



NEWPORT BEACH

City Council Staff Report

June 9, 2026
Agenda Item No. 13

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: Jeff Boyles, Fire Chief - 949-644-3101, jboyles@nbfd.net

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TITLE: Post Retirement Temporary Employment Agreement with Kevin Bass for Fire Marshal – Civilian Services

ABSTRACT:

The Newport Beach Fire Department (Nbfd) is requesting City Council approval to temporarily employ former City Fire Marshal Kevin Bass on a part-time, at-will basis following the recent resignation of the current fire marshal. Mr. Bass' more than 30 years of experience in city planning and fire prevention, including prior service as Newport Beach Fire Marshal, will allow the City to maintain continuity while recruiting for a permanent replacement. The agreement complies with Council Policy F-14, Government Code Section 7522.56, and CalPERS post-retirement requirements, with compensation set at \$95.11 per hour, no additional benefits, and a maximum of 960 hours during the agreement term.

RECOMMENDATIONS:

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Authorize the City Manager and City Clerk to execute a Post Temporary Employment Agreement with Kevin Bass for Fire Marshal - Civilian Services.

DISCUSSION:

Per Council Policy F-14, contracts with former City employees require City Council approval when not more than five years have passed since their last date of service with the City. Nbfd seeks to temporarily employ Kevin Bass on a part-time basis due to the recent resignation of the current fire marshal.

Kevin Bass retains the necessary knowledge and skills to temporarily fill the role of fire marshal without further training. Mr. Bass has over 30 years of experience in city planning and fire prevention and served as the City's fire marshal from January 2019 to January 2023. Mr. Bass took on the role of fire marshal for the City of Manhattan Beach from January 2023 to September 2024 before retiring.

His prior experience will enable the City to seamlessly continue its fire prevention efforts until the completion of a recruitment process and the selection of a new fire marshal.

In accordance with Government Code Section 7522.56, the City has met the following requirements related to public employee retirement law:

- More than 180 days have passed since the employee's retirement under PERS rules.
- The employee is not earning less than the minimum, nor exceeds the maximum of other employees in the classification.
- Mr. Bass has certified that he has not received unemployment insurance compensation arising out of prior employment with a public employer during the last 12 months.

The agreement follows Council Policy F-14 along with relevant Government Code and PERS regulations. If the agreement is approved by the City Council, the Nbfd will engage with Mr. Bass at a rate of \$95.11 per hour which is not greater than the top salary step range of the fire marshal classification. This rate is subject to any applicable salary adjustments as listed in the current Newport Beach Fire Management Memorandum of Understanding for the fire marshal classification that may take effect during the term of the agreement.

Mr. Bass will not be eligible for overtime pay, holiday pay, or other additional benefits. It is understood that employment is for a provisional, "at will" position and is limited to a maximum of 960 hours during the term of the agreement (in accordance with CalPERS post-retirement guidelines). It is expected that Mr. Bass will work a part-time schedule of approximately no more than 30 hours per week.

FISCAL IMPACT:

The adopted budget and the proposed Fiscal Year 2026-27 budget have sufficient funding for this request. It will be expensed to the Nbfd part-time salary budget in the Fire Prevention Division, 01040402-711003. Salary savings from the vacant fire marshal position will be used to offset the cost.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENT:

Attachment A – Temporary Employment Agreement