

**BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO**  
**RESOLUTION NO. 2022-\_\_\_\_\_**

**A RESOLUTION OF THE SAN BENITO COUNTY BOARD OF SUPERVISORS  
FOR EXCEPTION TO THE 180-DAY WAIT PERIOD  
GOVERNMENT CODE SECTIONS 7522.56 & 21224**

**WHEREAS**, in compliance with Government Code section 7522.56, the County of San Benito must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

**WHEREAS**, Karen Overstreet retired from the County of San Benito in the position of Agricultural Commissioner/Sealer of Weights and Measures, effective December 18, 2021; and

**WHEREAS**, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 16, 2022 without this certification resolution; and

**WHEREAS**, section 7522.56 provides that this exception to the 180 day wait period shall not be available if the retiree accepts any retirement-related incentive; and

**WHEREAS**, the Board of Supervisors, the County of San Benito, and Karen Overstreet certify that Karen Overstreet has not and will not receive any retirement-related incentive; and

**WHEREAS**, the San Benito County Board of Supervisors hereby authorizes employment of Karen Overstreet as an extra help retired annuitant to perform the duties of the Agricultural Commissioner/Sealer of Weights and Measures for the County of San Benito under Government Code section 21224, effective May 5, 2022; and

**WHEREAS**, the entire employment agreement, contract or appointment document between Karen Overstreet and the County of San Benito has been reviewed by this body and is attached herein; and

**WHEREAS**, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

**WHEREAS**, the employment shall be limited to 960 hours per fiscal year; and

**WHEREAS**, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

**WHEREAS**, the maximum base salary for this position is \$13,461.06 monthly and the hourly equivalent is \$77.66, and the minimum base salary for this position is \$10, 166.00 monthly and the hourly equivalent is \$58.65; and

**WHEREAS**, the hourly rate paid to Karen Overstreet will be \$77.66; and

**WHEREAS**, Karen Overstreet has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

**THEREFORE, BE IT RESOLVED THAT** the San Benito County Board of Supervisors hereby certifies the nature of the appointment of Karen Overstreet as described herein and detailed in the attached employment agreement/contract/ appointment document and that this temporary appointment is necessary to fill the critically needed position of Agricultural Commissioner/Sealer of Weights and Measures for the County of San Benito effective May 5, 2022 due to the fact that Ms. Overstreet holds the required license, has over six (6) years of experience in the Agricultural Commissioner's Office, and has held this single position classification since March 30, 2015, her licensure and expertise is needed to provide the County's mandated services on a temporary part time interim basis until the County can hire or contract to fill the vacancy with an appropriately credentialed person..

**BE IT FURTHER RESOLVED**, that the current appointment of Karen Overstreet as a temporary employee occurs under her current term in that the Agricultural Commissioner and County Sealer of Weights and Measures may hold office until appointment of his successor, and shall not constitute appointment to a new four year term of office pursuant to California Food and Agricultural Code section 2122 or California Business and Professions Code section 12200

**[signatures on following page]**

**PASSED AND ADOPTED** by the San Benito County Board of Supervisors, State of California, at the meeting of said Board held on the 24th day of May 2022 by the following vote:

AYES: SUPERVISORS  
NOES: SUPERVISORS  
EXCUSED: SUPERVISORS  
ABSTAIN: SUPERVISORS

\_\_\_\_\_  
Bea Gonzales, Chair  
San Benito County Board of Supervisors

ATTEST:  
Jennifer Frechette, Clerk of the Board

APPROVED AS TO LEGAL FORM:  
Barbara J. Thompson, County Counsel

By: \_\_\_\_\_

By: \_\_\_\_\_

Date: May 24, 2022

Joel Ellinwood, Assistant County Counsel  
Date: May 24, 2022