

Central Services
Joan Araujo, DirectorEngineering Services
Anastasia Seims, DirectorRoads & Transportation
Anitha Balan, DirectorWater & Sanitation
Vacant, DirectorWatershed Protection
Vacant, Director

April 29, 2025

County of Ventura Board of Supervisors

Subject: Approval for the Public Works Agency Director to Appoint David Fleisch as an Extra-Help Employee to Fill a Critically Needed Position Related to Ongoing Litigation and Settlement Negotiations; Certify the Nature of Mr. Fleisch's Employment and Appointment in Accordance with Government Code Section 7522.56, Subdivision(f)(1)

Recommendations:

It is recommended that your Board:

1. Certify the nature of employment of David Fleisch as a retired annuitant assisting the Public Works Agency as an Assistant Director and find that his employment is necessary to fill a critically needed position before 180 days have passed since his retirement from the County of Ventura in accordance with Government Code section 7522.56 subdivision (f)(1) for the reasons set forth in this letter; and
2. Approve the Public Works Agency Director's appointment of David Fleisch as a retired annuitant, extra-help Assistant Director assisting the Public Works Agency to fill a critically needed position to support ongoing cases in litigation and settlement negotiations.

Fiscal Impact:

	FY 2024-25	FY 2025-26
Revenues	\$0	\$0
Costs	\$9,769	\$116,108
Total Costs	\$9,769	\$116,108

Funding Source(s): Ventura County Waterworks District No.1 Water and Watershed Protection Zone 3

Funding Match Required: NONE



Discussion:

Due to the recent turnover of executive level staff within the Public Works Agency, Mr. Fleisch's historical background, involvement, and representation of facts, timelines, and incidents in cases in litigation, claim dispute, and settlement negotiations for Public Works is essential.

Public Works is currently in dispute with Sukut Construction, LLC related to the Calleguas Creek Downstream of Upland Road Bridge 2023 Sediment Removal contract. Both the Agency Director and Watershed Protection Department Director in place at the time of the signing and commencement of the sediment removal project are no longer employed by the County of Ventura. Public Works is also engaged with the California State Water Resources Control Board regarding a sewage spill within the PWA Water & Sanitation's District 1, Moorpark sewer district. The Agency Director, Water and Sanitation Department Director and Deputy Director in place at the time of the spill are no longer employed by the County of Ventura. It is essential that Mr. Fleisch be available based on his historical knowledge in order to provide adequate representation on behalf of the County and District.

Mr. Fleisch, who retired from the County of Ventura on February 14, 2025, held the position of Agency Assistant Director since April 18, 2021. His employ spanned both incidents described above. With the Agency Director and two (2) Department Directors from that era no longer working for the County, Mr. Fleisch's assistance is critical for providing the facts that will be used to provide the Agency, the District, and the County with full and accurate representation.

Pursuant to Government Code section 7522.56, County retirees are required to have a separation from service (sit out period) of 180 days between retiring and returning to work for the County, at which time they may work no more than 960 hours per fiscal year. However, Government Code section 7522.56, subdivision (f)(1), allows a retiree to be employed before 180 days have passed if the County certifies the nature of the employment and that "the employment is necessary to fill a critically needed position." Further under section 7522.56(f)(1), the appointment must be approved by the governing body at a public meeting as part of the regular meeting agenda. Given Mr. Fleisch's extensive and unique experiences and background with Public Works, I believe it is critical that we bring him back to temporarily assist the Agency. I am grateful for his willingness to do so.

The funds for Mr. Fleisch's employment are available within the Public Works Departmental budgets, Watershed Protection and Water & Sanitation respectively for each case. As an extra help employee, he will be paid at the rate no higher than his previous hourly base rate and will not receive any additional benefits or incentives.



I am therefore, requesting Board action to approve the subject recommendations in this letter allowing David Fleisch to be appointment as an Extra-Help employee.

Strategic Plan:

This item contributes to the Board of Supervisors (Board's) 2024-2027 strategic priority to provide:

- I. Fiscal responsibility and economic vitality through:
 1. Maintaining a transparent and balanced budget, while funding essential services and implementing cost-savings measures.

This item has been reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel.

If you have any questions concerning this item, please contact the undersigned at (805) 654-2084.

Sincerely,



Joan Araujo
Director
Central Services

