

JANUARY 20, 1982

REPORT OF CITY
MANAGER REGARDING
RETIREMENT
PROJECTIONS OF
ADMINISTRATIVE
PERSONNEL

Council received the following report by City Manager Graves regarding retirement projections of Administrative personnel:

"At its meeting of December 9, 1981, the City Council requested that I assess the retirement plans of myself and those of the department heads. I have reviewed my own situation and conducted meetings with each of the department heads in compliance with the City Councils request.

My own plans have not significantly changed. I am tentatively looking at about one more year of City service. While I have not developed any definite post retirement plans, my personal considerations indicate a date around the end of the year. In any event, I can assure the City Council that I will comply its request for six months notice prior to the retirement date.

Marc Yates	Police Chief	November 1985
Don MacLeod	Fire Chief	July 1987
Ed DeBenedetti	Parks and Recreation Director	December 1983
Jerry Glenn	Assistant City Manager	November 1994
Ron Stein	City Attorney	2001
Alice Reimche	City Clerk	January 1995

Council was reminded that at its meeting of December 9, 1981, the City Council requested "that the language of Section 17-2-1 of the City Code be clarified to provide, in as much as possible, adequate advance notice to the City Council of planned retirements of other key personnel". City Manager Graves reported that he had reviewed this request with the City Attorney and concluded that such a provision would be added by ordinance to the code as Section 17-2.2. There is a question as to whether it is appropriate to place this provision in the code in order to achieve the desired purpose. A City Code provision might conflict with the specific provisions of the State inactments governing the same provision thus setting up a legal situation which might have to be dealt with in the courts.

The City Attorney has drafted the following language to satisfy the City Council's request which can be either inacted as an ordinance or as a policy statement:

POLICY STATEMENT
ADOPTED RE ADVANCED
NOTIFICATION OF
RETIREMENT OF KEY
PERSONNEL

"Retirement -

Any department or designated management personnel other than the City Manager, City Attorney, City Clerk and City Treasurer, wishing to retire from service with the City, shall file with the City Manager at least 6 months before retirement, a written notice of intent to retire.

The City Manager, City Attorney, City Clerk, and City Treasurer wishing to retire from service with the City, shall file with the City Council at least 6 months before retirement, a written notice of intent to retire."

Following discussion, Council, on motion of Councilman Hughes, Katnich second, directed that the heretofore set forth language be included in the Administrative Policy Manual of the City of Lodi.

7746

CITY COUNCIL COMMUNICATION

TO THE CITY COUNCIL
FROM THE CITY MANAGER'S OFFICE

DATE
January 18, 1982

NO.

SUBJECT: Retirement of Management Personnel

At its meeting of December 9, 1981, the City Council requested that I assess the retirement plans of myself and those of the department heads. I have reviewed my own situation and conducted meetings with each of the department heads in compliance with the City Councils request.

My own plans have not significantly changed. I am tentatively looking at about one more year of City service. While I have not developed any definite post retirement plans, my personal considerations indicate a date around the end of the year. In any event, I can assure the City Council that I will comply its request for six months notice prior to the retirement date.

I believe it is understandable that retirement dates for department heads will be considerably more tentative because they deal with longer range planning. Accordingly, the following dates are submitted for your information:

<u>Name</u>	<u>Position</u>	<u>Projected retirement date</u>
Jack Ronsko	Public Works Director	January 1995
Fred Wilson	Finance Director	April 1982
Jim Schroeder	Community Development Director	March 1993
Dave Curry	Utility Director	January 1995
Marc Yates	Police Chief	November 1985
Don McLeod	Fire Chief	July 1987
Ed DeBenedetti	Parks & Recreation Director	December 1983
Jerry Glenn	Assistant City Manager	November 1994
Ron Stein	City Attorney	2001
Alice Reimche	City Clerk	January 1995

Henry A. Graves, Jr.
Henry A. Graves, Jr.
City Manager

COUNCIL COMMUNICATION

TO THE CITY COUNCIL FROM THE CITY MANAGER'S OFFICE	DATE January 18, 1982	NO.
SUBJECT: Proposed Ordinance regarding Advanced Notification of Retirement of Key Personnel		

At its meeting of December 9, 1981, the City Council requested "that the language of Section 17-2.1 of the City Code be clarified to provide, in as much as possible, adequate advance notice to the City Council of planned retirements of other key personnel."

I have reviewed this request with the City Attorney and concluded that such a provision would be added by ordinance to the code as Section 17-2.2. There is a question as to whether it is appropriate to place this provision in the code in order to achieve the desired purpose.

The rules and regulations regarding employee rights to retirement are, for the most part, legislated into the Public Employees Retirement System by the State Legislature or the PERS advisory body. A City Code provision might conflict with the specific provisions of the State enactments governing the same provision thus setting up a legal situation which might have to be dealt with in the courts.

If we consider a situation in which an employee announces a retirement date less than six months, but in compliance with all other PERS requirements, we would be faced with the question as to how to secure compliance with the City Code. It is doubtful that we could deny the employee's request for retirement under these circumstances.

If, on the other hand, it is the desire of the City Council to provide a policy for guidance of employees contemplating retirement, it can be accomplished by the adoption of such a policy statement to be included in the Administrative Policy Manual. This policy statement would be effective as a guide as to what is expected of key personnel without contending with conflict in enforcement in the event of special circumstances that might affect an individuals plans.

Accordingly, the City Attorney has drafted the following language to satisfy the City Council's request which can be either inacted as an ordinance or as a policy statement as recommended.

"Retirement -

Any department or designated management personnel other than the City Manager, City Attorney, City Clerk and City Treasurer, wishing to retire from service with the City, shall file with the City Manager at least 6 months before retirement, a written notice of intent to retire.

The City Manager, City Attorney, City Clerk, and City Treasurer wishing to retire from service with the City, shall file with the City Council at least 6 months before retirement, a written notice of intent to retire."

The language of the above provision complys with City Code Section 17-4, providing for the designation and powers of appointing authorities.

Henry A. Graves, Jr.
Henry A. Graves, Jr.
City Manager

follow-up?
CITY COUNCIL

JAMES A. McCARTY, Mayor
ROBERT G. MURPHY, Mayor Pro Tem
RICHARD L. HUGHES
WALTER KATNICH
JAMES W. PINKERTON, Jr.

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 320
LODI, CALIFORNIA 95241
(209) 334-5634

HENRY A. CLAVES, Jr.
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

January 21, 1982

MEMORANDUM

TO: WILLIAM HINKLE
Administrative Assistant

FROM: ALICE M. REIMCHE
City Clerk

SUBJECT: Retirement of Administrative
Personnel

At the regular Council Meeting of January 20, 1982, the Lodi City Council received the attached report designating the projected retirement dates of the City's administrative personnel.

ALICE M. REIMCHE
City Clerk

AR:dg

Attachment

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL

DATE

NO.

FROM: THE CITY MANAGER'S OFFICE

January 18, 1982

SUBJECT:

Retirement of Management Personnel

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