



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: May 17, 2022  
Placement: Departmental  
Estimated Time: Five minutes  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**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

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**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 Michael Youngdahl is necessary to fill a critical need in the Office of County Counsel before 180 days have passed from his date of retirement;
- b) Approve and authorize the Office of County Counsel to appoint retired employee Michael Youngdahl 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 May 30, 2022; 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 Michael Youngdahl as an Extra-Help employee before 180 days have passed from his date of retirement. Mr. Youngdahl retired on March 30, 2022. The Office was aware that Mr. Youngdahl was planning to retire and transition plans were in place for coverage; however, a few unavoidable events have occurred. We had an attorney unexpectedly resign in late December and have had recent difficulty recruiting for that

position and Mr. Youngdahl's now vacant position. In our most recent attorney recruitments, two candidates declined offers due to costs of living. We also learned that we need to provide coverage for an attorney going on leave during the Summer and Fall 2022. The attorney going on leave handles a large portfolio of civil litigation.

If approved, Mr. Youngdahl will assist the Office of County Counsel by handling a limited number of litigation cases, providing internal and external trainings, and investigating pre-litigation employment claims.

**Background:**

The Office of County Counsel handles the County's civil litigation. At any given time, there are 40-50 active litigation cases (tort, civil rights, employment and property rights).

Mr. Youngdahl has 30+ years of expertise in the Office of County Counsel and as a civil litigator. During his time with County Counsel, Mr. Youngdahl specialized in litigating civil tort, civil rights, employment and property rights cases. His extra help appointment will ensure stability and continuity for County litigation matters. The Office of County Counsel anticipates that Mr. Youngdahl 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 Mr. Youngdahl will be providing legal services up to 960 hours. In accordance with California Government Code Section 7522.56(d), Mr. Youngdahl 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