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RESOLUTION NO. 24.007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH, CALIFORNIA, RELATING TO CONDITIONS OF EMPLOYMENT, POLICIES, AND BENEFITS FOR UNREPRESENTED EXECUTIVE MANAGEMENT AND MANAGEMENT EMPLOYEES

WHEREAS, the employees covered by this Resolution constitute certain Executive Management and Management personnel (as further identified in Section 1 of Attachment A, referenced below [the “Executive Management/Management Employees”]); and

WHEREAS, the Executive Management/Management Employees are unrepresented and have historically been subject to certain City policies regarding employment and have received certain benefits of employment, including policies and benefits consistent with certain terms set forth in the Laguna Beach Municipal Employees Association’s Memorandum of Understanding; and

WHEREAS, the purpose of this Resolution is to memorialize those historic conditions of employment, policies, and benefits for the unrepresented Executive Management/Management Employees and provide the authority necessary for the City Manager to administer, oversee, and take all steps necessary relative to the employment of those Executive Management/Management Employees.

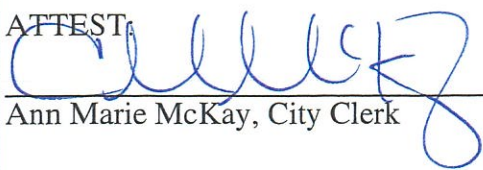
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH DOES RESOLVE:

1. The foregoing recitals are incorporated by this reference as if set forth in full herein.
2. The City Council does hereby approve and authorize the City Manager, and his/her delegated staff, to implement the provisions of this Resolution and the Conditions of Employment, Policies, and Benefits for the Unrepresented Executive Management/Management Employees, as more fully set forth in Attachment A, which is incorporated herein by this reference.

ADOPTED this 23rd day of January, 2024.



Sue Kempf, Mayor

ATTEST:


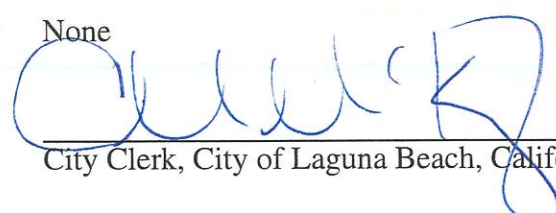
Ann Marie McKay, City Clerk

1 I, Ann Marie McKay, City Clerk of the City of Laguna Beach, certify that the foregoing
2 Resolution No. 24.007 was duly adopted at a regular meeting of the City Council of said City
3 held on January 23, 2024, by the following vote:

4 AYES: COUNCILMEMBERS: Orgill, Weiss, Whalen, Rounaghi, Kempf

5 NOES: COUNCILMEMBERS: None

6 ABSENT: COUNCILMEMBERS: None

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City Clerk, City of Laguna Beach, California

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1 ATTACHMENT A

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3 ***CONDITIONS OF EMPLOYMENT, POLICIES, AND BENEFITS***
4 ***FOR UNREPRESENTED EXECUTIVE MANAGEMENT AND MANAGEMENT***
5 ***EMPLOYEES***

6 **SECTION 1: Classifications Subject to this Resolution**

7 The following constitute those certain unrepresented Executive Management and
8 Management classifications that are subject to this Resolution (“Management Classifications”):

- 9 2060 Assistant City Manager/Chief Financial Officer
10 2050 Director of Community Development
11 2050 Director of Public Works and Utilities
12 2050 Fire Chief
13 2050 Police Chief
14 2040 Chief of Marine Safety
15 2040 City Engineer
16 2040 Deputy Fire Chief
17 2040 Director of Financial Services and Information Technology
18 2040 Director of Human Resources and Risk Management
19 2040 Director of Transit and Community Services
20 2030 Assistant City Engineer
21 2030 Assistant Director of Community Development
22 2030 Assistant Director of Public Works
23 2030 Finance Manager
24 2030 Information Technology Manager
25 2020 Building Official
26 2020 Deputy Director of Public Works
27 2020 Marine Safety Captain
28 2020 Planning Manager
2020 Project Director
2010 Communications Manager
2010 Assistant to the City Manager
2010 Recreation Manager
2000 Executive Assistant

21 **SECTION 2: At-Will Employment**

22 All employees in the Management Classifications (“Management Classification Employees”)
23 are at-will employees, as that term is defined by California Labor Code Section 2922. Nothing in this
24 Resolution shall prevent, limit, or otherwise interfere with the right of the City Manager to terminate
25 the employment of any Management Classification Employee at any time, with or without cause. In
26 the event of termination, the City shall pay the Management Classification Employee for all services
27 through the date of termination and such Management Classification Employee shall have no right to
28 any additional compensation or payment; provided, however, that a severance may be provided at the
discretion of the City Manager, as set forth in Section 5, below.

1 **SECTION 3: Incorporation of Terms from the Laguna Beach Municipal Employees**
2 **Association Memorandum of Understanding**

3 The conditions of employment, policies and benefits set forth in the following provisions of
4 the Laguna Beach Municipal Employees Association (LBMEA) Memorandum of Understanding
5 (MOU), dated July 1, 2022 – June 30, 2025, which may be from time to time amended, are
6 incorporated herein by this reference and shall be apply to and be provided for the benefit of the
7 Management Classification Employees:

- 8 • Article 2: *Term*
- 9 • Section 6.5: *Compensation When Acting out of Classification*
- 10 • Section 6.8 (future years only): *Salary (COLA)*
- 11 • Section 6.9: *Direct Deposit*
- 12 • Article 7.0 (exclusive of Section 7.5): *Vacation*
- 13 • Article 8.0: *Holidays*
- 14 • Article 9.0 (exclusive of Section 9.3): *Sick Leave*
- 15 • Article 10.0: *Family Leaves*
- 16 • Article 11.0: *Bereavement Leave*
- 17 • Article 12.0: *PERS—Disability Benefits Program*
- 18 • Article 13.0: *Education and Professional Development Reimbursement Program*
- 19 • Article 14.0: *Salary Continuance (4850 Rule)*
- 20 • Article 15.0: *Light Duty*
- 21 • Article 16.0: *Retirement*
- 22 • Article 17.0 (exclusive of Sections 17.7, 17.9, and 17.10): *Medical Benefits*
- 23 • Article 18.0: *Life Insurance*
- 24 • Article 19.0: *Long Term Disability*
- 25 • Article 20.0: *Uniform and Safety Footwear Policy*
- 26 • Article 21.0: *Mileage*
- 27 • Article 22.0: *Military Leave*
- 28 • Article 23.0: *Jury Duty*
- Article 24.0 (exclusive of Section 24.3): *Exceptional Performance Pay Plan*
- Article 26.0: *Alternate Work Schedule*
- Article 27.0: *Layoff*
- Article 28.0: *Management Rights*

22 **SECTION 4: Additional and/or Amended Benefits**

23 In addition, or as an amendment, to those policies and benefits set forth in Section 3, above,
24 the following shall be provided for the benefit of the Management Classification Employees:

- 25 • *Rates for Dependent Coverage of Medical Benefits:* Section 17.1 of the LBMEA
26 MOU, as incorporated by reference in Section 3, above, is hereby amended to provide
27 for 90% dependent coverage.
- 28 • *Compensation When Acting Out of Classification:* Section 6.5 of the LBMEA MOU,
as incorporated by reference in Section 3 above, is hereby amended to provide for up
to an additional 10% of their base salary for working out of their classification or
regularly assigned work, at the discretion of the City Manager.

- 1 • *Administrative Leave:* Up to ninety (90) hours of Administrative Leave per fiscal year,
2 as determined by the City Manager, in recognition of the additional scheduling
3 demands that result from participation in City administration and public meetings.
- 4 • *Physical Exam:* Reimbursement up to \$300 per calendar year for expenses incurred for
5 a general examination to determine physical fitness.
- 6 • *Deferred Compensation:* City-paid contribution of two percent (2%) toward a
7 Deferred Compensation Program.
- 8 • *Automobile Allowance:* For any Management Classification Employees not otherwise
9 provided a City vehicle, the City shall provide an automobile allowance of Four
10 Hundred (\$400) dollars per month for Directors, and Two Hundred dollars (\$200) per
11 month for Deputy Directors or Managers as previously approved, or as otherwise
12 deemed necessary for the performance of job duties, by the City Manager.
- 13 • *Cell Phone Stipend:* Eighty dollars (\$80) per month.
- 14 • *Internet Stipend:* Fifty dollars (\$50) per month.
- 15 • *One Shopper Parking Permit:* Annual City Paid Laguna Beach Parking Permit.

14 **SECTION 5: Severance**

15 In the event an employee covered by this Resolution (i.e., a Management Classification
16 Employee) is terminated from employment, the City Manager may, in its sole and absolute discretion,
17 authorize severance pay up to a maximum of six (6) months of base pay and health insurance coverage
18 (medical, dental and vision), provided that such terminated Management Classification Employee
19 timely executes and delivers to the City an original Separation and General Release, in a form approved
20 by the City Attorney, and does not thereafter timely exercise his, her, or their right to revoke said
21 Separation Agreement and General Release. Any severance provided must be reimbursed to the City
22 if such Management Classification Employee is convicted of a crime involving abuse of his, her, or
23 their position, as defined in Government Code section 53243.4.
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