

RESOLUTION NO. 24.066

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH, CALIFORNIA, RELATING TO COMPENSATION (SALARY AND BENEFITS) OF THE CITY TREASURER FOR THE CONCLUSION OF THE TERM THAT COMMENCED IN 2020 AND UNTIL SUCH TIME AS MAY BE LATER AMENDED BY THE CITY COUNCIL

WHEREAS, Section 36501(c) of the California Government Code provides that the office of a City Treasurer is a vested part of the government for all general law cities; and

WHEREAS, the Office of the City Treasurer (“City Treasurer”) for the City of Laguna Beach (“City”) is an elective office, having been established as such upon incorporation of the City in 1927 and not subsequently becoming appointive by virtue of a vote of the electorate (as is authorized by Government Code Sections through 36508 through 36510); and

WHEREAS, the person elected as City Treasurer or a prescribed term shall hold that office for the period of time as set forth in Government Code section 36503 (“Term”), unless such office is earlier vacated; and

WHEREAS, the City Council of a general law city shall, in accordance with Section 36517 of the Government Code, set by resolution the compensation to be received, at stated times, by an elected City Treasurer; and

WHEREAS, in addition to the salary prescribed to the Office of City Treasurer as is currently set forth in Laguna Beach City Council (“City Council”) Resolution 24.047, since approximately the mid-1970s, City records indicate that the City Treasurer has also received at least some benefits to which management employees were entitled, although the multiple amendments and rescissions to resolutions pertaining to City management employees and benefits over the years makes it difficult to track the exact benefits previously provided to the City Treasurer; however, most recently, the City Treasurer has received the same benefits that

management employees receive, pursuant to the City's Personnel Rules Section 9.1, approved in June 2009 by the City Council; and

WHEREAS, in January of 2024, the City Council adopted City Council Resolution 24.007, setting forth all of the benefits of the Unrepresented Executive Management and Managements Employees, including certain terms (such as at-will employment and severance) not apposite to elective office, which Resolution accordingly excludes the City Treasurer; and

WHEREAS, to clarify the compensation, including salary and benefits, intended for the City Treasurer, the City Council hereby finds it in the best interest and practice of the City to (1) review and memorialize the current compensation provisions for the City Treasurer by separate resolution and without reference to management employees, and (2) create a process by which such compensation may be reviewed and reconsidered for each future Term, as the City Council in its discretion deems appropriate; and

WHEREAS, the City Council hereby desires to restate by this separate resolution the City Treasurer's compensation for the remainder of the prescribed current Term that commenced in 2020 and concludes in 2024 ("2020-2024 Term"), and which shall remain in effect for any future Term(s) unless and until amended by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and incorporated herein by this reference as if set forth in full.

SECTION 2. The elected City Treasurer's compensation (salary and all benefits) for the remainder of the 2020-2024 Term shall be as set forth in Attachment A hereto and incorporated herein by this reference. All compensation set forth in Attachment A shall be prorated to commence on the effective date of this Resolution and apply through the end of the City Treasurer's 2020-2024

Term. In the event any benefit listed in Attachment A was provided in full at the beginning of the fiscal year, such benefit shall not be further provided again upon adoption of this Resolution; for example, Administrative Leave provided effective July 1, 2024 should not further provided upon adoption of this Resolution for the 2020-2024 Term.

SECTION 3. In the event that the City Council does not amend, rescind, or replace this Resolution prior to the commencement of the City Treasurer's next Term (*i.e.*, the Term following the 2020-2024 Term) or any Term thereafter, this Resolution shall remain in effect until such time as the City Council adopts a new or amended resolution. In such event, all compensation set forth in Attachment A shall be prorated from the date of commencement of the new Term and shall apply until the earlier of the (1) end of that Term or (2) amendment to or replacement of this Resolution. Notwithstanding the foregoing, the City Council, in its sole discretion, may at any time amend or replace this Resolution.

SECTION 4. City staff is directed to implement the provisions of this Resolution and modify the City's Classification and Compensation Plans to reflect any changes approved herein.

SECTION 5. This Resolution hereby repeals, in part, and supersedes any and all past Resolutions to the extent relating to the compensation (salary or benefits) of the City Treasurer, including but not limited to, in City Personnel Rules, Section 9.1, as adopted by the City Council, and City Council Resolutions 76.144 (Section 2), 77.87 (Section 2), 77.98 (Section 2), 80.60 (Section 8), 80.63 (Section 8), 83.91 (Section 9.1), and 87.87 (Exhibit B, Management Employees).

SECTION 6. The provisions of this Resolution are severable. If any provision herein is held to be invalid, the remainder of this Resolution shall not be affected by such invalidity.

SECTION 7. The City Clerk shall attest as to the adoption and execution of this Resolution and cause the same to be maintained in the permanent records of the City.

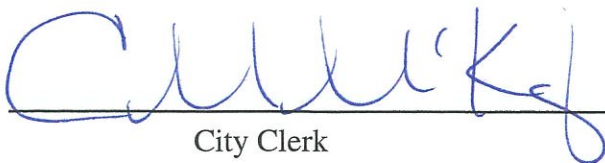
SECTION 8. This Resolution shall take effect immediately.

ADOPTED this 13th day of August, 2024.



Sue Kempf, Mayor

ATTEST:



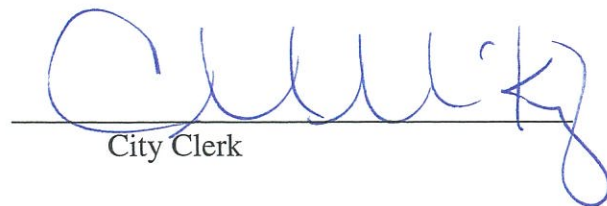
City Clerk

I, ANN MARIE MCKAY, City Clerk of the City of Laguna Beach, California, do hereby certify that the foregoing Resolution No. 24.066 was duly adopted at a Regular Meeting of the City Council of said City held on August 13, 2024, by the following vote:

AYES: COUNCILMEMBER(S): Orgill, Weiss, Whalen, Rounaghi, Kempf

NOES: COUNCILMEMBER(S): None

ABSENT: COUNCILMEMBER(S): None



City Clerk

Attachment A

1. Salary.

- a. Base Pay. Effective July 1, 2024, the City Treasurer will receive a base salary of \$121,896 per fiscal year.
- b. Cost of Living Adjustment. The City agrees to increase the City Treasurer's base salary with an annual cost of living adjustment ("COLA") utilizing increases provided to management employees.
- c. Annual Evaluation. The City Council may authorize up to a 5% base pay increase in recognition of the City Treasurer's successful performance evaluation.
- d. Exceptional Performance Pay. In addition to the salary received, the City Council may authorize up to 5% of base salary for outstanding performance or up to 10% of base salary for extraordinary performance. Exceptional Performance Pay is a one-time lump sum payment that does not increase the base salary and must be authorized and approved by the City Council.

2. Retirement, Insurance, and Other Benefits.

- a. CalPERS Retirement. The City agrees to enroll the City Treasurer in the California Public Employees Retirement System ("CalPERS") commensurate with the standard City employee retirement benefits program, as that program may be changed from time to time. The City shall contribute to the City's portion and the City Treasurer shall contribute to the officials' portion of the City Treasurer's membership in CalPERS. In addition, the City Treasurer shall further contribute to the costs of their retirement benefits in such amounts, if any, hereafter approved by the City and applied to City general management employees prior to the expiration date of this Resolution. The City does not participate in Social Security for those enrolled in CalPERS or the Public Agency Retirement Services (PARS).
- b. Deferred Compensation. The City shall contribute two percent (2%) toward a Deferred Compensation Program.
- c. Retiree Health Savings. The City shall contribute One Hundred dollars (\$100) per month into a retiree health savings account.

3. Medical and Other Insurance.

- a. Medical. The City shall provide health (medical, dental and vision) insurance benefits to the City Treasurer as commensurate with the standard management level employee health benefits. The City shall pay one hundred percent (100%) of the premium coverage for the City Treasurer, and ninety percent (90%) of the premium coverage for all dependent care. The City Treasurer shall be responsible for the remaining dependent care premium coverage, as well as all co-pays, charges, out-of-pocket expenses, and other costs required by the insurance provider or for any such co-pays, charges, out-of-pocket expenses, and other costs not covered by insurance.

- b. Life Insurance and Long-Term Disability. The City shall provide the City Treasurer with a term life insurance policy in the face amount equal to fifty thousand dollars (\$50,000). The city shall also pay the premium for long-term disability insurance, as provided to management-level employees at the City.
 - c. Other Insurance. The City shall provide and pay for all other insurance mandated by State law.
- 4. **Automobile Allowance**. The City shall provide the City Treasurer a monthly automobile allowance of Two Hundred Dollars (\$200.00) per month. The automobile allowance is intended to reimburse the City Treasurer for mileage costs and the use of their private vehicle for City business. The City Treasurer must provide their own automobile for their use in performing duties and be responsible for all maintenance, repair, fuel, and insurance expenses for said vehicle. The City Treasurer agrees to adhere to all laws, regulations, and City policies applicable to vehicles, driving, or traffic when operating their vehicle on City-related business.
- 5. **Internet and Cell Phone Stipend**. The Cell Phone and Internet Stipends, respectively, are intended to reimburse the City Treasurer for personal discretionary technological purchases and expenses (*e.g.*, cellular phone, data plan, home internet service) while conducting City business. In the event the City Treasurer elects to receive the Cell Phone Stipend, they shall use their personal cellular phone for the transaction of City business, and the Cell Phone and Internet Stipends, in part, shall serve as reimbursement for the use of their private phone and personal internet for business purposes. The City further agrees to furnish the City Treasurer with a laptop computer for purposes of conducting official City business. The City Treasurer agrees the use of such laptop computer shall be for conducting City business only and shall not be used for personal purposes.
 - a. Cell Phone. The City shall provide the City Treasurer a cell phone stipend of Eighty Dollars (\$80) per month, (“Cell Phone Stipend”); provided. If the City Treasurer instead elects to receive a City-issued cell phone paid for at City expense, no Cell Phone Stipend shall be provided.
 - b. Internet. The City shall provide the City Treasurer an internet stipend of Fifty Dollars (\$50) per month (“Internet Stipend”).
- 6. **Leaves, Vacation, and Holidays**.
 - a. Sick Leave. Sick leave shall accrue at the rate of fifty-four (54) hours per year. Sick leave accrues and is accounted for on a prorated basis in each pay period. Sick leave may be used for personal illness, illness of a spouse or dependent, and doctor and dentist appointments or as otherwise provided under California law. The City Treasurer is entitled to unlimited accumulation of sick leave, pursuant to the terms of this Section 6.a. Sick leave earned can be cashed-in (into the City’s Retirement Health Savings (“RHS”) Plan) at the rate of fifty percent (50%) of its value upon (1) death, (2) resignation prior to the end of Term, or (3) completion of the Term when not re-elected for a future Term; to the extent that it is not used, each fiscal year cash-in (into the RHS Plan) may also be requested in October or

May of each fiscal year. Accrued sick leave may also be converted to service credit under the "Credit for Unused Sick Leave" option of the Public Employees' Retirement System per Government Code section 20965. The City Treasurer will not be otherwise compensated for any unused sick leave at the time of separation from the City, except as provided herein.

- b. Vacation Leave. The City Treasurer shall earn one hundred and twenty (120) hours of vacation per year. Vacation leave accrues and is accounted for on a prorated basis in each pay period. The City Treasurer may use vacation as it accrues. Vacation accrued by the City Treasurer and not taken shall be paid to the City Treasurer when separating from City service, calculated at the City Treasurer's then-current base hourly rate; it shall not be necessary to carry the City Treasurer on the payroll for the vacation period available at time of separation. In the event separation from the City is caused by the City Treasurer's death, payment shall be made to the City Treasurer's designated beneficiary or in accordance with the law. Vacation is transferable from one year to the next. The City Treasurer may accrue a maximum of 400 hours of vacation. Every calendar year, the City Treasurer may opt to exchange unused vacation time for monetary compensation at their then-current base hourly rate.
 - c. Administrative Leave. On July 1 of each year, the City will issue 54.538 hours of Administrative Leave per year.
 - d. Bereavement Leave. The City Treasurer is entitled to a maximum of 24 hours of absence with pay, for the reason of death, or critical illness where death appears to be imminent, of either the members of the immediate family, spouse or domestic partner, as to each such instance of death or critical illness, up to a maximum of 48 hours per year. In instances involving extraordinary circumstances, an additional 48 hours may be granted, with the proviso that such time will be deducted from the Treasurer's accumulated sick or vacation leave balance. "Immediate family member" means spouse, domestic partner, cohabitant, child, stepchild, grandchild, parent, stepparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, great-grandparent, brother, sister, half-brother, half-sister, stepsibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin (that is, a child of an aunt or uncle).
 - e. Holidays. The City Treasurer shall be entitled to the same number of paid holidays per year as provided to other City management-level employees.
7. Shopper's Permit. The City shall provide the City Treasurer with one Shopper's permit.
8. Bonding. The City shall bear the full cost of any fidelity or other bonds required of the City Treasurer acting as City Treasurer of the City, under any law or ordinance.

