


1. Adopt a Resolution Authorizing the Appointment of Karen McNamara as Interim Chief of Maintenance and Skilled Trades in the Operations Division Pursuant to Government Code Section 21221(H)



**EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING
AGENDA STAFF REPORT**

DATE	September 17, 2024
TITLE	Adopt a Resolution Authorizing the Appointment of Karen McNamara as Interim Chief of Maintenance and Skilled Trades in the Operations Division Pursuant to Government Code Section 21221(H)
DIVISION	The Human Resources Division and the Operations Division
FROM	Allyson Cook, Assistant General Manager of Human Resources / Lisa Goorjian, Assistant General Manager of Operations
APPROVED	Sabrina Landreth, General Manager 

RECOMMENDATION

The General Manager recommends that the Board of Directors adopt a Resolution authorizing the appointment Karen McNamara as Interim Chief of Maintenance and Skilled Trades (MAST) in the Operations Division of the East Bay Regional Park District (Park District) effective September 23, 2024.

BACKGROUND

The Park District's Chief of MAST position became vacant on September 9, 2024 after the Park District promoted Robert Kennedy (former Chief of MAST) to Chief of Park Operations. State law provides that public agencies, which are part of the CalPERS retirement system such as the Park District, can appoint CalPERS retirees (also referred to as annuitants) to fill vacant positions when needed on an interim basis. This practice allows public agencies to obtain the services of experienced professionals to manage key operations during the period when an open recruitment is underway. In light of this vacancy, the General Managers seeks authorization to appoint an annuitant, Karen McNamara, as Interim Chief of MAST while the recruitment for a permanent Chief of MAST proceeds.

ANALYSIS

California Government Code section 21221(h) allows the governing body of the Park District to appoint a CalPERS retiree with specialized skills to an interim position during the recruitment for a permanent appointment. While the Chief of MAST is appointed by the General Manager and supervised by the Assistant General Manager (AGM) of Operations, state law enacted as part of CalPERS' retirement system reforms requires that the Board of Directors authorize the appointment of CalPERS retirees to interim management positions such as the Chief of MAST position. This required CalPERS appointment process does not modify any of the Board Operating Guidelines or Personnel Administrative Manual regarding the General Manager's authority to manage administrative affairs, including but not limited to appointing Park District staff, including the Chief of MAST. CalPERS also requires that the compensation for retirees appointed pursuant to Government

Code section 21221(h), “shall not exceed the maximum monthly base salary paid to other employees performing comparable duties as listed on a publicly available pay schedule for the vacant position.” Furthermore, retired annuitants are not eligible to receive any additional benefits or compensation and cannot work more than nine hundred sixty (960) hours per fiscal year.

The General Manager recommends and seeks to appoint Karen McNamara. Karen possesses the necessary experience as a former parks and public works professional to serve in an interim capacity. She was most recently the interim assistant Public Works Director/Director of Recreation and Parks at San Leandro and prior to that she served in an interim capacity at the Hayward Area Recreation and Park District in the position of Interim Assignments/Special Projects. Prior to retiring she held the position of the Director of Public Services/Interim Director of Parks and Community Services at city of San Ramon.

Karen McNamara agreed to serve as the Interim Chief of MAST on the terms and conditions set forth herein. Karen McNamara will perform the full range of job duties as set forth in the Park District’s Chief of MAST job description and will also oversee the MAST Department in the Operations Division. The terms of this at-will interim appointment are as follow:

1. Appointment Date: September 23, 2024 pending successful completion of any required background checks.
2. Work Schedule: At the discretion of the AGM of Operations and in accordance with CalPERS regulations, including the limit on the number of hours (960) a retired annuitant can work in a fiscal year.
3. Duration of Appointment: September 23, 2024 to approximately February 15, 2025 (state law requires a specific end date) or until the Chief of MAST position is permanently filled.
4. Hourly Pay Rate: \$93.31/hour - Step F in the Management Salary Range MG05, commensurate to the Chief of MAST compensation structure in the Park District’s posted Salary Schedule.
5. Benefits: None

The duration of Karen McNamara’s interim appointment through February 15, 2025 should provide sufficient time to complete the recruitment and selection process for the Park District’s permanent Chief of MAST. State law does not allow an interim appointment of this type to be extended though the appointment may terminate prior.

FISCAL IMPACT

The cost associated with this action is within the adopted 2024 Budget and does not require additional appropriation.



**EAST BAY REGIONAL PARK DISTRICT
RESOLUTION NO.: 2024 - 09 -
September 17, 2024**

**ADOPT A RESOLUTION AUTHORIZING THE APPOINTMENT OF
KAREN MCNAMARA AS INTERIM CHIEF OF MAINTENANCE AND SKILLED
TRADES IN THE OPERATIONS DIVISION PURSUANT TO
GOVERNMENT CODE SECTION 21221(H)**

WHEREAS, effective September 9, 2024, the position of Chief of Maintenance and Skilled Trades (MAST) will be vacant due to the promotion of Robert Kennedy to Chief of Park Operations;

WHEREAS, the East Bay Regional Park District (Park District) has authorized and is in the process of recruiting for a permanent Chief of MAST, a process which is expected to take several months;

WHEREAS, the Park District cannot leave the Chief of MAST position vacant due to the complex nature of oversight required to advance the work of this department that fulfills many of the essential services of the Park District;

WHEREAS, the Park District's Assistant General Manager of Operations interviewed and selected Karen McNamara, a retired CalPERS annuitant, as a qualified and experienced manager to serve in the interim vacant position of Chief of MAST in the Operations Division commencing September 23, 2024;

WHEREAS, through this Resolution, the Park District's Board of Directors hereby authorizes the interim appointment of Karen McNamara, who has specialized skills in the field of parks and public works management, to fill the vacant position of Chief of MAST for the Park District under California Government Code section 21221(h) effective September 23, 2024;

WHEREAS, this section 21221(h) interim appointment shall only be made once and therefore will end on February 15, 2025 or upon the selection of a permanent Chief of MAST in the Operations Division whichever is sooner;

WHEREAS, Karen McNamara's employment as Interim Chief of MAST shall be limited to nine hundred and sixty (960) hours per fiscal year;

WHEREAS, the maximum hourly rate (excluding the merit steps) for the Chief of MAST position is \$93.31/hour and the minimum hourly rate is \$73.13/hour;

WHEREAS, the hourly rate paid to Karen McNamara will be \$93.31/hour;

WHEREAS, Karen McNamara has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate.

NOW, THEREFORE BE IT RESOLVED, the Park District's Board of Directors hereby certifies pursuant to Government Code section 21221(h) the interim appointment of Karen McNamara as the Chief of MAST of the Operations Division as described herein

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed, on behalf of the Park District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this Resolution.

Moved by Director _____, seconded by Director _____, and adopted September 17, 2024,
by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: