

**Submitted by:**           **Brian Kirking**  
                                  **Director of Information Services and Human Resources**

**Subject:**                 **Authorization to Continue Post Retirement Employment for Critically**  
                                  **Needed Management Position**

**Date:**                    **January 21, 2016**

## **Summary**

James Hill served as ABAG's Risk Manager for more than five years, retiring in December 2015. In this capacity he oversaw all aspects of the ABAG Pooled Liability Assurance Network (PLAN) Program, which provides pooled liability insurance and related services to 28 member jurisdictions. Mr. Hill was responsible for day-to-day management of the program as well as long-range planning and member relations.

ABAG has taken steps to recruit a replacement for this position and has received applications. However, the screening and hiring process is not yet complete. The process is lengthy because of the specialized nature of the position and because of our desire to utilize a thorough and open screening process that includes representatives of the pool members. In order to best serve ABAG and the PLAN members, we are asking that the Executive Board give its approval for Mr. Hill to serve as Interim Risk Manager until his replacement is in place. Mr. Hill's salary will come from funds budgeted within the PLAN program. Because Mr. Hill is a recent retiree, his appointment requires an allowable exception to the CalPERS 180-day prohibition on post retirement work.

## **Recommended Action**

Approval of request to make an allowable exception to the CalPERS 180-day prohibition on post retirement work for a critically needed management position.

January 21, 2016

**OFFER LETTER  
PLEASE RETURN ONE SIGNED COPY**

James Hill

Dear Mr. Hill:

I am most pleased to offer you an appointment to the Association of Bay Area Government's staff as Interim Risk Manager. This limited-duration appointment will be effective January 25, 2016, and will continue until December 31, 2016, unless terminated earlier. Employment is at the mutual consent of the employee and the Association and may be terminated at will and at any time by either party. This is a full-time position, and your salary will be \$74.96 per hour. In this position you are exempt from the Fair Labor Standards Act and applicable State laws which require overtime pay and other employment conditions.

We understand that you will be a CalPERS retiree. Therefore, this appointment will be governed by California retirement law, which – among other things – limits the number of hours worked in a fiscal year, precludes us from providing health and other benefits, and requires that you certify that you did not receive any unemployment insurance payments within the 12 months prior to this appointment.

If you have any questions regarding this offer letter, please contact Brian Kirking, Human Resources Director, at (510) 464-7996. We would be very pleased to have you.

Sincerely,

Ezra Rapport  
Executive Director

Appointment Accepted \_\_\_\_\_ Date \_\_\_\_\_  
James Hill