



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: June 16, 2020
TO: Christine Daniel, City Manager
FROM: Trish Raver, Human Resources Director
SUBJECT: **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)**

RECOMMENDATION

The City Manager recommends that the City Council adopt the above entitled Resolution appointing William “Bill” Zenoni as the Interim Finance Director effective June 22, 2020.

BACKGROUND

The City’s Finance Director, Susan Hsieh, announced her resignation to take a position with another city effective June 19, 2020. The City Manager identified a retired finance director, William Zenoni, to hold the position on an interim basis while a recruitment for the permanent position is conducted. More information about Mr. Zenoni 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 a number of cities and special districts; 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.

The City's conditional offer letter to Mr. Zenoni, stating the terms and conditions of employment, is attached as an exhibit to the Resolution. 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 took action on June 7, 2016 to confirm the appointment of Susan Hsieh as the City Treasurer. With Ms. Hsieh's departure, the City Manager recommends that the Council confirm the appointment of Mr. Zenoni as the Interim City Treasurer to correspond to his appointment as Interim Finance Director.

FISCAL IMPACT

The costs of the Finance Director 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 William Zenoni as the Interim Finance Director effective June 22, 2020.

PREPARED BY: Trish Raver, Human Resources Director

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



Christine Daniel, City Manager

ATTACHMENTS

- Draft Resolution of the City Council Appointing William Zenoni as Interim Finance Director and Interim City Treasurer effective June 22, 2020.
- Offer Letter