



DISCUSSION ITEM

Agenda Item # 7

AGENDA REPORT SUMMARY

Meeting Date: January 12, 2021

Subject: Adopt Resolution 2021-03 Appointing Brad Kilger as Interim City Manager

Prepared by: Mayor Neysa Fligor and Vice Mayor Anita Enander

Reviewed by: Jolie Houston, City Attorney

Attachment(s)

1. Resolution 2021-03 Appointing Brad Kilger as Interim City Manager under Government Code Section 21221(h)

Requested By: City Council

Previous Council Consideration: None

Fiscal Impact:

The following action is for an amount not to exceed \$158,700. An appropriation for that amount is needed.

- Breakdown of funds to be used: \$158,700 General Fund
- Amount already included in approved budget: No
- Amount above budget requested: \$158,700

Environmental Review: Not applicable

Discussion/Summary:

On November 24, 2020, the City Council approved the Separation Agreement and General Release between the City of Los Altos and City Manager Chris Jordan. In addition, the City Council appointed Deputy City Manager Jon Maginot to serve as Acting City Manager effective December 6, 2020, and until such time as an Interim City Manager has been hired.

After conducting a recruitment for an Interim City Manager, the City Council has determined that Brad Kilger was most qualified to serve on a temporary basis while recruitment for a permanent City Manager is underway. Mr. Kilger has over forty years of professional municipal government experience, with thirty years of executive and senior level management experience, including eighteen years as a City Manager. Most recently, Mr. Kilger served as an Interim City Manager with the City of South Lake Tahoe.

At the City Council Closed Session on January 12, 2021, the City Council will discuss the draft terms of the Retired Annuitant Employment Agreement between the City and Mr. Kilger. The final agreement is then scheduled to be approved in the regularly scheduled City Council public meeting on January 12, 2021. Mr. Kilger's start date would be January 13, 2021.

The City Council has initiated the recruitment process for the permanent City Manager position. A typical recruitment of this nature can take four to six months to complete. Given that we are still in the midst of the coronavirus pandemic and an employment agreement with a CalPERS retired annuitant cannot be extended beyond the initial term of the agreement, it is prudent for Council to allow for a longer term in the agreement. Therefore, the term for the interim city manager services would be for the period January 13, 2021 to August 31, 2021, unless terminated earlier, including when the City hires a permanent City Manager.

Attached to this staff report is the Resolution Appointing Brad Kilger as Interim City Manager under Government Code Section 21221(h). The Retired Annuitant Employment Agreement is not attached to the Resolution because the agreement still needs to be reviewed by all members of the City Council at the January 12, 2021 Closed Session. The City plans to make the agreement available to the public after the Closed Session.

Recommended Motion:

Adopt Resolution 2021-03 appointing Brad Kilger as Interim City Manager based on the terms described in the "Retired Annuitant Employment Agreement" which includes compensation not to exceed \$158,700 and appropriating \$158,700 from the General Fund.

RESOLUTION NO. 2021-03

A RESOLUTION OF THE CITY OF LOS ALTOS APPOINTING BRAD KILGER AS INTERIM CITY MANAGER UNDER GOVERNMENT CODE SECTION 21221(h)

WHEREAS, the City of Los Altos is in the process of actively recruiting a qualified permanent City Manager;

WHEREAS, the City would like to retain Brad Kilger’s services as Interim City Manager to allow the City of Los Altos sufficient time to recruit and hire a permanent City Manager;

WHEREAS, Brad Kilger possesses necessary and specialized skills to perform the functions of Interim City Manager during the recruitment process;

WHEREAS, the City Council of the City of Los Altos hereby appoints Brad Kilger to the position of Interim City Manager under Government Code section 21221(h), an appointment deemed to be for interim purposes and requiring specialized skills, effective January 13, 2021 through August 31, 2021, unless terminated earlier, including when the City hires a permanent City Manager, and subject to a limit of 960 hours for all CalPERS employers in a fiscal year;

WHEREAS, the appointment of Brad Kilger under Government Code section 21221(h) shall only be made once; and

WHEREAS, the compensation of Brad Kilger shall not be less than the minimum nor exceed the maximum published pay schedule for the vacant position of City Manager, divided by 173.333 to equal an hourly rate. Mr. Kilger shall not receive any benefits, incentives, or compensation in addition to the hourly rate.

THEREFORE, BE IT RESOLVED by the City Council of the City of Los Altos that Brad Kilger is appointed Interim City Manager, effective January 13, 2021, based on the terms described in the “Retired Annuitant Employment Agreement” attached to this Resolution as Attachment 1, and incorporated by this reference.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 12th day of January 2021 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Neysa Fligor, MAYOR

Attest:

Andrea Chelemengos, CITY CLERK

Attachment 1: Retired Annuitant Employment Agreement (The City plans to make this agreement publicly available after the City Council Closed Session on January 12, 2021)