960 hours for all CalPERS employers during the 2020-2021 fiscal year
- Corney's compensation shall not exceed the maximum monthly base salary paid to other employees performing comparable duties, that being \$120.0590 per hour
- Corney shall not receive any benefits, incentives, compensation in lieu of benefits, or any other forms of compensation in addition to the hourly rate

Government Code §7522.56 [hiring retired annuitants]

- Corney has skills needed to perform work of limited duration
- Corney's hours shall not exceed a combined total of 960 for all CalPERS employers during the 2019-2020 fiscal year beginning January 1, 2020, or a combined total of 960 hours for all CalPERS employers during the 2020-2021 fiscal year

-- Corney's compensation shall not be less than the minimum (\$89.5955) or exceed the maximum (\$120.0590) monthly base salary paid to other employees performing comparable duties

-- Corney will not have received any unemployment insurance compensation during the twelve month period prior to his appointment

-- Corney will not be a retired annuitant for more than 180 days, but does not need to be so, as he is a public safety officer [see Government Code §7522.56(f)(4)], and has not and will not accept a retirement incentive upon retirement, and

WHEREAS, the City of San Buenaventura desires to hire Corney for the position of Interim Police Chief for the period of January 1, 2020 to a date not beyond September 30, 2020, and

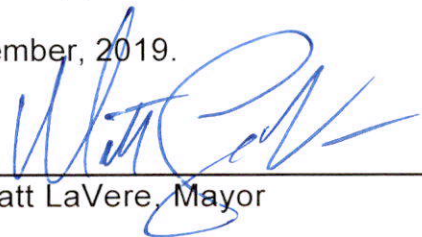
WHEREAS, Corney has agreed to fill the position of Interim Police Chief under the terms detailed above and as confirmed in the attached appointing document

BE IT RESOLVED by the Council of the City of San Buenaventura as follows:

SECTION 1. The City Council of the City of San Buenaventura hereby appoints Ken Corney to the position of Interim Police Chief for the period commencing January 1, 2020 to a date not beyond September 30, 2020.

SECTION 2. The appointment of Ken Corney is hereby certified to comply with the requirements of Government Code §21221(h) and §7522.56.

PASSED AND ADOPTED this 9th day of December, 2019.



Matt LaVere, Mayor

ATTEST

Antoinette M. Mann, MMC, CRM
City Clerk

APPROVED AS TO FORM
Gregory G. Diaz, City Attorney

By:  12/2/19

Andy H. Viets
Senior Assistant City Attorney

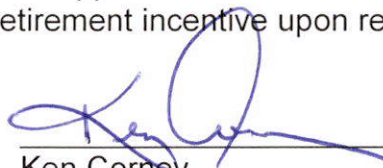
CITY OF SAN BUENAVENTURA
Appointing Document

Position: Interim Police Chief
Salary: \$120.0590 per hour
Period: January 1, 2020 to a date no later than September 20, 2020

I, Ken Corney, here by agree and represent as follows:

1. I am currently the Police Chief for the City of San Buenaventura. I will be retiring from that position with an effective date of December 30, 2019.
2. I am willing to fill the position of Interim Police Chief for the City of San Buenaventura beginning January 1, 2020 with an end date no later than September 30, 2020.
3. During the remainder of fiscal year 2019-2020 beginning January 20, 2020, I will not work a total of more than 960 hours for all CalPERS employers. During fiscal year 2020-2021, I will not work a total of more than 960 hours for all CalPERS employers.
4. I will not have received any unemployment insurance compensation during the twelve month period prior to this appointment
5. I have not and will not accept a retirement incentive upon retirement.

Date: 12/12/19



Ken Corney

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS.
CITY OF SAN BUENAVENTURA)


I, ANTOINETTE M. MANN, City Clerk of the City of San Buenaventura, DO HEREBY CERTIFY that the foregoing is a full, true, and correct copy of Resolution No. 2019-075 which was duly and regularly passed and adopted by said City Council at a regular meeting held December 9, 2019, by the following vote:

AYES: Councilmembers Nasarenko, Brown, Friedman, Weir, Heitmann, Deputy Mayor Rubalcava and Mayor LaVere

NOES: None

ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Buenaventura, California.


for _____
Antoinette M. Mann, City Clerk
City of San Buenaventura, California

12.12.2019

Date Attested

