

In the Matter of Certifying  
and Approving the Employment  
of Retired Annuitant Christopher  
Gan Before 180 Days Have  
Passed Since the Retirement Date

Resolution No. \_\_\_\_\_

WHEREAS, in compliance with Government (Gov.) Code section 7522.56 of the Public Employees' Retirement Law, the Board of Directors of the San Francisco Bay Area Rapid Transit District (District) must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since their retirement date; and

WHEREAS, Christopher Gan, CalPERS ID No. 3498354847 retired from the District in the position of Interim Controller-Treasurer, effective December 31, 2024; and

WHEREAS, Gov. Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 29, 2025 without this certification resolution; and

WHEREAS, Gov. Code 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 Board of Directors, the District and Christopher Gan certify that Christopher Gan has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the Board of Directors hereby appoints Christopher Gan as an extra help retired annuitant to perform the duties of the Interim Assistant General Manager, Finance for the District under Gov. Code section 21224 effective on or after January 10, 2025; and

WHEREAS, the entire employment agreement between Christopher Gan and the District has been reviewed by this body and is attached herein; 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 for all CalPERS employers; 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 monthly base salary for this position as of December 31, 2024 is \$28,356.58 and the hourly equivalent is \$163.60, and the minimum monthly base salary for this position is \$18,717.25 and the hourly equivalent is \$107.99; and

WHEREAS, the hourly rate paid to Christopher Gan will be \$132.20, subject to any changes to the minimum/maximum monthly base salary paid to other employees performing comparable duties; and

WHEREAS, notwithstanding changes to the minimum/maximum compensation, Christopher Gan has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to the hourly pay rate; and

THEREFORE, BE IT RESOLVED THAT the Board of Directors hereby certifies the nature of the appointment of Christopher Gan as described herein and detailed in the attached employment agreement and that this appointment is necessary to fill the critically needed position of Interim Assistant General Manager, Finance for the San Francisco Bay Area Rapid Transit District on or after January 10, 2025, because the new Assistant General Manager, Finance will need training, oversight, and knowledge transfer to ensure a smooth transition to the new financial management structure resulting from amendment of the District Act (California Public Utilities Code Section 28500 *et seq.*) by the California Legislature.