

ATTACHMENT A

RESOLUTION NO. 2019-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, AMENDING RESOLUTION 2001-100, ADOPTING A REVISED DISCRIMINATION AND HARASSMENT PREVENTION POLICY

WHEREAS, Section 2.28.020 of the Newport Beach Municipal Code (“NBMC”) provides that, upon the recommendation of the City Manager, the City Council of the City of Newport Beach (“City”) shall adopt by resolution, uniform personnel policies for City employees relating to classification, compensation, leaves of absence and other conditions of employment;

WHEREAS, the City Council of the City previously adopted Resolution No. 2001-100, establishing a comprehensive set of personnel policies through the Employee Policy Manual, including certain appendices and exhibits (“Employee Policy Manual”);

WHEREAS, Appendix A of the Employee Policy Manual establishes the City’s policy against discrimination and harassment in the workplace;

WHEREAS, on September 13, 2016, the City Council of the City previously adopted Resolution No. 2016-111 to amend Appendix A of the Employee Policy Manual;

WHEREAS, changes in State and Federal law have redefined harassment and discrimination and expanded protections under the law; and

WHEREAS, to continue to comply with the law, and as a statement of its ongoing commitment against discrimination and harassment, the City Council of the City desires to amend Resolution No. 2001-100 and revise Appendix A of the Employee Policy Manual.

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

Section 1: The City Council does hereby amend Resolution No. 2001-100 and replaces the prior Appendix A of the Employee Policy Manual with Attachment A of this resolution entitled “City of Newport Beach Discrimination and Harassment Prevention Policy.” Resolution No. 2001-100 is hereby repealed.

Section 2: The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

Section 3: 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 4: 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, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

Section 5: This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

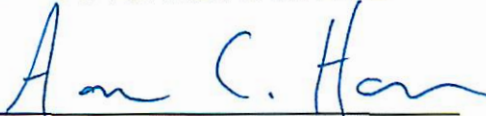
ADOPTED this 26th day of March, 2019.

Diane B. Dixon
Mayor

ATTEST:

Leilani I. Brown
City Clerk

**APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE**



Aaron C. Harp
City Attorney

Attachment(s): City of Newport Beach Discrimination and Harassment
Prevention Policy

APPENDIX A

CITY OF NEWPORT BEACH
DISCRIMINATION AND HARASSMENT PREVENTION POLICY

Full document attached to Staff Report as Attachment B.