

**RESOLUTION NO. 2021-43-CC**

**CITY OF SOUTH GATE  
LOS ANGELES COUNTY, CALIFORNIA**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE, CALIFORNIA, CLARIFYING THE AUTHORITY GRANTED THE CITY MANAGER UNDER SOUTH GATE MUNICIPAL CODE SECTION 1.24.150 (PERSONNEL OFFICER).**

**WHEREAS**, the South Gate Municipal Code section 1.24.150 (Personnel Officer) establishes that the City Manager, or his/her appointee, shall act as the personnel officer for the city subject to the provisions of the chapter, and such rules and regulations as are adopted by resolution of the council;

**WHEREAS**, this authorization of duties is fairly typical for municipal operations in California, to place the responsibility of the city personnel obligations within the duties of the chief executive, with the ability for he or her to delegate to best meet the needs of the organization;

**WHEREAS**, the delegation needs can change based on the facts of the issue(s) involved at the time and/or shifting position assignments that will occur within an organization; and

**WHEREAS**, the City Council has adopted various class specifications which make reference to the City's Personnel Officer, while not including it in others, thus creating a potential for conflicting interpretations and possibly leaving the City without a Personnel Officer if that position must recuse itself from acting on an action item; and

**WHEREAS**, to clarify that the intent of the South Gate Municipal Code 1.24.150 is for the ultimate responsibility for these duties to rest with the City Manager, who is authorized to delegate on a case-by-case situation when he/she deems it is in the best interest of the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** South Gate Municipal Code section 1.24.150 (Personnel Officer) duties and responsibilities rest with the City Manager for the City of South Gate. The City Manager is permitted under the Municipal Code to delegate the designation of Personnel Officer to another appointee, in whole or in part, as the City Manager may deem appropriate.

**SECTION 2.** Previous City Council resolutions may or may not have redirected those duties, so the purpose of this Resolution is to clarify that the duties and responsibilities of a Personnel Officer lie with the City Manager unless he/she appoints another individual to undertake the duties within the scope and for the duration of such appointment. Those actions, if existing, are superseded by this Resolution.

**SECTION 3.** Should the City Manager choose to delegate the position of Personnel Officer, there will be no additional compensation awarded to the individual for undertaking such responsibilities unless approved by the City Council through a duly authorizing action by such body.

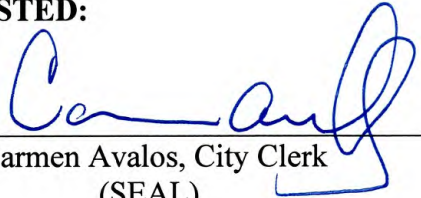
**SECTION 4.** The City Clerk shall certify to the passage and adoption of this Resolution which shall be effective upon its adoption.

**PASSED, APPROVED, and ADOPTED** this 28<sup>th</sup> day of September 2021.


**CITY OF SOUTH GATE:**

By:   
Al Rios, Mayor

**ATTESTED:**

By:   
Carmen Avalos, City Clerk  
(SEAL)

**APPROVED AS TO FORM:**

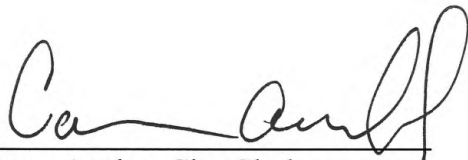
By:   
Raul F. Salinas, City Attorney

STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES    )     SS  
CITY OF SOUTH GATE         )

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 2021-43-CC was adopted by the City Council at their Regular Meeting held on September 28, 2021, by the following vote:

Ayes:            Council Members:   Rios, Avalos, Diaz and Hurtado  
Noes:            Council Members:   None  
Absent:          Council Members:   Davila  
Abstain:         Council Members:   None  
Recused:         Council Member:    None

Witness my hand and the seal of said City on October 5, 2021.



Carmen Avalos, City Clerk  
City of South Gate, California