

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA
CERTIFYING THE NEED FOR THE INTERIM EMPLOYMENT OF MATTHEW CLARK AS
AN ACADEMY INSTRUCTOR – EXTRA HELP IN THE COUNTY OF SANTA CLARA OFFICE
OF THE SHERIFF PRIOR TO THE END OF THE 180-DAY WAITING PERIOD, TO FILL A
CRITICALLY NEEDED POSITION**

WHEREAS, in compliance with Government (Gov.) Code section 7522.56 of the Public Employees' Retirement Law, the Board of Supervisors of the County of Santa Clara must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since their retirement date;

WHEREAS, Matthew Clark retired from the County of Santa Clara in the position of Deputy Sheriff, effective January 2, 2024;

WHEREAS, Gov. Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is July 1, 2024 without this certification resolution;

WHEREAS, Gov. Code section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive;

WHEREAS, the Board of Supervisors, County of Santa Clara, and Matthew Clark certify that Matthew Clark has not and will not receive a Golden Handshake or any other retirement-related incentive;

WHEREAS, the Board of Supervisors hereby appoints Matthew Clark as an extra help retired annuitant to perform the duties of the Academy Instructor - Extra Help for the County of Santa Clara under Gov. Code section 21224, effective April 16, 2024;

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar;

WHEREAS, the employment shall be limited to 960 hours per fiscal year for all CalPERS employers;

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

WHEREAS, the maximum base salary for this position is \$14,811.33 and the hourly equivalent is \$85.45, and the minimum base salary for this position is \$11,108.41 and the hourly equivalent is \$64.09;

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WHEREAS, the hourly rate paid to Matthew Clark will be \$85.45; and

WHEREAS, Matthew Clark has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Santa Clara hereby certifies the nature of the appointment of Matthew Clark as described herein and that this appointment is necessary to fill the critically needed position of Academy Instructor - Extra Help for the County of Santa Clara by April 16, 2024 because Matthew Clark is currently the only Academy Instructor who can provide the Santa Clara County Sheriff's Office Crisis Intervention Training (CIT) training to Academy students, peace officers, and dispatchers. This CIT training provides Academy students, peace officers, and dispatchers with the skills and knowledge to recognize individuals with mental illness, identify potential mental disorders, and to minimize escalations in contacts with mentally ill individuals.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California on _____, by the following vote:

AYES:

NOES:

ABSENT:

SUSAN ELLENBERG, President
Board of Supervisors

Signed and certified that a copy of this document
has been delivered by electronic or other means
to the President, Board of Supervisors
ATTEST:

CURTIS BOONE
Acting Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:



MICHAEL LEON GUERRERO
Deputy County Counsel