CITY OF MERCED

Legislation Details (With Text)

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Type:	Report Item		**Status:**	Passed
File created:	3/22/2018		**In control:**	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency
On agenda:	4/2/2018		**Final action:**	4/2/2018

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

REPORT IN BRIEF
Adoption of a resolution approving the hiring of Lisa Linares as an extra-help retired annuitant to perform the duties of a Temporary Dispatcher under Government Code sections 7522.56 and 21224, effective April 5, 2018.

RECOMMENDATION
City Council - Adopt a motion adopting Resolution 2018-21, a Resolution of the City Council of the City of Merced, approving an exception to the CALPERS 180-day wait period pursuant to Government Code sections 7522.56 and 21224.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution 2018-21.pdf, 2. Salary Range.pdf, 3. Personnel Action Form.pdf

Date	Ver.	Action By	Action	Result
4/2/2018	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

Report Prepared by: Tonya Mora, Management Analyst, Police Department

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RECOMMENDATION
City Council - Adopt a motion adopting **Resolution 2018-21**, a Resolution of the City Council of the City of Merced, approving an exception 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 2017-2018 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.

At this time, the City has a critical need for an experienced Dispatcher to work the Communications Center, which includes answering calls for Police Services and Dispatching Police and Fire personnel. Currently, the Communications Center is understaffed due to vacancies, employees on extended leaves of absence and newly hired dispatchers who are undergoing supervised training. Due to these circumstances, overtime will be required to attempt to meet the daily demands of the Communications Center. The appointment of a skilled temporary dispatcher will provide the Police Department with the necessary assistance to handle calls for service as well as reduce overtime for existing full time dispatchers.

Lisa Linares retired from the City on December 17, 2017, as a Dispatcher II. Prior to her retirement, Ms. Linares worked for the City as a Dispatcher for 27 years. She has invaluable institutional knowledge of the City's Police Dispatch procedures and practices and she also possesses the necessary skills to perform the required duties. Due to her age at retirement, Ms. Linares is required to have a 60-day separation between her retirement date and her post-retirement employment date with the City. She has also met this requirement.

The attached resolution authorizes the City Council to make the required findings to allow Ms. Linares to be hired as a Temporary Dispatcher II effective April 5, 2018, which is before the expiration of her 180-day post-retirement wait period. As set forth in further detail in the attached resolution, Ms. Linares 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. Linares on April 5, 2018.

IMPACT ON CITY RESOURCES

Funds are available in the 2017-2018 Police Budget to cover this temporary cost; no additional funding is needed.

ATTACHMENTS

1. Resolution No. 2018-21
2. Salary Range
3. Personnel Action Form