

RESOLUTION NO. 2016-02

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SAN BENITO COUNTY WATER DISTRICT
FOR EXCEPTION TO THE 180-DAY WAIT PERIOD FOR POST
RETIREMENT EMPLOYMENT FOR JEFFREY RAY
GC sections 7522.56 & 21224**

WHEREAS, in compliance with Government Code section 7522.56 the San Benito County Water District Board of Directors must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

WHEREAS, Jeffrey S. Ray retired from San Benito County Water District in the position of Information and Control Systems Supervisor, 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 29, 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 San Benito County Water District Board of Directors, San Benito County Water District and Jeffrey S. Ray certify that Jeffrey S. Ray has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the San Benito County Water District Board of Directors hereby appoints Jeffrey S. Ray as an extra help retired annuitant to perform the duties of the part-time temporary project manager and SCADA operations advisor for the San Benito County Water District under Government Code section 21224, effective January 12, 2016 and

WHEREAS, the entire employment agreement, contract or appointment document between Jeffrey S. Ray and the San Benito County Water District has been reviewed by this body and is attached herein; and

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will 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 \$9,055 per month and the hourly equivalent is \$52.2379 per hour, and the minimum base salary for this position is \$6,881 per month and the hourly equivalent is \$39.6965; and

WHEREAS, the hourly rate paid to Jeffrey S. Ray will be \$52.2379; and

WHEREAS, Jeffrey S. Ray 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; and

THEREFORE, BE IT RESOLVED THAT the San Benito County Water District Board of Directors hereby certifies the nature of the appointment of Jeffrey S. Ray as described herein and detailed in the attached employment agreement and that this appointment is necessary to fill the critically needed position of part-time temporary project manager for the San Benito County Water District by January 12, 2016. This appointment is necessary because Jeffrey S. Ray has specialized and critical knowledge of the District's computer systems, SCADA operating systems, and electrical instrumentation in the transmission and distribution system and because of the unique nature of Jeffrey Ray's skill set. The District is working on a major information technology (IT) project which requires someone on District staff with extensive knowledge of the District computer system to interface with the IT consultant. In addition, the reliability of the District's San Felipe distribution system requires ongoing SCADA and electrical attention at an advance level. This position is required to be filled by January 12, 2016 to allow for completion of the IT project and to provide for further training of District staff with regards to the advance SCADA and electrical functions.

PASSED AND ADOPTED by the Board of Directors of the San Benito County Water District this 11th of January, 2016 by the following vote:

AYES: DIRECTORS: Flores, Tobias, Bettencourt, Tonascia & Huenemann
NOES: DIRECTORS: None
ABSTAIN: DIRECTORS: None
ABSENT: DIRECTORS: None

/s/Sonny Flores
Sonny Flores
President

ATTEST:

/s/Sara Singleton
Sara Singleton
Assistant Manager