

RESOLUTION NO. 2021 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA APPROVING THE INTERIM CITY MANAGER EMPLOYMENT AGREEMENT FOR SHANNON YAUCHZEE

WHEREAS, Government Code sections 7522.56 and 21221(h) permit the City of Fontana ("City") to appoint a California Public Employees' Retirement System ("CalPERS") retired annuitant to a vacant position requiring specialized skills during recruitment for a permanent appointment, and provides that such appointment will not subject the retired person to reinstatement from retirement or loss of benefits so long as it is a single appointment that does not exceed 960 hours in a fiscal year; and

WHEREAS, the City Council appointed Shannon Yauchzee, a CalPERS retiree, as interim City Manager at its special meeting on September 21, 2021 in conformance with Government Code section 21221(h) subject to approval of an employment agreement; and

WHEREAS, Shannon Yauchzee has extensive experience in managing, directing and overseeing an organization like the City given his prior experience as city manager, most recently for the City of Baldwin Park; and

WHEREAS, an appointment under Government Code Section 21221(h) requires an active, publicly posted recruitment for a permanent replacement; and

WHEREAS, the recruitment for a permanent replacement active and publicly posted on the City's website at <https://www.fontana.org/jobs.aspx>; and

WHEREAS, an employment agreement setting forth the terms of Mr. Yauchzee's appointment as Interim City Manager, a copy of which is incorporated herein as Exhibit A, has been prepared and presented to the City Council for approval.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FONTANA RESOLVES AS FOLLOWS:

SECTION 1. All facts set forth in the background section of this Resolution are true and correct.

SECTION 2. The City Council hereby approves the employment agreement with Shannon Yauchzee, as Interim City Manager.

SECTION 3. The Mayor is authorized to execute said agreement on behalf of the City, with such technical amendments as may be deemed appropriate by the Mayor and City Attorney.

EFFECTIVE DATE: September 28, 2021

APPROVED AND ADOPTED this 28th day of September, 2021.

READ AND APPROVED AS TO LEGAL FORM:

City Attorney

I, Tonia Lewis, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing Resolution is the actual Resolution duly and regularly adopted by the City Council of said City at a regular meeting thereof, held on September 28, 2021, by the following vote to wit:

AYES:

NOES:

ABSENT:

City Clerk of the City of Fontana

Mayor of the City of Fontana

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ATTEST:

City Clerk