



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: June 9, 2020
TO: Christine Daniel, City Manager
FROM: Trish Raver, Human Resources Director
SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Appointing Robert Schreeder As The Interim Chief Of Police Pursuant To Government Code Section 21221(h)**

RECOMMENDATION

The City Manager recommends that the City Council adopt the above entitled Resolution appointing Robert Schreeder as the Interim Chief of Police effective June 13, 2020.

BACKGROUND

The City's Chief of Police, Jennifer Tejada, announced her retirement after 25 years of service on May 11, 2020 effective June 12, 2020. The City Manager identified a retired police chief, Robert Schreeder, to hold the position on an interim basis while a recruitment for the permanent position is conducted. More information about Chief Schreeder 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 divided by 173.333 to equal an hourly rate.

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

Robert “Hank” Schreeder retired as the Police Chief of the City of Santa Rosa in 2019. Chief Schreeder began his career with the Fullerton Police Department where he served three years, followed by serving in the Santa Rosa Police Department for 28 years, the last five as Chief of Police. Schreeder oversaw the second-largest law enforcement agency in Sonoma County, with 180 sworn officers and a budget of \$59 million. Among many other achievements, he supported the Santa Rosa community, and the men and women of the Santa Rosa Police Department, through the most destructive event in Santa Rosa history: the deadly October 2017 firestorm that destroyed more than 5,300 homes in Sonoma County — including 3,061 in Santa Rosa — and killed 24 people across the county. As Chief, he implemented the body worn camera program for Santa Rosa, as well as engaging part-time police auditors to conduct regular reviews of the Department’s internal investigations. Chief Schreeder brings a deep commitment to public service, community- based policing and an understanding of the critical relationship between law enforcement and the communities it serves.

The City’s conditional offer letter to Chief Schreeder, stating the terms and conditions of employment, is attached as an exhibit to the Resolution. The City is in the process of completing the required background checking and the appointment is conditional upon completion of that process, which is anticipated shortly. Given the timing of the incumbent Chief’s retirement date, the proposed Resolution is being presented to the City Council to enable a timely transition.

The City will engage a firm to conduct a national recruitment for a new Police Chief and more information will be provided to the Council and the community as that recruitment process is developed.

FISCAL IMPACT

The costs of the Police Chief position are incorporated into the current two-year 2019-2021 budget.

STAFF COMMUNICATION WITH THE PUBLIC

There was no staff communication with the public.

CONCLUSION

The City Manager recommends that the City Council adopt the above entitled Resolution appointing Robert Schreeder as the Interim Chief of Police effective June 13, 2020.

PREPARED BY: Trish Raver, Human Resources Director

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



Christine Daniel, City Manager

ATTACHMENTS

- Draft Resolution of the City Council Appointing Robert Schreeder as Interim Chief of Police effective June 13, 2020.
- Conditional Offer of Employment Appointment Letter