

Town of Yountville

Resolution Number 25-4354

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YOUNTVILLE ADOPTING RESOLUTION 25-4354 ADOPTING PROCEDURES FOR THE PUBLIC HEARING ON TOWN OF YOUNTVILLE VACANCIES AND RECRUITMENT AND RETENTION EFFORTS.

Recitals

- A. On January 1, 2025, Assembly Bill (“AB”) 2561 (Gov. Code § 3502.3) went into effect, requiring public agencies to hold at least one (1) public hearing per fiscal year to report on the Town’s workforce vacancies, and recruitment and retention efforts; and
- B. AB 2561 requires the Town of Yountville to present information regarding the status of vacancies and recruitment and retention efforts prior to the adoption of the final budget for the Town of Yountville; and
- C. AB 2561 requires the Town of Yountville to allow recognized employee organizations for each Town bargaining unit to make presentations during the public hearing concerning vacancies and recruitment and retention efforts; and
- D. AB 2561 requires the Town of Yountville to provide additional information during the public hearing if vacancies within a single bargaining unit are 20% or more of the authorized full-time positions; and
- E. The Town Council desires to establish protocol and additional requirements for the Town of Yountville’s public hearings pursuant to AB 2561, including the provision of notice to recognized employee organizations regarding the public hearing, the recognized employee organizations’ right to make a presentation at the hearing, the length and order of the presentations and the standards of discourse during the public hearing.

Now therefore, the Town Council of the Town of Yountville does resolve as follows:

1. The Town Council hereby adopts the Procedures for Public Hearings on Town of Yountville Vacancies and Recruitment and Retention Efforts as set forth in Exhibit “A”.
2. The Resolution is hereby adopted and becomes effective and in full force immediately upon adoption.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Yountville, State of California, held on this 6th day of May, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Margie Mohler, Mayor

Hilary Gaede, Communications Director/ Town Clerk

Exhibit “A”

TOWN OF YOUNTVILLE PROCEDURES FOR PUBLIC HEARINGS REGARDING AB 2561

Introduction and Scope:

Effective January 1, 2025, Government Code section 3502.3 requires the Town of Yountville to present information on the status of vacancies at the Town and the Town’s recruitment and retention efforts at a public hearing before Town Councilmembers at least once per fiscal year.

Government Code section 3502.3 also requires the Town of Yountville to identify during the public hearing any necessary changes to Town policies, procedures, and recruitment activities that may contribute to obstacles in our hiring process.

At the public hearing, a recognized employee organization for a bargaining unit is entitled to make a presentation to the Town Councilmembers 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 Town of Yountville’s public hearings on vacancies in order to ensure a fair, orderly and efficient hearing process.

The Town reserves the right to schedule separate public hearings for different bargaining units, and is not limited to one Public Hearing to address all vacancies and recruitment and retention efforts within the Town.

Notice Requirements:

1. When the Town schedules a Town Council hearing pursuant to the obligations set forth under Government Code section 3502.3 (“AB 2561 Hearing” or “Hearing”), the Town of Yountville will notify in writing each recognized employee organization (“Employee Organization”) about which the Hearing is being held that the Town Council will hold an AB 2561 Hearing (the Town and Employee Organization may hereafter be referred to collectively as “Parties”). The notice will provide each Employee Organization the opportunity to identify any negotiable impacts/effects regarding the Town’s compliance with Government Code section 3502.3 and the Town’s board policy.
2. The Town of Yountville will notify in writing each Employee Organization of the date, time, and place of the Hearing at least ten (10) calendar days in advance of the Hearing, if the Hearing is regarding a bargaining unit represented by that Employee Organization.

In the notice, the Town of Yountville will inquire whether the Employee Organization intends to make a presentation to the Town Council at the Hearing. The Town will request that, for planning purposes, the Employee Organization provide written notice to the Human Resources Department at least five (5) calendar days in advance of the Hearing, indicating whether the Employee Organization intends to make a presentation at the Hearing.

The notice will also include information about the amount of time that the Town Council has allotted to the Employee Organization(s) for the Employee Organization(s) presentation at the Hearing.

3. In the event the vacancy rate for a Town bargaining unit is at least 20% of the total number of authorized full-time positions in the bargaining unit, the Employee Organization that represents the bargaining unit may request that the Town present “additional information” related to the vacancies as permitted by Government Code section 3502.3, subd. (c). The Town will request that the Employee Organization submit its request for

the Town's presentation of such information to the Human Resources Department in writing at least five (5) calendar days in advance of the Hearing. The "additional information" constitutes 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. The Town will provide notice of the Hearing to the public in accordance with the Ralph M. Brown Act. (Gov. Code §§ 54950-54963.)
5. A staff report regarding vacancies and recruitment and retention efforts may be published as part of the agenda packet for the Hearing.
6. The Town of Yountville and applicable Employee Organization(s) may agree to exchange presentation materials in advance of the Hearing.

Order of the Hearing:

The Hearing will proceed in the following order:

1. Town of Yountville Presentation: The Town of Yountville will present to the Town Council information pursuant to the Town's obligations set forth under Government Code section 3502.3. The Town's presentation will be limited to ten (10) minutes for each bargaining unit about which the AB 2561 Hearing is held. The Town of Yountville may choose to 1) present data on all applicable bargaining unit(s) at once, after which a consolidated presentation, the applicable Employee Organization(s) will present; or 2) present data for each applicable bargaining unit individually, followed by the corresponding Employee Organization presentation.
2. Employee Organization Presentation: Following the Town's presentation, each applicable 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 Town of Yountville on matters that have not been presented in bargaining.
3. Governing Body Questions: The Town Council may ask questions of the Town of Yountville and the Employee Organization presenter(s). The time spent for Town Council questions and the Parties' responses to Town Council questions will not be included in the Parties' 10-minute presentations.
4. Final Town of Yountville Comments: Final Town of Yountville comments will be limited to three (3) minutes per bargaining unit and will take place following the Employee Organization presentation. The Town may choose to 1) present final comments on all applicable bargaining unit(s) at once, after which consolidated presentation, the applicable Employee Organization(s) will present its final comments; or 2) to present final comments for each applicable bargaining unit individually followed by the corresponding Employee Organization final comments.
5. Final Employee Organization Comments: Following the Town's final comments, each applicable Employee Organization will have the opportunity to make final comments for each of the bargaining units that the Employee Organization represents. For each bargaining unit, the Employee Organization's final comments will be limited to three (3) minutes per bargaining unit and should not contain bargaining proposals to the Town of Yountville on matters that have not been presented in bargaining.
6. Public Comment: Public comment regarding the AB 2561 Hearing will be limited to three (3) minutes per person and any other lawful restrictions on public comments that the Town Council may impose.

Standards of Discourse:

The Town Council should recognize that engaging with diverse perspectives is vital for effective governance and a

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vibrant community. To ensure full expression of such diverse perspectives, the Town Council should ensure that participants follow the principles of respectful and civil discourse.