

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION**

**AUTHORIZING THE HIRING OF RETIRED DEPUTY DISTRICT ATTORNEY ALFRED GIANNINI TO AN EXTRA HELP POSITION IN ORDER TO ASSIST IN THE PROSECUTION OF THE CASE OF THE PEOPLE v. WILLIAM HAMILTON AYRES, AND CERTIFYING, PURSUANT TO GOVERNMENT CODE §7522.56(F)(1), THAT THE NATURE OF EMPLOYMENT AND APPOINTMENT IS NECESSARY TO FILL A CRITICALLY-NEEDED POSITION BEFORE THE POST-RETIREMENT 180 DAY SEPARATION PERIOD EXPIRES**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, the San Mateo County District Attorney is vested with the authority to prosecute criminal offenses. In fulfilling this role, the District Attorney's Office seeks to take all reasonable measures to prosecute criminal actions to the best of its ability and to the full extent of the law; and

**WHEREAS**, retired San Mateo County Deputy District Attorney Alfred Giannini has decades of experience trying complicated and high profile felony criminal trials; and

**WHEREAS**, the prosecution of Dr. William Ayres is a complex and high profile felony criminal prosecution with a long and complicated procedural history; and

**WHEREAS**, the advice and expertise Mr. Giannini is able to provide to the Deputy prosecuting the action is essential and unattainable from current County personnel without creating a void in other areas of need; and

**WHEREAS**, Government Code §7522.56 requires a One-Hundred Eighty (180) day separation period, as established by the California Public Employees' Pension Reform Act, unless the employer's governing body makes a finding by certifying that the appointment is necessary to fill a critically needed position before the One-Hundred Eighty (180) day separation period has passed; and

**WHEREAS**, due to the scheduled date of trial and Mr. Giannini's recent retirement, Mr. Giannini's services are needed prior to the expiration of the One-Hundred-Eighty (180) day separation period;

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the San Mateo County Board of Supervisors hereby adopts this Resolution approving the hiring of retired District Attorney employee Alfred Giannini to an extra help position in order to assist in the prosecution of Dr. William Ayres, and certifying, pursuant to Government Code §7522.56(f)(1), that the nature of employment and appointment is necessary to fill a critically-needed position before the post-retirement 180 day separation period expires.

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