



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: September 6, 2022
TO: Adam W. Politzer, Interim City Manager
FROM: Trish Raver, Human Resources Director
SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Appointing Emily Plummer-Boyd As The Interim Finance Director And Interim City Treasurer Pursuant To Government Code Section 21221(H) Effective September 7, 2022**

Resolution Of The City Council Of The City Of Emeryville Appointing William Zenoni As The Interim Finance Director And Interim City Treasurer Pursuant To Government Code Section 21221(H) Effective October 17, 2022

RECOMMENDATION

Staff recommends that the City Council approve the above-entitled resolutions confirming the appointment of Emily Plummer-Boyd as the Interim Finance Director and Interim City Treasurer effective September 7, 2022 and William Zenoni as the Interim Finance Director and Interim City Treasurer effective October 17, 2022.

BACKGROUND

The City's Finance Director and Treasurer, Brad Farmer, announced his resignation to take a position with another agency effective September 31, 2022. A retired finance director whom previously served our agency in the capacity of Interim Finance Director and Interim City Treasurer, William Zenoni, was selected by the Interim City Manager to fill the positions on an interim basis while a recruitment for the permanent position is conducted. Mr. Zenoni is available beginning on October 17, 2022. More information about Mr. Zenoni is provided below.

Mr. Farmer then had to modify his resignation date to the earlier date of September 6, 2022, resulting in the need for an additional staff resource from September 7, 2022 through October 16, 2022. Emily Plummer-Boyd, a retired Finance Director who has previously served our agency, was then identified, is available and was selected to serve as the Interim Finance Director and City Treasurer to bridge the gap until Mr. Zenoni is available on October 17, 2022. More information about Ms. Plummer-Boyd is provided below.

State law requires the City Council to appoint retirees to certain vacancies in order to avoid any conflict with the other rules and requirements of the California Public Employees Retirement System (CalPERS).

Under Government Code section 21221, subparagraph (h), a governing body of an agency which contracts with CalPERS for retirement benefits may appoint a retiree on an interim basis to a vacant position during recruitment for a permanent appointment to a position deemed by the governing body to either: (1) require “specialized skills”; or (2) is necessary to fill during an emergency to prevent stoppage of public business. The appointment may not exceed a total of 960 hours for all employers in a fiscal year, including any employment pursuant to Government Code sections 21224 or 21229. The compensation for the interim appointment shall not be less than the minimum, nor more than the maximum published pay schedule for the vacant position.

The governing body shall only appoint the same CalPERS retiree once under the exception in Government Code section 21221(h). The CalPERS retiree also may not receive any benefit, incentive, compensation in lieu of benefits, or other form of compensation in addition to the hourly pay rate. In addition, pursuant to Public Employees Pension Reform Act (PEPRA), the CalPERS retiree may not have received unemployment insurance benefits arising out of employment with a public employer during the 12-month period prior to the appointment. If a retired person impermissibly accepts an appointment after receiving unemployment insurance benefits arising out of employment with the same employer, the retiree must terminate that employment on the last day of the current pay period and shall not be eligible for reappointment subject to this section for a period of 12 months following the last day of employment.

DISCUSSION

Mr. Zenoni has forty years of experience in finance, management and organizational development. He has extensive experience in organizational leadership, financial management, project management, budget development and financial forecasting, capital financing and development and implementation of organizational policies and procedures. Following his retirement, he has provided interim staffing and financial management/support services to public and non-profit agencies including serving as Chief Financial Officer for the East Bay Regional Parks District, City Manager for the City of Lincoln, Finance Director for the cities of Concord, Benicia and Napa, and Executive Director/Controller for Civicorps Schools. He has also provided consulting support to the cities of Vallejo, Citrus Heights, Benicia, Modesto and Vallejo Flood and Waste Water District; that support included budget development, long range financial forecasting, financial reporting, review of internal controls and organizational effectiveness and development of fiscal policies and procedures.

Ms. Boyd has thirty years of accounting and financial management experience, including both private businesses and public agencies. She has extensive experience with government accounting, budgeting, long-term financial forecasting, utility rate

studies, user fees analysis, and financial reporting. Before retirement, she was Finance Director for the Town of Moraga, Crescent City, and City of Galt. Since retirement, she has been Interim Finance Director for the City of Millbrae and the City of Pittsburg. In those cities, she oversaw the development of the annual budget, prepared long-term forecasting models, supervised finance staff, and managed day-to-day operations of the finance department.

The City's offer letters to Mr. Zenoni and Ms. Plummer-Boyd, stating the terms and conditions of employment, are attached as exhibits to the Resolutions. The City's Human Resources Department will conduct a recruitment for a new Finance Director and more information will be provided to the Council as that recruitment process is developed.

Emeryville Municipal Code Section 2-1.304 provides that the City Council confirms the City Manager's appointment of the City Treasurer. The Council last acted on November 17, 2020, to confirm the appointment of Brad Farmer as the Finance Director and City Treasurer (Resolution No. 20-117). With Mr. Farmer's departure, the Interim City Manager recommends that the City Council confirm the appointment of Ms. Plummer-Boyd as the Interim City Treasurer to correspond to her appointment as Interim Finance Director from September 7, 2022 through October 16, 2022. The Interim City Manager further recommends that the City Council confirm the appointment of Mr. Zenoni as the Interim City Treasurer to correspond to his appointment as Interim Finance Director from October 17, 2022 until the placement of a permanent Finance Director and Treasurer.

FISCAL IMPACT

The costs of the Finance Director position are incorporated into the current FY 22-23 budget.

COMMITTEE RECOMENDATION

This item was not presented to any committees.

STAFF COMMUNICATION WITH THE PUBLIC

There has been no communication with the public on this matter.

CONFLICT OF INTEREST

None

CONCLUSION

The City Manager recommends that the Council confirm the appointment of Ms. Emily Plummer-Boyd as the Interim Finance Director and Interim Treasurer effective

September 7, 2022 through October 16, 2022, and confirm the appointment of William Zenoni as the Interim Finance Director and Interim City Treasurer effective October 17, 2022.

PREPARED BY: Trish Raver, Human Resources Director

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Adam W. Politzer, Interim City Manager

ATTACHMENTS

- Draft Resolution of the City Council Appointing Emily Plummer-Boyd as Interim Finance Director and Interim City Treasurer effective September 7, 2022 through October 16, 2022.
- Offer Letter – Emily Plummer-Boyd
- Draft Resolution of the City Council Appointing William Zenoni as Interim Finance Director and Interim City Treasurer effective October 17, 2022.
- Offer Letter – William Zenoni