

RESOLUTION NUMBER 15-0064

**A RESOLUTION OF THE MANHATTAN
BEACH CITY COUNCIL ADOPTING AN
EXECUTIVE MANAGEMENT EMPLOYMENT
AGREEMENT POLICY**

THE MANHATTAN BEACH CITY COUNCIL FINDS, ORDERS AND RESOLVES
AS FOLLOWS:

Section 1. Manhattan Beach Municipal Code Section 2.04.070 (City Manager Powers and Duties) provides: “The City Manager shall be the administrative head of the City government under the direction and control of the Council. He shall be responsible to the Council for the efficient administration of all the affairs of the City which are under his control.”

Section 2. Section 2.04.070 provides that, in addition to the City Manager’s general powers as administrative head, and not as a limitation thereon, the City Manager has additional enumerated duties and powers. Subsection B provides that the City Manager has the power and duty to “Appoint, discipline and dismiss the Chief of Police, all heads of departments, and all subordinate officers and employees of the City, except the City Attorney and the City Treasurer....” Subsection N provides that the City Manager shall “Perform such other duties and exercise such other powers as may be delegated to him from time to time by ordinance or resolution of the Council.”

Section 3. Based upon the foregoing, the City Council hereby adopts the Executive Management Employment Agreement Policy attached hereto as Exhibit A, directing and authorizing the City Manager to negotiate and approve employment agreements with Executive Management employees.

Section 4. The City Clerk shall certify to the adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.

The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 17th Day of November, 2015.

Ayes:
Noes:
Absent:
Abstain:

Mark Burton, Mayor

ATTEST:

Liza Tamura, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF MANHATTAN BEACH)

I, Liza Tamura, Manhattan Beach City Clerk, hereby certify that Resolution No. 15-0064 was adopted by the Manhattan Beach City Council at a regular meeting held on November 17, 2015, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN

Liza Tamura, City Clerk

Exhibit A

EXECUTIVE MANAGEMENT EMPLOYMENT AGREEMENT POLICY (POL. 15-__)

(Adopted November 17, 2015)

The City Manager, as chief administrative officer of the City and appointing authority for all employees other than the City Attorney, is responsible for the administration and implementation of the City's personnel system. The City Manager is responsible for attracting and hiring the very best candidates to fill integral executive management positions. Pursuant to subsections B and N of Municipal Code Section 2.04.070, the City Council hereby authorizes the City Manager to negotiate and approve employment agreements with department heads and select unrepresented management/confidential employees ("Executive Management"). The Agreement shall contain general wages and benefits consistent with the authority and terms established by the City Council, and may contain, where applicable, an appendix that contains specific provisions unique to a specific employee either: (a) required by law (e.g., rights afforded by the Peace Officer's Bill of Rights); (b) within the parameters of the City Manager's authority (e.g., reasonable relocation expenses); or (c) additional benefits provided by the Council on a case-by-case basis (e.g., home acquisition loans, including short-term swing loans). Such agreements shall also include provisions for performance evaluations; resignation; termination with cause; termination without cause; and notice provisions, including notice of non-renewal and termination. If the City Manager determines to terminate an Employee without cause, the City shall provide that Employee with three to six months prior notice of the effective date of termination. The amount of notice shall be in the City Manager's discretion. In lieu of providing the required notice above, the City Manager in his/her discretion may pay the eligible Employee in the range of three to six months' severance (base salary and COBRA reimbursements).