



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
May 7, 2024

TOPIC: Designation of Authority in Absence of Appointed Officials; Salary and Benefits for Acting City Manager

AGENDA TITLE

Resolution Repealing Resolution 2017-016 and Designating the Officers and Employees of the City Authorized to Exercise the Authority of the Appointed Officials in Their Respective Absences and Designating Salary and Benefits for the Acting City Manager After Service of More Than Thirty Days

RECOMMENDED ACTION

Approve a Resolution repealing Resolution No. 2017-016 and designating the officers and employees authorized to exercise authority of the City Manager, City Attorney, and City Clerk in their respective absence and designating salary and benefits for the Acting City Manager after service of more than thirty days.

RESOLUTION NO. 2024-XXX entitled A RESOLUTION OF THE CITY COUNCIL OF SANTA ANA REPEALING RESOLUTION 2017-016 AND DESIGNATING THE OFFICERS AND EMPLOYEES OF THE CITY AUTHORIZED TO EXERCISE AUTHORITY OF THE APPOINTED OFFICIALS IN THEIR RESPECTIVE ABSENCES AND DESIGNATING SALARY AND BENEFITS FOR THE ACTING CITY MANAGER AFTER SERVICE OF MORE THAN THIRTY DAYS

GOVERNMENT CODE §84308 APPLIES: No

DISCUSSION

In 2005, the City Council adopted Resolution No. 2005-051 identifying those City officers authorized to act as the City Manager in the absence of the City Manager. In May 2017, Resolution No. 2005-051 was repealed by Resolution No. 2017-016 which updated the titles of the officers and employees authorized to act as the City Manager in the absence of the City Manager. Resolution No. 2017-016 also provided that the Acting City Manager would receive a salary of \$1 more than the Police Chief and the benefits specified in the Executive Management compensation and benefits resolution after service of more than thirty (30) days.

The proposed Resolution identifies those City officers and executives who are authorized to serve as the Acting City Manager in the absence of a designation by the current City Manager or the City Council. The Santa Ana City Charter provides that the City Manager may designate a person to act in his or her position for a temporary period and the City Council has authority to appoint an Acting City Manager. The succession identified in the proposed Resolution will only apply when the City Manager has not made an appointment or the City Manager has left the service of the City and the City Council has not appointed an Acting or Interim City Manager. The succession remains the same as that set forth in Resolution No. 2017-016 and is as follows:

- (1) Assistant City Manager;
- (2) Deputy City Manager;
- (3) Chief of Police;
- (4) Executive Director of Finance and Management Services; and
- (5) Executive Director of Human Resources.

As for compensation and benefits for an Acting City Manager, the proposed Resolution provides that any person serving more than 30 days in an acting capacity, without a contract or specific approval of the City Manager, shall receive the pay and benefits provided to the Executive Management official with the highest base salary plus one (\$1) dollar. The Acting City Manager will not, however, receive any pay or benefits that are specific to public safety officers. The pay and benefits are specified to be retroactive to the 31st day of service.

Currently, there is no resolution authorizing any City employee to act as the City Attorney or the City Clerk in the absence of a designation by the respective Appointed Official or the City Council. The proposed Resolution identifies those City employees in the City Attorney's Office and also in the City Clerk's Office who would be authorized to serve as the Acting City Attorney or Acting City Clerk in the respective absence of the City Attorney and City Clerk. The succession identified in the proposed Resolution would apply when the City Attorney or City Clerk has not made an Acting appointment or the City Attorney or City Clerk have left the service of the City and the City Council has not appointed an Acting or Interim City Attorney or City Clerk. The succession proposed for the City Attorney is: (1) Chief Assistant City Attorney; (2) Senior Assistant City Attorney. The succession proposed for the City Clerk is the Assistant City Clerk.

The proposed Resolution specifies that, to the extent there is more than one City officer or employee with the same title, the designated officer or employee would be the last person designated as Acting by the Appointed Official and if no officer or employee had been designated as Acting by the Appointed Official, the designation would go to the officer or employee that had their current title for the longest amount of time.

Designation of Authority in Absence of Appointed Officials; Salary and Benefits for Acting City Manager
May 7, 2024
Page 3

FISCAL IMPACT

There is no fiscal impact associated with this action.

EXHIBIT(S)

1. Resolution

Submitted By: Lori Schnaider, Acting Executive Director of Human Resources

Approved By: Alvaro Nuñez, Acting City Manager