

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:

EMPLOYMENT PROVISIONS. CHARTER AMENDMENT ____.

Shall the Charter be amended to: (1) expand the automatic civil service exemptions to include Deputy Chiefs of Fire; (2) limit the number of qualified applicants testing for civil service positions to an adequate number to prevent examinations of unnecessarily large candidate pools; (3) eliminate the requirement for certifying all eligible candidates for appointment to a civil service position when the candidates' scores are not reachable or when no hiring is taking place; (4) clarify and standardize the probationary period for police officers to accurately reflect its application to sworn officers from the Airport, Harbor and General Services Departments; (5) increase the length of emergency appointments to no longer than one year; and (6) extend the amount of time retirees may work from 90 to 120 days without increasing pension benefits?

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. 10-1628

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:

EMPLOYMENT PROVISIONS. CHARTER AMENDMENT ____.

Shall the Charter be amended to: (1) expand the automatic civil service exemptions to include Deputy Chiefs of Fire; (2) limit the number of qualified applicants testing for civil service positions to an adequate number to prevent examinations of unnecessarily large candidate pools; (3) eliminate the requirement for certifying all eligible candidates for appointment to a civil service position when the candidates' scores are not reachable or when no hiring is taking place; (4) clarify and standardize the probationary period for police officers to accurately reflect its application to sworn officers from the Airport, Harbor and General Services Departments; (5) increase the length of emergency appointments to no longer than one year; and (6) extend the amount of time retirees may work from 90 to 120 days without increasing pension benefits?

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 
JENNIFER M. HANDZLIK
Deputy City Attorney

Date 11/12/10

File No. 10-1628

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 1001 of the Charter of the City of Los Angeles is amended to read:

(a) Exempt Positions.

- (1) All officers elected by the people.
- (2) All members of the boards of commissioners.
- (3) All chief administrative officers of the City's departments and offices and the Directors of the Public Works' Bureaus of Contract Administration, Engineering, Sanitation, Street Lighting and Street Services.
- (4) Two positions in the class of Assistant General Manager or Deputy Director in each City office or department, and two positions in the class of Assistant Director in each of the Public Works Bureaus of Contract Administration, Engineering, Sanitation, Street Lighting and Street Services, and two positions in the class of Deputy Controller in the Office of Controller.
- (5) All Deputy Chiefs of Police.
- (6) All Deputy Chiefs of Fire.
- (7) Positions in the Office of the Mayor.

- (8) Positions established by the Council for the purpose of assisting the members of the Council in the performance of their duties, except for clerical personnel.
- (9) All positions in the office of the City Attorney.
- (10) The Chief Financial Officer of the Department of Water and Power.
- (11) The Executive Director of the Board of Police Commissioners.
- (12) The Inspector General of the Police Department.
- (13) The Executive Director and all non-clerical personnel of the City Ethics Commission.
- (14) All Assistant Directors in the Office of Administrative and Research Services.
- (15) The Traffic Manager and the Port Warden of the Harbor Department.
- (16) Crossing Guards.
- (17) All physicians and psychologists subject to Section 1040.
- (18) All officers of election.
- (19) Persons specially employed by the City Clerk, as authorized by the provisions of Section 405 of the Charter, to assist in the conduct of any election.
- (20) Positions elsewhere specifically exempted by the Charter.

Sec. 2. Section 1005 of the Charter of the City of Los Angeles is amended to read:

Sec. 1005. Examinations.

Positions in the classified civil service shall be filled through competitive examination. Applicants shall be subject to review of experience and character and may be disqualified if it is determined

specified requirements are not met. Examinations shall be practical, and shall relate to those matters that will fairly test the relative capacity of the persons examined to discharge the duties of the position to which they seek to be appointed and, when appropriate, shall include, or exclusively consist of, tests of physical qualifications, and manual skill. No limitation or restriction whatsoever shall be imposed, excepting to the extent permitted by applicable state or federal law in the departments of fire and police, fixing a maximum age in excess of which persons shall be deprived from taking examinations for or being employed in the classified civil service. The provisions of Section 104 (i) regarding discrimination on the basis of age shall not prohibit fixing a maximum age in the departments of fire and police if otherwise authorized by this section.

Sec. 3. Subsection (f) of Section 1010 of the Charter of the City of Los Angeles is hereby repealed in its entirety.

Sec. 4. Subsection (a) of Section 1011 of the Charter of the City of Los Angeles is amended to read:

(a) Length of Probation. A candidate appointed to an entry level classified position shall be employed on probation for a period not exceeding 12 months, with the specific period to be established by the board, and for a period not exceeding 18 months, to be measured from the commencement of recruit training, for those employees appointed under civil service rules and regulations and sworn in, as provided by law, to perform the duties of regular police officers. The civil service rules may provide for a different period of probation for non-entry level employees, not exceeding six months except that a longer period, not exceeding 12 months, may be fixed for management personnel.

Sec. 5. Subsection (a) of Section 1013 of the Charter of the City of Los Angeles is amended to read:

(a) Length of Appointment. To prevent stoppage of public business or to meet extraordinary exigencies, any appointing authority may make temporary appointments to classified positions in accordance with civil service rules that the board shall prescribe. The board shall have the power to authorize such temporary appointments until an eligible list is established, but for no longer than one year.

Sec. 6. Subsection (b) of Section 1164 of the Charter of the City of Los Angeles is amended to read:

(b) Exception for Temporary Service. The Mayor may, at the request of the appointing authority, authorize employment of a Retired Member to a vacant position in a class in which he or she has been employed or, subject to the civil service provisions of the Charter, in any other position, for a period not to exceed 120 days in any fiscal year when such Member's services are required for an emergency or to prevent a stoppage of public business or when his or her special skills are needed to perform work of a limited duration. While so employed, the Retired Member will continue to receive his or her retirement allowance as a Retired Member, but will make no further contribution to the System, and will not be subject to any change in benefits from the System as the result of the employment.

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 
JENNIFER M. HANDZLIK
Deputy City Attorney

Date 11-15-10

C.F. No. 10-1628

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