

DATE SUBMITTED 04/29/2025
 SUBMITTED BY Human Resources
 DATE ACTION REQUIRED 05/07/2025

COUNCIL ACTION (X)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

IMPERIAL CITY COUNCIL AGENDA ITEM

SUBJECT: DISCUSSION/ACTION:
 1. Adopt City of Imperial Procedures for the Public Hearing Regarding AB 2561 on City Vacancies and Recruitment and Retention Efforts.

DEPARTMENT INVOLVED: Human Resources

BACKGROUND/SUMMARY:

The City of Imperial is requesting the Council's consideration in the adoption of the City of Imperial Procedures for the Public Hearing Regarding AB 2561 which is on City Vacancies and Recruitment and Retention Efforts.

The purpose of this procedure is to be compliant with AB 2561 which requires agencies to present the status of vacancies, recruitment and retention efforts at a public hearing at least once per fiscal year. This procedure will state how the public hearing will be conducted and administered.

FISCAL IMPACT: NOT TO EXCEED
 There is no fiscal impact associated with this action.

FINANCE
INITIALS JMS

STAFF RECOMMENDATION:
 Recommendation to approve and adopt City of Imperial Procedures for the Public Hearing Regarding AB 2561 on City Vacancies and Recruitment and Retention Efforts.

DEPT. INITIALS KWS

MANAGER'S RECOMMENDATION: Approve Staff Recommendation

CITY
MANAGER'S
INITIALS Atm

MOTION:

SECONDED:
 AYES:
 NAYES:
 ABSENT:

APPROVED () REJECTED ()
 DISAPPROVED () DEFERRED ()
 REFERRED TO:

CITY OF IMPERIAL PROCEDURES FOR THE PUBLIC HEARING REGARDING AB 2561

This is an internal document used by agency staff in conjunction with the governing body to develop procedures for the governing body to conduct and administer the public hearings required under Government Code section 3502.3.

Introduction and Scope:

Effective January 1, 2025, Government Code section 3502.3 requires **City of Imperial** to present information on the status of vacancies at the City and the City's recruitment and retention efforts at a public hearing before the City of Imperial's City Council at least once per fiscal year.

Government Code section 3502.3 also requires the **City of Imperial** to identify during the public hearing any necessary changes to City policies, procedures, and recruitment activities that may contribute to obstacles in the City's hiring process.

At the public hearing, a recognized employee organization for a bargaining unit is entitled to make a presentation to the **City of Imperial's City Council** addressing the status of vacancies and recruitment and retention efforts for positions within that bargaining unit.

The purpose of these procedures is to establish protocol for the **City of Imperial's** public hearings on vacancies in order to ensure a fair, orderly and efficient hearing process.

The agency should reserve the right to schedule separate public hearings for different bargaining units, and it is not limited to one public hearing to address all vacancies and recruitment and retention efforts within the entire agency.

Notice Requirements:

1. The **City** will notify in writing each recognized employee organization that represents **City** employees that the **City of Imperial's City Council** will hold a hearing pursuant to the obligations set forth under Government Code section 3502.3 (Assembly Bill 2561). The notice will provide each recognized employee organization the opportunity to identify any negotiable impacts/effects regarding the agency's compliance with Government Code section 3502.3 and the agency's board policy.
2. The **City** will notify in writing each recognized employee organization that represents **City employees** of the date, time and place of the hearing at least **ten (10) working days** in advance of the hearing.

In the notice, the **City** will inquire whether the employee organization intends to make a presentation to the **City of Imperial's City Council** at the public hearing. The **City** will request that, for planning purposes, the employee organization provides written notice to the Human Resources Department at least **five (5) working days** in advance of the public hearing indicating whether the employee organization intends to make a presentation at the public hearing.

The notice will also include information about the amount of time that the **City Council** has allotted to employee organizations for each bargaining unit that the organization represents for purpose of making a presentation at the public hearing.

CITY OF IMPERIAL
PROCEDURES FOR THE PUBLIC HEARING REGARDING AB 2561

3. In the event the vacancy rate for the bargaining unit is at least 20% of the total number of authorized full-time positions in the bargaining unit, an employee organization may request that the City present "additional information" related to the vacancies as permitted by Government Code section 3502.3. The **City** will request that the employee organization provide a written request for the presentation of such information to the Human Resources Department at least **five (5) working days** in advance of the public hearing. The "additional information" includes the following: (1) the total number of job vacancies within the bargaining unit; (2) the total number of applicants for vacant positions within the bargaining unit; (3) the average number of days to complete the hiring process from when a position is posted; and (4) opportunities to improve compensation and other working conditions.
4. Notice of the hearing to the public will be provided in accordance with the Ralph M. Brown Act. (Gov. Code §§ 54950-54963.)
5. A City staff report regarding vacancies, recruitment, and retention efforts may be published as part of the agenda packet for the meeting.
6. The City and recognized employee organizations may agree to exchange presentation materials in advance of the public hearing.

Order of the Hearing:

The public hearing will proceed in the following order:

1. **City Presentation**: The City presentation will be limited to **ten (10) minutes** for each bargaining unit that it represents. The City may choose to present on all bargaining units at once, or to present data for each bargaining unit separately followed by each applicable employee organization presentation.
2. **Employee Organization Presentation**: Following the agency presentation, each employee organization will have the opportunity to make a presentation for each of the bargaining units that the employee organization represents. For each bargaining unit, the employee organization presentation will be limited to **ten (10) minutes** and should not contain bargaining proposals to the City on matters that have not been presented in bargaining.
3. **Governing Body Questions and Discussion**: The City of Imperial's City Council may ask questions of the City and the employee organization presenters.
4. **Final City Comments**: Final City comments will be limited to **three (3) minutes** per bargaining unit.
5. **Final Employee Organization Comments**: Final employee organization comments will be limited to **three (3) minutes** per bargaining unit.
6. **Public Comment**: Public comment regarding the AB 2561 hearing will be limited to **three (3) minutes** per person.

CITY OF IMPERIAL
PROCEDURES FOR THE PUBLIC HEARING REGARDING AB 2561

Standards of Discourse:

The **City of Imperial's City Council** should recognize that engaging with diverse perspectives is vital for effective governance and a vibrant community. To ensure full expression of such diverse perspectives, The **City of Imperial's City Council** should ensure that participants follow the principles of respectful and civil discourse.