



Agenda Report

January 31, 2022

TO: City Council
FROM: Interim City Manager
SUBJECT: RATIFICATION OF INTERIM CITY MANAGER'S SELECTION OF CALPERS RETIREE TO SERVE AS INTERIM GENERAL MANAGER OF PASADENA DEPARTMENT OF WATER AND POWER ("PWP")

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the action proposed herein is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines and, as such, is not subject to environmental review
2. Approve the following statement:

"Pursuant to Resolution 9881, the interim City Manager selected Jeff Kightlinger, a CalPERS retiree, to serve as interim PWP General Manager after the commencement of active recruitment for a regular appointment to the position. Such selection is hereby ratified."

BACKGROUND:

On December 13, 2021, the City Council adopted Resolution 9881 authorizing, but not requiring, the appointment of a CalPERS retiree, as later to be specified by Ms. Kurtz as interim City Manager, as interim PWP General Manager pursuant to Government Code sections 7522.56 and 21221(h), following the anticipated retirement of then-incumbent PWP General Manager Bawa.

This approach was done in coordination with CalPERS to ensure compliance with both the rules applicable to the appointment of a CalPERS retiree to a vacant position and Section 604(c) of the City Charter that requires that the position of PWP General Manager be filled by the incumbent in the City Manager position.

A further condition of CalPERS' approval was the ratification of the interim City Manager's selection at a subsequent meeting of the City Council if a CalPERS retiree was selected by the interim City Manager to fill the PWP General Manager position on an interim basis.

Consistent with Resolution 9881, the interim City Manager selected Jeff Kightlinger, a CalPERS retiree, to serve as interim PWP General Manager. Mr. Kightlinger began his term on January 3, 2022 after active recruitment for a regular appointment had been initiated and will continue this role until a regular appointment to the PWP General Manager position is made in accordance with Section 604(c) of the City Charter, unless sooner terminated by Mr. Kightlinger or the City. This appointment shall comply with all applicable requirements of Government Code sections 7522.56 and 21221(h), including the continuance of active recruitment throughout Mr. Kightlinger's tenure, unless an exception applies such as the COVID-19 exceptions under the Governor's executive orders.

To comply with above-referenced requirement of ratification, the City Council is asked to approve the recommended statement which shall be memorialized in the minutes to this meeting.

ENVIRONMENTAL ANALYSIS:

This action proposed herein is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines and, as such, is not subject to environmental review.

FISCAL IMPACT:

There is no fiscal impact as there are sufficient appropriations in each department's Fiscal Year 2022 operating budget to support this action.

Respectfully submitted,


Cynthia J. Kurtz
Interim City Manager

Concurrence:


Michele Beal Bagneris
City Attorney/City Prosecutor