



## Legislation Details (With Text)

**File #:** 16-586      **Version:** 1      **Name:**  
**Type:** Report Item      **Status:** Passed  
**File created:** 12/12/2016      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency  
**On agenda:** 1/3/2017      **Final action:** 1/3/2017  
**Title:** SUBJECT: Adoption of a Resolution for an Exemption to CalPERS 180-Day Wait Period Pursuant to Government Code Sections 7522.56 and 21224

### REPORT IN BRIEF

Adoption of a resolution approving the hiring of RuthAnne Harbison as an extra-help retired annuitant to perform the duties of the GIS Coordinator under Government Code sections 7522.56 and 21224, effective January 9, 2016.

### RECOMMENDATION

City Council - Adopt a motion adopting Resolution 2017-01, a Resolution of the City Council of the City of Merced, for exemption to the CALPERS 180-day wait period pursuant to Government Code sections 7522.56 and 21224.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. calpers resolution -Harbison.pdf, 2. Personnel Action Form.pdf, 3. Salary- hourly GIS coord.pdf

Date	Ver.	Action By	Action	Result
1/3/2017	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

*Report Prepared by: Robyn Stiles, Management Analyst, Public Works Department*

**SUBJECT:** Adoption of a Resolution for an Exemption to CalPERS 180-Day Wait Period Pursuant to Government Code Sections 7522.56 and 21224

### REPORT IN BRIEF

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### RECOMMENDATION

**City Council** - Adopt a motion adopting **Resolution 2017-01**, a Resolution of the City Council of the City of Merced, for exemption to the CALPERS 180-day wait period pursuant to Government Code sections 7522.56 and 21224.

## ALTERNATIVES

1. Approve as recommended; or
2. Deny; or
3. Take no action.

## AUTHORITY

Section 200 of the City of Merced Charter.  
California Government Code sections 7522.56 and 21224.

## CITY COUNCIL PRIORITIES

As provided for in the 2016-17 Adopted Budget.

## DISCUSSION

California Government Code section 7522.56, subdivision (f)(1) provides that a CalPERS retiree is not eligible to work for a CalPERS employer for a period of 180 days following the date of their retirement unless an exception applies. One such exception allows the 180-day waiting period to be waived if the retired employee is needed to fill a critically-necessary position and the employee has the specialized skills and knowledge for the position. Under this circumstance, the retired employee can be hired before the expiration of the 180-day waiting period if the governing body of the CalPERS agency certifies through the adoption of a resolution that the appointment is necessary to fill a critical need. Additional requirements for the post-retirement employment include:

- The retired employee can only work for a limited duration and must be hired into a retired annuitant or part-time temporary/extra-help position (not a permanent part-time position);
- The retired employee can only work 960 hours in a fiscal year (July 1 to June 30);
- The retired employee can only be paid an hourly compensation without benefits or any additional or special compensation;
- The compensation paid to the retired employee must be an hourly rate that is not greater than nor less than the hourly rate on the salary schedule for the equivalent position; and,
- The appointment of the employee must be made by the governing body at a public meeting and the appointment cannot be placed on a consent calendar.

RuthAnne Harbison retired from the City effective December 31, 2016. Ms. Harbison worked for the City as the GIS Coordinator for 13 years. The GIS Coordinator has supported the Police Department and Fire Department for dispatching resources to emergency Public Safety situations since 2009.

The City of Merced Police Department uses New World Systems (NWS) for all areas of the department. In 2009, NWS was upgraded to the Windows version and GIS became the base for dispatching Police and Fire; and for Police records. 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 updated on a regular basis into NWS. Maintaining the GIS data and updating NWS is mission critical for the City to dispatch emergency resources to citizens when or as needed. As the GIS Coordinator, Ms. Harbison has been involved with this project since 2009

and is the only employee that has the knowledge for maintaining the GIS data in NWS.

Ms. Harbison also maintains GIS data received on a monthly basis from Merced County Association of Governments. This involves removing the previous month's update and installing the newest data for all departments and divisions. This data is used in maps and reports for the council by several departments.

The attached resolution authorizes the City Council to take the required action to allow Ms. Harbison to be hired as an extra help GIS Coordinator on or after January 9, 2017, which is before the expiration of her 180-day post-retirement wait period. As set forth in further detail in the attached resolution, Ms. Harbison will be paid on an hourly basis within the same hourly range as other employees performing the same duties. Moreover, her hours will not exceed 960 hours in a fiscal year and no other benefits will be paid or provided.

Approval of the attached resolution is therefore requested to waive the 180-day waiting period to allow the City to hire Ms. Harbison on or after January 9, 2017, to await the start date of the new GIS coordinator pending their security background check, fingerprinting and physical examination.

### **IMPACT ON CITY RESOURCES**

Funds are available in the 2016/2017 Public Works Budget to cover this temporary cost; no additional funding is needed.

### **ATTACHMENTS**

1. Resolution No. 2017-01
2. Personnel Action Form - Harbison
3. Salary Schedule - GIS Coordinator