



# NEWPORT BEACH

## City Council Staff Report

August 14, 2018  
Agenda Item No. 23

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** Leilani I. Brown, City Clerk - 949-644-3005,  
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**PREPARED BY:** Leilani I. Brown, City Clerk

**TITLE:** Appointment of a New City Manager

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### **ABSTRACT:**

With the retirement of City Manager Dave Kiff, the City Council has undertaken an open and transparent recruitment process to hire a new City Manager consistent with industry practices. This process has included multiple public meetings, a community-wide survey, the assistance of an executive search firm, and a national candidate search. The attached resolution appoints a new City Manager and approves an employment agreement for the new City Manager.

### **RECOMMENDATION:**

- 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;
- b) Appoint Assistant City Manager Carol Jacobs as Acting City Manager from September 1, 2018 to September 3, 2018; and
- c) Adopt Resolution No. 2018-63, *A Resolution of the City Council of the City of Newport Beach, California, Appointing a New City Manager Effective September 4, 2018 and Authorizing the Mayor to Execute the Employment Agreement Between the City of Newport Beach and the New City Manager.*

### **FUNDING REQUIREMENTS:**

There is no fiscal impact related to this item.

### **DISCUSSION:**

The City Manager position is provided in Newport Beach City Charter Article V. The City Manager is the chief administrative officer in the City of Newport Beach (City) and serves at the pleasure of the City Council. City Manager Dave Kiff announced his retirement earlier this year after 20 years with the City, and his last day with the City is August 31, 2018.

At their April 10, 2018 meeting, the City Council directed the City Clerk to conduct the process to select an executive search firm to facilitate the recruitment of a new City Manager. On April 24, 2018, the City Council selected Roberts Consulting Group, Inc. (RCG) as the executive search firm.

Concurrent with RCG's efforts, the City Clerk conducted an online survey to solicit feedback from the community as to the qualities and traits the next City Manager should possess. The survey was available from May 3, 2018 to May 18, 2018, and 361 responses were received, forwarded to the City Council, and made available online. Additionally, at the May 8, 2018 study session, the City Council requested community input relative to values, experience, and other qualifications the public would like to see in the next City Manager.

The City Manager recruitment period opened on May 25, 2018, and closed on June 25, 2018. RCG received 72 resumes. On July 10, 2018, the City Council met in Closed Session to consider the City Manager appointment. On July 23, 2018, the City Council conducted a special meeting to: (1) select Mayor Duffield as the City's designated representative pursuant to California Government Code Section 54957.6(a); and (2) hold a Closed Session, pursuant to Government Code Section 54957(b)(1), to interview seven of the 72 candidates.

Following a full day of interviews, three candidates moved forward to final interviews. The final interviews were tentatively scheduled for August 13, 2018. Mayor Duffield moved up the interviews to July 23, 2018 via special meeting when concerns arose about candidate names being disclosed.

The attached resolution appoints a new City Manager, effective September 4, 2018, and approves an employment agreement with the new City Manager. Due to on-going negotiations regarding the employment agreement, the name of the City Manager candidate will not be released until the regularly scheduled City Council Meeting on August 14, 2018.

If appointed by the City Council, the following are key deal points included in the new City Manager's employment agreement:

- Base salary: \$265,000
- Start Date: September 4, 2018
- Term: 2 years with automatic extension for 12 months unless the City notifies the City Manager of intent not to extend the agreement at least 6 months prior to expiration of the original term or subsequent extension term.
- If employment is terminated without cause, the City Manager would receive 6 months of base salary and medical benefits.
- Employee Benefits:
  - Flex Leave: 8.77 hours per pay period with a maximum of 400 hours as set forth in the Key & Management Compensation Plan
  - Administrative Leave: 80 hours per calendar year with no accrual
  - Annual Physical Exam: Up to \$1,250
  - Automobile Allowance: \$500 per month

Since the new City Manager will not begin their employment until September 4, 2018, it is being recommended that Assistant City Manager Carol Jacobs be appointed Acting City Manager from September 1, 2018 to September 3, 2018.

**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 – Resolution No. 2018-63