

**SIXTH AMENDMENT TO  
CITY OF NEWPORT BEACH  
KEY AND MANAGEMENT COMPENSATION PLAN**

**WHEREAS**, on January 25, 2022, the City Council adopted Resolution No. 2022-10 adopting a Key and Management Compensation Plan (“Plan”) for the period of January 1, 2022, through December 31, 2025;

**WHEREAS**, on August 23, 2022, the City Council adopted Resolution No. 2022-52 amending the Plan and modifying the cost-of-living adjustments for Key and Management Employees (“First Amendment to the Plan”);

**WHEREAS**, on November 29, 2022, the City Council adopted Resolution No. 2022-92 amending the Plan and modifying employee retirement contributions to CalPERS for Key and Management Employees (“Second Amendment to the Plan”);

**WHEREAS**, on April 11, 2023, the City Council adopted Resolution No. 2023-19 amending the Plan and adjusting the salary schedules and modifying the language related to employee retirement contributions to CalPERS for Key and Management Safety Employees (“Third Amendment to the Plan”);

**WHEREAS**, on November 28, 2023, the City Council adopted Resolution No. 2023-82 amending the Plan and modifying certain positions and titles for Key and Management Employees (“Fourth Amendment to the Plan”);

**WHEREAS**, on December 12, 2023, the City Council adopted Resolution No. 2023-85 approving revised salary schedules for Key and Management Employees;

**WHEREAS**, on August 27, 2024, the City Council adopted Resolution No. 2024-60 amending the Plan and extending previously modified language related to employee retirement contributions to CalPERS for Key and Management Employees and providing lump sum bonuses to eligible Key and Management Employees (“Fifth Amendment to the Plan”);

**WHEREAS**, the City Council wishes to further amend the Plan to provide sworn safety Key and Management Employees with the same eligibility for Scholastic Achievement Pay that is offered to unit members of their respective safety management associations; and

**WHEREAS**, this amendment will not be binding until it is approved by the City Council.

**NOW, THEREFORE,** the City Council of the City of Newport Beach wishes to amend the Plan as follows:

**Section 1.** The Compensation section of the Plan is amended to include the following language:

**“J. SCHOLASTIC ACHIEVEMENT PAY – PUBLIC SAFETY**

**1. Police Safety**

Absent an Employment Agreement or Resolution to the contrary, Key and Management police safety employees are entitled to additional compensation in the form of Scholastic Achievement Pay under the same terms and conditions as members of the Newport Beach Police Management Association. If there are future changes to the Scholastic Achievement Pay Program as set forth in a council-approved MOU or side letter agreement with the Newport Beach Police Management Association, the same program shall apply for Key and Management police safety employees.

The parties agree that to the extent permitted by law, the Scholastic Achievement Pay in this section is special compensation and shall be reported to CalPERS as such.

**2. Fire Safety**

Absent an Employment Agreement or Resolution to the contrary, Key and Management fire safety employees are entitled to additional compensation in the form of Scholastic Achievement Pay under the same terms and conditions as members of the Newport Beach Fire Management Association. If there are future changes to the Scholastic Achievement Pay Program as set forth in a council-approved MOU or side letter agreement with the Newport Beach Fire Management Association, the same program shall apply for Key and Management fire safety employees.

The parties agree that to the extent permitted by law, the Scholastic Achievement Pay in this section is special compensation and shall be reported to CalPERS as such.

**3. Assistant Chief, Lifeguard Operations**

Except as modified herein, the Assistant Chief of Lifeguard Operations shall be eligible for Scholastic Achievement Pay under the same terms and

conditions as members of the Newport Beach Lifeguard Management Association. Scholastic Achievement Pay shall be included in the Assistant Chief of Lifeguard Operations paycheck for the pay period immediately following approval by the Fire Chief. It is the responsibility of the Assistant Chief of Lifeguard Operations to apply for Scholastic Achievement Pay. Approval of the application for Scholastic Achievement Pay shall not be unreasonably withheld or delayed, and the Assistant Chief of Lifeguard Operations shall not be entitled to receive Scholastic Achievement Pay prior to the date the application is approved even though the Assistant Chief of Lifeguard Operations may have been eligible prior to approval. If there are future changes to the Scholastic Achievement Pay Program as set forth in a council-approved MOU or side letter agreement with the Newport Beach Lifeguard Management Association, the same program shall apply to the Assistant Chief of Lifeguard Operations.

The parties agree that to the extent permitted by law, the Scholastic Achievement Pay in this section is special compensation and shall be reported to CalPERS as such.”

**Section 2.** Except as expressly modified herein, all other terms and provisions set forth in the Plan shall remain unchanged and shall be in full force and effect.