

ATTACHMENT B

RESOLUTION 2026-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, MODIFYING THE KEY & MANAGEMENT COMPENSATION PLAN RELATED TO EXECUTIVE MANAGEMENT PHYSICALS, ALTERNATIVE WORK SCHEDULES AND THE TELECOMMUTING PROGRAM

WHEREAS, the City of Newport Beach (“City”) has employees who are not represented by an exclusively recognized collective bargaining unit and therefore are not covered by a collective bargaining memorandum of understanding/agreement;

WHEREAS, the City Council of the City of Newport Beach (“City Council”) has previously established and recognized the unrepresented Key & Management (“K&M”) employees, consisting of certain safety and non-safety management, professional and confidential classifications;

WHEREAS, the City promotes effective communication and collaborative working relationships with its K&M employees to foster positive relations while balancing good management practices;

WHEREAS, on July 22, 2025, the City Council adopted Resolution 2025-45, approving the Key & Management Compensation Plan, which outlined the wages, hours, fringe benefits and other terms of employment of K&M employees for the period of July 12, 2025, through June 30, 2028 (“K&M Compensation Plan”);

WHEREAS, because the costs of annual physicals offered through the City’s approved medical provider fluctuate, the City Council desires to amend the K&M Compensation Plan to eliminate the dollar limit associated with Executive Management physicals; and

WHEREAS, the City Council desires to amend the K&M Compensation Plan to modify the provisions related to Alternative Work Schedules and to increase the number of telecommuting hours provided for under the Telecommuting Program from 80 to 100 hours.

NOW, THEREFORE, the City Council of the City of Newport Beach resolves as follows:

Section 1: The City Council does hereby approve an amendment to Section 4, Benefits, Subsection B, Additional Benefits, Subsection 4, Executive Management Physical Examinations, of the K&M Compensation Plan, which shall read as follows:

“4. Executive Management Physical Examinations

Employees in classifications designated as Executive Management may obtain an executive management physical examination through a medical provider approved by the City, subject to applicable administrative procedures established by the City.”

Section 2: The City Council does hereby approve an amendment to Section 5, Miscellaneous, Subsection D, Alternative Work Schedule, of the K&M Compensation Plan, which shall read as follows:

“D. ALTERNATIVE WORK SCHEDULES

After June 30, 2026, a 4/10 work schedule shall not be available unless specifically approved in writing by the City Manager, based on operational necessity or other exceptional circumstances. Any existing 4/10 schedule shall terminate on June 30, 2026, unless expressly continued in writing by the City Manager. Approval of a 4/10 schedule is entirely within the City Manager’s discretion, is not an entitlement and may be revoked due to operational needs.

Any new flex scheduling must be approved by the City Manager prior to implementation. Employees assigned to the 9/80 work schedule will have alternating Fridays off with the City determining which employees will work on each alternating Friday to ensure effective coverage of the work. For Employees with a 9/80 work schedule, the FLSA workweek shall begin four hours after the start time of their alternating regular day off and end exactly 168 hours later.”

Section 3: The City Council does hereby approve an amendment to Section 5, Miscellaneous, Subsection E, Telecommuting Program, of the K&M Compensation Plan, which shall read as follows:

“E. TELECOMMUTING PROGRAM

The City agrees to a telecommuting program that will provide for 100 hours per calendar year of telecommuting hours to be used in accordance with City policy. The provisions of the policy shall not trigger any right of grievance or appeal.”

Section 4: The modifications to the telecommuting program shall apply in full to calendar year 2026, without proration.

Section 5: The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

Section 6: If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 7: The City Council finds the adoption of this resolution 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, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

Section 8: This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

ADOPTED this 23rd day of June 2026.

Lauren Kleiman
Mayor

ATTEST:

Lena Shumway
City Clerk

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE



Aaron C. Harp
City Attorney