



CITY MANAGER'S OFFICE

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CITY COUNCIL STAFF REPORT

Date: May 19, 2026

Subject

Public Hearing Pursuant to Government Code Section 3502.3 to Receive a Report on City of Cupertino Vacancies, Recruitment and Retention Efforts.

Recommended Action

Receive the informational report on City of Cupertino Vacancies, and Recruitment and Retention Efforts Pursuant to Government Code Section 3502.3.

Background

Assembly Bill ("AB") 2561 (Attachment A), codified in Government Code section 3502.3, passed in 2024, requires public agencies to hold a public hearing to address the status of job vacancies prior to the adoption of the upcoming final budget. During this public hearing, the City must present information on the status of vacancies and the City's recruitment and retention efforts. If necessary, the City will identify necessary changes to policies, procedures, or recruitment activities that may lead to obstacles in the hiring process. This public hearing will ensure compliance with the new law as outlined in Attachment A. During this public hearing, the City must present information on the status of vacancies and the City's recruitment and retention efforts. If necessary, the City will identify necessary changes to policies, procedures, or recruitment activities that may lead to obstacles in the hiring process. This public hearing will ensure compliance with the new law.

Reasons for Recommendation

Staff will present the following required information at the public hearing prior to the adoption of the final budget:

1. The status of vacancies at the City of Cupertino.
2. Information on the City of Cupertino's recruitment and retention efforts.
3. Obstacles in the City of Cupertino's policies, procedures, and recruitment activities that may create challenges in the hiring process.

Based on the findings, staff recommends that Council receive the informational report on City of Cupertino Vacancies, and Recruitment and Retention Efforts Pursuant to Government Code Section 3502.3. No changes to policies, procedures, or recruitment practices are being recommended at this time.

As of April 15, 2026, there are no bargaining units with a vacancy rate exceeding 20%. If the number of job vacancies within a single bargaining unit meets or exceeds 20% of the total number of authorized full-time positions, the staff presentation will also include the following information:

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.
4. Opportunities to improve compensation and other working conditions.

Bargaining Unit	Total Positions	Vacant Positions	Vacancy Rate As of 4/15/2026
Cupertino Employees' Association (CEA)/IFPTE Local 21	71	3	4.2%
Operating Engineers Local No. 3 Union, AFL-CIO (OE3)	54	1	1.9%
Unrepresented Management/Appointed Employees	85	8	9.4%
TOTAL (Does not include 5 Council positions)	210	12	5.7%

As shown in the table above, as of April 15, 2026, the Vacancy Rate is 5.7%. As a reference, the rate as of April 14, 2025, was 10.4%.

Sustainability Impact

No sustainability impact.

Fiscal Impact

No fiscal impact.

City Work Program (CWP) Item/Description

None

Council Goal:

Public Engagement and Transparency

California Environmental Quality Act

No California Environmental Quality Act impact.

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Reviewed by: Kirsten Squarcia, Deputy City Manager

Floy Andrews, Interim City Attorney

Approved for Submission by: Tina Kapor, City Manager

Attachments:

A – Assembly Bill 2561