



**Contra
Costa
County**

To: Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: August 9, 2022

Subject: Temporary Hire of County Retiree - Waiver of 180-day "sit-out" period.

RECOMMENDATION(S):

1. CONSIDER waiving the 180-day "sit-out" period for Mr. James Stein, in the Public Works Department;
2. FIND that the appointment of Mr. Stein as a temporary County employee is necessary to provide staff augmentation and support for a critically needed position; and
3. APPROVE AND AUTHORIZE the hiring of retiree, Mr. Stein, as a temporary employee for the period of August 22, 2022 through June 30, 2023, as recommended by the Public Works Director.

FISCAL IMPACT:

Salary costs are included in the Department's operating budget. There will be salary and employment tax payments for the hours provided of approximately \$70,000 for up to 960 hours per fiscal year. These costs will be offset by savings due to the vacancy of the permanent position.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **08/09/2022** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: August 9, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Brian M. Balbas
(925)313-2201

By: June McHuen, Deputy

BACKGROUND:

The Public Employee's Pension Reform Act of 2013 requires that active members who retire on or after January 1, 2013, must wait 180 days after retirement before returning to work as a temporary employee. The Act also allows the Board, based on findings that the appointment is necessary to fill critically needed positions, to waive the 180-day "sit-out" period.

Mr. James Stein retired from the Public Works Department on July 30, 2022 after over 24 years of service. He retired from the position of the County Surveyor, which is a single position class that fulfills statutory requirements of the Professional Land Surveyors Act. As the County Surveyor, Mr. Stein managed the Surveys Section that provides map review, right of way engineering, and field surveys function of the Department. He also supervised the Senior Land Surveyors, provided direction to professional and technical staff, and performed related tasks as required in that position.

The Department has been working on a succession planning effort and is in the process of recruiting for the County Surveyor position. Unfortunately, on a statewide level, there has been a limited amount of qualified professional land surveyors with the expertise and experience required in this position. Due to the complexities of this job and in the interim, Mr. Stein's expertise, experience, and institutional knowledge are critical in our Department's succession planning, training the next appointed County Surveyor and recently hired Senior Land Surveyors, and assisting in continuing to provide the Department's surveying services. The Department intends to have Mr. Stein assist the Surveys Unit of the Department in this position until the recruitment to backfill for the County Surveyor position is completed.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to receive Board approval will result in a negative impact on the Department's ability to provide the surveying services.

CLERK'S ADDENDUM

Speakers: No name given.