



NEWPORT BEACH

City Council Staff Report

May 13, 2025
Agenda Item No. 12

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Status of City of Newport Beach Vacancies and Retention Efforts
Pursuant to Government Code Section 3502.3

ABSTRACT:

Assembly Bill (AB) No. 2561 adds Government Code section 3502.3 to the Meyers-Milias-Brown Act (MMBA), imposing new obligations on public agencies, requiring them to report on their job vacancies and recruitment efforts at least once per fiscal year, prior to the adoption of the budget. The law provides employee organizations with the opportunity to present their views and, depending upon the vacancy level, request additional information on vacancies within their bargaining units. AB 2561 is designed to help avoid the negative effects understaffing has on the delivery of public services as well as on public employees.

RECOMMENDATIONS:

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Receive and consider the Status of City of Newport Beach Vacancies and Retention Efforts pursuant to Government Code Section 3502.3.

DISCUSSION:

Effective January 1, 2025, California Government Code requires the City of Newport Beach to publicly report information regarding vacancy rates and recruitment and retention efforts. This reporting must be done at least once a fiscal year, prior to budget adoption. The presentation must include tracking vacancies and reporting on the City's recruitment and retention efforts. Additionally, the public hearing provides an opportunity to identify any policies, procedures and/or recruitment efforts which may create challenges in the City's hiring process. In those cases, the City should also identify potential changes to alleviate any hiring obstacles.

If the vacancy rate in a particular bargaining unit exceeds 20% of the total number of authorized full-time positions, that bargaining unit's labor representative may request additional information which the City must provide, including the total number of job vacancies within the bargaining unit; the total number of applicants for the bargaining unit's vacant positions; the average number of days to complete the hiring process once a position has been posted; and what opportunities exist to improve compensation and other working conditions. Employee organizations are also permitted to make a presentation at the public hearing when the City makes its presentation.

The City has seven full-time employee collective bargaining associations, one full-time employee union, and one unrepresented full-time group (collectively referred to as units). Based on the current data, none of the units has a vacancy rate exceeding 20% of the total number of authorized full-time positions. The specific vacancy information is contained in Table A:

Table A

Full-Time Position Vacancy

Bargaining Unit	Budgeted Positions (FTE for FY '24-'25)	Positions Filled	Vacancies (#)	Vacancies (%)
City Employees Association	99	97	3	3%
Employees League	106	104	2	2%
Fire Association	125	119	6	5%
Fire Management Association	4	4	0	0%
Lifeguard Management Association	11	11	0	0%
Police Association	199	189	10	5%
Police Management Association	33	33	0	0%
Professional and Technical Employees Association	92	89	2	2%
Total	669	646	23	3%

Unrepresented Group	Budgeted Positions (FTE for FY '24-'25)	Positions Filled	Vacancies (#)	Vacancies (%)
Key & Management	103	99	4	4%

FISCAL IMPACT:

There is no fiscal impact related to this item.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENT:

Attachment A – Status of City of Newport Beach Vacancies and Recruitment and Retention Efforts PowerPoint