

RESOLUTION NO. 2017-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA, FOR
EXEMPTION TO THE 180-DAY WAIT PERIOD
GOVERNMENT CODE SECTIONS 7522.56 &
21224**

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

WHEREAS, RuthAnne Harbison retired from City of Merced in the position of GIS Coordinator, effective December 31, 2016; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 29, 2017, without this 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 City Council, the City of Merced and RuthAnne Harbison certify that RuthAnne Harbison has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the City Council hereby appoints RuthAnne Harbison as an extra help retired annuitant to perform the duties of Temporary GIS Coordinator for the City of Merced under Government Code section 21224, effective January 9, 2017; and

WHEREAS, the entire employment agreement, contract or appointment document between RuthAnne Harbison and the City of Merced has been reviewed by this body and is attached herein; and,

WHEREAS, the matters, issues, terms or conditions related to this employment and appointment have not and will not 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 \$76,445.88 and the hourly equivalent is \$36.7529, and the minimum base salary for this position is \$62,892.36 and the hourly equivalent is \$30.2368; and

WHEREAS, the hourly rate paid to RuthAnne Harbison will be \$36.7529;
and

WHEREAS, RuthAnne Harbison 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.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The City Council of the City of Merced hereby certifies the nature of the appointment of Ruthanne Harbison as described herein and detailed in the attached employment agreement/contract/appointment document and that this appointment is necessary to fill the critically needed position of GIS Coordinator for the City of Merced by January 9, 2017. The City's GIS Coordinator is integral to the City's public safety operations. The City's GIS Coordinator assists the City's Police and Fire Departments with dispatching public safety resources to emergency situations within the City. The City uses a Windows version of New World Systems (NWS) and the City's GIS mapping is the base for dispatching Police and Fire resources and for storing police incident reports. The GIS data provides several layers of information including roads, addresses, parcels, police beats, fire quadrants which are the most important as well as several others for staff to use as resource information. All of this data is maintained in the City's GIS data and is updated on a regular basis into NWS. Maintaining the GIS data and updating NWS is mission critical for the city to get emergency resources to citizens when they are needed. RuthAnne Harbison served as the City's GIS Coordinator since August 18, 2003 and is the only current employee who has the ability to maintain the GIS data in NWS. A recruitment has been completed for

the position of GIS Coordinator and Ms. Harbison's replacement has been selected. However, the City's selected candidate for this position still needs to complete a police and fire background check prior to commencing employment with the City. Moreover, after position of GIS Coordinator is filled, the City desires to have Ms. Harbison train the new employee to teach the employee agency and city specific information and processes. Ms. Harbison has unique understanding and expertise with the City's mapping and software programs; there is no other City employee who can fulfill these transition and training functions.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____ 2017, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

Mayor

ATTEST:
CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Kelcy Jimenez 12/16/16
City Attorney Date