



CARMEN A. TRUTANICH
City Attorney

REPORT NO. R 1 0 - 0 3 9 0

NOV 12 2010

REPORT RE:

**TRANSMITTAL OF BALLOT RESOLUTIONS AND BALLOT TITLE RESOLUTIONS
REGARDING PROPOSED CHARTER AMENDMENTS CONCERNING THE
DEPARTMENT OF WATER AND POWER AND ORDINANCES CALLING SPECIAL
ELECTIONS AND CONSOLIDATING THEM WITH THE CITY'S PRIMARY
NOMINATING ELECTION ON MARCH 8, 2011**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 08-1967, et al.

Honorable Members:

On November 2, 2010 the City Council requested that this Office prepare the documents necessary for certain Charter amendments concerning the Department of Water and Power for presentation to the electorate on the next City-wide ballot. Pursuant to these drafting instructions, for each of the measures indicated below this office transmits herewith, approved as to form and legality, the ballot resolution, ballot title resolution and ordinance calling for a special election on March 8, 2011.

Pursuant to Council Rule 38, this Office sent a copy of these documents to the, City Clerk, City Administrative Officer, and the Board of Water and Power Commissioners.

Composition And Procedures For Removal Of The Board Of Commissioners

On this subject, the Council's instructions requested that two options (Option 1 and Option 2) be presented. The two options both seek to expand the Board of Water and Power Commissioners from five to seven commissioners, reduce their terms from

five to three years, provide that by two-thirds vote the Council could overturn the removal of a commissioner, and require that the Council shall by ordinance specify which four of the seven commissioners are to possess particular expertise or background and the nature thereof. This expertise or background is to include, but not be limited to, utility policy or operations, labor, business or commerce, environmental policy, and community organization. The two options differ in that Option 1 retains the current format under which commissioners are appointed by the Mayor and confirmed by the Council while Option 2 would provide that three commissioners would be appointed by the Mayor, three by the Council President, and one by the Mayor or Council President on an alternating basis – with each appointing authority able to remove their respective appointees. See proposed amendments to Section 670.

Office Of Public Accountability And Inspector General And Ratepayer Advocate

The Council's instructions called for creation of an Office of Public Accountability ("OPA"), headed by an Executive Director, and within which office will reside the functions of Inspector General and Ratepayer Advocate. Whether the two functions are to be performed by one or two employees within the office is to be determined by ordinance. See proposed § 683(f).

Certain gaps in the instructions for the authority of the Executive Director have been filled, using the authority of chief administrative officers (general managers) heading departments in Charter § 510 as a template. As set forth in proposed § 683(d) before you, the Executive Director shall:

... (1) report directly to, but shall not be instructed by, the board; (2) have full charge and control of all work of the OPA; (3) be responsible for the proper administration of its affairs; (4) appoint, discharge, suspend, or transfer all of its employees, subject to the civil service provisions of the Charter; (5) issue instructions to OPA employees in the line of their duties, subject to the civil service provisions of the Charter; (6) prior to the beginning of each fiscal year and in accordance with a schedule prescribed by ordinance, submit to the City Administrative Officer a proposed annual budget covering the anticipated expenditures of the OPA; (7) expend the funds of the OPA (including, without limitation, awarding contracts) in accordance with the provisions of the budget appropriations or of appropriations made after adoption of the budget; and (8) perform such other duties as may be prescribed by ordinance.

Thus, under the authority of the Executive Director the OPA would constitute an office within the Department of Water and Power, but one not under the management and control of either the Board of Water and Power Commissioners or the General Manager of Water and Power. The Executive Director would report to the Board, but not be instructed by the Board.

Proposed § 683(e) provides that the City Council by ordinance shall establish provisions for the administration and operation of the OPA, which provisions shall include at a minimum: (1) reporting requirements and schedules and (2) consumer protection and complaint procedures.

The Executive Director would be appointed and removed by a citizens committee, subject to confirmation in appointment and removal by the Council and Mayor. The Council by ordinance shall prescribe the composition and manner of selection of the committee. While the Executive Director would be exempt from civil service, the OPA employees appointed by the Executive Director would be part of the civil service. As Department employees, the Executive Director and other OPA employees would become members of the Water and Power Employees' Retirement Plan.

Funding for the OPA would be externally mandated for the Department by a budgetary process in which the City Administrative Officer would play a central role and under which the budget would ultimately require approval by the Council and Mayor or by the Council overriding a Mayoral veto. Not expressly included in the instructions, proposed § 683(i) allows for supplemental budget appropriations following the same procedure as the original budget. The OPA budget would thus become part of the greater Department budget, but with the Executive Director, rather than the Board or General Manager, expending the funds.

Proposed § 683(g) implements the Council's instructions on the OPA's access to Department employees and information, but adds that by ordinance the Council would establish the parameters of the OPA's access to confidential information and protocols for its handling.

Removal Of The General Manager By The City Council

The proposed amendment to Charter § 604(a) follows the Council's instructions to create a mechanism by which the Council could remove the General Manager of Water and Power from office. The instructions substantially tracked the Charter's provision for the Council's removal of the Chief of Police, Charter § 575(e).

Informational Budget and Surplus Transfer

In response to the Council's instructions, we have transmitted proposed amendments on the submission of an informational preliminary budget and on procedures for surplus transfers from the Power Revenue Fund.

Proposed new Charter § 684 would require the Board of Water and Power Commissioners to submit a preliminary budget for the upcoming fiscal year to the Council by March 31, to be updated by May 31.

The proposed amendment to current Charter § 344 would add a new subsection (b) establishing procedures for surplus transfers from the Power Revenue Fund to the City Reserve Fund.

City Election Code § 601(b) requires that these resolutions be adopted by no later than 110 days before the election. With regard to the March 8, 2011 City election, that date is November 17, 2010.

If you have any questions about this matter, please contact Deputy City Attorney Harit U. Trivedi at 213-978-7184. He or another member of our staff will be available when you consider this matter to answer any questions you may have.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

By 

PEDRO B. ECHEVERRIA
Chief Assistant City Attorney

PBE:HUT:le
Transmittal

DWP Board Option 1

RESOLUTION

Resolution providing that a ballot measure be submitted to the qualified voters of the City of Los Angeles.

**BE IT RESOLVED BY THE COUNCIL OF THE
CITY OF LOS ANGELES AS FOLLOWS:**

Section A. The following amendments to the Charter of the City of Los Angeles are hereby proposed to be submitted to the qualified voters of the City of Los Angeles at a Special Election to be called and consolidated with the City's Primary Nominating Election held on March 8, 2011:

CHARTER AMENDMENT _____

Section 1. Section 670 of the Charter of the City of Los Angeles is amended to read:

Sec. 670. Board Composition.

(a) The Board of Water and Power Commissioners shall consist of seven commissioners serving three-year terms. The Council shall by ordinance specify which four of the seven commissioners are to possess particular expertise or background and the nature thereof, including, but not limited to, areas such as utility policy or operations, labor, business or commerce, environmental policy, and community organization.

(b) Appointment of commissioners shall be in accordance with Section 502. Commissioners may be removed by the Mayor or by two-thirds vote of the Council. The Council may, by two-thirds vote, overturn the Mayor's removal of a commissioner within ten days after removal. Upon removal, the Mayor's nominee to fill the vacancy must possess the same expertise or background, if any, that was required of the removed commissioner.

(c) This Section shall be operative on July 1, 2011. Terms of office existing under prior Charter authority on that date that are not vacant shall remain in effect until their respective expiration dates. The Council shall by ordinance establish the manner in which vacancies created by the expiration of a term of office or otherwise shall be filled.

Sec. B. The City Clerk is hereby authorized and directed to publish a notice containing the proposed ballot measure, specifying the date of March 8, 2011 as the date the measure is to be voted upon by the qualified voters of the City of Los Angeles. The notice shall be published once in a newspaper of general circulation in the City of Los Angeles, and in each edition thereof during that day of publication. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the proposed ballot measure and to distribute the proposed ballot measure to any and all persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the proposed ballot measure to each of the qualified voters of the City of Los Angeles.

Sec. C. The City Clerk is hereby authorized and directed to cause a notice to be published once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed ballot measure may be obtained upon request in the City Clerk's office.

Sec. D. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors and with the Registrar-Recorder of the County of Los Angeles.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By  _____
HARIT U. TRIVEDI
Deputy City Attorney

Date 11/12/10

C.F. No. 08-1967, et al.

RESOLUTION

WHEREAS, the Council of the City of Los Angeles has adopted a resolution to place a Charter amendment before the qualified voters of the City of Los Angeles at the March 8, 2011 Special Election to be consolidated with the City's Primary Nominating Election to be held on the same date; and

WHEREAS, the City Election Code requires the City Attorney to prepare and present a ballot title and question consisting of an impartial statement of the measure; and

WHEREAS, the City Attorney has presented the following ballot title and question for the proposed measure:

DEPARTMENT OF WATER AND POWER; COMPOSITION AND PROCEDURES FOR REMOVAL OF THE BOARD OF COMMISSIONERS. CHARTER AMENDMENT ____.

Shall the Charter be amended to expand the membership of the Board of Water and Power Commissioners from five to seven members, to shorten their terms from five to three years, to require that some of them possess particular expertise or background as specified by ordinance, to permit the City Council by two-thirds vote to remove a commissioner or overturn the Mayor's removal of a commissioner, and to provide that the transition from current Board membership to that required by this amendment be determined by ordinance, with current commissioner terms being allowed to run their course while occupied?

NOW, THEREFORE, BE IT RESOLVED that the ballot title and question presented by the City Attorney be adopted by the City Council.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

C.F. No. 08-1967, et al.

ORDINANCE NO. _____

An ordinance calling a Special Election to be held on Tuesday, March 8, 2011 for the purpose of submitting to the qualified voters of the City of Los Angeles a certain Charter amendment and consolidating this Special Election with the City's Primary Nominating Election to be held on the same date.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A Special Election is hereby called to be held in the City of Los Angeles on March 8, 2011, for the purpose of submitting to the qualified voters of the City a certain Charter Amendment ordered submitted by the Council of the City of Los Angeles.

Sec. 2. The ballot title and question to be used at the Special Election for the measure to be submitted to the qualified voters of the City of Los Angeles shall be:

**DEPARTMENT OF WATER AND POWER; COMPOSITION
AND PROCEDURES FOR REMOVAL OF THE BOARD OF
COMMISSIONERS. CHARTER AMENDMENT ____.**

Shall the Charter be amended to expand the membership of the Board of Water and Power Commissioners from five to seven members, to shorten their terms from five to three years, to require that some of them possess particular expertise or background as specified by ordinance, to permit the City Council by two-thirds vote to remove a commissioner or overturn the Mayor's removal of a commissioner, and to provide that the transition from current Board membership to that required by this amendment be determined by ordinance, with current commissioner terms being allowed to run their course while occupied?

Sec. 3. The measure shall be designated on the ballot or ballot pages by a letter or number determined by the City Council in accordance with applicable City and state laws. Upon the designation by the proper officials of the letter or number to be assigned to the measure, that letter or number is hereby adopted and shall be the designation for the ballot title.

Sec. 4. To vote on the measure, the voter shall mark the ballot next to the word "Yes" or the word "No." A "Yes" vote shall be counted in favor of adoption of the measure and a "No" vote shall be counted against adoption of the measure.

Sec. 5. The Special Election hereby called shall be, and hereby is ordered to be, consolidated with the City's Primary Nominating Election to be held in the City of Los Angeles on Tuesday, March 8, 2011.

Sec. 6. The voting polls on election day shall open at 7:00 a.m., March 8, 2011, and shall remain open until 8:00 p.m. of the same day when the voting polls shall be closed, except as provided in City Election Code Section 857.

Sec. 7. The election precincts, polling places, and officers of election for the Special Election shall be the same as those provided in the City of Los Angeles for the Primary Nominating Election, and the elections shall be held in all respects as if there were only one election. Furthermore, for the precincts, polling places, and officers of election, reference is hereby made to the list that will be prepared and approved by the City Clerk and filed in the City Clerk's Office not later than February 8, 2011, and that list is incorporated into and made part of this ordinance.

Sec. 8. In all other particulars, the Special Election shall be held and conducted as provided by law for the conduct of the Primary Nominating Election in the City of Los Angeles.

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By 
HARIT U. TRIVEDI
Deputy City Attorney

Date 11/12/10

File No. 08-1967, et al.

DWP Board Option 2

RESOLUTION

Resolution providing that a ballot measure be submitted to the qualified voters of the City of Los Angeles.

**BE IT RESOLVED BY THE COUNCIL OF THE
CITY OF LOS ANGELES AS FOLLOWS:**

Section A. The following amendments to the Charter of the City of Los Angeles are hereby proposed to be submitted to the qualified voters of the City of Los Angeles at a Special Election to be called and consolidated with the City's Primary Nominating Election held on March 8, 2011:

CHARTER AMENDMENT _____

Section 1. Section 670 of the Charter of the City of Los Angeles is amended to read:

Sec. 670. Board Composition.

(a) The Board of Water and Power Commissioners shall consist of seven commissioners serving three-year terms. The Council shall by ordinance specify which four of the seven commissioners are to possess particular expertise or background and the nature thereof, including, but not limited to, areas such as utility policy or operations, labor, business or commerce, environmental policy, and community organization.

(b) **Appointment and Removal.** Three commissioners shall be appointed and may be removed by the Mayor, three shall be appointed and may be removed by the Council President, and one shall be appointed and may be removed by the Mayor or Council President on an alternating basis for each term. All appointments shall be confirmed by the Council. Upon removal of a commissioner, the appointing authority's nominee to fill the vacancy must possess the same expertise or background, if any, that was required of the removed commissioner. The Council may, by two-thirds vote, overturn the removal of a commissioner within ten days after removal.

(1) **Procedure for Appointment by the Primary Appointing Authority.** Within 45 days of a vacancy created by the expiration of a term of office or otherwise, the Mayor or Council President, as the case may be, shall submit to the Council for its approval the name of the appointee to serve for the next ensuing term or remainder of the unexpired term created by the vacancy. If the Council does not disapprove the appointment within 45 days

after its submission to the Council, the appointment shall be deemed approved. If the Council disapproves an appointment, the Mayor or Council President, as the case may be, shall make and submit to the Council a new appointment within 45 days of Council disapproval. Each subsequent Council disapproval of an appointment shall create a new 45-day period.

(2) Procedure for Appointment by the Secondary Appointing Authority. In the event the Mayor or Council President fails to submit an appointment to the Council within any of the 45 day periods provided in this section, the Council President for Mayoral appointments or the Mayor for Council President appointments ("secondary appointing authority") shall, within an additional 45 days, submit an appointment for that office to the Council for its approval. If the Council does not disapprove the appointment within 45 days after submission, the appointment shall be deemed approved by the Council. If the Council disapproves the appointment made within the 45-day period, the secondary appointing authority shall make a new appointment to the office involved within 45 days of the disapproval of the previous appointment. Each subsequent disapproval of an appointment made shall create a new 45-day period.

(3) Procedure for Appointment by the City Council. Upon failure of either the primary appointing authority or secondary appointing authority to submit an appointment to the Council for its approval as provided in this section, that appointment shall be made by the Council by resolution within 45 days from the expiration of the 45-day period within which the secondary appointing authority failed to act.

(c) This Section shall be operative on July 1, 2011. Terms of office existing under prior Charter authority on that date that are not vacant shall remain in effect until their respective expiration dates. The Council shall by ordinance establish the manner in which vacancies created by the expiration of a term of office or otherwise shall be filled.

Sec. B. The City Clerk is hereby authorized and directed to publish a notice containing the proposed ballot measure, specifying the date of March 8, 2011 as the date the measure is to be voted upon by the qualified voters of the City of Los Angeles. The notice shall be published once in a newspaper of general circulation in the City of Los Angeles, and in each edition thereof during that day of publication. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the proposed ballot measure and to distribute the proposed ballot measure to any and all persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the proposed ballot measure to each of the qualified voters of the City of Los Angeles.

Sec. C. The City Clerk is hereby authorized and directed to cause a notice to be published once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed ballot measure may be obtained upon request in the City Clerk's office.

Sec. D. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors and with the Registrar-Recorder of the County of Los Angeles.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By 
HARIT U. TRIVEDI
Deputy City Attorney

Date 11/12/10

C.F. No. 08-1967, et al.

RESOLUTION

WHEREAS, the Council of the City of Los Angeles has adopted a resolution to place a Charter amendment before the qualified voters of the City of Los Angeles at the March 8, 2011 Special Election to be consolidated with the City's Primary Nominating Election to be held on the same date; and

WHEREAS, the City Election Code requires the City Attorney to prepare and present a ballot title and question consisting of an impartial statement of the measure; and

WHEREAS, the City Attorney has presented the following ballot title and question for the proposed measure:

DEPARTMENT OF WATER AND POWER; COMPOSITION AND PROCEDURES FOR REMOVAL OF THE BOARD OF COMMISSIONERS. CHARTER AMENDMENT ____.

Shall the Charter be amended to expand the membership of the Board of Water and Power Commissioners from five to seven members, to shorten their terms from five to three years, to require that some of them possess particular expertise or background as specified by ordinance, to require that three shall be appointed by the Mayor, three by the Council President, and the seventh appointment alternating between the Mayor and Council President, to permit the City Council by two-thirds vote to overturn the removal of a commissioner, and to provide that the transition from current Board membership to that required by this amendment be determined by ordinance, with current commissioner terms allowed to run their course while occupied?

NOW, THEREFORE, BE IT RESOLVED that the ballot title and question presented by the City Attorney be adopted by the City Council.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

C.F. No. 08-1967, et al.

ORDINANCE NO. _____

An ordinance calling a Special Election to be held on Tuesday, March 8, 2011 for the purpose of submitting to the qualified voters of the City of Los Angeles a certain Charter amendment and consolidating this Special Election with the City's Primary Nominating Election to be held on the same date.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A Special Election is hereby called to be held in the City of Los Angeles on March 8, 2011, for the purpose of submitting to the qualified voters of the City a certain Charter Amendment ordered submitted by the Council of the City of Los Angeles.

Sec. 2. The ballot title and question to be used at the Special Election for the measure to be submitted to the qualified voters of the City of Los Angeles shall be:

**DEPARTMENT OF WATER AND POWER; COMPOSITION
AND PROCEDURES FOR REMOVAL OF THE BOARD OF
COMMISSIONERS. CHARTER AMENDMENT ____.**

Shall the Charter be amended to expand the membership of the Board of Water and Power Commissioners from five to seven members, to shorten their terms from five to three years, to require that some of them possess particular expertise or background as specified by ordinance, to require that three shall be appointed by the Mayor, three by the Council President, and the seventh appointment alternating between the Mayor and Council President, to permit the City Council by two-thirds vote to overturn the removal of a commissioner, and to provide that the transition from current Board membership to that required by this amendment be determined by ordinance, with current commissioner terms allowed to run their course while occupied?

Sec. 3. The measure shall be designated on the ballot or ballot pages by a letter or number determined by the City Council in accordance with applicable City and state laws. Upon the designation by the proper officials of the letter or number to be assigned to the measure, that letter or number is hereby adopted and shall be the designation for the ballot title.

Sec. 4. To vote on the measure, the voter shall mark the ballot next to the word "Yes" or the word "No." A "Yes" vote shall be counted in favor of adoption of the measure and a "No" vote shall be counted against adoption of the measure.

Sec. 5. The Special Election hereby called shall be, and hereby is ordered to be, consolidated with the City's Primary Nominating Election to be held in the City of Los Angeles on Tuesday, March 8, 2011.

Sec. 6. The voting polls on election day shall open at 7:00 a.m., March 8, 2011, and shall remain open until 8:00 p.m. of the same day when the voting polls shall be closed, except as provided in City Election Code Section 857.

Sec. 7. The election precincts, polling places, and officers of election for the Special Election shall be the same as those provided in the City of Los Angeles for the Primary Nominating Election, and the elections shall be held in all respects as if there were only one election. Furthermore, for the precincts, polling places, and officers of election, reference is hereby made to the list that will be prepared and approved by the City Clerk and filed in the City Clerk's Office not later than February 8, 2011, and that list is incorporated into and made part of this ordinance.

Sec. 8. In all other particulars, the Special Election shall be held and conducted as provided by law for the conduct of the Primary Nominating Election in the City of Los Angeles.

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By 
HARIT U. TRIVEDI
Deputy City Attorney

Date 11/12/10

File No. 08-1967, et al.

DWP Office of Public Accountability

RESOLUTION

Resolution providing that a ballot measure be submitted to the qualified voters of the City of Los Angeles.

**BE IT RESOLVED BY THE COUNCIL OF THE
CITY OF LOS ANGELES AS FOLLOWS:**

Section A. The following amendments to the Charter of the City of Los Angeles are hereby proposed to be submitted to the qualified voters of the City of Los Angeles at a Special Election to be called and consolidated with the City's Primary Nominating Election held on March 8, 2011:

CHARTER AMENDMENT _____

Section 1. Section 683 is added to the Charter of the City of Los Angeles to read:

Sec. 683. Office of Public Accountability.

(a) There shall be within the department an Office of Public Accountability (OPA) that will include the functions of a Ratepayer Advocate and Inspector General.

(b) The role of the OPA shall be to (1) promote efficiency and effectiveness of the department; (2) provide a centralized focus on ratepayer protection and consumer complaints; and (3) provide independent analysis of department actions, particularly as they relate to water and electricity rate actions. The OPA shall advocate against excessive rates and shall provide expert advice on rate actions and strategies which most economically accomplish the City's policy goals and protect the department's long-term interests.

(c) The OPA shall be headed by an Executive Director, who shall be exempt from civil service. The Executive Director shall be appointed and removed by a citizens committee, subject in appointment and removal to confirmation by the Council and Mayor. The Council by ordinance shall prescribe the composition and manner of selection of the citizens committee.

(d) The Executive Director shall (1) report directly to, but shall not be instructed by, the board; (2) have full charge and control of all work of the OPA; (3) be responsible for the proper administration of its affairs; (4) appoint, discharge, suspend, or transfer all of its employees, subject to the civil service provisions of the Charter; (5) issue instructions to OPA

employees in the line of their duties, subject to the civil service provisions of the Charter; (6) prior to the beginning of each fiscal year and in accordance with a schedule prescribed by ordinance, submit to the City Administrative Officer a proposed annual budget covering the anticipated expenditures of the OPA; (7) expend the funds of the OPA (including, without limitation, awarding contracts) in accordance with the provisions of the budget appropriations or of appropriations made after adoption of the budget; and (8) perform such other duties as may be prescribed by ordinance.

(e) The City Council shall by ordinance establish provisions for the administration and operation of the OPA, which provisions shall include at a minimum: (1) reporting requirements and schedules and (2) consumer protection and complaint procedures.

(f) The employees of the OPA shall include an Inspector General and Ratepayer Advocate, either as one or two positions as prescribed by ordinance

(g) The OPA shall have access, to the extent necessary to fulfill its responsibilities, to all board commissioners and officers, employees, and contractors of the department and to all records and writings including personnel files and information (as defined by ordinance) of the department, with the Council by ordinance establishing the parameters of the OPA's access to confidential information and protocols for its handling.

(h) The OPA shall periodically issue public reports on department operations.

(i) By December 31 of each year, the City Administrative Officer, in consultation with the Executive Director, the department, and other departments and offices as necessary, shall prepare the budget for the OPA for the fiscal year beginning July 1 of the following calendar year and submit it to the City Council for approval. The budget shall include any employee positions to be authorized or eliminated. Upon approval of the OPA's budget by the Council with the concurrence of the Mayor, or in the event of a Mayoral veto which is overridden by two-thirds vote of the City Council, the department shall include the OPA's budget in its budget for the coming fiscal year. Subsequent to the department's adoption of its budget, the City Administrative Officer may seek additional budgetary authority for the OPA, which request shall be subject to the same approval process as the budget and shall, upon approval, be provided by the department.

(j) Nothing contained in this section shall reduce or otherwise affect the authority of the City Controller to conduct fiscal and performance audits of the department.

(k) This Section shall be operative on July 1, 2011.

Sec. B. The City Clerk is hereby authorized and directed to publish a notice containing the proposed ballot measure, specifying the date of March 8, 2011 as the date the measure is to be voted upon by the qualified voters of the City of Los Angeles. The notice shall be published once in a newspaper of general circulation in the City of Los Angeles, and in each edition thereof during that day of publication. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the proposed ballot measure and to distribute the proposed ballot measure to any and all persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the proposed ballot measure to each of the qualified voters of the City of Los Angeles.

Sec. C. The City Clerk is hereby authorized and directed to cause a notice to be published once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed ballot measure may be obtained upon request in the City Clerk's office.

Sec. D. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors and with the Registrar-Recorder of the County of Los Angeles.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By 
HARIT U. TRIVEDI
Deputy City Attorney

Date 11/12/10

C.F. No. 08-1967, et al.

RESOLUTION

WHEREAS, the Council of the City of Los Angeles has adopted a resolution to place a Charter amendment before the qualified voters of the City of Los Angeles at the March 8, 2011 Special Election to be consolidated with the City's Primary Nominating Election to be held on the same date; and

WHEREAS, the City Election Code requires the City Attorney to prepare and present a ballot title and question consisting of an impartial statement of the measure; and

WHEREAS, the City Attorney has presented the following ballot title and question for the proposed measure:

DEPARTMENT OF WATER AND POWER; OFFICE OF PUBLIC ACCOUNTABILITY AND INSPECTOR GENERAL AND RATEPAYER ADVOCATE. CHARTER AMENDMENT ____.

Shall the Charter be amended to establish an Office of Public Accountability for the Department of Water and Power, within which office shall be Inspector General and Ratepayer Advocate functions – overseen by an Executive Director appointed by a citizens committee and confirmed by the Council and Mayor – to promote efficiency and effectiveness of the Department and to promote fairness in water and electricity rates through independent analysis of Department policies and actions and in attending to ratepayer complaints?

NOW, THEREFORE, BE IT RESOLVED that the ballot title and question presented by the City Attorney be adopted by the City Council.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

JUNE LAGMAY, City Clerk

By _____ Deputy

C.F. No. 08-1967, et al.

ORDINANCE NO. _____

An ordinance calling a Special Election to be held on Tuesday, March 8, 2011 for the purpose of submitting to the qualified voters of the City of Los Angeles a certain Charter amendment and consolidating this Special Election with the City's Primary Nominating Election to be held on the same date.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A Special Election is hereby called to be held in the City of Los Angeles on March 8, 2011, for the purpose of submitting to the qualified voters of the City a certain Charter Amendment ordered submitted by the Council of the City of Los Angeles.

Sec. 2. The ballot title and question to be used at the Special Election for the measure to be submitted to the qualified voters of the City of Los Angeles shall be:

**DEPARTMENT OF WATER AND POWER; OFFICE OF
PUBLIC ACCOUNTABILITY AND INSPECTOR GENERAL
AND RATEPAYER ADVOCATE. CHARTER
AMENDMENT ____.**

Shall the Charter be amended to establish an Office of Public Accountability for the Department of Water and Power, within which office shall be Inspector General and Ratepayer Advocate functions – overseen by an Executive Director appointed by a citizens committee and confirmed by the Council and Mayor – to promote efficiency and effectiveness of the Department and to promote fairness in water and electricity rates through independent analysis of Department policies and actions and in attending to ratepayer complaints?

Sec. 3. The measure shall be designated on the ballot or ballot pages by a letter or number determined by the City Council in accordance with applicable City and state laws. Upon the designation by the proper officials of the letter or number to be assigned to the measure, that letter or number is hereby adopted and shall be the designation for the ballot title.

Sec. 4. To vote on the measure, the voter shall mark the ballot next to the word "Yes" or the word "No." A "Yes" vote shall be counted in favor of adoption of the measure and a "No" vote shall be counted against adoption of the measure.

Sec. 5. The Special Election hereby called shall be, and hereby is ordered to be, consolidated with the City's Primary Nominating Election to be held in the City of Los Angeles on Tuesday, March 8, 2011.

Sec. 6. The voting polls on election day shall open at 7:00 a.m., March 8, 2011, and shall remain open until 8:00 p.m. of the same day when the voting polls shall be closed, except as provided in City Election Code Section 857.

Sec. 7. The election precincts, polling places, and officers of election for the Special Election shall be the same as those provided in the City of Los Angeles for the Primary Nominating Election, and the elections shall be held in all respects as if there were only one election. Furthermore, for the precincts, polling places, and officers of election, reference is hereby made to the list that will be prepared and approved by the City Clerk and filed in the City Clerk's Office not later than February 8, 2011, and that list is incorporated into and made part of this ordinance.

Sec. 8. In all other particulars, the Special Election shall be held and conducted as provided by law for the conduct of the Primary Nominating Election in the City of Los Angeles.

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By  _____
HARIT U. TRIVEDI
Deputy City Attorney

Date 11/12/10

File No. 08-1967, et al.

DWP GM Removal

RESOLUTION

Resolution providing that a ballot measure be submitted to the qualified voters of the City of Los Angeles.

**BE IT RESOLVED BY THE COUNCIL OF THE
CITY OF LOS ANGELES AS FOLLOWS:**

Section A. The following amendments to the Charter of the City of Los Angeles are hereby proposed to be submitted to the qualified voters of the City of Los Angeles at a Special Election to be called and consolidated with the City's Primary Nominating Election held on March 8, 2011:

CHARTER AMENDMENT _____

Section 1. Subsection (a) of Section 604 of the Charter of the City of Los Angeles is amended to read:

(a) **Appointing Authority.** The board of each Proprietary Department shall appoint the general manager subject to confirmation by the Mayor and Council, and shall remove the general manager subject to confirmation by the Mayor. A general manager removed pursuant to the provisions of this section may appeal the removal to the Council in the manner provided in Section 508(e).

In addition to the above, the Council may remove the general manager of Water and Power from office in accordance with the following procedures. The Council, by two-thirds vote, may initiate removal proceedings by giving ten days' written notice of a public hearing on the proposed removal to the Mayor, the Board of Water and Power Commissioners, and the general manager. At the hearing, the Mayor and the Board of Water and Power Commissioners shall appear to discuss with the Council whether the general manager should be removed from office. The views of the general manager shall be heard and considered at his or her request. Thereafter, the Council, by two-thirds vote, may act to remove the general manager from office, and the removal shall be effective immediately.

Sec. B. The City Clerk is hereby authorized and directed to publish a notice containing the proposed ballot measure, specifying the date of March 8, 2011 as the date the measure is to be voted upon by the qualified voters of the City of Los Angeles. The notice shall be published once in a newspaper of general circulation in the City of Los Angeles, and in each edition thereof during that day of publication. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the proposed ballot measure and to distribute the proposed ballot measure to any and all persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the proposed ballot measure to each of the qualified voters of the City of Los Angeles.

Sec. C. The City Clerk is hereby authorized and directed to cause a notice to be published once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed ballot measure may be obtained upon request in the City Clerk's office.

Sec. D. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors and with the Registrar-Recorder of the County of Los Angeles.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By  _____
HARIT U. TRIVEDI
Deputy City Attorney

Date 11/12/10

C.F. No. 08-1967, et al.

RESOLUTION

WHEREAS, the Council of the City of Los Angeles has adopted a resolution to place a Charter amendment before the qualified voters of the City of Los Angeles at the March 8, 2011 Special Election to be consolidated with the City's Primary Nominating Election to be held on the same date; and

WHEREAS, the City Election Code requires the City Attorney to prepare and present a ballot title and question consisting of an impartial statement of the measure; and

WHEREAS, the City Attorney has presented the following ballot title and question for the proposed measure:

**DEPARTMENT OF WATER AND POWER; REMOVAL OF
THE GENERAL MANAGER BY THE CITY COUNCIL.
CHARTER AMENDMENT ____.**

Shall the Charter be amended to provide that in addition to the current authority of the Board of Water and Power Commissioners, with the approval of the Mayor, to remove the General Manager of Water and Power, that the City Council be authorized to remove the General Manager by two-thirds vote?

NOW, THEREFORE, BE IT RESOLVED that the ballot title and question presented by the City Attorney be adopted by the City Council.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

C.F. No. 08-1967, et al.

ORDINANCE NO. _____

An ordinance calling a Special Election to be held on Tuesday, March 8, 2011 for the purpose of submitting to the qualified voters of the City of Los Angeles a certain Charter amendment and consolidating this Special Election with the City's Primary Nominating Election to be held on the same date.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A Special Election is hereby called to be held in the City of Los Angeles on March 8, 2011, for the purpose of submitting to the qualified voters of the City a certain Charter Amendment ordered submitted by the Council of the City of Los Angeles.

Sec. 2. The ballot title and question to be used at the Special Election for the measure to be submitted to the qualified voters of the City of Los Angeles shall be:

**DEPARTMENT OF WATER AND POWER; REMOVAL OF
THE GENERAL MANAGER BY THE CITY COUNCIL.
CHARTER AMENDMENT _____.**

Shall the Charter be amended to provide that in addition to the current authority of the Board of Water and Power Commissioners, with the approval of the Mayor, to remove the General Manager of Water and Power, that the City Council be authorized to remove the General Manager by two-thirds vote?

Sec. 3. The measure shall be designated on the ballot or ballot pages by a letter or number determined by the City Council in accordance with applicable City and state laws. Upon the designation by the proper officials of the letter or number to be assigned to the measure, that letter or number is hereby adopted and shall be the designation for the ballot title.

Sec. 4. To vote on the measure, the voter shall mark the ballot next to the word "Yes" or the word "No." A "Yes" vote shall be counted in favor of adoption of the measure and a "No" vote shall be counted against adoption of the measure.

Sec. 5. The Special Election hereby called shall be, and hereby is ordered to be, consolidated with the City's Primary Nominating Election to be held in the City of Los Angeles on Tuesday, March 8, 2011.

Sec. 6. The voting polls on election day shall open at 7:00 a.m., March 8, 2011, and shall remain open until 8:00 p.m. of the same day when the voting polls shall be closed, except as provided in City Election Code Section 857.

Sec. 7. The election precincts, polling places, and officers of election for the Special Election shall be the same as those provided in the City of Los Angeles for the Primary Nominating Election, and the elections shall be held in all respects as if there were only one election. Furthermore, for the precincts, polling places, and officers of election, reference is hereby made to the list that will be prepared and approved by the City Clerk and filed in the City Clerk's Office not later than February 8, 2011, and that list is incorporated into and made part of this ordinance.

Sec. 8. In all other particulars, the Special Election shall be held and conducted as provided by law for the conduct of the Primary Nominating Election in the City of Los Angeles.

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

JUNE LAGMAY, City Clerk

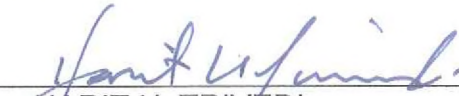
By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By  _____
HARIT U. TRIVEDI
Deputy City Attorney

Date 11/12/10

File No. 08-1967, et al.

DWP Budget/Transfer

RESOLUTION

Resolution providing that a ballot measure be submitted to the qualified voters of the City of Los Angeles.

**BE IT RESOLVED BY THE COUNCIL OF THE
CITY OF LOS ANGELES AS FOLLOWS:**

Section A. The following amendments to the Charter of the City of Los Angeles are hereby proposed to be submitted to the qualified voters of the City of Los Angeles at a Special Election to be called and consolidated with the City's Primary Nominating Election held on March 8, 2011:

CHARTER AMENDMENT _____

Section 1. Section 684 is added to the Charter of the City of Los Angeles to read:

Sec. 684. Submission of Budget to the City Council for Informational Purposes.

The Board of Water and Power Commissioners shall submit a preliminary budget for the upcoming fiscal year to the City Council for informational purposes by no later than March 31 of each year and shall by May 31 of that year update the preliminary budget based on additional information received after March 31, including without limitation, additional information about revenue and expense projections. This Section shall be operative on July 1, 2011.

Sec. 2. Charter § 344 shall be amended to read::

Sec. 344. Transfer of Surplus to Reserve Fund.

(a) At the close of each fiscal year, the Controller and Treasurer shall transfer all surplus money remaining in each fund over and above the amount of outstanding demands and liabilities payable out of the fund to the Reserve Fund, except surplus money in the several bond funds, interest and sinking funds, trust funds, pension and retirement funds, Harbor Revenue Fund, Library Fund, Recreation and Parks Fund, Power Revenue Fund, Water Revenue Fund, Airport Revenue Fund and other funds as provided by the Charter or ordinance. The Council may, by ordinance, direct that surplus money in the Harbor Revenue Fund, the Power Revenue Fund or the Water Revenue Fund be transferred to the Reserve Fund with the consent of the board in charge of the fund, but not

otherwise. Surplus money may be transferred from the Airport Revenue Fund only as provided in Section 635.

(b) The Council may, by ordinance, direct that a transfer be made to the Reserve Fund from surplus money in the Water Revenue Fund or Power Revenue Fund with the consent of the Board of Water and Power Commissioners (the "Board"), as provided in this section.

(1) For purposes of this section, surplus in the Water Revenue Fund or Power Revenue Fund shall be defined as the amount remaining in the Water Revenue Fund or Power Revenue Fund, less outstanding demands and liabilities payable out of the fund, at the end of the fiscal year prior to the fiscal year in which the transfer is to be made, as shown by audited financial statements.

(2) Through the process provided in this section, the Board may withhold its consent to make the transfer in whole or in part if, despite the existence of a surplus as defined herein, it finds that making the transfer would have a material negative impact on the Department's financial condition in the year in which the transfer is to be made.

(3) By no later than November 30 of each year, the Board shall be presented with audited financial statements for the prior fiscal year. Based upon the audited financial statements for the prior fiscal year and budget status information for the current fiscal year, the Board shall, by December 31 of each year notify the Council and Mayor that the Board has (i) approved that the transfer be made in full, (ii) approved that the transfer be made in part, or (iii) decided that the transfer not be made in whole or in part. In the event that no approval of the transfer in full has been made by the date of notification, the Board shall provide the City Council and Mayor with (i) a detailed explanation of the basis therefor and all supporting financial information, and (ii) a preliminary assessment on the feasibility of making the transfer or the remaining portion of the transfer, as the case may be, by the end of the current fiscal year, which preliminary assessment shall be accompanied by a detailed explanation of its basis and all supporting financial information.

(4) In the event that the Board notifies the City that it will be unable to make the transfer in whole or in part because it will have a material negative impact on the Department's financial condition in the year in which the transfer is made, the City Administrative Officer shall verify the Department's findings and report to the

Mayor and City Council concurrently, by no later than February 28, with that office's findings and recommendations. The Board shall after receiving the report from the City Administrative Officer and consultation with the Council and Mayor, act to either amend or uphold the Board's preliminary findings.

(5) Any transfer made shall be consistent with any applicable contractual obligations.

Sec. B. The City Clerk is hereby authorized and directed to publish a notice containing the proposed ballot measure, specifying the date of March 8, 2011 as the date the measure is to be voted upon by the qualified voters of the City of Los Angeles. The notice shall be published once in a newspaper of general circulation in the City of Los Angeles, and in each edition thereof during that day of publication. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the proposed ballot measure and to distribute the proposed ballot measure to any and all persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the proposed ballot measure to each of the qualified voters of the City of Los Angeles.

Sec. C. The City Clerk is hereby authorized and directed to cause a notice to be published once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed ballot measure may be obtained upon request in the City Clerk's office.

Sec. D. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors and with the Registrar-Recorder of the County of Los Angeles.

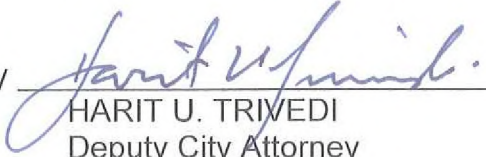
I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By 
HARIT U. TRIVEDI
Deputy City Attorney

Date 11/12/10

C.F. No. 08-1967, et al.

RESOLUTION

WHEREAS, the Council of the City of Los Angeles has adopted a resolution to place a Charter amendment before the qualified voters of the City of Los Angeles at the March 8, 2011 Special Election to be consolidated with the City's Primary Nominating Election to be held on the same date; and

WHEREAS, the City Election Code requires the City Attorney to prepare and present a ballot title and question consisting of an impartial statement of the measure; and

WHEREAS, the City Attorney has presented the following ballot title and question for the proposed measure:

DEPARTMENT OF WATER AND POWER; SUBMISSION OF PRELIMINARY BUDGET TO THE CITY COUNCIL FOR INFORMATIONAL PURPOSES; PROCEDURES FOR MAKING SURPLUS TRANSFERS FROM THE POWER REVENUE FUND TO THE CITY RESERVE FUND. CHARTER AMENDMENT ____.

Shall the Charter be amended to (a) require the Department of Water and Power for informational purposes to submit to the City Council by March 31 each year a preliminary budget for the ensuing fiscal year (July 1 through June 30), to be updated by May 31 with new information, and (b) establish procedures for making surplus transfers from the Power Revenue Fund to the City Reserve Fund?

NOW, THEREFORE, BE IT RESOLVED that the ballot title and question presented by the City Attorney be adopted by the City Council.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on _____.

JUNE LAGMAY, City Clerk

By _____ Deputy

C.F. No. 08-1967, et al.

ORDINANCE NO. _____

An ordinance calling a Special Election to be held on Tuesday, March 8, 2011 for the purpose of submitting to the qualified voters of the City of Los Angeles a certain Charter amendment and consolidating this Special Election with the City's Primary Nominating Election to be held on the same date.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A Special Election is hereby called to be held in the City of Los Angeles on March 8, 2011, for the purpose of submitting to the qualified voters of the City a certain Charter Amendment ordered submitted by the Council of the City of Los Angeles.

Sec. 2. The ballot title and question to be used at the Special Election for the measure to be submitted to the qualified voters of the City of Los Angeles shall be:

**DEPARTMENT OF WATER AND POWER; SUBMISSION
OF PRELIMINARY BUDGET TO THE CITY COUNCIL FOR
INFORMATIONAL PURPOSES; PROCEDURES FOR
MAKING SURPLUS TRANSFERS FROM THE POWER
REVENUE FUND TO THE CITY RESERVE FUND.
CHARTER AMENDMENT ____.**

Shall the Charter be amended to (a) require the Department of Water and Power for informational purposes to submit to the City Council by March 31 each year a preliminary budget for the ensuing fiscal year (July 1 through June 30), to be updated by May 31 with new information, and (b) establish procedures for making surplus transfers from the Power Revenue Fund to the City Reserve Fund?

Sec. 3. The measure shall be designated on the ballot or ballot pages by a letter or number determined by the City Council in accordance with applicable City and state laws. Upon the designation by the proper officials of the letter or number to be assigned to the measure, that letter or number is hereby adopted and shall be the designation for the ballot title.

Sec. 4. To vote on the measure, the voter shall mark the ballot next to the word "Yes" or the word "No." A "Yes" vote shall be counted in favor of adoption of the measure and a "No" vote shall be counted against adoption of the measure.

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Sec. 7. The election precincts, polling places, and officers of election for the Special Election shall be the same as those provided in the City of Los Angeles for the Primary Nominating Election, and the elections shall be held in all respects as if there were only one election. Furthermore, for the precincts, polling places, and officers of election, reference is hereby made to the list that will be prepared and approved by the City Clerk and filed in the City Clerk's Office not later than February 8, 2011, and that list is incorporated into and made part of this ordinance.

Sec. 8. In all other particulars, the Special Election shall be held and conducted as provided by law for the conduct of the Primary Nominating Election in the City of Los Angeles.

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By 
HARIT U. TRIVEDI
Deputy City Attorney

Date 11/12/10

File No. 08-1967, et al.