



# Mendocino County

## Legislation Details (With Text)

**File #:** 16-918      **Version:** 1      **Name:**

**Type:** Approval      **Status:** Approved

**File created:** 8/23/2016      **In control:** Air Quality Management District

**On agenda:** 9/20/2016      **Final action:** 9/20/2016

**Title:** Discussion and Possible Action Including Approval of Request to Continue the District's Contract with Ms. Terry Gross for Separate Legal Representation for the Air Quality Management District Pursuant to Government Code Section 7522.56 Requirements for Retirees of Public Employers Participating in a Public Retirement System

**Sponsors:** Air Quality Management District

**Indexes:**

**Code sections:**

**Attachments:** 1. Government Code Section 7522c & f1, 2. Agenda 16-05 Legal Services Memo

Date	Ver.	Action By	Action	Result
9/20/2016	1	Board of Supervisors	Adopted and Chair is authorized to sign same;	Pass

**To:** Board of Supervisors

**From:** Air Quality Management District

**Meeting Date:** September 20, 2016

**Department Contact:** Robert A. Scaglione

**Item Type:** Regular Agenda

**Phone:** 463-4354

**Time Allocated for**

**Item:** 10 Mins

### **Agenda Title:**

Discussion and Possible Action Including Approval of Request to Continue the District's Contract with Ms. Terry Gross for Separate Legal Representation for the Air Quality Management District Pursuant to Government Code Section 7522.56 Requirements for Retirees of Public Employers Participating in a Public Retirement System

### **Recommended Action/Motion:**

Approve the Air Quality Management District's request to continue the District's contract with Ms. Terry Gross for separate legal representation following her retirement from public service as required by Government Code, Section 7522.56.

### **Previous Board/Board Committee Actions:**

Approval of Legal Services Agreement, May 16, 2016.

### **Summary of Request:**

On May 17, 2016, the Air Quality Management District Board approved a legal services contract with attorney Terry Gross as outside legal counsel to represent the District in legal matters related to the appeal of permits issued by the District, in addition to other legal actions related to enforcement matters. Ms. Gross had

previously been employed as a Deputy County Counsel for Mendocino County and officially retired as of August 13, 2016. Government Code § 7522.56 (f)(1) allows the Board to rehire a retired employee prior to the 180 day waiting period to fill a critically needed position. The District is requesting that the Board waive the 180 day waiting period pursuant to Government Code § 7522.56 (f)(1) to allow Ms. Gross to continue as the District's outside legal counsel without reinstatement or interruption of benefits. There are no additional costs to the District associated with approval of the District's request.

**Alternative Action/Motion:**

Do not approve the request to waive the waiting period and refer the matter to County Counsel for District representation

**Supplemental Information Available Online at:** N/A

**Fiscal Impact:**

**Source of Funding:** N/A

**Budgeted in Current F/Y:** N/A

**Current F/Y Cost:** N/A

**Annual Recurring Cost:** N/A

**Supervisory District:** All

**Vote Requirement:** Majority

**Agreement/Resolution/Ordinance Approved by County Counsel:** N/A

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**CEO Liaison:** Christopher Shaver, Deputy CEO

**CEO Review:** Choose an item.

**Comments:**