



AGENDA ITEM

Item Number:

7

TO: CITY COUNCIL
FROM: CITY MANAGER

Submitted By:

Ellen Volmert,
City Manager

Meeting Date:
December 4, 2012

Subject: Council Member Request: Hiring Freeze

RECOMMENDATION:

It is recommended that the City Council consider Council Member Goedhart's request and discuss whether to indicate support for the City Manager's current approach.

BACKGROUND:

Council Member Goedhart asked that an item be placed on the December 4 Agenda to ask the City Council to approve an immediate hiring freeze that would require Staff to bring all vacant positions to the City Council to determine whether they should be filled or eliminated in order to address the City's operating deficit. Staff positions are authorized as part of the City Council's budget adoption.

Under the La Palma Municipal Code, and like most other cities operating under the Council-Manager form of government, the City Council has the exclusive authority to set policy; with respect to labor and personnel issues, the Council sets policy by approving or eliminating employment positions, and approving budget adjustments to further the policy determination (subject to meeting and conferring with the affected employee association). The City Manager has the exclusive authority to execute that policy by hiring individuals to fill the approved employment positions, and promoting or terminating employees as necessary or appropriate. In this regard, Section 2-112 of the La Palma Municipal Code describes as a power and duty of the City Manager "to appoint, promote, discipline, demote and remove any officers and employees of the city except the city attorney and the city treasurer."

Acting in accordance with my authority under the Municipal Code, and in light of the City's current fiscal condition, I have generally held open any positions authorized in the budget which become vacant unless there is an exceptional reason to move forward with recruitment (such as overtime costs outweighing any savings). Every vacancy is required to be reviewed and justified to the City Manager who, consistent with the Municipal Code, determines whether

and whom to appoint to the position. As a result of the current direction, one active recruitment is underway for a vacancy which is causing overtime issues.

I have also recommended that the City Council exercise its policy authority by not funding positions that management has determined are not necessary for the remainder of this year. In the budget amendments already approved by the City Council this year, funding for three full-time and one part-time vacancy has been eliminated for the remainder of the fiscal year and reflect this direction.

In addition to the steps already taken, the City Council has the policy-setting authority to pursue further actions if it so chooses. One would simply be a motion to support the City Manager's current direction or to indicate a lack of such support. Another would be to eliminate positions as they become vacant through a budget amendment. The limitation in this case is that the elimination of positions is a mandatory subject requiring meet and confer with the affected employee associations before it is enacted.

A copy of Council Member Goedhart's request is attached for your reference.

FISCAL IMPACT:

There is no fiscal impact associated with the consideration of this item.

ATTACHMENTS:

1. Council Member Request Form



City Council Member Request

From: GERARD GOEDHART

Date: Nov. 21, 2012

Agenda Item Requested? Yes No

Staff Research Requested? Yes No

Request

(Please describe the request and its purpose, context, or other information that may be helpful.):

HIRING FREEZE - I AM REQUESTING THAT THE CITY COUNCIL
APPROVE AN IMMEDIATE HIRING FREEZE. THIS ACTION IS BEING
REQUESTED BECAUSE THE CITY IS FACING A SIGNIFICANT LOSS OF
REVENUE. STAFF WILL BE REQUIRED TO BRING ALL VACANT POSITIONS
TO THE CITY COUNCIL TO DETERMINE WHETHER THEY SHOULD BE
FILLED OR ELIMINATED IN ORDER TO ADDRESS THE CITY'S OPERATING
DEFICIT.

Desired Timeline for Completion: SCHEDULE FOR AGENDA OF DEC. 4.

- Within one week Within two weeks Within one month
- Within two months Within three months Within six months

Other/Specific date _____

Level of Priority (in relationship to established goals and priorities):

- Request is related to or expands upon existing goals
Which one? _____
- Request is new, not related to existing goals