

## **RESOLUTION NO.**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AUTHORIZING FLEXIBLY STAFFED CLASSIFICATION SERIES AND DELEGATING THE AUTHORITY TO THE CITY MANAGER TO CREATE FLEXIBLY STAFFED CLASSIFICATION SERIES AND CORRESPONDING JOB DESCRIPTIONS CONSISTENT WITH THIS RESOLUTION.**

WHEREAS, flexibly staffed classification series are the alternate use of either of two classifications in a designated series for filling a vacant position; and

WHEREAS, flexibly staffed classifications series allow for testing simultaneously for multiple levels within a classification series as well as the promotion of regular City of Morgan Hill ("City") employees to higher levels within a classification series by methods other than a traditional competitive examination process; and

WHEREAS, flexibly staffed classification series allow qualifying employees to promote upwards when the required level of knowledge, skills, and abilities have been reached; and

WHEREAS, the City currently does not have flexibly staffed classification series; and

WHEREAS, flexibly staffed classification series will place the City in a more competitive position to recruit and retain well-qualified employees, increase the capability of City department heads to effectively use the positions in their department, and provide on-the-job training opportunities for employees in entry level classifications; and

WHEREAS, further reasons supporting the creation of flexibly staffed classification series are set forth in detail in that certain City Council Staff Report entitled "Create Flexibly Staffed Classification Series" submitted for City Council consideration at its meeting of December 16, 2015, submitted to the City Council by the City Manager (the "Staff Report"), the contents of which Staff Report are incorporated herein by this reference; and

WHEREAS, the activities allowed under this Resolution do not constitute a project under the provisions of California Environmental Quality Act of 1970; and

WHEREAS, the City Council desires to establish flexibly staffed classification series for regular employees and to delegate the authority to the City Manager to create such series and corresponding job descriptions consistent with this Resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

Section 1.     Recitals. The City Council does hereby find, determine and resolve that all of the foregoing recitals are true and correct.

Section 2.     Approval and Authorization. The City Council does further resolve, order and/or direct as follows:

- a.     That the flexibly staffed classification series for regular full-time or part-time employees are hereby created under the following criteria:

- i. Eligibility for Promotion. The City Manager is authorized to promote employees within the flexibly staffed classification series if the employee has completed probation and has received a performance evaluation within the last six (6) months which "meets expectations". "Meets expectations" means that an employee must not have any marks of "needs improvement" or "unsatisfactory." At the time the employee is considered for a promotion within the flexibly staffed classification series, the employee must not be on a performance improvement plan or must have completed such a plan for a minimum of six (6) months.
  - ii. Probation. The probation for employees promoted within a flexibly staffed classification series will be governed by Personnel Rule 5.2, except that the length of the probationary period be six (6) months without a break in service; and
- b. That the City's Personnel Rules, adopted by Resolution No. 6150, will continue to apply to employees in flexibly staffed classification series, except as set forth in this Resolution; and
  - c. That the City Manager is hereby authorized to create flexibly staffed classification series and corresponding job descriptions consistent with this Resolution, after meeting and conferring with the affected unions, depending on the operational needs of the department, and subject to the availability of funding as allocated in the City's budget; and
  - d. That the City Manager is hereby authorized and directed to maintain the current list of flexibly staffed classification series as may be adopted by the City Manager pursuant to this Resolution; and
  - e. That the City Manager is hereby delegated authority to and is authorized to take all other ministerial actions that may be necessary or appropriate to implement the provisions of this Resolution.

**Section 3.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** by the City Council of Morgan Hill at the meeting held on this 16th day of December, 2015 by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

**COUNCIL MEMBERS:**  
**COUNCIL MEMBERS:**  
**COUNCIL MEMBERS:**  
**COUNCIL MEMBERS:**

**DATE:** \_\_\_\_\_

\_\_\_\_\_  
**Steve Tate, MAYOR**

**∞ CERTIFICATION ∞**

**I, Irma Torrez, City Clerk of the City of Morgan Hill, California,** do hereby certify that the foregoing is a true and correct copy of Resolution No. \_\_\_\_\_, adopted by the City Council at the meeting held on December 16, 2015.

**WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.**

**DATE:** \_\_\_\_\_

\_\_\_\_\_  
**Irma Torrez, CITY CLERK**