



**DRAFT**

**EXHIBIT 3-A**

**RESOLUTION NO. 2023-16**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
MONTEREY PENINSULA WATER MANGEMENT DISTRICT REGARDING  
AUTHORIZING AN EXCEPTION TO THE 180-DAY WAIT  
PERIOD GC SECTIONS 7522.56 & 21224**

The Board of Directors of the Monterey Peninsula Water Management District, hereby adopts the following Resolution:

**WHEREAS**, in compliance with Government Code section 7522.56 the Monterey Peninsula Water Management District must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his retirement date; and

**WHEREAS**, Tom Lindberg, CalPERS ID 7773386987, will retire from the Monterey Peninsula Water Management District in the position of Associate Hydrologist, effective December 30, 2023; and

**WHEREAS**, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 27, 2024 without this certification resolution; and

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

**WHEREAS**, the Monterey Peninsula Water Management District Board of Directors, the Monterey Peninsula Water Management District, and Tom Lindberg certify that Dave Stoldt has not and will not receive a Golden Handshake or any other retirement-related incentive; and

**WHEREAS**, the Monterey Peninsula Water Management District Board of Directors hereby appoints Tom Lindberg as an extra help retired annuitant to perform training of the new Meter Program Coordinator for the Monterey Peninsula Water Management District under Government Code section (21224), effective January 1, 2024; and

**WHEREAS**, the entire employment agreement, contract or appointment document between Tom Lindberg and the Monterey Peninsula Water Management District has been reviewed by this body and is attached herein, as Attachment A; and

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

**WHEREAS**, the employment shall be limited to 960 hours per fiscal year; and

**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; and

**WHEREAS**, the maximum base salary for this position is \$10,056.87 per month and the hourly equivalent is \$58.02, and the minimum base salary for this position is \$8,273.81 and the hourly equivalent is \$47.73; and

**WHEREAS**, the hourly rate paid to Tom Lindberg will be \$58.02; and

**WHEREAS**, Tom Lindberg 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;

**THEREFORE, BE IT RESOLVED THAT** the Monterey Peninsula Water Management District Board hereby certifies the nature of the appointment of Tom Lindberg as described herein and detailed in the attached employment contract document, and that this appointment is necessary to support and train the newly hired Meter Program Coordinator for the Monterey Peninsula Water Management District beginning January 1, 2024.

**PASSED AND ADOPTED** on this 11<sup>th</sup> day of December 2023 on a motion by Director \_\_\_\_\_ and second by Director \_\_\_\_\_, by the following vote, to wit:

**AYES:**

**NAYES:**

**ABSENT:**

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 11th day of December 2023.

Dated: December \_\_\_\_\_, 2023

\_\_\_\_\_  
David J. Stoldt  
Secretary to the Board