



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: County Counsel
Department No.: 013
For Agenda Of: February 7, 2023
Placement: Departmental
Estimated Time: Five minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Rachel Van Mullem, County Counsel (805) 568-2950
Director
Contact Info: Michelle Montez, Division Chief (805) 568-2950
SUBJECT: Approve Extra Help Service and Retirement Waiver for the Office of County Counsel

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: SBCERS

As to form: Yes

Recommended Actions: That the Board of Supervisors:

- a) In accordance with California Government Code Section 7522.56(f)(1), certify that the appointment of retired County employee Maria Salido Novatt is necessary to fill a critical need in the Office of County Counsel before 180 days have passed from her date of retirement;
- b) Approve and authorize the Office of County Counsel to appoint retired employee Maria Salido Novatt as an Extra Help employee to provide assistance with specialized legal services on a part time basis, not to exceed 960 hours of annual service, with an effective start date of February 6, 2023; and
- c) Determine that the above actions are organizational and administrative activities of government that are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines.

Summary Text:

The purpose of this item is to request that your Board certify that there is a critical need to allow the Office of County Counsel to hire retired Senior Deputy County Counsel Maria Salido Novatt as an Extra-Help employee before 180 days have passed from her date of retirement. Ms. Novatt retired on December 23, 2022. One of Ms. Novatt's primary assignments was staffing at the Emergency Operations Center (EOC). The Office was aware that Ms. Novatt was planning to retire and transition

plans were in place for coverage, however we had an attorney unexpectedly resign in late December and that attorney was also on our EOC team. As a result, we are now down two attorneys at the EOC during emergencies. Additionally, we've hired a new attorney, who is in the process of being trained on emergency legal work but that will take some time. To ensure adequate EOC coverage during any upcoming emergencies, we would like to have Ms. Novatt available as Extra Help. Ms. Novatt has a wide-range of public agency experience especially supporting emergency legal work.

If approved, Ms. Novatt will assist the Office of County Counsel by primarily providing legal support with any emergency and disaster work, including but not limited to research, in-person coverage at the EOC, and other duties as assigned in accordance with Ms. Novatt's extensive public agency experience.

Background:

The Office of County Counsel provides legal support to the County during emergencies. There are often various, time sensitive legal questions and our office holds the "Legal" position in the EOC structure.

Ms. Novatt has almost 30 years of expertise in the Office of County Counsel. During her time with County Counsel, Ms. Novatt was an assigned team member supporting the EOC and provided legal support during many fires, storms, and the 1/9 Debris Flow. Her extra help appointment will ensure stability and continuity should emergencies arise. The Office of County Counsel anticipates that Ms. Novatt will be needed in this role for approximately nine months to one year, for no more than 960 hours per fiscal year.

Fiscal and Facilities Impacts: It is anticipated that Ms. Novatt will be providing legal services up to 960 hours. In accordance with California Government Code Section 7522.56(d), Ms. Novatt will perform this work at a salary rate that does not exceed the maximum authorized in the County's salary table for a Senior Deputy County Counsel attorney. This extra help position will be covered by existing budgeted funds.

Authored by: Michelle Montez, Division Chief