

**ORDINANCE NO. 0002-2021**

**AN ORDINANCE OF THE CITY OF MCFARLAND REGARDING CITY PERSONNEL SYSTEM AND AMENDING TITLE 2, CHAPTER 2.20 OF THE MCFARLAND MUNICIPAL CODE TO AMEND 2.20.010, 2.20.020, 2.20.030, 2.20.040, AND 2.20.050 AS PART OF A NEW TITLE 2, CHAPTER 2.20 OF THE MCFARLAND MUNICIPAL CODE**

**Section 1.** Recitals.

**WHEREAS**, The City of McFarland (“City”) desires to amend, clarify and codify its Municipal Code Chapter related to the City Personnel System;

**WHEREAS**, The Ordinance Amendment updates the Municipal Code to codify City Personnel System;

**WHEREAS**, Adoption of this Ordinance will provide uniform and comprehensive regulations and standards related to Chapter 2.20 and 2.16 of the McFarland Municipal Code.

**WHEREAS**, Adoption of this Ordinance is in furtherance of the City’s goals and objectives while reducing the potentially negative impacts arising from incompatible Municipal Code Chapters.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MCFARLAND DOES ORDAIN AS FOLLOWS:**

**Section 2.** Section 2.20.010 of the McFarland Municipal Code is hereby amended to read as follows:

2.20.010 – Personnel system.

The city shall maintain a personnel system governing the employees of the city, except the city manager, the city attorney, and the city finance director, and the city council shall adopt rules and regulations contained in the employee handbook for the administration of the city’s personnel system.

**Section 3.** Section 2.20.020 of the McFarland Municipal Code is hereby amended to read as follows:

2.20.020 – Adoption of employee handbook.

The city council shall adopt an employee handbook, including updates and amendments to the employee handbook, containing rules and regulations for the administration of the city’s personnel system, including provisions regarding employee classification, applications for employment, examinations, eligibility lists, method of filling vacancies, personnel classification status, separation from the city, disciplinary actions, compensation, attendance, leaves, safety and health policies, and all other matters relating to the personnel system. The employee handbook, updates, and amendments shall be adopted by resolution of the city council.

**Section 4.** Section 2.20.030 of the McFarland Municipal Code is hereby amended to read as follows:

Section 2.20.030 – Personnel Officer.

The city manager shall be the city personnel officer. The city manager may delegate any of the powers and duties conferred upon them as personnel officer under this chapter to any other qualified employee of the city. The personnel officer shall:

- A. Administer all the provisions of this chapter and the city’s employee handbook;
- B. Prepare and recommend to the city council revisions and amendments to the employee handbook. Revisions and amendments to the employee handbook shall become effective upon adoption by the city council;
- C. Publish or post notices of tests for positions in the competitive service, receive the applications therefor, conduct and grade tests, certify a list of all persons eligible for appointment to the appropriate employment position.

**Section 5.** Section 2.20.040 of the McFarland Municipal Code is hereby amended to read as follows:

2.20.040 – Classified Service.

The provisions of this chapter and of the employee handbook shall apply to all offices, positions, and employments in the service of the city, except:

- A. The city manager;
- B. The city attorney;
- C. The city finance director; and
- D. The city engineer.

**Section 6.** Section 2.20.050 of the McFarland Municipal Code is hereby amended to read as follows:

2.20.050 – Appointment, promotion, demotion, dismissal, discharge, reduction in pay, and suspension.

The city manager shall have the right to appoint, promote, demote, dismiss, discharge, reduce in pay, or suspend without pay for thirty calendar days any city employee, except the city attorney and city finance director, in a manner consistent with this chapter and the employee handbook.

**Section 7.** The Amended Chapter 2.20 of the McFarland Municipal Code is set forth in Exhibit “A” to this Ordinance and incorporated herein by reference.

**Section 8.** **NOTICE.** The City clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be posted within 15 days after its passage, in accordance with Section 36933 of the Government Code.

**Section 9.** **Severability.** If any section, subsection, sentence, clause, phrase, or word of this Ordinance is, for any reason, deemed or held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or preempted by legislative enactment, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of McFarland hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or word thereof, regardless of the fact that any one or more sections, subsections, clauses, phrases, or word might subsequently be declared invalid or unconstitutional or preempted by subsequent legislation.

**Section 10.** **Effective Date.** This Ordinance shall take effect thirty days after its adoption pursuant to California Government Code section 36937.

**Section 11.** **Certification; Publication.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

**INTRODUCED, PASSED AND ADOPTED** at a regular meeting of the City Council of the City of McFarland, California on the 22nd day of April 2021, by the following vote:

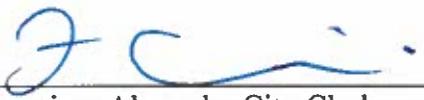
	<b>Aye</b>	<b>Nae</b>	<b>Abstain</b>	<b>Absent</b>
<b>Sally Gonzalez</b>	√			
<b>Maria T. Perez</b>	√			
<b>Eric Rodriguez</b>	√			
<b>Saul Ayon</b>	√			
<b>Ricardo Cano</b>	√			



\_\_\_\_\_  
Sally Gonzalez, Mayor

I hereby certify that the foregoing Ordinance was duly and regularly adopted by the City Council of the City of McFarland by a regular meeting thereof held on April 22, 2021.

ATTEST:



\_\_\_\_\_  
Francisca Alvarado, City Clerk



APPROVED AS TO FORM:

\_\_\_\_\_  
Nathan M. Hodges, City Attorney

**POSTED:**

**April 28, 2021**



**EXHIBIT A**  
**CHAPTER 2.20- CITY PERSONNEL SYSTEM**

**2.20.010 – Personnel system.**

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