

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, Roberta Medina has had a 60-day separation in service between her retirement date and the date her temporary employment will begin; 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 March 14, 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 March 14, 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 recently commenced employment with the City. 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 7th day of March 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 2/23/16
City Attorney Date