



# fresno county board of education

Trustee Area 1      Trustee Area 2      Trustee Area 3      Trustee Area 4      Trustee Area 5  
Kimberly Tapscott-Munson      Mike Robinson      Daren A. Miller      Dr. Marcy Masumoto      Dr. Allen Clyde

## BEFORE THE FRESNO COUNTY BOARD OF EDUCATION FRESNO COUNTY, CALIFORNIA

In the Matter Regarding Resolution for  
Exception to the 180-Day Wait Period  
Government Code Section 7522.56

RESOLUTION NO. 2020 - 15

WHEREAS, in compliance with Government Code section 7522.56 the Clovis Unified School District must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

WHEREAS, Vicente Ortega, CalPERS ID 5289213451, retired from the Clovis Unified School District in the position of School Bus Driver II, effective June 5, 2020; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is December 2, 2020 without the 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 Fresno County Board of Education, the Clovis Unified School District Governing Board, the Clovis Unified School District and Vicente Ortega certify that Vicente Ortega has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the Clovis Unified School District hereby appoints Vicente Ortega as an extra help retired annuitant to perform the duties of School Bus Driver II for the Clovis Unified School District under Government Code section 21224, effective approximately September 21, 2020; and

WHEREAS, the entire employment agreement, contract or appointment document between Vicente Ortega and the Clovis Unified School district has been reviewed by this body; 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 \$3,572.82 (monthly) and the hourly equivalent is \$23.14 (hourly), and the minimum base salary for this position is \$2,941.32 (monthly), and the hourly equivalent is \$19.05 (hourly); and

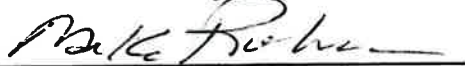
WHEREAS, the hourly rate paid to Vicente Ortega will be \$23.14; and

WHEREAS, Vicente Ortega 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; and

NOW, THEREFORE, BE IT RESOLVED that the Fresno County Board of Education hereby certifies the nature of the appointment of Vicente Ortega as described herein and detailed in the attached employment agreement/contract or appointment document and that this appointment is necessary to fill the critically needed position of School Bus Driver II for the Clovis Unified School District by approximately September 21, 2020 because of the lack of qualified school bus drivers in the State of California.


This Resolution is adopted by the Fresno County Board of Education at its meeting of October 15, 2020 by the following votes:

Member Dr. Allen Clyde:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Abstain <input type="checkbox"/>	Absent <input type="checkbox"/>
President Mike Robinson:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Abstain <input type="checkbox"/>	Absent <input type="checkbox"/>
Vice President Marcy Masumoto:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Abstain <input type="checkbox"/>	Absent <input type="checkbox"/>
Member Daren A. Miller:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Abstain <input type="checkbox"/>	Absent <input type="checkbox"/>
Member Kimberly Tapscott-Munson:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Abstain <input type="checkbox"/>	Absent <input type="checkbox"/>

  
Mike Robinson, President

#### CERTIFICATION

I am the Ex-Officio Secretary and Executive Officer of the Fresno County Board of Education and hereby certify that the foregoing resolution is the full, true, and correct resolution duly passed and adopted by the Fresno County Board of Education on the date stated above.

By:   
Jim A. Yovino, Fresno County Superintendent of Schools  
Ex-Officio Secretary and Executive Officer of the  
Fresno County Board of Education

Date: 10/15/20