

**RESOLUTION NO. 2018-\_\_\_\_\_**

**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, Lisa Linares retired from the City of Merced in the position of Dispatcher II, effective December 17, 2017; and

WHEREAS, Lisa Linares 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 13, 2018, 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 Lisa Linares certify that Lisa Linares has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, Lisa Linares shall certify in writing upon accepting an offer of employment, that she has not received any unemployment insurance compensation arising out of a prior employment with a public employer subject to Government Code section 7522.56; and,

WHEREAS, the City Council hereby appoints Lisa Linares as an extra help retired annuitant to perform the duties of a Temporary Dispatcher II for the City of Merced under Government Code section 21224, effective April 5, 2018; and

WHEREAS, the entire employment agreement, contract or appointment document between Lisa Linares 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 \$4,445.00 and the hourly equivalent is \$25.64, and the minimum base salary for this position is \$3,656.92 and the hourly equivalent is \$21.09; and

WHEREAS, the hourly rate paid to Lisa Linares will be \$25.64; and

WHEREAS, Lisa Linares 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 Lisa Linares 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 Dispatcher II for the City of Merced effective April 5, 2018. Specifically, the City has a need for an experienced Dispatcher to work the Communications Center which includes answering calls for Police Services and Dispatching Police and Fire personnel. At this time, the City's Communications Center is understaffed due to vacancies, newly hired dispatchers who are under supervised training and employees on extended leaves of absences. While the City is currently recruiting to fill the vacant dispatcher positions, the current staffing level will require excessive

overtime to meet the daily demands of the Communications Center. Ms. Linares was employed by the City as a Dispatcher II for 27 years. She possesses skills and experience that are unique to her and the position of Dispatcher. This temporary appointment will provide the Police Department with the necessary resources to effectively handle calls for service and safely dispatch Police and Fire personnel as well as reduce unnecessary overtime for existing full time dispatchers.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the 2nd day of April 2018, 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:

Valery J. J. J. J. 3/26/18  
City Attorney Date