

RESOLUTION NO. 23-05-10-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, RATIFYING AND IMPLEMENTING CHANGES TO THE ANNUAL BASE SALARY OF THE CITY MANAGER, AN UNREPRESENTED EMPLOYEE

The City Council of the City of Rancho Santa Margarita, California, hereby finds, determines, declares, and resolves as follows:

WHEREAS, pursuant to Government Code Section 54957(b)(1), the City Council convened in closed session on April 12, 2023, and April 26, 2023, for the purpose of commencing, conducting, and completing the annual performance evaluation of the City Manager, an unrepresented employee, in accordance with Section 4 of the Amended and Restated City Manager Employment Agreement, dated December 1, 2014, ("Employment Agreement"); and

WHEREAS, Section 5(B) of the Employment Agreement provides that increases in the City Manager's annual base salary may be effective at any time in the sole discretion of the City Council; and

WHEREAS, Section 5(B) of the Employment Agreement further provides that salary increases approved by the City Council do not require amendment to the Employment Agreement to be effective, and any increases in the City Manager's annual base salary may be set forth in an annual salary resolution or minute action approved by the City Council and ratified by resolution; and

WHEREAS, following completion of the annual performance evaluation of the City Manager during closed session on April 26, 2023, the City Council reconvened in open session and by minute action voted 4-0-0-1 (Council Member Beall absent) as follows: (1) to approve and authorize a 5.3% increase to the current annual base salary of the City Manager, effective July 1, 2023; and (2) to direct the City Attorney to prepare a resolution and any other applicable authorizations ratifying this minute action for consideration and final approval by the City Council at its next regularly scheduled City Council meeting to be held on May 10, 2023; and,

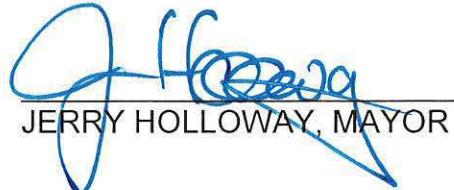
WHEREAS, pursuant to the terms of the Employment Agreement, and pursuant to Government Code Section 36506, the City Council hereby ratifies and implements the minute action taken by the City Council during open session on April 26, 2023, to change the salary and compensation of the City Manager.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by reference.

SECTION 2. Effective July 1, 2023, the City Manager's annual base salary shall be increased by 5.3%, from \$267,965 to \$282,167.

PASSED, APPROVED, AND ADOPTED THIS 10<sup>th</sup> DAY OF MAY 2023.



JERRY HOLLOWAY, MAYOR

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Amy Diaz, City Clerk of the City of Rancho Santa Margarita, California, hereby attest to and certify that the foregoing resolution is the original resolution adopted by the Rancho Santa Margarita City Council at its regular meeting held on the 10<sup>th</sup> day of May 2023, by the following vote:

AYES: Council Members Beall, Figueroa, McGirr, Mayor Pro Tempore Gamble and Mayor Holloway (5)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: None (0)



AMY DIAZ, CITY CLERK