



STAFF REPORT – CITY COUNCIL MEETING

TO: Honorable Mayor and City Council Members

FROM: Keira Vink, Human Resources and Administrative Services Director

PREPARER: Keira Vink, Human Resources and Administrative Services Director

DATE: April 1, 2026

TITLE: **Compliance with Legal Obligations Re: Public Hearing on City Staff Vacancies and the City’s Recruitment and Retention Efforts to Comply with Legal Obligations (Govt Code Section 3502.3).**

RECOMMENDATION:

It is recommended that the Council:

- 1) Open the public hearing;
- 2) Receive a staff report and public comments; and
- 3) Close the public hearing.

INTRODUCTION:

Gov. Code § 3502.3 requires public agencies, including the City of Arcata, to hold at least one (1) public hearing per fiscal year to discuss staff vacancies and the City’s recruitment and retention efforts.

BACKGROUND:

Gov. Code § 3502.3 was introduced to address the issue of job vacancies in local government, which adversely affects the delivery of public services and employee workload. Among other requirements, the bill mandates that public agencies present the status of vacancies and recruitment and retention efforts during a public hearing before the agency’s governing body at least once per fiscal year. The bill was enacted into law and is codified in the Gov. Code § 3502.3. The new law was effective January 1, 2025, and the City gave a presentation last year on April 2, 2025, in compliance with the law.

DISCUSSION:

In compliance with the new legal obligations, the City is required to do the following:

1. Public Hearing: At least once each fiscal year, at a public hearing before the City Council, the City shall present information regarding the status of vacancies and recruitment and retention efforts (Gov. Code § 3502.3(a)(1)) and identify any necessary changes to policies, procedures, and recruitment activities that may lead to obstacles in the hiring process (Gov. Code § 3502.3(a)(3)).

If the City Council adopts an annual budget during the fiscal year, this presentation must occur prior to the City Council's adoption of the final budget for the City of Arcata. (Gov. Code § 3502.3(a)(2).)

2. Employee Organization Participation: Allow the recognized employee organization for each bargaining unit at the City to make presentations during the public hearing concerning vacancies and recruitment and retention efforts. There are two represented bargaining units at the City and one unrepresented bargaining unit. Both represented units were noticed of the public hearing on March 5, 2026. (Gov. Code § 3502.3(b).)
3. Additional Reporting for High Vacancy Rates: If vacancies within a single bargaining unit meet or exceed 20% of authorized full-time positions in that bargaining unit, upon request of the recognized employee organization for that bargaining unit, the City must provide additional information during the public hearing, including the following: (1) the total number of vacancies; (2) the number of applicants; (3) the average time to fill positions; and (4) opportunities to improve compensation and working conditions for employees in the bargaining unit. (Gov. Code § 3502.3(c).) The City of Arcata did not have a vacancy rate at or above 20% in any bargaining unit.

POLICY IMPLICATIONS:

The administrative policy and procedures for the public hearing on City vacancies and recruitment and retention efforts ("Policy") established protocol for the City's public hearings on vacancies in order to ensure a fair, orderly and efficient hearing process. The Policy was approved by the City Council on April 2, 2025.

BUDGET/FISCAL IMPACT:

There is no direct fiscal impact associated with conducting the public hearing required under Gov. Code § 3502.3.

ATTACHMENTS:

- A. 2025 Agency Presentation Vacancies and Recruitment Efforts