

1                               BEFORE THE BOARD OF SUPERVISORS  
2                                               OF THE  
3                               COUNTY OF FRESNO, STATE OF CALIFORNIA  
4

5 IN THE MATTER OF FINDING CRITICAL NEED       )  
6 PURSUANT TO GOVERNMENT CODE SECTION       )  
7 7522.56(f)(1); EXCEPTION TO THE 180 DAY       )                       RESOLUTION  
8 SEPARATION PERIOD IN THE RE-EMPLOYMENT       )  
9 OF RETIREE DONNA CONLEY AS EXTRA-HELP       )  
10 ASSOCIATE REAL PROPERTY AGENT               )

11               WHEREAS, Donna Conley, a former Associate Real Property Agent, retired June 16, 2018; and

12               WHEREAS, the County was unable to recruit a replacement for the experienced Associate Real  
13 Property Agent position; and

14               WHEREAS, the Department of Public Works and Planning currently has more than 25 critical  
15 road and bridge projects which require right-of-way acquisition; and

16               WHEREAS, the Department currently has only one experienced Associate Real Property Agent;  
17 and

18               WHEREAS, in addition to acquiring right-of-way for numerous projects, the Real Property  
19 Section must dispose of surplus County property, process dedications of right-of-way, and train three  
20 Junior Real Property Agents; and

21               WHEREAS, the single, experienced Associate Real Property Agent cannot perform all of these  
22 duties concurrently without delaying critical road and bridge projects; and

23               WHEREAS, during her tenure, Ms. Conley acquired extensive knowledge and experience in  
24 real property acquisition; and

25               WHEREAS, retaining an Extra-Help Associate Real Property Agent is critical to the Department  
26 to complete important safety projects timely while effectively training new staff; and

27               WHEREAS, the Department has a critical need to continuously have the services of an  
28 additional Associate Real Property Agent and, until the Junior Real Property Agents have been fully  
trained, to retain the services of the retiring Associate Real Property Agent, with extensive knowledge  
and experience this retiree has; and

1 WHEREAS, Government Code, section 7522.56 requires the One-Hundred Eighty (180) day  
2 separation period, as established by the California Public Employees' Pension Reform Act, be waived  
3 by Act of Resolution by the employer's governing body; and

4 WHEREAS, the appointment is necessary to fill the critically needed position before the One-  
5 Hundred Eighty (180) day separation period has passed.

6 NOW THEREFORE, BE IT RESOLVED, that the Fresno County Board of Supervisors hereby  
7 adopts this Resolution to hire retiree Donna Conley for part-time work as an Extra-Help Associate Real  
8 Property Agent, effective November 15, 2018, finding that this employment is necessary to fill a  
9 critically needed position before the One-Hundred Eighty (180) day separation period for retired  
10 employees returning to employment as Extra-Help set forth in Government Code, section 7522.56(f)(1)  
11 has passed. Based thereon, the Fresno County Board of Supervisors, finds the One-Hundred Eighty  
12 (180) day separation period for retired employees returning to employment as Extra-Help is not  
13 applicable.

14 THE FOREGOING, was passed and adopted by the following vote of the Board of Supervisors  
15 of the County of Fresno this \_\_\_\_\_ day of \_\_\_\_\_, 2018, to wit:

16  
17 AYES:

18 NOES:

19 ABSENT:

20 ABSTAINED:

21  
22 \_\_\_\_\_  
Sal Quintero, Chairperson of the Board of Supervisors  
of the County of Fresno

23 **ATTEST:**

24 Bernice E. Seidel  
25 Clerk of the Board of Supervisors  
County of Fresno, State of California

26 By: \_\_\_\_\_  
27 Deputy  
28