

**RESOLUTION NO. 2016-\_\_\_\_\_**

**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, Roberta Medina retired from the City of Merced in the position of Community Services Officer, effective December 31, 2015; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 28, 2016, 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 Roberta Medina certify that Roberta Medina has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the City Council hereby appoints Roberta Medina as an extra help retired annuitant to perform the duties of a Temporary Community Services Officer for the City of Merced under Government Code section 21224, effective February 8, 2016; and

WHEREAS, the entire employment agreement, contract or appointment document between Roberta Medina 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 \$4,669.55 and the hourly equivalent is \$26.93, and the minimum base salary for this position is \$3,841.50 and the hourly equivalent is \$22.16; and

WHEREAS, the hourly rate paid to Roberta Medina will be \$26.93; and

WHEREAS, Roberta Medina 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 Roberta Medina 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 Temporary Community Services Officer for the City of Merced effective February 8, 2016. Specifically, the City has a critical need for an experienced Community Service Officer to work with and provide necessary training for the City's two newly hired Community Service Officers, who will start on February 1, 2016. The City currently has one Community Service Officer who has only been employed by the City for approximately one year. This employee has not been a Community Service Officer long enough to be able to train the newly hired Community Service Officers. Accordingly, this work cannot be performed by any other current City employee. Ms. Medina was employed by the City as a Community Service Officer and the equivalent position of Code Enforcement officer for 17 years. She possesses skills and experience that are unique to her and the position of Community Service Officer. This temporary appointment will provide the Police Department with the necessary resources to train the new hires who will in turn be able to provide the community with a high level of community policing services.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the 1st day of February 2016, 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:

Kelly Fincher      1/26/16  
City Attorney      Date

**ACTION:** ☐ New Hire ☒ Rehire ☐ Separation ☐ Status Change ☐ Other (Remarks required)

EMPLOYEE TYPE ☐ Regular ☒ Temporary UNIT TP

DEPT/DIVISION NAME POLICE / CODE ENFORCEMENT FUND DEPT#001/1005

EFFECTIVE DATE OF ACTION February 8, 2016 PAY PERIOD 4

Separation Date	Last Day Worked	Last Day Paid
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Leave of Absence: \_\_\_\_\_ Leave Begins Date: \_\_\_\_\_ Leave End Date: \_\_\_\_\_

FROM: Class Code 9028 Title TEMP COMMUNITY SERVICES OFFICER Range/Pay Step 593/5

TO:	Class Code	Title	Range/Pay Step
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PROBATION ENDS:                    hrs.      PAY RATE:      Monthly: 4669.55                    Biweekly: 2155.18

NEXT ACTION DATE: Hourly: 26.93

**Remarks:** Employee retired from City employment effective 12/31/15 as a Community Services Officer and is being rehired as a part-time Temporary Community Services Officer for a limited term to provide training to newly hired Community Service Officers. Employee cannot work more than 960 hours between February 8, 2016 to June 30, 2016. Employee will be paid on an hourly basis only and is not eligible for any benefits, incentives, or special or additional compensation. Employee is being hired as an At-Will employee, who serves at the pleasure of the City Manager. Employee's employment is contingent on the City receiving approval from CalPERS to waive the 180-day waiting period for temporary re-employment.

PREPARED BY: TONYA MORA DATE: 1/26/16

DEPARTMENT DIRECTOR:  DATE: 1/26/16

DIRECTOR OF SUPPORT SERVICES: \_\_\_\_\_ DATE: \_\_\_\_\_

Remarks:

CITY MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

**Remarks:**

☐ Personnel File      ☐ Payroll      ☐ Employee      ☐ Department

1/15/16

PRX48

MONTHLY, BIWEEKLY, AND HOURLY RATES

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JOB CLASS/RANGE/B.U./TITLE	1	2	3	4	5
	2300.02	2415.03	2535.78	2662.57	2795.71
09025 247 TP	1061.55	1114.63	1170.36	1228.88	1290.33
TEMP CLERK TYPIST I	13.2694	13.9329	14.6295	15.3610	16.1291
	3803.23	3993.38	4193.06	4402.71	4622.84
09026 366 TP	1755.34	1843.10	1935.26	2032.02	2133.62
TEMP CODE ENFORCEMENT OFFICER	21.9417	23.0388	24.1907	25.4003	26.6703
	3841.65	4033.74	4235.42	4447.19	4669.55
09028 593 TP	1773.07	1861.73	1954.81	2052.55	2155.18
TEMP COMMUNITY SERVICES OFC	22.1634	23.2716	24.4351	25.6569	26.9397
	2606.41	2736.73	2873.58	3017.25	3168.12
09040 104 TP	1202.96	1263.11	1326.27	1392.58	1462.21
TEMP CUSTODIAN	15.0370	15.7889	16.5784	17.4072	18.2776
	.00	.00	.00	.00	.00
09045 1 TP	.00	.00	.00	.00	.00
TEMP DEPARTMENT AIDE	.0000	.0000	.0000	.0000	.0000
	.00	.00	.00	.00	.00
09166 762 TP	.00	.00	.00	.00	.00
TEMP DEVELOPMENT ASSOCIATE	.0000	.0000	.0000	.0000	.0000
	5392.55	5662.19	5945.29	6242.57	6554.70
09046 802 TP	2488.87	2613.32	2743.98	2881.19	3025.25
TEMP DEVELOPMENT COORDINATOR	31.1109	32.6665	34.2998	36.0149	37.8156
	2775.95	2914.73	3060.50	3213.51	3374.19
09047 324 TP	1281.21	1345.26	1412.54	1483.16	1557.32
TEMP DEVELOPMENT SERVICES TECH	16.0151	16.8158	17.6567	18.5395	19.4665
	8509.86	8935.37	9382.12	9851.22	10343.79
09048 870 TP	3927.63	4124.02	4330.21	4546.72	4774.06
TEMP DIRECTOR SUPPORT SERVICES	49.0954	51.5502	54.1276	56.8340	59.6757
	3165.30	3323.55	3489.76	3664.22	3847.43
09050 571 TP	1460.91	1533.95	1610.66	1691.18	1775.74
TEMP DISPATCHER I	18.2614	19.1744	20.1332	21.1398	22.1967
	3489.22	3663.66	3846.85	4039.20	4241.16
09055 592 PN	1610.41	1690.92	1775.47	1864.25	1957.46
TEMP DISPATCHER II	20.1301	21.1365	22.1934	23.3031	24.4683
	3962.89	4161.04	4369.08	4587.57	4816.93
09049 382 TP	1829.03	1920.48	2016.50	2117.34	2223.20
TEMP ENGINEERING TECH III	22.8629	24.0060	25.2063	26.4667	27.7900
09057 402					
TEMP ENGINEERING TECHNICIAN IV					
	3717.45	3903.33	4098.51	4303.43	4518.60
09051 171 TP	1715.75	1801.54	1891.62	1986.20	2085.51
TEMP ENV CONTROL OFFICER I	21.4469	22.5193	23.6452	24.8275	26.0689