



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 22-387, Version: 1

- a. Waive the 180-day “waiting period” for PERS retirees to return to work for recently-retired land use specialist Wendy Strimling, former Monterey County Assistant County Counsel;
- b. Find that the appointment of Wendy Strimling is necessary to fill a critically needed position; and
- c. Approve and authorize the hiring of retiree Wendy Strimling as a temporary County employee no sooner than May 11, 2022.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Waive the 180-day “waiting period” for PERS retirees to return to work for recently-retired land use specialist Wendy Strimling, former Monterey County Assistant County Counsel;
- b. Find that the appointment of Wendy Strimling is necessary to fill a critically needed position; and
- c. Approve and authorize the hiring of retiree Wendy Strimling as a temporary County employee no sooner than May 11, 2022.

SUMMARY/DISCUSSION:

Government Code section 7522.56 limits the manner in which a California Public Employee Retirement System (PERS) retiree can return to public service, even on a temporary basis. Subsection (f) of Government Code section 7522.56 states a retired person is not eligible for a period of 180 days following the date of her or his retirement, unless: “The employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed and the appointment has been approved by the governing body of the employer in a public meeting. The appointment may not be placed on a consent calendar.” At this time, the County Counsel seeks Board of Supervisors approval to meet an imminent and urgent need for the critical expertise of a land use law specialist intimately familiar with critically needed County work.

Ms. Wendy Strimling has numerous years of experience advising local governments on a wide range of issues, including expertise in land use and the California Environmental Quality Act. Ms. Strimling’s recent retirement has left a vacancy in the County Counsel’s Office, and has resulted in a lessened capacity, specifically regarding land use issues. Additionally, the County Counsel’s Office has recently had other unexpected vacancies with three other Deputy County Counsel vacancies. The County Counsel’s Office is actively recruiting for the Deputy County Counsel positions, but has experienced difficulties in finding qualified candidates. Ms. Strimling’s critical expertise, and a large number of vacancies in the County Counsel’s Office prompts the County Counsel to request that the Board waive the 180-day waiting period, find the appointment of Ms. Strimling is necessary to fill a critically needed position, and authorize the hiring of Ms. Strimling on a temporary basis from six months to one year.

Ms. Strimling’s temporary appointment is necessary to fill a critically needed position at this time, and to authorize County Counsel to hire Ms. Strimling on a temporary basis shortly after her separation from County service and retirement on December 31, 2021. Ms. Strimling will be limited to a maximum of 960 hours of work per year.

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

County Counsel's Office's budget.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The proposed action will support Strategic Initiatives in the Administration area, as it will provide critical legal expertise and assistance with Housing & Community Development projects.

Mark a check to the related Board of Supervisors Strategic Initiatives

Economic Development

Administration

Health & Human Services

Infrastructure

Public Safety

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Approved by:

Leslie J. Girard, County Counsel Ext. 5365

Attachments:

Board Report

1. Draft Resolution