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August 6, 2024

Honorable Board of Supervisors
County of Los Angeles
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 383
Los Angeles, CA 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

81 October 8, 2024

Edward Yen
EDWARD YEN
EXECUTIVE OFFICER

Attn: Ms. Celia Zavala, Executive Officer

Re: **REQUEST FOR CONSOLIDATION OF SPECIAL ELECTIONS FOR SIX CITY OF LOS ANGELES BALLOT MEASURES WITH THE NOVEMBER 5, 2024 STATE GENERAL ELECTION**

Honorable Members:

Transmitted herewith for consideration and approval by the Los Angeles County Board of Supervisors are the City of Los Angeles' requests to consolidate special elections for the following six City ballot measures with the November 5, 2024 State General Election:

1. Independent Redistricting Commission for the City of Los Angeles. Charter Amendment.
2. Independent Redistricting Commission for the Los Angeles Unified School District. Charter Amendment.
3. City Governance, Appointments, and Elections. Charter Amendment.
4. City Administration and Operations. Charter Amendment.
5. City Ethics Commission Authority and Operational Independence. Charter Amendment.
6. Los Angeles Fire and Police Pensions; Peace Officers. Charter Amendment.

We have enclosed the relevant Resolutions and Ordinances adopted by the City for each of these six City ballot measures. Specifically, we have enclosed the following for each of the ballot measures:

AN EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

- Resolution adopted by the Los Angeles City Council ordering the Charter Amendment be submitted to the voters of the City of Los Angeles at the November 5, 2024 State General Election, and containing the ballot title and question for the measure as it is to appear on the ballot and the full text of the measure.
- Special Election Ordinance adopted by the Los Angeles City Council calling a Special Election for the Charter Amendment.
- Resolution adopted by the Los Angeles City Council that requests the Board of Supervisors to authorize the consolidation of the Charter Amendment with the State General Election to be held on November 5, 2024.

[Note: All Charter Amendments require a simple majority vote for passage.]

The Resolutions requesting consolidation confirm the City of Los Angeles' agreement to reimburse the County of Los Angeles for the cost of conducting these Special Elections on behalf of the City of Los Angeles. It should also be noted that, consistent with past practice, the City of Los Angeles will prepare and distribute its own voter information pamphlet to all eligible voters in the City of Los Angeles.

If you have any questions, please contact me directly at (213) 978-1020, or my Executive Officer, Petty F. Santos, at (213) 978-1023.

Respectfully submitted,

Signed with ClerkSign



Aug 06, 2024 3:45PM

Holly L. Wolcott
City Clerk

Enclosures

cc: Los Angeles County Registrar-Recorder/County Clerk

HLW/PFS/JP/AM:ih:tj
EXE-034-24

RESOLUTION

Resolution providing the ballot measure text and the ballot title and question for a Charter amendment to be submitted to the qualified voters of the City of Los Angeles regarding the following subject: an independent redistricting commission for the City of Los Angeles.

WHEREAS, the City Council wishes to submit the Charter amendment referenced above to the qualified voters of the City of Los Angeles at a Special Election to be consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024; and

WHEREAS, the City Attorney has prepared and presented an impartial ballot title and question for the Charter amendment as required under the City Election Code.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Charter amendment attached to this Resolution shall be submitted to the qualified voters of the City of Los Angeles at a Special Election consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024.

Sec. 2. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The impartial ballot title and question for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

INDEPENDENT REDISTRICTING COMMISSION FOR THE CITY OF LOS ANGELES. CHARTER AMENDMENT ____.

Shall the City Charter be amended to establish an independent redistricting commission to redraw Council district lines every ten years in the City of Los Angeles?

Sec. 4. The City Clerk is hereby authorized to make technical and formatting adjustments to the attached Charter amendment as needed to facilitate presentation in ballot materials.

Sec. 5. The City Clerk is hereby authorized and directed to publish a notice containing the proposed Charter amendment and specifying the date of the election for the Charter amendment. 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.

Sec. 6. The City Clerk is hereby authorized and directed to publish once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed Charter amendment may be obtained upon request in the City Clerk's office. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the voter information pamphlets and to distribute them to persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the voter information pamphlets to the qualified voters of the City of Los Angeles.

Sec. 7. 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 _____.

HOLLY L. WOLCOTT, City Clerk

By _____ Deputy

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF 4/30/2024
BY A MAJORITY OF ALL ITS MEMBERS



By Maria V. J.
DEPUTY

TEXT OF THE PROPOSED BALLOT MEASURE

CHARTER AMENDMENT ____

Section 1. Sections 480 to 490 are added to the Charter of the City of Los Angeles to read as follows:

City of Los Angeles Independent Redistricting Commission

Sec. 480. Commission Establishment and Purpose.

(a) There shall be in the City of Los Angeles an Independent Redistricting Commission (the "Commission") that shall have the powers, duties, and responsibilities set forth in the City Charter and by ordinance.

(b) The purpose of the Commission is to strengthen the governance of the City of Los Angeles by developing Council district boundaries through a fair, transparent, inclusive, and independent redistricting process that empowers public participation and public access to its proceedings.

Sec. 481. Commission Organization, Powers, and Duties.

(a) The Commission shall consist of 16 members and four alternate members.

(b) A new Commission shall be established every ten years after each federal decennial census. The members of the Commission shall be selected no later than April 1 of each year ending in the number zero.

(c) The term of office of each member of the Commission shall begin on the date of that commissioner's respective selection and shall expire upon the selection of the first member of the succeeding Commission.

(d) The Commission shall have the power and duty to:

(1) adopt the boundaries of the Council districts of the City of Los Angeles following each federal decennial census;

(2) comply with the redistricting criteria and process set forth in the Charter and by ordinance;

(3) act in an impartial manner that ensures the integrity and fairness of the redistricting process;

(4) educate and inform the public about redistricting, solicit and encourage public participation in the redistricting process, and hold public

meetings and hearings that are accessible and provide the public the opportunity to participate and provide comment throughout the process;

(5) make recommendations to the Mayor, City Council, and City Ethics Commission regarding redistricting matters; and

(6) perform other redistricting functions as prescribed by ordinance.

Sec. 482. Commissioner Qualifications and Restrictions.

(a) Each Commission member shall be at least 18 years old and a resident of the City at the time of selection, and shall have resided in the City for at least five years immediately preceding the person's submission of an application. A Commissioner is not required to be a registered voter or a citizen of the United States.

(b) A person shall not be eligible to apply to or serve on the Commission if the person has been an employee of the City or a member of a City Commission at any time in the two years immediately preceding the person's submission of an application.

(c) A person shall not be eligible to apply to or serve on the Commission if the person or person's spouse or family has engaged in the prior political and lobbying activities described in the California Elections Code provisions regarding eligibility requirements for independent redistricting commissions. Additional eligibility requirements may be provided by ordinance.

(d) Applicants to the Commission shall demonstrate collaborative skills, experience in civic engagement, and the ability to analyze complex data.

(e) While serving on the Commission, a member of the Commission shall not endorse, work for, volunteer for, or make a campaign contribution to, any elected City officer or candidate for elective City office, or serve on a redistricting commission for any other governmental body.

(f) A member or former member of the Commission shall not do any of the following:

(1) Be a candidate for elective City office unless more than five years have elapsed from the commissioner's last date of service on the Commission or ten years have elapsed from the date of the commissioner's selection to the Commission, whichever is less.

(2) Be a candidate for City Council for any district for which the election will be conducted using district boundaries that were adopted by the Commission on which the member served.

(g) For a period of four years after the last date of service on the Commission or ten years after the date of selection to the Commission, whichever is less, a member or former member of the Commission shall not do any of the following:

- (1) Accept appointment to another City Commission.
- (2) Accept employment as a paid staff member of, or receive compensation as a consultant to, an elected City officer or candidate for elective City office.
- (3) Receive a non-competitively bid contract with the City.
- (4) Act as a registered City lobbyist.
- (5) Accept appointment to a City office.

(h) Alternate members of the Commission shall be subject to the same eligibility requirements, standards of conduct, and restrictions as other Commission members.

Sec. 483. Commissioner Selection and Removal.

(a) An application process to identify prospective commissioners shall commence no later than April 1 of each year ending in the number nine.

(b) The City Clerk shall manage the Commission application process, with the City Ethics Commission providing oversight. The City Clerk and City Ethics Commission may delegate these responsibilities to their staff or consultants.

(c) The City Clerk shall conduct an outreach and education program to ensure that there is publication and awareness of the Commission application process, with efforts to reach underserved communities and with efforts conducted in multiple languages as identified by ordinance. The City Clerk shall monitor and make public the demographic data of application submissions and enhance outreach as reasonably needed to ensure that the applicant pool has a sufficient number of qualified applicants and reasonably reflects the City's diversity.

(d) An interested person meeting the eligibility requirements for service on the Commission may submit an application to the City Clerk. The City Clerk shall review the applications and establish an applicant pool consisting of those individuals who meet the objective eligibility requirements specified in subsections (a) through (c) of Section 482.

(e) The City Clerk shall post the names of individuals in the applicant pool for public review and establish a process by which the public may provide information regarding the eligibility of an individual in the applicant pool. The City Ethics

Commission shall review the information provided by the public and determine whether any individual shall be removed from the applicant pool.

(f) Following the public review period, the City Ethics Commission shall evaluate the applications of the individuals in the applicant pool to identify individuals who satisfy the eligibility requirements specified in subsections (a) through (d) of Section 482 and who shall be included in the Commission Selection Pool. After the establishment of the Commission Selection Pool, the City Ethics Commission shall have the authority to receive information from the public and make determinations regarding the continuing eligibility of individuals in the Commission Selection Pool.

(g) The City Clerk and City Ethics Commission, with assistance from the City Data Bureau and through a process that allows for public input, shall designate eight geographic regions of the City with generally equal population. The City Clerk shall conduct a random drawing at a public meeting to select one person from each of the eight geographic regions. The result of this selection process shall be the selection of eight members of the Commission, one from each of the eight geographic regions.

(h) The eight selected commissioners shall review the applications of all remaining applicants in the Commission Selection Pool to select eight additional members of the Commission. These selections shall be made at a public meeting by a two-thirds vote of the eight initial commissioners based on the applicant's relevant experiences and backgrounds, familiarity with the City's neighborhoods, ability to be impartial, and to ensure that the Commission reflects the City's diversity, including racial, ethnic, sex, gender, sexual orientation, age, income, professional, and geographic diversity. However, formulas or ratios shall not be applied for this purpose.

(i) After the 16 commissioners have been selected, the Commission shall select four persons from the remaining applicants in the Commission Selection Pool to serve as alternate commissioners. The selection of alternate commissioners shall be made in a manner that ensures geographic diversity among the alternate commissioners.

(j) The Commission may remove a commissioner for substantial neglect of duty, gross misconduct in office, inability to discharge the duties of office, failure to comply with the commissioner eligibility requirements and restrictions described in Section 482, unexcused absences, or failure to abide by transparency requirements. Removal under this provision requires a two-thirds vote of the Commission after providing the member notice of a public hearing and an opportunity to respond in writing and at the public hearing. The removed member may appeal the Commission's decision to the City Ethics Commission.

(k) The Commission may immediately remove a commissioner who has been charged with a felony offense, or who has been charged with a criminal misdemeanor related to a violation of official duties as described in Section 207(c). Removal under this provision requires a two-thirds vote of the Commission. The removed member may appeal the Commission's decision to the City Ethics Commission.

(l) The position of a member of the Commission shall become vacant if the member pleads guilty to or no contest to or is convicted of a felony.

(m) If a vacancy occurs on the Commission, the Chair of the Commission shall conduct a random drawing at a public meeting to select one of the alternate commissioners to serve as a commissioner.

Sec. 484. Redistricting Criteria.

(a) The Commission shall adopt Council district boundaries that comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965. Each district shall have a reasonably equal population with other districts, except where deviation is required to comply with the federal Voting Rights Act or as allowable by law.

(b) In addition to following the requirements of subsection (a), the Commission shall adopt Council district boundaries using the following criteria as set forth in the following order of priority:

(1) To the maximum extent practicable, districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

(2) To the maximum extent practicable, and where it does not conflict with the preceding criterion in this subsection, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A "community of interest" is a population that shares common social or economic interests that should be included within a single election district for purposes of its effective and fair representation. Characteristics of communities of interest may include, but are not limited to, shared public policy concerns such as education, public safety, public health, environment, housing, transportation, and access to social services. Characteristics of communities of interest may also include, but are not limited to, cultural districts, shared socioeconomic characteristics, similar voter registration rates and participation rates, and shared histories. Communities of interest do not include relationships with political parties, incumbents, or political candidates.

(3) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subsection, districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the City. District boundaries should be easily identifiable and understandable by residents.

(4) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subsection, districts shall be drawn to encourage

geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

(c) The Commission shall not adopt district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party, and the place of residence of an incumbent or candidate shall not be considered in the development of district boundaries.

(d) Other additional criteria should be considered by the Commission when adopting district boundaries, including consideration of the community and cultural association with economic and cultural landmarks and resources. All decisions concerning additional criteria shall be considered and approved in public meetings. The Commission's consideration of additional criteria should be considered in compliance with and subordinate to the applicable requirements of subsections (a) through (c).

(e) After the Commission has adopted district boundaries, the Commission shall number each Council district such that, for as many residents as possible, the number of the Council district they reside in remains the same.

Sec. 485. Public Meetings, Outreach, and Accessibility.

(a) The Commission shall comply with the Ralph M. Brown Act and other applicable open meeting laws.

(b) The Commission shall take steps to encourage residents to participate in the redistricting process, including those in underrepresented communities and non-English speaking communities.

(c) The Commission shall hold public hearings and workshops in a manner that ensures that the public has the opportunity to participate and comment in each phase of the redistricting process.

(d) The Commission shall provide live translation of Commission meetings in English and Spanish and as further provided by ordinance. The Commission shall provide materials in the languages required by federal and state law and as provided by ordinance.

(e) The Commission shall develop and implement an Accessibility Plan to ensure that people with disabilities and seniors are able to access and fully participate in Commission meetings and hearings. The Commission shall develop this plan prior to the initiation of public hearings.

(f) For purposes of providing testimony, elected City officers shall be subject to the same public comment procedures as members of the public.

(g) Ex Parte Communications.

(1) A member of the Commission shall not communicate with any individual or organization regarding redistricting matters outside of a public meeting. This provision does not prohibit communications with another commissioner, Commission staff, legal counsel, or consultants retained by the Commission. This provision does not prohibit communications with City staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(2) The Executive Director of the Commission, any mapping staff member or mapping consultant of the Commission, and other Commission staff as designated by the Commission shall not communicate with any elected City officer, candidate for elective City office, or staff of any such officer or candidate, either directly or through an agent, regarding redistricting matters outside of a public meeting. This provision does not prohibit communications with City staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(3) A member or employee of the City Ethics Commission, City Clerk, or other City department involved in the process for selecting members of the Commission shall not communicate with any elected City officer, candidate for elective City office, or staff of any such officer or candidate, either directly or through an agent, regarding any matter related to the selection process outside of a public meeting before that process has been completed. This provision does not prohibit communications to the extent those communications are related to administrative matters, legal advice, or educational presentations made to the public.

(4) The Commission may adopt other rules regarding communications provided the rules comply with the Brown Act, do not conflict with the provisions in this subsection, and are adopted in a public meeting of the Commission.

Sec. 486. Commission Conduct of Business, Administration, and Personnel.

(a) Each member and alternate member of the Commission shall be a designated employee in the conflict of interest code for the Commission adopted pursuant to the California Political Reform Act, and shall file with the City Ethics Commission a statement of economic interests and other financial disclosure statements as required by law.

(b) The affirmative votes of a majority of the Commission shall be required for any official action, except the following actions which shall require the approval of two-thirds of the Commission:

- (1) a vote for the final redistricting plan;

(2) a vote to remove a commissioner;

(3) a vote for the selection of the eight commissioners described in Section 483(h);

(4) a vote to hire the Executive Director, mapping consultant or mapping staff member, and any other position designated as key staff by the Commission; and

(5) a vote to authorize the delegation of hiring or contracting authority, to the extent such authority is delegable under state and City law.

(c) The alternate members of the Commission may fully participate in Commission deliberations but may not vote and may not be counted towards the establishment of a quorum.

(d) The Commission shall select one commissioner to serve as the Chair of the Commission. The Commission may designate other officers from its membership.

(e) Consideration of principles for the development of district boundaries for draft and final redistricting plans shall be conducted in a public meeting and approved by a vote of the Commission.

(f) The Commission shall post proposed map principles and any proposed final map on the Commission's website for a minimum of seven days before consideration at a Commission hearing or meeting.

(g) The Commission shall hire an Executive Director and redistricting, technology, and outreach staff, whose positions shall be exempt from the civil service provisions of the Charter.

(h) The Commission shall have the authority to hire consultants through a competitive process consistent with the contracting provisions of the Charter and as provided by ordinance.

(i) The City Clerk shall provide support to the Commission in accessing City resources, coordinating with City departments and personnel, and other administrative matters as needed.

(j) The Commission may utilize the City Attorney as legal counsel or may request the City Attorney to retain legal counsel for the Commission.

Sec. 487. Adoption of Final Redistricting Plan.

(a) The Commission shall adopt its final redistricting plan establishing new Council district boundaries no later than September 30 of each year ending in the number one.

(b) If the Commission does not adopt a final redistricting plan by the deadline in subsection (a), the City Attorney shall immediately petition the Superior Court for an order prescribing new Council district boundaries in accordance with the redistricting criteria described in Section 484, and those boundaries shall apply to City elections until the Commission is able to adopt a final redistricting plan.

(c) The Commission shall issue, with the final plan, a report that explains the basis on which the Commission made its decisions in achieving compliance with the redistricting criteria described in Section 484.

(d) Upon adoption of a final redistricting plan, the Commission shall submit the plan, final report, and any other accompanying materials to the City Clerk and publish this material on the Commission's redistricting website.

(e) The City Clerk shall post the Commission's final redistricting plan and report on the City's website. The City Clerk shall publish the final plan and description of the new Council district boundaries in the same manner as an ordinance of the City.

(f) The final redistricting plan establishing new Council districts shall become effective 31 days from its publication as provided for ordinances in the Charter.

(g) The final redistricting plan shall be subject to referendum in the same manner as a City ordinance.

(h) No change in the boundary or location of any district by redistricting shall operate to abolish or terminate the term of office of any member of the Council prior to the expiration of the term of office for which the member was elected.

(i) District boundaries adopted by the Commission shall not be altered until after the next federal decennial census occurs except to settle a legal claim or in response to an order of a court.

(j) Any territory annexed to or consolidated with the City shall be added to an adjacent district or districts by the Commission. The addition shall be effective upon the completion of the annexation or consolidation proceedings.

Sec. 488. Commission Funding.

(a) The City Council and Mayor shall provide sufficient funds to meet the needs for the formation and operation of the Commission, including to compensate

Commission staff, consultants and legal counsel, conduct outreach to solicit broad public participation in the redistricting process, and, if necessary, defend the actions of the Commission in any legal proceeding.

(b) The City Council and Mayor shall provide funds to all City departments involved with the formation of the Commission, providing support to the Commission, and maintaining the records of the Commission.

(c) Commissioners shall be compensated as provided by ordinance.

Sec. 489. Commission Recommendations.

(a) The Commission may recommend changes to the independent redistricting process described in the City Charter and Administrative Code by submitting a report to the City Ethics Commission with findings, analysis, and data that support the Commission's recommendations.

(b) The City Ethics Commission shall review the Commission's recommendations and may transmit a report to the City Council containing recommendations for amendments to the City Charter and Administrative Code regarding redistricting. To the extent the recommendations include amendments to the Administrative Code, the Ethics Commission shall also prepare and transmit, with the assistance of the City Attorney, any proposed ordinance that would be required to effectuate the recommended amendments.

(c) Administrative Code Amendments. Within 60 days of submission of an Ethics Commission report and accompanying proposed ordinance recommending amendments to the Administrative Code regarding redistricting, the City Council shall hold a public hearing concerning the matter and act to approve, without change, or disapprove the proposed ordinance. If the Council fails to disapprove within the 60-day period, the proposed ordinance shall be presented to the Mayor for approval or veto, and to the Council for override of the Mayor's veto. If approved by the Mayor, or the Mayor fails to act, or approved by the Council on override of the Mayor's veto, the proposed ordinance shall be deemed approved.

(d) Charter Amendments. An Ethics Commission report recommending an amendment to the City Charter regarding redistricting shall be considered by the City Council in time to allow for submittal of the charter amendment to the voters at the next available election. An amendment to the City Charter requires the approval of the voters of the City.

Sec. 490. City Data Bureau.

There shall be established in the City a Data Bureau to prepare and manage demographic and geographic data for the Commission and other City departments as

further provided by ordinance. Nothing in this section shall prohibit the Data Bureau from being placed within a City department or office.

Sec. 2. Section 204 of the Charter of the City of Los Angeles is repealed as follows:

~~Sec. 204. Election of City Council Members; Redistricting.~~

~~(a) **Redistricting by Ordinance.** Every ten years, the Council shall by ordinance redraw district lines to be used for all elections of Council members, including their recall, and for filling any vacancy in the office of member of the Council, after the effective date of the redistricting ordinance. Districts so formed shall each contain, as nearly as practicable, equal portions of the total population of the City as shown by the Federal Census immediately preceding the formation of districts.~~

~~(b) **Redistricting Commission.** There shall be a Redistricting Commission to advise the Council on drawing of Council district lines. The Commission members shall be appointed in the following manner: one by each Council member except that the Council President shall appoint two members, three by the Mayor, one by the City Attorney, and one by the Controller. No City officer or employee shall be eligible to serve on the Commission. The Redistricting Commission shall appoint a director and other personnel, consistent with budgetary approval, which positions shall be exempt from the civil service provisions of the Charter.~~

~~(c) **Redistricting Process.** The Redistricting Commission shall be appointed no later than the date by which the Census Bureau is to release decennial census data. A new Commission shall be appointed to advise the Council prior to each subsequent redistricting. The Commission shall begin the redistricting process at any time after appointment, but no later than June 1, 2021, and each subsequent tenth anniversary of that date. The Commission shall seek public input throughout the redistricting process. The Commission shall present its proposal for redistricting to the Council no later than a date prescribed by ordinance.~~

~~The Council shall adopt a redistricting ordinance no later than December 31, 2021, and each subsequent tenth anniversary of that date. Nothing in this section shall prohibit the Council from redistricting with greater frequency provided that districts so formed each contain, as nearly as practicable, equal portions of the total population of the City as shown by the Federal Census immediately preceding the formation of districts or based upon other population reports or estimates determined by the Council to be substantially reliable.~~

~~(d) **Criteria for Redistricting.** All districts shall be drawn in conformance with requirements of state and federal law and, to the extent feasible, shall keep neighborhoods and communities intact, utilize natural boundaries or street lines, and be geographically compact.~~

~~(e) **Effect of Redistricting on Incumbents.** No change in the boundary or location of any district by redistricting shall operate to abolish or terminate the term of office of any member of the Council prior to expiration of the term of office for which the member was elected.~~

~~(f) **Annexation or Consolidation.** Any territory annexed to or consolidated with the City shall, prior to or concurrently with completion of the proceedings therefor, be added to an adjacent district or districts by the Council by ordinance, which addition shall be effective upon completion of the annexation or consolidation proceedings notwithstanding any other provision of the Charter to the contrary.~~

~~(g) **Terms.** The terms of office for those members of the Council elected from odd-numbered districts shall commence during each fourth anniversary of the year 1997 and for the members elected from even-numbered districts shall commence during each fourth anniversary of the year 1999, except as provided in Section 205(b) and until the year 2020. Beginning in the year 2020, the terms of office for those members of the Council elected from even-numbered districts shall commence during each fourth anniversary of the year 2020 and for the members elected from odd-numbered districts shall commence during each fourth anniversary of the year 2022.~~

Sec. 3. Section 205 of the Charter of the City of Los Angeles is amended to read as follows:

Sec. 205. Term of Office.

(a) The Mayor, City Attorney, Controller and members of the Council shall hold their offices for a term of four years except as provided in subsection (b).

(b) Notwithstanding any other provision of the Charter, in order to transition to new election dates starting in 2020, members of the Council elected in 2015 shall be elected for a term expiring in December 2020 and the Mayor, City Attorney, Controller and members of the Council elected in the year 2017 shall be elected for a term expiring in December 2022.

~~(c) The term of an official elected to City office shall commence on the first day of July next following his or her election until the year 2020. Beginning in the year 2020, the~~ The terms of office for those members of the Council from even-numbered districts shall commence during each fourth anniversary of the year 2020. The terms of office for the Mayor, City Attorney, Controller and those members of the Council elected from odd-numbered districts shall commence during each fourth anniversary of the year 2022. ~~The term of an official elected to City office shall commence on the second Monday in December next following his or her election.~~

(d) Except where a vacancy in office is created pursuant to Section 207, the incumbents of the elected and appointed offices shall hold office until their successors have qualified.

Sec. 4. A new subdivision (9) is added to subsection (d) of Section 245 of the Charter of the City of Los Angeles exempting actions of the Independent Redistricting Commission from City Council review, to read as follows:

(9) actions of the Independent Redistricting Commission.

Sec. 5. Subsection (h) of Section 252 of the Charter of the City of Los Angeles is repealed, and subsections (i), (j), and (k) are renumbered to subsections (h), (i), and (j), respectively, to read as follows:

Sec. 252. Effective Date of Ordinances, Orders and Resolutions.

Orders and resolutions shall take effect upon their passage unless requiring Mayoral approval, in which case they shall take effect upon Mayoral approval or override of Mayoral veto. An ordinance shall go into effect 31 days from its publication, except for urgency ordinances adopted pursuant to Section 253, and except for the following ordinances, which shall take effect upon their publication:

- (a) an ordinance ordering, or otherwise relating to an election;
- (b) an ordinance ordering or otherwise relating to the levying or collection of the annual City taxes;
- (c) an ordinance which provides for or changes any of the following with respect to streets, boulevards, alleys, courts or other public places: name, curb lines, grade, improvement, opening, widening, straightening or extension;
- (d) an ordinance relating to the construction of sewers or storm drains;
- (e) an ordinance relating to the bringing or conduct of suits or actions or the levying or collection of local assessments upon private property for any of the purposes referenced in subsections (c) and (d);
- (f) an ordinance relating to the condemnation of lands for parks, boulevards or playgrounds under laws or ordinances providing for the payment of the expense thereof by local assessment upon private property;
- (g) an ordinance relating to creating classes of positions, setting salaries, authorizing the employment of personnel or prescribing conditions of employment;

~~(h) an ordinance establishing Council or Board of Education districts;~~

~~(i)(h)~~ an ordinance establishing pension or retirement benefits in accordance with Article XI of the Charter;

~~(j)(i)~~ an ordinance making or authorizing any contract, other than an ordinance granting any franchise, right or privilege; and

~~(k)(j)~~ any ordinance making or authorizing the sale or issuance of bonds of the City or of any district within the City.

Sec. 6. Subsection (c) of Section 272 of the Charter of the City of Los Angeles is amended to read as follows:

(c) **Boards.** The boards of the Proprietary Departments, the Ethics Commission, the Board of Fire and Police Pension Commissioners, the Board of Administration of the Los Angeles City Employees' Retirement System, ~~and the Board of Administration of the Water and Power Employees' Retirement System,~~ and the Independent Redistricting Commission shall make client decisions in litigation exclusively involving the policies and funds over which the Charter gives those boards control.

Sec. 7. Subsection (a) of Section 273 of the Charter of the City of Los Angeles is amended to read as follows:

(a) **Boards.** The boards of the Proprietary Departments, the Ethics Commission, the Board of Fire and Police Pension Commissioners, the Board of Administration of the Los Angeles City Employees' Retirement System, ~~and the Board of Administration of the Water and Power Employees' Retirement System,~~ and the Independent Redistricting Commission shall have the authority to approve or reject settlement of litigation exclusively involving the policies and funds over which the Charter gives those boards control. The settlement of all other litigation shall be in accordance with subsections (b) and (c) of this section.

Sec. 8. A new subsection (h) is added to Section 281 of the Charter of the City of Los Angeles regarding the powers and duties of the City Clerk to read as follows:

(h) The City Clerk shall perform duties related to the Independent Redistricting Commission as provided in the Charter and by ordinance.

Sec. 9. Subsection (d) of Section 502 of the Charter of the City of Los Angeles regarding removal of commissioners is amended to read as follows:

(d) Removal. Members of a board or commission, other than the City Ethics Commission and the Police Commission, who are appointed by the Mayor subject to approval by the Council, may be removed by the Mayor without Council confirmation. Members of the Police Commission may be removed by the Mayor, but a removed member may, within ten calendar days of the removal, appeal the action to the Council. Within ten Council meeting days of receipt of the appeal, the Council may reinstate the commissioner by a two-thirds vote of the Council. Failure of the Council to reinstate the commissioner during this time period shall constitute a denial of the appeal. Action on an appeal shall be by an action separate from the approval of the appointment of a successor to the removed member. Members of the City Ethics Commission may be removed in accordance with Section 700. Members of the Independent Redistricting Commission may be removed in accordance with Section 483.

Sec. 10. A new subdivision (8) is added to subsection (b) of Section 514 of the Charter of the City of Los Angeles to exempt the Independent Redistricting Commission from the authority of the Mayor and City Council to transfer the powers, duties and functions of City departments, offices, and boards, to read as follows:

(8) Independent Redistricting Commission.

Sec. 11. A new subsection (m) is added to Section 702 of the Charter of the City of Los Angeles regarding the duties and responsibilities of the Ethics Commission to read as follows:

(m) to perform duties related to the Independent Redistricting Commission as provided in the Charter and by ordinance.

Sec. 12. If any section, clause, sentence, phrase, or portion of this Charter amendment is held unconstitutional or invalid by any court or tribunal of competent jurisdiction, the remaining sections, clauses, sentences, phrases, or portions of this article shall remain in full force and effect, and to this end the provisions of this article are severable. In addition, the voters declare that they would have passed all sections, clauses, sentences, phrases, or portions of this Charter amendment without the section, clause, sentence, phrase or portion held unconstitutional or invalid.

ORDINANCE NO. 188235

An ordinance calling a Special Election to be held on Tuesday, November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment establishing an independent redistricting commission for the City of Los Angeles, and consolidating this Special Election with the City's General Municipal Election and the State General 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 November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment establishing an independent redistricting commission for the City of Los Angeles.

Sec. 2. The ballot measure text of the Charter amendment is contained in the accompanying Resolution of the City Council of the City of Los Angeles. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The impartial ballot title and question adopted by the City Council to be used at the Special Election for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

**INDEPENDENT REDISTRICTING COMMISSION FOR THE CITY OF
LOS ANGELES. CHARTER AMENDMENT ____.**

Shall the City Charter be amended to establish an independent redistricting commission to redraw Council district lines every ten years in the City of Los Angeles?

Sec. 4. To vote on the ballot 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 ballot measure and a "No" vote shall be counted against adoption of the ballot measure.

Sec. 5. The Special Election hereby called shall be, and hereby is ordered to be, consolidated with the City's General Municipal Election and the State General Election to be held in the City of Los Angeles on Tuesday, November 5, 2024.

Sec. 6. The vote centers for the Special Election shall be open as required and during the identified voting period established in the California Elections Code and as administered by the County Registrar-Recorder/County Clerk for the State General Election.

Sec. 7. The election precincts, vote centers, and officers of election for the Special Election shall be the same as those provided in the City of Los Angeles for the

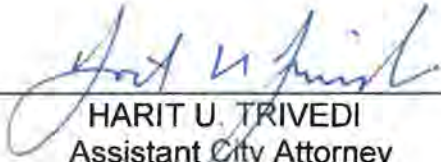
State General Election, and the elections shall be held in all respects as if there were only one election. The list or order prepared by the Registrar-Recorder/County Clerk designating election precincts, vote centers, and election officers for the State General Election, is hereby approved, incorporated into, and made part of this ordinance.

Sec. 8. The City Clerk shall administer the filing, printing, and distribution of all items contained in the City's Voter Information Pamphlet as provided in the City Election Code, including impartial summaries, ballot arguments, and rebuttal arguments regarding the ballot measure. In other particulars, the Special Election shall be held and conducted as provided by law for the holding of elections consolidated with the State General Election. The Board of Supervisors of the County of Los Angeles shall have authority to canvass the returns of the Special Election and transmit the certified election results to the City Council.

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.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By 
HARIT U. TRIVEDI
Assistant City Attorney

Date 4/24/24

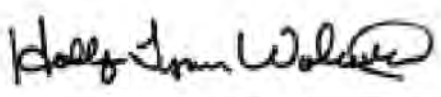
File No. 24-1100-56


[M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\ORDINANCES - FINAL YELLOWRevised Redistricting Charter Amendment -- Election Ordinance FINAL 4.24.24.docx]

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR





Ordinance Passed April 30, 2024

Approved 05/13/2024

Ordinance Published: 05/17/2024
Ordinance Effective Date: 05/17/2024

RESOLUTION

Resolution requesting the consolidation of a Special Election for a City of Los Angeles ballot measure with the State General Election to be held in the County of Los Angeles on November 5, 2024 regarding the following subject: an independent redistricting commission for the City of Los Angeles.

WHEREAS, the Los Angeles City Council has taken action pursuant to the City Charter and City Election Code to call a Special Election to be held together with the City's General Municipal Election on November 5, 2024, to place before the qualified voters of the City of Los Angeles a Charter amendment establishing an independent redistricting commission for the City of Los Angeles; and

WHEREAS, the City Council wishes to request that the Board of Supervisors of the County of Los Angeles consolidate the City's Special Election for the ballot measure with the State General Election to be held in the County of Los Angeles on November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The City Council respectfully requests the Board of Supervisors of the County of Los Angeles to order the consolidation of the City of Los Angeles Special Election with the State General Election to be held on November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment regarding the following subject: an independent redistricting commission for the City of Los Angeles.

Sec. 2. The ballot measure text of the Charter amendment and the ballot title and question for the Charter amendment are contained in the accompanying Resolution of the City Council of the City of Los Angeles.

Sec. 3. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 4. The City Clerk shall administer the filing, printing, and distribution of all items contained in the City's Voter Information Pamphlet as provided in the City Election Code, including impartial summaries, ballot arguments, and rebuttal arguments regarding the ballot measure. In other particulars, the Special Election shall be held and conducted as provided by law for the holding of elections consolidated with the State General Election.

Sec. 5. The City Council requests and authorizes the Board of Supervisors to canvass the returns of the Special Election and transmit the certified election results to the City.

Sec. 6. The City Council requests the Board of Supervisors to fix the costs to be paid by the City of Los Angeles for consolidation of the Special Election. The City will reimburse the County for the City's share of the costs incurred in conducting the Special Election consistent with the cost estimate provided by the Registrar-Recorder/County Clerk and agreed to between the County and the City.

Sec. 7. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors of the County of Los Angeles and provide a copy of the resolution to the County Registrar-Recorder/County Clerk.

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

HOLLY L. WOLCOTT, City Clerk

By _____ Deputy

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF 4/30/2024
BY A MAJORITY OF ALL ITS MEMBERS



By Maria V. J.
DEPUTY

RESOLUTION

Resolution providing the ballot measure text and the ballot title and question for a Charter amendment to be submitted to the qualified voters of the Los Angeles Unified School District regarding the following subject: an independent redistricting commission for the Los Angeles Unified School District.

WHEREAS, the City Council wishes to submit the Charter amendment referenced above to the qualified voters of the Los Angeles Unified School District at a Special Election to be consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024; and

WHEREAS, the City Attorney has prepared and presented an impartial ballot title and question for the Charter amendment as required under the City Election Code.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Charter amendment attached to this Resolution shall be submitted to the qualified voters of the Los Angeles Unified School District at a Special Election consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024.

Sec. 2. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The impartial ballot title and question for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

INDEPENDENT REDISTRICTING COMMISSION FOR THE LOS ANGELES UNIFIED SCHOOL DISTRICT. CHARTER AMENDMENT ____.

Shall the City Charter be amended to establish an independent redistricting commission to redraw Board of Education district lines every ten years in the Los Angeles Unified School District?

Sec. 4. The City Clerk is hereby authorized to make technical and formatting adjustments to the attached Charter amendment as needed to facilitate presentation in ballot materials.

Sec. 5. The City Clerk is hereby authorized and directed to publish a notice containing the proposed Charter amendment and specifying the date of the election for the Charter amendment. 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.

Sec. 6. The City Clerk is hereby authorized and directed to publish once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed Charter amendment may be obtained upon request in the City Clerk's office. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the voter information pamphlets and to distribute them to persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the voter information pamphlets to the qualified voters of the Los Angeles Unified School District.

Sec. 7. 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 _____.

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF 6/18/2024
BY A MAJORITY OF ALL ITS MEMBERS



By *Carmen Richardson*
DEPUTY

HOLLY L. WOLCOTT, City Clerk

By _____
Deputy

TEXT OF THE PROPOSED BALLOT MEASURE

CHARTER AMENDMENT ____

Section 1. Sections 810 to 819 are added to the Charter of the City of Los Angeles to read as follows:

Los Angeles Unified School District Independent Redistricting Commission

Sec. 810. Commission Establishment and Purpose.

(a) There shall be a Los Angeles Unified School District Independent Redistricting Commission (the "Commission") that shall have the powers, duties, and responsibilities set forth in the City Charter and by ordinance.

(b) The purpose of the Commission is to strengthen the governance of the Los Angeles Unified School District by developing Board of Education district boundaries through a fair, transparent, inclusive, and independent redistricting process that empowers public participation and public access to its proceedings.

Sec. 811. Commission Organization, Powers, and Duties.

(a) The Commission shall consist of 14 members and four alternate members.

(b) A new Commission shall be established every ten years after each federal decennial census. The members of the Commission shall be selected no later than April 1 of each year ending in the number zero.

(c) The term of office of each member of the Commission shall begin on the date of that commissioner's respective selection and shall expire upon the selection of the first member of the succeeding Commission.

(d) The Commission shall have the power and duty to:

(1) adopt the boundaries of the Board of Education districts of the Los Angeles Unified School District following each federal decennial census;

(2) comply with the redistricting criteria and process set forth in the Charter and by ordinance;

(3) act in an impartial manner that ensures the integrity and fairness of the redistricting process;

(4) educate and inform the public about redistricting, solicit and encourage public participation in the redistricting process, and hold public

meetings and hearings that are accessible and provide the public the opportunity to participate and provide comment throughout the process;

(5) make recommendations to the Mayor, City Council, and City Ethics Commission regarding redistricting matters; and

(6) perform other redistricting functions as prescribed by ordinance.

(e) The Commission may provide for youth participation on the Commission with participants selected through a process, and possessing the powers and duties, as provided by ordinance.

Sec. 812. Commissioner Qualifications and Restrictions.

(a) Each Commission member shall be at least 18 years old, unless a lower minimum age requirement is established by ordinance. Each Commission member shall be a resident of the Los Angeles Unified School District at the time of selection, and shall have resided in the Los Angeles Unified School District for at least three years immediately preceding the person's submission of an application. A Commissioner is not required to be a registered voter or a citizen of the United States.

(b) A person shall not be eligible to apply to or serve on the Commission if the person has been an employee of the Los Angeles Unified School District or a member of a Los Angeles Unified School District commission at any time in the four years immediately preceding the person's submission of an application.

(c) A person shall not be eligible to apply to or serve on the Commission if the person or person's spouse or family has engaged in the prior political and lobbying activities described in the California Elections Code provisions regarding eligibility requirements for independent redistricting commissions. Additional eligibility requirements may be provided by ordinance.

(d) Applicants to the Commission shall demonstrate collaborative skills, experience in civic engagement, and the ability to analyze complex data.

(e) While serving on the Commission, a member of the Commission shall not endorse, work for, volunteer for, or make a campaign contribution to, any member of the Board of Education or candidate for elective Board of Education office, or serve on a redistricting commission for any other governmental body.

(f) A member or former member of the Commission shall not do any of the following:

(1) Be a candidate for an elective Board of Education office unless more than five years have elapsed from the commissioner's last date of service on the

Commission or ten years have elapsed from the date of the commissioner's selection to the Commission, whichever is less.

(2) Be a candidate for an elective Board of Education office for any district for which the election will be conducted using district boundaries that were adopted by the Commission on which the member served.

(g) For a period of four years after the last date of service on the Commission or ten years after the date of selection to the Commission, whichever is less, a member or former member of the Commission shall not do any of the following:

(1) Accept appointment to another commission of the Los Angeles Unified School District.

(2) Accept employment as a paid staff member of, or receive compensation as a consultant to, a member of the Board of Education or candidate for elective Board of Education office.

(3) Receive a non-competitively bid contract with the Los Angeles Unified School District.

(4) Act as a registered Los Angeles Unified School District lobbyist.

(5) Accept appointment to a Los Angeles Unified School District office.

(h) Alternate members of the Commission shall be subject to the same eligibility requirements, standards of conduct, and restrictions as other Commission members.

Sec. 813. Commissioner Selection and Removal.

(a) An application process to identify prospective commissioners shall commence no later than April 1 of each year ending in the number nine.

(b) The City Clerk shall manage the Commission application process, with the City Ethics Commission providing oversight. The City Clerk and City Ethics Commission may delegate these responsibilities to their staff or consultants.

(c) The City Clerk shall conduct an outreach and education program to ensure that there is publication and awareness of the Commission application process, with efforts to reach underserved communities and with efforts conducted in multiple languages as identified by ordinance. The City Clerk shall monitor and make public the demographic data of application submissions and enhance outreach as reasonably needed to ensure that the applicant pool has a sufficient number of qualified applicants and reasonably reflects the Los Angeles Unified School District's diversity.

(d) An interested person meeting the eligibility requirements for service on the Commission may submit an application to the City Clerk. The City Clerk shall review the applications and establish an applicant pool consisting of those individuals who meet the objective eligibility requirements specified in subsections (a) through (c) of Section 812.

(e) The City Clerk shall post the names of individuals in the applicant pool for public review and establish a process by which the public may provide information regarding the eligibility of an individual in the applicant pool. The City Ethics Commission shall review the information provided by the public and determine whether any individual shall be removed from the applicant pool.

(f) Following the public review period, the City Ethics Commission shall evaluate the applications of the individuals in the applicant pool to identify individuals who satisfy the eligibility requirements specified in subsections (a) through (d) of Section 812 and who shall be included in the Commission Selection Pool. After the establishment of the Commission Selection Pool, the City Ethics Commission shall have the authority to receive information from the public and make determinations regarding the continuing eligibility of individuals in the Commission Selection Pool.

(g) The City Clerk shall conduct a random drawing at a public meeting to select one person residing in the geographic region of each of the seven Board of Education districts. The result of this selection process shall be the selection of seven members of the Commission, one from the geographic region of each of the seven Board of Education districts.

(h) The seven selected commissioners shall review the applications of all remaining applicants in the Commission Selection Pool to select seven additional members of the Commission. These selections shall be made at a public meeting by a two-thirds vote of the seven initial commissioners based on the applicant's relevant experiences and backgrounds, familiarity with the Los Angeles Unified School District's neighborhoods, ability to be impartial, and to ensure that the Commission reflects the Los Angeles Unified School District's diversity, including racial, ethnic, sex, gender, sexual orientation, age, income, professional, and geographic diversity. However, formulas or ratios shall not be applied for this purpose. These selections also shall be made in a manner that ensures that at least four of the 14 members of the Commission are parents or guardians of pupils who attend a school within the Los Angeles Unified School District at the time of selection.

(i) After the 14 commissioners have been selected, the Commission shall select four persons from the remaining applicants in the Commission Selection Pool to serve as alternate commissioners. The selection of alternate commissioners shall be made in a manner that ensures geographic diversity among the alternate commissioners.

(j) The Commission may remove a commissioner for substantial neglect of duty, gross misconduct in office, inability to discharge the duties of office, failure to comply

with the commissioner eligibility requirements and restrictions described in Section 812, unexcused absences, or failure to abide by transparency requirements. Removal under this provision requires a two-thirds vote of the Commission after providing the member notice of a public hearing and an opportunity to respond in writing and at the public hearing. The removed member may appeal the Commission's decision to the City Ethics Commission.

(k) The Commission may immediately remove a commissioner who has been charged with a felony offense, or who has been charged with a criminal misdemeanor related to a violation of official duties as described in Section 207(c). Removal under this provision requires a two-thirds vote of the Commission. The removed member may appeal the Commission's decision to the City Ethics Commission.

(l) The position of a member of the Commission shall become vacant if the member pleads guilty to or no contest to or is convicted of a felony.

(m) If a vacancy occurs on the Commission, the Chair of the Commission shall conduct a random drawing at a public meeting to select one of the alternate commissioners to serve as a commissioner.

Sec. 814. Redistricting Criteria.

(a) The Commission shall adopt Board of Education district boundaries that comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965. Each district shall have a reasonably equal population with other districts, except where deviation is required to comply with the federal Voting Rights Act or as allowable by law.

(b) In addition to following the requirements of subsection (a), the Commission shall adopt Board of Education district boundaries using the following criteria as set forth in the following order of priority:

(1) To the maximum extent practicable, districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

(2) To the maximum extent practicable, and where it does not conflict with the preceding criterion in this subsection, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A "community of interest" is a population that shares common social or economic interests that should be included within a single election district for purposes of its effective and fair representation. Characteristics of communities of interest may include, but are not limited to, shared public policy concerns such as education, public safety, public health, environment, housing, transportation, and access to social services.

Characteristics of communities of interest may also include, but are not limited to, cultural districts, shared socioeconomic characteristics, similar voter registration rates and participation rates, and shared histories. Communities of interest do not include relationships with political parties, incumbents, or political candidates.

(3) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subsection, districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the Los Angeles Unified School District. District boundaries should be easily identifiable and understandable by residents.

(4) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subsection, districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

(c) The Commission shall not adopt district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party, and the place of residence of an incumbent or candidate shall not be considered in the development of district boundaries.

(d) Other additional criteria should be considered by the Commission when adopting district boundaries, including consideration of the community and cultural association with economic and cultural landmarks and resources. All decisions concerning additional criteria shall be considered and approved in public meetings. The Commission's consideration of additional criteria should be considered in compliance with and subordinate to the applicable requirements of subsections (a) through (c).

(e) After the Commission has adopted district boundaries, the Commission shall number each Board of Education district such that, for as many residents as possible, the number of the Board of Education district they reside in remains the same.

Sec. 815. Public Meetings, Outreach, and Accessibility.

(a) The Commission shall comply with the Ralph M. Brown Act and other applicable open meeting laws.

(b) The Commission shall take steps to encourage residents to participate in the redistricting process, including those in underrepresented communities and non-English speaking communities.

(c) The Commission shall hold public hearings and workshops in a manner that ensures that the public has the opportunity to participate and comment in each phase of the redistricting process.

(d) The Commission shall provide live translation of Commission meetings in English and Spanish and as further provided by ordinance. The Commission shall provide materials in the languages required by federal and state law and as provided by ordinance.

(e) The Commission shall develop and implement an Accessibility Plan to ensure that people with disabilities and seniors are able to access and fully participate in Commission meetings and hearings. The Commission shall develop this plan prior to the initiation of public hearings.

(f) For purposes of providing testimony, members of the Board of Education shall be subject to the same public comment procedures as members of the public.

(g) Ex Parte Communications.

(1) A member of the Commission shall not communicate with any individual or organization regarding redistricting matters outside of a public meeting. This provision does not prohibit communications with another commissioner, Commission staff, legal counsel, or consultants retained by the Commission. This provision does not prohibit communications with City and Los Angeles Unified School District staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(2) The Executive Director of the Commission, any mapping staff member or mapping consultant of the Commission, and other Commission staff as designated by the Commission shall not communicate with any member of the Board of Education or elected City officer, candidate for elective Board of Education or City office, or staff of any such member or candidate, either directly or through an agent, regarding redistricting matters outside of a public meeting. This provision does not prohibit communications with City and Los Angeles Unified School District staff to the extent those communications are related to administrative matters or educational presentations made to the public.

(3) A member or employee of the City Ethics Commission, City Clerk, or other City department involved in the process for selecting members of the Commission shall not communicate with any member of the Board of Education or elected City officer, candidate for elective Board of Education or City office, or staff of any such officer or candidate, either directly or through an agent, regarding any matter related to the selection process outside of a public meeting before that process has been completed. This provision does not prohibit communications to the extent those communications are related to administrative matters, legal advice, or educational presentations made to the public.

(4) The Commission may adopt other rules regarding communications provided the rules comply with the Brown Act, do not conflict with the provisions in this subsection, and are adopted in a public meeting of the Commission.

Sec. 816. Commission Conduct of Business, Administration, and Personnel.

(a) Each member and alternate member of the Commission shall be a designated employee in the conflict of interest code for the Commission adopted pursuant to the California Political Reform Act, and shall file with the City Ethics Commission a statement of economic interests and other financial disclosure statements as required by law.

(b) The affirmative votes of a majority of the Commission shall be required for any official action, except the following actions which shall require the approval of two-thirds of the Commission:

(1) a vote for the final redistricting plan;

(2) a vote to remove a commissioner;

(3) a vote for the selection of the seven commissioners described in Section 813(h);

(4) a vote to hire the Executive Director, mapping consultant or mapping staff member, and any other position designated as key staff by the Commission; and

(5) a vote to authorize the delegation of hiring or contracting authority, to the extent such authority is delegable under state and City law.

(c) The alternate members of the Commission may fully participate in Commission deliberations but may not vote and may not be counted towards the establishment of a quorum.

(d) The Commission shall select one commissioner to serve as the Chair of the Commission. The Commission may designate other officers from its membership.

(e) Consideration of principles for the development of district boundaries for draft and final redistricting plans shall be conducted in a public meeting and approved by a vote of the Commission.

(f) The Commission shall post proposed map principles and any proposed final map on the Commission's website for a minimum of seven days before consideration at a Commission hearing or meeting.

(g) The Commission shall hire an Executive Director and redistricting, technology, and outreach staff, whose positions shall be exempt from the civil service provisions of the Charter.

(h) The Commission shall have the authority to hire consultants through a competitive process consistent with the contracting provisions of the Charter and as provided by ordinance.

(i) The City Clerk shall provide support to the Commission in accessing City resources, coordinating with City and Los Angeles Unified School District departments and personnel, and other administrative matters as needed. The executive office of the Board of Education also shall provide support to the Commission.

(j) The Commission may utilize the City Attorney as legal counsel or may request the City Attorney to retain legal counsel for the Commission.

Sec. 817. Adoption of Final Redistricting Plan.

(a) The Commission shall adopt its final redistricting plan establishing new Board of Education district boundaries no later than September 30 of each year ending in the number one.

(b) If the Commission does not adopt a final redistricting plan by the deadline in subsection (a), the City Attorney shall immediately petition the Superior Court for an order prescribing new Board of Education district boundaries in accordance with the redistricting criteria described in Section 814, and those boundaries shall apply to Board of Education elections until the Commission is able to adopt a final redistricting plan.

(c) The Commission shall issue, with the final plan, a report that explains the basis on which the Commission made its decisions in achieving compliance with the redistricting criteria described in Section 814.

(d) Upon adoption of a final redistricting plan, the Commission shall submit the plan, final report, and any other accompanying materials to the City Clerk and publish this material on the Commission's redistricting website.

(e) The City Clerk shall post the Commission's final redistricting plan and report on the City's website. The City Clerk shall publish the final plan and description of the new Board of Education district boundaries in the same manner as an ordinance of the City.

(f) The final redistricting plan establishing new Board of Education districts shall become effective 31 days from its publication as provided for ordinances in the Charter.

(g) The final redistricting plan shall be subject to referendum in the same manner as a City ordinance.

(h) No change in the boundary or location of any district by redistricting shall operate to abolish or terminate the term of office of any member of the Board of Education prior to the expiration of the term of office for which the member was elected.

(i) District boundaries adopted by the Commission shall not be altered until after the next federal decennial census occurs except to settle a legal claim or in response to an order of a court.

(j) Any territory annexed to or consolidated with the Los Angeles Unified School District shall be added to an adjacent district or districts by the Commission. The addition shall be effective upon the completion of the annexation or consolidation proceedings.

Sec. 818. Commission Funding.

(a) The City Council and Mayor shall provide sufficient funds to meet the needs for the formation and operation of the Commission, including to compensate Commission staff, consultants and legal counsel, conduct outreach to solicit broad public participation in the redistricting process, and, if necessary, defend the actions of the Commission in any legal proceeding.

(b) The City Council and Mayor shall provide funds to all City departments involved with the formation of the Commission, providing support to the Commission, and maintaining the records of the Commission.

(c) The Los Angeles Unified School District shall reimburse the City for costs incurred by the City, including City departments, for the formation and operation of the Commission.

(d) Commissioners shall be compensated as provided by ordinance.

Sec. 819. Commission Recommendations.

(a) The Commission may recommend changes to the independent redistricting process described in the City Charter and Administrative Code by submitting a report to the City Ethics Commission with findings, analysis, and data that support the Commission's recommendations.

(b) The City Ethics Commission shall review the Commission's recommendations and may transmit a report to the City Council containing recommendations for amendments to the City Charter and Administrative Code regarding redistricting. To the extent the recommendations include amendments to the Administrative Code, the Ethics Commission shall also prepare and transmit, with the assistance of the City Attorney, any proposed ordinance that would be required to effectuate the recommended amendments.

(c) Administrative Code Amendments. Within 60 days of submission of an Ethics Commission report and accompanying proposed ordinance recommending amendments to the Administrative Code regarding redistricting, the City Council shall hold a public hearing concerning the matter and act to approve, without change, or

disapprove the proposed ordinance. If the Council fails to disapprove within the 60-day period, the proposed ordinance shall be presented to the Mayor for approval or veto, and to the Council for override of the Mayor's veto. If approved by the Mayor, or the Mayor fails to act, or approved by the Council on override of the Mayor's veto, the proposed ordinance shall be deemed approved.

(d) Charter Amendments. An Ethics Commission report recommending an amendment to the City Charter regarding redistricting shall be considered by the City Council in time to allow for submittal of the charter amendment to the voters at the next available election. An amendment to the City Charter requires the approval of the voters of the City.

Sec. 2. Section 802 of the Charter of the City of Los Angeles is repealed as follows:

~~Sec. 802. Board of Education Redistricting.~~

~~(a) **Redistricting by Ordinance.** Every ten years, the Council shall by ordinance redistrict the Los Angeles Unified School District into seven districts designated in the ordinance by numbers from one to seven, inclusive. Those districts shall be used for all elections of members of the Board of Education, including their recall, and for filling any vacancy in the office of member of the Board of Education, after the effective date of the ordinance and until new districts are established.~~

~~(b) **Redistricting Commission.** There shall be a Redistricting Commission to advise the Council on drawing of Board district lines. The Commission members shall be appointed in the following manner: one by each member of the Board of Education, four by the Council President, and four by the Mayor. Notwithstanding the provision of Section 501(d), one of the Council President's appointees, and one of the Mayor's appointees, must reside within the Los Angeles Unified School District but outside the limits of the City. No officer or employee of the School District shall be eligible to serve on the Commission. The Redistricting Commission shall appoint a director and other personnel, consistent with budgetary approval, which positions shall be exempt from the civil service provisions of the Charter.~~

~~(c) **Redistricting Process.** The Redistricting Commission shall be appointed before the date by which the Census Bureau is to release the decennial census data. A new Commission shall be appointed to advise the Council prior to each subsequent redistricting. The Commission shall begin the redistricting process at any time after appointment, but no later than June 1, 2021, and each subsequent tenth anniversary of that date. The Commission shall seek public input throughout the redistricting process. The Commission shall present its proposal for redistricting to the Council no later than a date prescribed by ordinance.~~

~~The Council shall adopt a redistricting ordinance no later than December 31, 2021, and each subsequent tenth anniversary of that date. Nothing in this section shall~~

~~prohibit the Council from redistricting with greater frequency provided that districts so formed each contain, as nearly as practicable, equal portions of the total population of the Los Angeles Unified School District as shown by the Federal Census immediately preceding the formation of districts or based upon other population reports or estimates as may be determined by the Council to be substantially reliable.~~

~~(d) **Criteria for Redistricting.** All districts shall be drawn in conformance with the requirements of state and federal law and to the extent feasible shall keep neighborhoods and communities intact, utilize natural boundaries or street lines, be geographically compact, and conform to high school attendance zones.~~

~~(e) **Effect of Redistricting on Incumbents.** No change in the boundary or location of any district by redistricting shall operate to abolish or terminate the term of office of any member of the Board of Education prior to expiration of the term of office for which that member was elected.~~

~~(f) **Annexation or Consolidation.** Territory added to the Los Angeles Unified School District after the adoption of a districting ordinance shall be added to an adjacent and contiguous district or districts by the Council by ordinance.~~

~~(g) **Terms.** Members of the Board of Education shall hold their office for a term of four years except as provided in Section 806. The terms of office of those Board members elected from odd-numbered districts shall commence during each fourth anniversary of 1979, and for the members elected from even-numbered districts shall commence during each fourth anniversary of 1981, except as provided in Section 806 and until the year 2020. Beginning in the year 2020, the terms of office of those Board members elected from odd-numbered districts shall commence during each fourth anniversary of the year 2020 and for the members elected from even-numbered districts shall commence during each fourth anniversary of the year 2022. No person may serve more than three terms of office as a member of the Board of Education. This limitation on the number of terms of office shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the term is less than one-half of the full term of office. The limitation on the number of terms of office shall apply only to terms of office that begin on or after March 1, 2007.~~

Sec. 3. Section 806 of the Charter of the City of Los Angeles is amended to read as follows:

Sec. 806. Board of Education Term of Office.

(a) Members of the Board of Education shall hold their office for a term of four years except as provided in subsection (b).

(b)(a) Notwithstanding any other provision of the Charter, in order to transition to new election dates starting in 2020, Board of Education members elected in 2015 shall

be elected for a term expiring in December 2020 and members elected in 2017 shall be elected for a term expiring in December 2022.

~~(c)(b)~~ ~~The term of a member of the Board of Education shall commence on the first day of July next following his or her election until the year 2020. Beginning in the year 2020, the~~ The terms of office for those members of the Board of Education from odd-numbered districts shall commence during each fourth anniversary of the year 2020. The terms of office for those members of the Board of Education from even-numbered districts shall commence during each fourth anniversary of the year 2022. ~~The term of a member of the Board of Education shall commence on the second Monday in December next following his or her election.~~

~~(d)(e)~~ No person shall serve more than three terms of office as a member of the Board of Education. This limitation on the number of terms of office shall not apply to any unexpired term to which a person is elected or appointed if the remainder of the term is less than one-half of the full term of office. The limitation on the number of terms of office shall apply only to terms of office that begin on or after March 1, 2007. For purposes of this subsection the term limits contained in Section 802(g), the term of office of Board of Education members elected in 2015 and 2017 as described in subsection (b)(a) of this section shall count as one term.

Sec. 4. If any section, clause, sentence, phrase, or portion of this Charter amendment is held unconstitutional or invalid by any court or tribunal of competent jurisdiction, the remaining sections, clauses, sentences, phrases, or portions of this article shall remain in full force and effect, and to this end the provisions of this article are severable. In addition, the voters declare that they would have passed all sections, clauses, sentences, phrases, or portions of this Charter amendment without the section, clause, sentence, phrase or portion held unconstitutional or invalid.

ORDINANCE NO. _____

An ordinance calling a Special Election to be held on Tuesday, November 5, 2024, for the purpose of submitting to the qualified voters of the Los Angeles Unified School District a Charter amendment establishing an independent redistricting commission for the Los Angeles Unified School District, and consolidating this Special Election with the City's General Municipal Election and the State General 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 Los Angeles Unified School District on November 5, 2024, for the purpose of submitting to the qualified voters of the Los Angeles Unified School District a Charter amendment establishing an independent redistricting commission for the Los Angeles Unified School District.

Sec. 2. The ballot measure text of the Charter amendment is contained in the accompanying Resolution of the City Council of the City of Los Angeles. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The impartial ballot title and question adopted by the City Council to be used at the Special Election for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

**INDEPENDENT REDISTRICTING COMMISSION FOR THE
LOS ANGELES UNIFIED SCHOOL DISTRICT. CHARTER
AMENDMENT ____.**

Shall the City Charter be amended to establish an independent redistricting commission to redraw Board of Education district lines every ten years in the Los Angeles Unified School District?

Sec. 4. To vote on the ballot 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 ballot measure and a "No" vote shall be counted against adoption of the ballot measure.

Sec. 5. The Special Election hereby called shall be, and hereby is ordered to be, consolidated with the City's General Municipal Election and the State General Election to be held in the City of Los Angeles on Tuesday, November 5, 2024.

Sec. 6. The vote centers for the Special Election shall be open as required and during the identified voting period established in the California Elections Code and as administered by the County Registrar-Recorder/County Clerk for the State General Election.


Sec. 7. The election precincts, vote centers, and officers of election for the Special Election shall be the same as those provided in the Los Angeles Unified School District for the State General Election, and the elections shall be held in all respects as if there were only one election. The list or order prepared by the Registrar-Recorder/County Clerk designating election precincts, vote centers, and election officers for the State General Election, is hereby approved, incorporated into, and made part of this ordinance.

Sec. 8. The City Clerk shall administer the filing, printing, and distribution of all items contained in the City's Voter Information Pamphlet as provided in the City Election Code, including impartial summaries, ballot arguments, and rebuttal arguments regarding the ballot measure. In other particulars, the Special Election shall be held and conducted as provided by law for the holding of elections consolidated with the State General Election. The Board of Supervisors of the County of Los Angeles shall have authority to canvass the returns of the Special Election and transmit the certified election results to the City Council.

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.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By 
HARIT U. TRIVEDI
Assistant City Attorney

Date 5/30/24

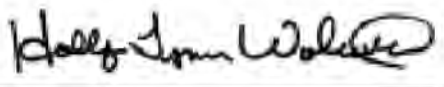
File No. 24-1100-57


M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\ORDINANCES - FINAL YELLOW\Ordinance LAUSD Redistricting Charter Amendment-Election Ordinance.docx

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR





Ordinance Passed June 18, 2024

Approved 07/01/2024

Ordinance Published: 07/08/2024
Ordinance Effective Date: 07/08/2024

RESOLUTION

Resolution requesting the consolidation of a Special Election for a City of Los Angeles ballot measure with the State General Election to be held in the County of Los Angeles on November 5, 2024 regarding the following subject: an independent redistricting commission for the Los Angeles Unified School District.

WHEREAS, the Los Angeles City Council has taken action pursuant to the City Charter and City Election Code to call a Special Election to be held together with the City's General Municipal Election on November 5, 2024, to place before the qualified voters of the Los Angeles Unified School District a Charter amendment establishing an independent redistricting commission for the Los Angeles Unified School District; and

WHEREAS, the City Council wishes to request that the Board of Supervisors of the County of Los Angeles consolidate the City's Special Election for the ballot measure with the State General Election to be held in the County of Los Angeles on November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The City Council respectfully requests the Board of Supervisors of the County of Los Angeles to order the consolidation of the City of Los Angeles Special Election with the State General Election to be held on November 5, 2024, for the purpose of submitting to the qualified voters of the Los Angeles Unified School District a Charter amendment regarding the following subject: an independent redistricting commission for the Los Angeles Unified School District.

Sec. 2. The ballot measure text of the Charter amendment and the ballot title and question for the Charter amendment are contained in the accompanying Resolution of the City Council of the City of Los Angeles.

Sec. 3. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 4. The City Clerk shall administer the filing, printing, and distribution of all items contained in the City's Voter Information Pamphlet as provided in the City Election Code, including impartial summaries, ballot arguments, and rebuttal arguments regarding the ballot measure. In other particulars, the Special Election shall be held and conducted as provided by law for the holding of elections consolidated with the State General Election.

Sec. 5. The City Council requests and authorizes the Board of Supervisors to canvass the returns of the Special Election and transmit the certified election results to the City.

Sec. 6. The City Council requests the Board of Supervisors to fix the costs to be paid by the City of Los Angeles for consolidation of the Special Election. The City will reimburse the County for the City's share of the costs incurred in conducting the Special Election consistent with the cost estimate provided by the Registrar-Recorder/County Clerk and agreed to between the County and the City.

Sec. 7. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors of the County of Los Angeles and provide a copy of the resolution to the County Registrar-Recorder/County Clerk.

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

HOLLY L. WOLCOTT, City Clerk

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF 6/18/2024
BY A MAJORITY OF ALL ITS MEMBERS

By _____ Deputy



By Carmen Richardson
DEPUTY

RESOLUTION

Resolution providing the ballot measure text and the ballot title and question for a Charter amendment to be submitted to the qualified voters of the City of Los Angeles regarding the following subject: Ethics Commission authority and operational independence.

WHEREAS, the City Council wishes to submit the Charter amendment referenced above to the qualified voters of the City of Los Angeles at a Special Election to be consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024; and

WHEREAS, the City Attorney has prepared and presented an impartial ballot title and question for the Charter amendment as required under the City Election Code.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Charter amendment attached to this Resolution shall be submitted to the qualified voters of the City of Los Angeles at a Special Election consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024.

Sec. 2. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The impartial ballot title and question for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

CITY ETHICS COMMISSION AUTHORITY AND OPERATIONAL INDEPENDENCE. CHARTER AMENDMENT ____.

Shall the City Charter be amended to establish a minimum annual budget for the City Ethics Commission; increase the Commission's authority over spending decisions and hiring matters; allow the Commission to obtain outside counsel in limited circumstances; impose additional qualification requirements on Commission members; require the City Council to hold a public hearing on Commission proposals; and increase penalties for violations of City laws?

Sec. 4. The City Clerk is hereby authorized to make technical and formatting adjustments to the attached Charter amendment as needed to facilitate presentation in ballot materials.

Sec. 5. The City Clerk is hereby authorized and directed to publish a notice containing the proposed Charter amendment and specifying the date of the election for the Charter amendment. 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.

Sec. 6. The City Clerk is hereby authorized and directed to publish once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed Charter amendment may be obtained upon request in the City Clerk's office. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the voter information pamphlets and to distribute them to persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the voter information pamphlets to the qualified voters of the City of Los Angeles.

Sec. 7. 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 _____

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF 6/18/2024
BY A MAJORITY OF ALL ITS MEMBERS

HOLLY L. WOLCOTT, City Clerk

By _____ Deputy



By Carmen Archambault
DEPUTY

TEXT OF THE PROPOSED BALLOT MEASURE

CHARTER AMENDMENT _____

Section 1. Subsection (b) of Section 700 of the Charter of the City of Los Angeles is amended to read as follows:

(b) **Appointment.** The Mayor, the City Attorney, the Controller, the President of the Council and the President Pro Tempore of the Council shall each appoint one member to the commission. All appointments shall be subject to confirmation by a majority vote of the Council. An appointing authority shall not appoint their relative or the relative of any other elected City officer, a campaign consultant, or a major donor. For purposes of this provision: a relative includes a spouse, domestic partner, child, parent, sibling, or in-law; a campaign consultant includes an individual who has provided compensated advice or services to a political campaign or to a committee controlled by a City officeholder in the prior 12 months; and a major donor includes an individual who has qualified as a major donor under the Political Reform Act in the prior 12 months. A President and Vice President of the commission shall be selected by the commission and shall serve in those capacities as set forth in Section 503.

Sec. 2. Subsection (d) of Section 700 the Charter of the City of Los Angeles is amended to read as follows:

(d) **Qualifications.** Each member of the commission shall be a registered voter of the City. Neither a member of the Commission nor its Executive Director shall seek election to any City office or Los Angeles Unified School District Board of Education office concerning which the commission has made a decision during the term of the commissioner or Executive Director unless the election for that office is to be held at least two years following the expiration of the term of office of the commissioner or Executive Director. ~~During his or her~~ their tenure, neither a member of the commission nor its Executive Director shall:

- (1) hold any other public office;
- (2) participate in or contribute to a City election campaign;
- (3) participate in or contribute to an election campaign for a member of the Los Angeles Unified School District Board of Education;
- (4) participate in or contribute to a City official or member of the Los Angeles Unified School District Board of Education running for any elective office; ~~or~~
- (5) employ or be employed as a person required to register as a lobbyist with the City of Los Angeles; ~~or~~

(6) have an ownership interest in a business (other than stock in a publicly traded company) that contracts with or seeks discretionary approvals from the City; or personally provide compensated services to the City under a contract;

(7) provide compensated advice or services to a political campaign or to a committee controlled by a City officeholder; or

(8) contribute to committees such that the individual qualifies as a major donor as provided under the Political Reform Act.

Sec. 3. Subsections (e) and (f) of Section 700 of the Charter of the City of Los Angeles are amended to read as follows:

(e) **Removal.** A Member of the commission may be removed by the member's appointing authority the Mayor, with the concurrence of the Council by majority vote, or by a two-thirds vote of the Council for substantial neglect of duty, gross misconduct in office, inability to discharge the powers and duties of office, or violation of this Article, after written notice of the grounds on which removal is sought and an opportunity for a reply.

(f) **Vacancies.** Appointments to fill a vacancyies on the commission shall be made within 9030 days by the same appointing authority who appointed the prior holder of the position. An appointments to fill a vacancyies shall be for the unexpired term of the member whom the appointee succeeds. A vacancy or vacancies shall not impair the right of the remaining members to exercise the powers of the Commission.

Sec. 4. Subsections (a) and (b) of Section 701 of the Charter of the City of Los Angeles are amended to read as follows:

Sec. 701. Executive Director, Commission Staff and Delegation of Authority.

(a) The Commission shall appoint and has the authority to discharge an Executive Director, who shall act in accordance with commission policies and regulations and with applicable law. The Executive Director shall serve at the will of the commission, shall not be subject to civil service provisions, and shall have no property interest in the Executive Director's his or her employment. The commission shall establish a salary range for the Executive Director consistent with other City general managers, considering similar duties and responsibilities, and shall annually set or adjust the salary for the Executive Director from within that range. The salary of the Executive Director shall be set by the Council, subject to approval of the Mayor and shall be based on a recommendation submitted by the Director of the Office of Administrative and Research Services after a review and analysis of the

~~responsibilities and authority vested in the position.~~ The Executive Director shall not serve in that capacity for more than ten years.

(b) The Executive Director shall appoint and has the authority to discharge commission staff members and prescribe their duties. ~~Non-clerical~~ Personnel of the commission shall serve at the will of the Executive Director, shall not be subject to civil service provisions, and shall have no property interest in their employment.

Sec. 5. The heading for Section 703 shall be amended to read as follows:

Rules, Regulations and Proposals

Sec. 6. Subsection (c) of Section 703 of the Charter of the City of Los Angeles is added to read as follows:

(c) Within 180 days after the commission transmits a policy proposal within its jurisdiction to the Council, the Council shall hold a public hearing on the proposal. If the Council does not hold a hearing within the 180-day period, the City Clerk shall schedule the proposal at the next regular meeting of the City Council.

Sec. 7. Subsection (b) of Section 706 of the Charter of the City of Los Angeles is amended to read as follows:

(b) **Findings of Probable Cause; Administrative Enforcement.** If the Executive Director of the commission or the Executive Director's designee determines that there is probable cause to believe that a provision of the Charter or City ordinances relating to campaign financing, lobbying, conflicts of interest or governmental ethics has been violated, the Executive Director or the Executive Director's designee shall cause an administrative enforcement accusation to be issued and served. No finding of probable cause shall be made by the Executive Director or Executive Director's designee ~~commission~~ unless, at least 21 days prior to the Executive Director or the Executive Director's designee's consideration of the alleged violation, the person alleged to have committed the violation is notified of the alleged violation by service of process or registered mail with return receipt requested, is provided with a summary of the evidence, and is informed of ~~their~~his or her right to be present in person and represented by counsel at any proceeding held for the purpose of considering whether probable cause exists for believing the person committed the violation. Notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or, if the registered mail receipt

Sec. 8. Subsections (c) and (d) of Section 706 of the Charter of the City of Los Angeles are amended to read as follows:

(c) **Administrative Hearings, Orders and Penalties.** After an accusation is issued and served, the commission shall cause a public evidentiary hearing to be

held to determine if a violation has occurred. When the commission determines on the basis of substantial evidence presented at the hearing that a violation has occurred, it shall issue an order which may require the violator to:

- (1) cease and desist the violation;
- (2) file any reports, statements or other documents or information required by law; and/or
- (3) pay a monetary penalty to the General Fund of the City of up to ~~five~~ fifteen thousand dollars (~~\$15,000~~ 5,000) for each violation, adjusted annually to reflect changes to the Consumer Price Index, or three times the amount which the person failed to report properly or unlawfully contributed, expended, gave or received, whichever is greater. When the commission determines that no violation has occurred, it shall publish a declaration so stating.

(d) **Referrals Between Agencies.** Regardless of whether the Executive Director or designee makes a formal determination concerning probable cause, the matter may be referred to another appropriate agency for purposes of enforcement.

Sec. 9. Section 708 of the Charter of the City of Los Angeles is amended to read as follows:

Sec. 708. Legal Services.

The City Attorney shall provide legal services to the commission, except that notwithstanding Section 275, the commission may retain its own legal counsel to provide advice to the commission and to take such action as the commission may direct when necessary under the two circumstances described in this Section. ~~Notwithstanding Section 275, First, independent of the City Attorney, the commission may employ or contract for staff counsel to give advice to the commission and to take such action as the commission may direct on matters that which directly involve the conduct of the City Attorney, the City Attorney's his or her office, or the City Attorney's his or her election campaign. Second, the commission may retain its own legal counsel for legal services in carrying out the commission's responsibilities and duties under Section 706 on a specific investigative or enforcement matter. In this second circumstance, the commission and the City Attorney shall approve a panel of law firms or attorneys from which the commission may select legal counsel for these services.~~

Sec. 10. Subsections (a), (b) and (c) of Section 710 of the Charter of the City of Los Angeles are amended to read as follows:

(a) Notwithstanding Section 275, when the City Attorney determines that the City Attorney's his or her office has a possible conflict of interest and that the office should not investigate or prosecute an alleged violations of the Charter, City

ordinances or regulations, or statutes relating to campaign financing, lobbying, conflicts of interest or governmental ethics, the City Attorney shall notify the City Ethics Commission, which by a four-fifths vote of all of its members may determine to request the appointment of a special prosecutor to conduct the investigation. A special prosecutor shall not be appointed when it appears from a preliminary investigation that an alleged violation will warrant only an action for civil damages or administrative penalties.

(b) ~~The commission's request for the appointment of a special prosecutor shall be made from a list of special prosecutors to a standing committee composed of three retired judges selected approved by the commission at the beginning of each odd-numbered year. The three judge panel shall name the special prosecutor, who upon appointment, shall have the authority to file and prosecute criminal and civil actions in the name of the People.~~

(c) ~~Each fiscal year there shall be included in the budget of the City Ethics Commission shall include the sum of five hundred two hundred fifty thousand dollars (\$500,000 250,000) for expenditure to support any special prosecutor appointed pursuant to this section. In the event that all of these funds have been or are likely to be expended before the end of any fiscal year, the commission may request an additional appropriation fromask the Council for an additional appropriation. Under no circumstance shall the amount appropriated or provided under contract for a special prosecutor exceed five hundred two hundred fifty thousand dollars (\$500,000 250,000) in any fiscal year without Council approval. The Council shall have 30 days (excluding weekends and holidays) following its receipt to accept, reject, or modify a request for additional funds from the commission. If Council does not act within that time period, the request is deemed approved. The Mayor shall act on the Council's action or inaction if the request is deemed approved within five days (excluding weekends and holidays). If the Mayor vetoes the Council's action, the Council shall have five days (excluding weekends and holidays) to override that veto by a two-thirds vote.~~

Sec. 11. Section 711 of the Charter of the City of Los Angeles is amended to read as follows:

Sec. 711. Appropriation and Expenditures.

(a) Starting with the 2025-2026 fiscal year budget, the Council shall appropriate a minimum of seven million (\$7,000,000) dollars for each fiscal year for the commission's annual operating budget. The appropriation amount shall be adjusted each fiscal year based on the change to City's revenues in the prior year. However, adjustment to the commission's annual budget based on the change to City's revenues in the prior year is not required if the Council finds that exigent circumstances exist such that an adjustment should not be made for that fiscal year. The Council shall appropriate funds for the Commission at least one year in advance of each subsequent fiscal year.

(b) The expenditures of the commission shall not require prior approval of City offices or personnel where the expenditures are within the Commission's budget, unless Council makes a finding of exigent circumstances. The commission shall comply with applicable City requirements, procedures, and laws relating to the expenditures.

(c) The commission is not subject to hiring freezes when it operates within its budget, unless the Council makes a finding of exigent circumstances.

Sec. 12. Subsection (a)(13) of Section 1001 of the Charter of the City of Los Angeles is amended to provide that all positions of the Ethics Commission are exempt from civil service and shall read as follows:

(13) The Executive Director and all ~~non-clerical~~ personnel of the City Ethics Commission.

Sec. 13. If any section, clause, sentence, phrase, or portion of this Charter amendment is held unconstitutional or invalid by any court or tribunal of competent jurisdiction, the remaining sections, clauses, sentences, phrases, or portions of this article shall remain in full force and effect, and to this end the provisions of this article are severable. In addition, the voters declare that they would have passed all sections, clauses, sentences, phrases, or portions of this Charter amendment without the section, clause, sentence, phrase or portion held unconstitutional or invalid.

ORDINANCE NO. 188304

An ordinance calling a Special Election to be held on Tuesday, November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment modifying the Ethics Commission's authority and operational independence, and consolidating this Special Election with the City's General Municipal Election and the State General 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 November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment modifying the Ethics Commission's authority and operational independence.

Sec. 2. The ballot measure text of the Charter amendment is contained in the accompanying Resolution of the City Council of the City of Los Angeles. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The impartial ballot title and question adopted by the City Council to be used at the Special Election for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

**CITY ETHICS COMMISSION AUTHORITY AND OPERATIONAL
INDEPENDENCE. CHARTER AMENDMENT ____.**

Shall the City Charter be amended to establish a minimum annual budget for the City Ethics Commission; increase the Commission's authority over spending decisions and hiring matters; allow the Commission to obtain outside counsel in limited circumstances; impose additional qualification requirements on Commission members; require the City Council to hold a public hearing on Commission proposals; and increase penalties for violations of City laws?

Sec. 4. To vote on the ballot 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 ballot measure and a "No" vote shall be counted against adoption of the ballot measure.

Sec. 5. The Special Election hereby called shall be, and hereby is ordered to be, consolidated with the City's General Municipal Election and the State General Election to be held in the City of Los Angeles on Tuesday, November 5, 2024.

Sec. 6. The vote centers for the Special Election shall be open as required and during the identified voting period established in the California Elections Code and as administered by the County Registrar-Recorder/County Clerk for the State General Election.

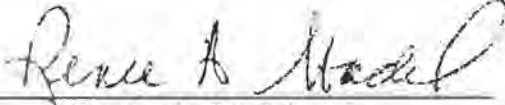
Sec. 7. The election precincts, vote centers, and officers of election for the Special Election shall be the same as those provided in the City of Los Angeles for the State General Election, and the elections shall be held in all respects as if there were only one election. The list or order prepared by the Registrar-Recorder/County Clerk designating election precincts, vote centers, and election officers for the State General Election, is hereby approved, incorporated into, and made part of this ordinance.

Sec. 8. The City Clerk shall administer the filing, printing, and distribution of all items contained in the City's Voter Information Pamphlet as provided in the City Election Code, including impartial summaries, ballot arguments, and rebuttal arguments regarding the ballot measure. In other particulars, the Special Election shall be held and conducted as provided by law for the holding of elections consolidated with the State General Election. The Board of Supervisors of the County of Los Angeles shall have authority to canvass the returns of the Special Election and transmit the certified election results to the City Council.

Sec. 8. 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.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By 
Renee A. Stadel
Assistant City Attorney

Date 6/10/2024

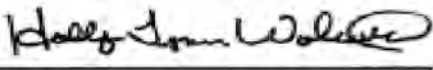
File No. 24-1100-S8

[M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\ORDINANCES - FINAL YELLOW\Ethics Charter Amendment - Election Ordinance.docx]

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR





Ordinance Passed June 18, 2024

Approved 07/01/2024

Ordinance Published: 07/08/2024
Ordinance Effective Date: 07/08/2024

RESOLUTION

Resolution requesting the consolidation of a Special Election for a City of Los Angeles ballot measure with the State General Election to be held in the County of Los Angeles on November 5, 2024 regarding the following subject: Ethics Commission authority and operational independence.

WHEREAS, the Los Angeles City Council has taken action pursuant to the City Charter and City Election Code to call a Special Election to be held together with the City's General Municipal Election on November 5, 2024, to place before the qualified voters of the City of Los Angeles a Charter amendment modifying the Ethics Commission's authority and operational independence; and

WHEREAS, the City Council wishes to request that the Board of Supervisors of the County of Los Angeles consolidate the City's Special Election for the ballot measure with the State General Election to be held in the County of Los Angeles on November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The City Council respectfully requests the Board of Supervisors of the County of Los Angeles to order the consolidation of the City of Los Angeles Special Election with the State General Election to be held on November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment regarding the following subject: Ethics Commission authority and operational independence.

Sec. 2. The complete text of the Charter amendment and the ballot title and question for the Charter amendment are contained in the accompanying Resolution of the City Council of the City of Los Angeles.

Sec. 3. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 4. The City Clerk shall administer the filing, printing, and distribution of all items contained in the City's Voter Information Pamphlet as provided in the City Election Code, including impartial summaries, ballot arguments, and rebuttal arguments regarding the ballot measure. In other particulars, the Special Election shall be held and conducted as provided by law for the holding of elections consolidated with the State General Election.

Sec. 5. The Council requests and authorizes the Board of Supervisors to canvass the returns of the Special Election and transmit the certified election results to the City.

Sec. 6. The Council requests the Board of Supervisors to fix the costs to be paid by the City of Los Angeles for consolidation of the Special Election. The City will reimburse the County for the City's share of the costs incurred in conducting the Special Election consistent with the cost estimate provided by the Registrar-Recorder/County Clerk and agreed to between the County and the City.

Sec. 7. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors of the County of Los Angeles and provide a copy of the resolution to the County Registrar-Recorder/County Clerk.

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

HOLLY L. WOLCOTT, City Clerk

By _____ Deputy

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF 6/18/2024
BY A MAJORITY OF ALL ITS MEMBERS



By Carmen Richardson
DEPUTY

RESOLUTION

Resolution providing the ballot measure text and the ballot title and question for a Charter amendment to be submitted to the qualified voters of the City of Los Angeles regarding the following subject: transfer of membership of peace officers currently employed by the City's Police, Airport, Harbor, and Recreation and Parks Departments from the Los Angeles City Employees' Retirement System to the Los Angeles Fire and Police Pension Plan.

WHEREAS, the City Council wishes to submit the Charter amendment referenced above to the qualified voters of the City of Los Angeles at a Special Election to be consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024; and

WHEREAS, the City Attorney has prepared and presented an impartial ballot title and question for the Charter amendment as required under the City Election Code.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Charter amendment attached to this Resolution shall be submitted to the qualified voters of the City of Los Angeles at a Special Election consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024.

Sec. 2. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The impartial ballot title and question for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

LOS ANGELES FIRE AND POLICE PENSIONS; PEACE OFFICERS. CHARTER AMENDMENT ____.

Shall the City Charter be amended to: allow peace officers employed by the Police, Airport, Harbor, and Recreation and Parks Departments to transfer membership and service from the Los Angeles City Employees' Retirement System to the Los Angeles Fire and Police Pension Plan; and require the City to pay associated costs, including refunds to certain Airport and Police Department members for prior transfers?

Sec. 4. The City Clerk is hereby authorized to make technical and formatting adjustments to the attached Charter amendment as needed to facilitate presentation in ballot materials.

Sec. 5. The City Clerk is hereby authorized and directed to publish a notice containing the proposed Charter amendment and specifying the date of the election for the Charter amendment. 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.

Sec. 6. The City Clerk is hereby authorized and directed to publish once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed Charter amendment may be obtained upon request in the City Clerk's office. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the voter information pamphlets and to distribute them to persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the voter information pamphlets to the qualified voters of the City of Los Angeles.

Sec. 7. 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 _____.

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF 6/25/2024
BY A MAJORITY OF ALL ITS MEMBERS

HOLLY L. WOLCOTT, City Clerk



By *Maria V. J.*
DEPUTY

By _____ Deputy

TEXT OF THE PROPOSED BALLOT MEASURE

CHARTER AMENDMENT ____

Section 1. Subsection (e) of Section 1202 of the Charter of the City of Los Angeles is amended to read as follows:

(e) **Department Member:** A person who is a sworn Member of the Fire Department or a sworn Member of the Police Department, as those terms are defined for each Tier. This term shall not include a person who is a sworn Member of the Police Department who was eligible to make the election authorized by Charter Section 1703 or 1709 but remained a member of the Los Angeles City Employees' Retirement System. This term also includes a person who is a sworn Member of the Harbor Department who qualifies for membership in the Plan pursuant to the provisions of any Tier of the Plan, but shall not include any sworn employee of the Harbor Department who was appointed prior to January 8, 2006 and was eligible to make the election authorized by Charter Section 1709 but remained a member of the Los Angeles City Employees' Retirement System. Additionally, this term includes a person who is a sworn Member of the ~~Department of Airports~~ Department who qualifies for membership in the Plan pursuant to the provisions of any Tier of the Plan, but shall not include any employee of the ~~Department of Airports~~ Department who was appointed prior to January 7, 2018 and was eligible to make the election authorized by Charter Section 1704 or 1709 but remained a member of the Los Angeles City Employees' Retirement System. Lastly, this term includes a person who is a sworn Member of the Department of Recreation and Parks who qualifies for membership in the Plan pursuant to Charter Section 1709, but it shall not include a person who is a sworn Member of the Department of Recreation and Parks who was eligible to make the election authorized by Charter Section 1709 but remained a member of the Los Angeles City Employees' Retirement System.

Sec. 2. Section 1700 of the Charter of the City of Los Angeles is amended to read as follows:

Sec. 1700. Membership in Tier 6.

(a) **Appointed Chief.** A Chief of Police, a Fire Chief, or a Port Warden (Chief) who is appointed to that position on or after July 1, 2011, and a Chief of the Airport Police who is appointed to that position on or after January 7, 2018, and who is neither a Plan Member nor a Retired Plan Member at the time of appointment, shall become a Tier 6 Plan Member upon appointment unless, within seven calendar days of appointment, he or she files a written opt out election with the Department of Fire and Police Pensions to elect to become a member of the Los Angeles City Employees' Retirement System (LACERS) in lieu of membership in Tier 6. A Chief who is appointed to that position on or after July 1, 2011 and is already a Department Member on the day of his or her appointment, shall continue to be a member of the Tier to which he or she

belonged prior to appointment as Chief. A Retired Plan Member who is appointed to the position of a Chief on or after July 1, 2011, shall become a member of LACERS at the time of appointment, rather than a Tier 6 Plan Member, and shall continue to receive all benefits to which he or she is entitled as a Retired Plan Member and as permitted under federal tax laws governing in-service distributions, but shall not accrue any additional right to benefits from the Plan by virtue of his or her employment as a Chief. A Chief Park Ranger who is already a Plan Member on the day of his or her appointment shall continue to be a member of the Tier to which he or she belonged prior to appointment to Chief, but a Chief Park Ranger who is not a Plan Member at the time of appointment shall become or continue to be a member of LACERS. A Chief Park Ranger who is a Retired Plan Member at the time of appointment shall become a member of LACERS and shall continue to receive all benefits to which he or she is entitled as a Retired Plan Member and as permitted under federal tax laws governing in-service distributions, but shall not accrue any additional right to benefits from the Plan by virtue of his or her employment as Chief Park Ranger.

(b) **Appointed Members.** Each person, other than a Chief, who shall be appointed as a Department Member on or after July 1, 2011, shall become a Tier 6 Plan Member upon (1) graduation by such person from training at the Police or Fire Academies or equivalent facility imparting basic training as a firefighter or police officer and maintained as such by the City of Los Angeles, or (2) graduation from academy training required by the Harbor Department. Upon becoming a Tier 6 Plan Member, a member may elect to purchase Years of Service credit for the period of such training in accordance with rules adopted by the Board.

(c) **Persons Who Do Not Become Tier 6 Plan Members.** Notwithstanding the provisions of subsections (b), (f), (g), and (h) of this section:

(1) A person who is a Plan Member of another Tier and who is appointed, without a break in service, to a different position that would otherwise qualify him or her for membership in Tier 6, shall not, by virtue of this new appointment, become a member of Tier 6, but shall continue to be a member of the Tier to which he or she belonged prior to his or her new appointment.

(2) A person appointed to a sworn position with the Harbor Department prior to January 8, 2006, who did not elect to transfer into Tier 5 or Tier 6 and remained a member of LACERS, if subsequently appointed without a break in Harbor Department service to a different Harbor Department sworn position that would otherwise qualify him or her for membership in Tier 6, shall not become a member of Tier 6 upon appointment, but shall remain a LACERS member.

(3) Any Plan Member who retired on a disability pension from another Tier and is subsequently restored to active duty as a Department Member shall not become a member of Tier 6, but shall return to membership in the Tier from which he or she retired.

(4) Any Plan Member who retired on a service pension from another Tier and is subsequently returned to active duty as a Department Member shall not become a member of Tier 6, but shall return to membership in the Tier from which he or she retired.

(5) A person appointed to a sworn position with the Department of Airports Department or Fire Department on or after January 7, 2018, who did not elect to transfer into Tier 6 and remained a member of LACERS, if subsequently appointed without a break in Department of Airports Department service to an Department of Airports Department sworn position or a Fire Department sworn position that would otherwise qualify him or her for membership in Tier 6, shall not become a member of Tier 6 upon appointment, but shall remain a LACERS member.

(6) A person appointed to a sworn position with the Department of Recreation and Parks, who did not elect to transfer into Tier 6 and remained a Member of LACERS.

(7) A person appointed to a sworn position with the Department of Recreation and Parks after January 12, 2025.

(d) **Former Members.** Any former member of any Tier, who ceased to be a member as a result of resignation or discharge and who subsequently is reappointed as a Department Member on or after July 1, 2011, shall become a Tier 6 Member. In the event such person did not receive a refund of contributions for his or her prior service, the definition of "Years of Service" contained in this Tier 6 shall be controlling with respect to such person's entitlement to service credit and such person need not make back contributions on account of such former service. In the event that the member had no right to a refund of contributions from his or her former Tier, then he or she shall not have any right to have contributions formerly made by him or her under the provisions of a former Tier refunded in the event he or she should subsequently terminate as a Plan Member. In the event such person received a refund of his or her contributions as a result of his or her termination, then such person's entitlement to Years of Service credit for the period of such former service shall be conditioned upon such person electing to repay and having paid to the Fire and Police Pension Plan the amount of previously refunded contributions, with interest thereon in an amount calculated as interest which would have been earned between the date of such termination and the date of entry into service as a Plan Member in accordance with rules adopted by the Board. In the event such member does not elect to so repay, the term Years of Service as elsewhere used in this Tier 6 shall not include any periods prior to his or her reappointment, notwithstanding the definitions contained in Section 1702(q)(r) and (s).

(e) **Council Authority to Allow Transfers to Tier 6.** The Council may by ordinance authorize Plan Members of other Tiers to voluntarily transfer to Tier 6, provided such transfers shall be actuarially cost neutral to the Plan. Ordinances adopted pursuant to this subsection shall be adopted in the same manner as provided in

Section 1618(b) of this Charter, but the City Council shall be advised in writing by an enrolled actuary as to the cost of the proposed changes.

(f) **Department of Airports Department Members.** In addition to those Department Members described in Subsection (b) of this section, the following persons qualify for membership in Tier 6 as provided below:

(1) **Persons Appointed On or After January 7, 2018.** Each person appointed on or after January 7, 2018, as a Member of the Department of Airports Department, as defined in Section 1702(d), shall become a Tier 6 Plan Member upon graduation by the person from academy training required by the Department of Airports Department. Upon becoming a Tier 6 Plan Member, a member may elect to purchase Years of Service credit for the academy training period in accordance with rules adopted by the Board, provided that only academy training time during which the person was a member of the Pension Savings Plan for Part-time, Seasonal and Temporary Employees is eligible for purchase. An Airport Police Chief appointed on or after January 7, 2018, may irrevocably elect in writing at the time of appointment not to become a member of Tier 6, provided that he or she meets the eligibility requirements for such election as set forth in Section 1700(a).

(2) **Persons Appointed Prior to January 7, 2018.** A person appointed prior to January 7, 2018 as a Member of the Department of Airports Department, as defined in Section 1702(d), and who is employed on that date as a Member of the Department of Airports Department, as defined in Section 1702(d), may make an irrevocable election in writing to become a Tier 6 Plan Member in lieu of membership in LACERS, on the terms and conditions set forth below and in any ordinance adopted by the City Council to implement this provision, provided that no person shall become a Tier 6 Plan Member until he or she has completed the academy training required by the Department of Airports Department. A person who does not file an election within the period specified below shall continue as a LACERS member and shall remain a LACERS member if subsequently appointed without a break in Department of Airports Department service to an Department of Airports Department sworn position, or Fire Department sworn position that would otherwise require him or her to become a Tier 6 Plan Member.

(g) **Harbor Members and Former Office of Public Safety Police Department Members.** In addition to those Department Members described in Subsection (b) of this section, persons who are sworn employees of the Harbor Department and persons who became sworn employees of the Police Department as a result of their prior, continuous employment in the Office of Public Safety may make an irrevocable election in writing to become a Tier 6 Plan Member in lieu of membership in LACERS, in compliance with any ordinance adopted by the City Council to implement this provision. A person who does not file an election within the period specified in the ordinance shall continue as a LACERS member and shall remain a LACERS member if subsequently appointed

without a break in Department service to another sworn position that would otherwise require him or her to become a Tier 6 Plan Member.

(h) **Department of Recreation and Parks Members.** In addition to those Department Members described in Subsection (b) of this section, persons who are sworn employees of the Department of Recreation and Parks may make an irrevocable election in writing to become a Tier 6 Plan Member in lieu of membership in LACERS, in compliance with any ordinance adopted by the City Council to implement this provision. A person who does not file an election within the period specified in the ordinance shall continue as a LACERS member and shall remain a LACERS member if subsequently appointed without a break in Department service to another sworn position that would otherwise require him or her to become a Tier 6 Plan Member.

(i) All elections made pursuant to this Subdivissections (f)(2), (g), or (h) must meet the requirements of the ordinance adopted by Council, as authorized by Sections 1703, 1704, or 1709, to govern the election, including all related requirements governing service purchases, contributions, and the cost of the election.

(j) For purposes of Sections 1706 and 1708, relating to Tier 6 Disability Pensions and Tier 6 Survivorship Pensions, and Section 1212, relating to the effect of a Department Member's receipt of Worker's Compensation, a Tier 6 Plan Member who transfers under Subsections division (f)(2), (g), or (h) of this Ssection, Sections 1703, 1704 or 1709 and the ordinances adopted by the Council as authorized by those Ssections1704, shall be considered a Department Member as defined in Section 1202(e) during all employment periods for which the member receives Years of Service credit pursuant to Sections 1703, 1704 or 1709 and the ordinances adopted by the Council as authorized by those Ssections 1704, notwithstanding that the person was not an actual Tier 6 Plan Member at the time of employment. The intent of this provision is that the person shall be considered a Department Member at the time of employment for purposes of these sections, so that the amount of any disability or survivorship pension granted pursuant to the provisions of Tier 6 shall be reduced as provided in Section 1212.

Sec. 3. Subsections (d), and (q) of Section 1702 of the Charter of the City of Los Angeles are amended, a new subsection (e) is added, and subsections (e), (f), (g), (h), (i), (j), (k), (l), (m), (n) (o), (p), (q), (r), (s), are renumbered to subsections (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), respectively, to read as follows:

Sec. 1702. Definitions.

In addition to the words and phrases defined in the Fire and Police Pension Plan's General Provisions in Part 3, and for the purposes of this Tier 6, the following words or phrases shall have the meaning ascribed to them in this section, unless a different meaning is clearly indicated in the context.

(a) **Member of the Fire Department.** Member of the Fire Department means the Fire Chief and a person duly and regularly appointed in the Fire Department, under civil service rules and regulations or provisions of the Charter, or both, governing the making of original regular and permanent appointments which require the serving of probationary periods but not of original emergency or temporary appointments, to perform duties as a firefighter for the City, under whatever designation such person may be described in any salary or departmental ordinance providing salaries for the members of the department, but such person shall be a member of the department only until his or her status as such shall be terminated by reason of retirement, resignation or discharge or for any other reason.

(b) **Member of the Police Department.** Member of the Police Department means the Chief of Police and a person duly and regularly appointed in the Police Department, under civil service rules and regulations or provisions of the Charter, or both, governing the making of original regular and permanent appointments which require the serving of probationary periods but not of original emergency or temporary appointments therein, and sworn in, as provided by law, to perform duties as a police officer for the City, under whatever designation such person may be described in any salary or departmental ordinance providing salaries for the members of the department, but such person shall be a member of the department only until his or her status as such shall be terminated by reason of retirement, resignation or discharge or for any other reason.

(c) **Member of the Harbor Department.** Member of the Harbor Department means the Port Warden and a person duly and regularly appointed, under civil service rules and regulations or provisions of the Charter, or both, governing the making of original regular and permanent appointments which require the serving of probationary periods but not of original emergency or temporary appointments therein, and sworn in, as provided by Penal Code Section 830.1, to perform police duties for the Harbor Department, under whatever designation such person may be described in any salary or departmental ordinance providing salaries for members of the department, but such person shall be a member of the department only until his or her status as such shall be terminated by reason of his or her retirement, resignation or discharge or for any other reason.

(d) **Member of the ~~Airport~~ Department of Airports.** Member of the ~~Airport~~ Department of Airports means the Chief of the Airport Police, the Assistant Chief of the Airport Police, the Chief Airport Safety Officer, and a person duly and regularly appointed, under civil service rules and regulations or provisions of the Charter, or both, governing the making of original regular and permanent appointments which require the serving of probationary periods but not of original emergency or temporary appointments therein, and sworn in, as provided by Penal Code Section 830.1, to perform police or firefighting duties for the ~~Airport~~ Department of Airports, under whatever designation such person may be described in any salary or departmental ordinance providing salaries for members of the department, but such person shall be a

member of the department only until his or her status as such shall be terminated by reason of his or her retirement, resignation or discharge or for any other reason.

(e) **Member of the Department of Recreation and Parks.** Member of the Department of Recreation and Parks means the Chief Park Ranger and a person duly and regularly appointed, under civil service rules and regulations or provisions of the Charter, or both, governing the making of original regular and permanent appointments, which require the serving of probationary periods but not of original emergency or temporary appointments therein, and sworn in, as provided by Penal Code Section 830.31, to perform police or firefighting duties for the Department of Recreation and Parks, under whatever designation such person may be described in any salary or departmental ordinance providing salaries for members of the department, but such person shall be a member of the department only until his or her status as such shall be terminated by reason of his or her retirement, resignation or discharge or for any other reason.

~~(e)~~(f) **Tier 6 Plan Member.** Tier 6 Plan Member means a person who is a Department Member and whose pension rights and benefits are governed by this Tier 6. For purposes of the provisions governing Tier 6, the term Plan Member shall generally refer to a Tier 6 Plan Member, unless the context in which the term is used indicates a usage that refers to or includes members of other Tiers. Status as a Tier 6 Plan Member is limited by the provisions of Section 1700.

~~(f)~~(g) **Qualified Surviving Spouse.** Qualified Surviving Spouse means a person who was married to the Tier 6 Plan Member:

- (1) for at least one year prior to the date of his or her nonservice-connected death while a Tier 6 Plan Member, or
- (2) on the date of the Tier 6 Plan Member's service-connected death, or
- (3) for at least one year prior to the effective date of the Tier 6 Plan Member's retirement upon a service pension or a nonservice-connected disability pension, or
- (4) on the effective date of the Tier 6 Plan Member's retirement upon a service-connected disability pension, or
- (5) on the date of the Tier 6 Plan Member's nonservice-connected death while on military leave.

In addition, on the date of the member's death, this person must be either the domestic partner (registered with the state or filed with the Plan) or spouse of such member.

To the extent required by state law, two persons of the same sex whose legal union, other than a marriage, has been validly formed in another jurisdiction and is substantially equivalent to a state registered domestic partnership shall be treated the same as spouses for purposes of this Plan. For these purposes, any reference to the date of a marriage shall be deemed to refer to the date of a legal union in another jurisdiction.

~~(g)~~(h) **Qualified Surviving Domestic Partner.** Qualified Surviving Domestic Partner means a person whose Declaration of Domestic Partnership with the Tier 6 Plan Member was on file with the Board of Fire and Police Pension Commissioners, as provided in Section 4.2204 of the Los Angeles Administrative Code, or whose domestic partnership with the Tier 6 Plan Member was registered with the state:

- (1) for at least one year prior to the date of the Tier 6 Plan Member's nonservice-connected death, or
- (2) on the date of the Tier 6 Plan Member's service-connected death, or
- (3) for at least one year prior to the effective date of the Tier 6 Plan Member's retirement upon a service pension or a nonservice-connected disability pension, or
- (4) on the effective date of the Tier 6 Plan Member's retirement upon a service-connected disability pension, or
- (5) on the date of the Tier 6 Plan Member's nonservice-connected death while on military leave.

In addition, on the date of the member's death, this person must be either the domestic partner (registered with the state or filed with the Plan) or spouse of such member.

~~(h)~~(i) **Qualified Survivor.** Qualified Survivor means a person who is either a Qualified Surviving Spouse or a Qualified Surviving Domestic Partner.

~~(i)~~(j) **Child.** Minor Child means a person who is a child or an adopted child of a deceased Tier 6 Plan Member or Retired Tier 6 Plan Member but such person shall be a Minor Child only until such person shall attain the age of 18 years or shall marry, whichever shall be earlier. A person may further qualify for the benefits provided for a Minor Child under the provisions of this Tier until he or she reaches the age of 22 years if such person is enrolled in school on a full-time basis as determined by the Board but such person's marriage terminates entitlement to the benefits of a Minor Child.

~~(j)~~(k) **Dependent Child.** Dependent Child means a person who is a child of a deceased Tier 6 Plan Member or a deceased Retired Tier 6 Plan Member, who, while under the age of 21 years, had become disabled, either prior to or after the date of

death of such member, from earning a livelihood for any cause or reason whatsoever, but such person shall be a Dependent Child only until he or she shall cease to be disabled from earning a livelihood. Should disability cease before the age of 22 years, the limitations set forth in subsection ~~(h)~~(i) shall be applicable.

~~(k)~~(l) **Dependent Parent.** Dependent Parent means a person who is a parent of a deceased Tier 6 Plan Member or a deceased Tier 6 Retired Plan Member and to or for whom such deceased member, during at least one year immediately preceding his or her death, contributed one-half or more of such Dependent Parent's necessary living expenses and who is unable to pay such expenses without the receipt of a pension, but such person shall be a Dependent Parent only until he or she shall be able to pay his or her necessary living expenses.

~~(h)~~(m) **Length of Service Pay.** Length of Service Pay means any additional gross monthly pay which, by reason of length of service, shall be provided by ordinance or by Memorandum of Understanding.

~~(m)~~(n) **Special Pay.** Special Pay means any additional gross monthly pay which, by reason of assignment to perform special duties other than hazardous duties, shall be provided by ordinance or Memorandum of Understanding.

~~(h)~~(o) **Hazard Pay.** Hazard Pay means any additional gross monthly pay which, by reason of assignment to perform helicopter duties, two-wheel motorcycle duties or any other hazardous duties, shall be provided by ordinance or Memorandum of Understanding.

~~(e)~~(p) **Assignment Pay.** Assignment Pay means any additional gross monthly pay which, by reason of assignment to perform special duties or hazardous duties, in a higher class, position, grade, code or other title than the lowest thereof within the Tier 6 Plan Member's permanent rank, shall be provided by ordinance or Memorandum of Understanding.

~~(p)~~(q) **Year.** Year means a period of 12 months or, in aggregating partial years for purposes of determining Years of Service, means 365 days.

~~(q)~~(r) **Years of Service.** Years of Service means and includes only those periods during or for which the Plan Member was a Department Member of the Fire Department, a Department Member of the Police Department, a Department Member of the Harbor Department, ~~or a Department Member of the Airport Department of Airports,~~ or a Department Member of the Department of Recreation and Parks, and whether prior to or after his or her becoming a Tier 6 Plan Member and subject to the limitations contained in Section 1700 of this Tier 6:

- (1) did or shall receive salary, whether in full or reduced amounts thereof;

(2) did or shall receive either a service-connected disability pension or a nonservice-connected disability pension from the Plan if he or she was or shall be restored to active duty as a Department Member and did or shall perform his or her duties as such for at least one year prior to again retiring or being retired pursuant to this Tier 6, which year shall not include any time off from work by reason of any injury or illness which had been caused by or contributed to by any injury or illness which had been sustained or suffered by him or her prior to such restoration. The restored Plan Member, upon completing one Year of Service following restoration, shall be eligible for such credit only to the extent that the length of service following restoration matches the period the disability pension was received; but upon completing three years of restored service, the restored Plan Member is eligible for credit for the entire period the disability pension was received; and provided further that a period during which a Plan Member was on a nonservice-connected disability pension may only be counted toward his or her Years of Service if the Plan Member makes contributions therefore as provided in Section 1714 of this Tier 6 in accordance with the rules to be adopted by the Board;

(3) is or shall become entitled, under any provision of general law or ordinance of the City, to credit toward retirement for periods of military service or military leave;

(4) did or shall receive Workers' Compensation benefits for temporary disability as provided by general law on account of any injury or illness arising out of and in the course of employment, but such period shall be made a part of the Plan Member's Years of Service only if the Plan Member has made contributions to the Fire and Police Pension Plan in the manner prescribed by Board rule;

(5) is or shall become entitled to compensation for injury on duty pursuant to any ordinance of the City or any applicable Memorandum of Understanding; and

(6) had served as a member of the Fire and Police Pension System – Tiers 2, 3, 4, or 5, without having become eligible to service retirement benefits.

A person who has previously been a Plan Member of any Tier, who has ceased to be such by virtue of his or her resignation or discharge, and who subsequently becomes a Tier 6 Plan Member, shall be entitled to credit for Years of Service during the prior membership period only if he or she has first redeposited with interest, any contributions previously withdrawn by him or her, in the manner provided by the Board.

A Qualified Survivor of a Tier 6 Plan Member may complete the purchase of Years of Service credit elected by the Plan Member.

~~(f)~~~~(s)~~ **Partial Year of Service.** Partial Year of Service means any period mentioned in subsection ~~(p)~~~~(g)~~ of this section which is less than 12 months. Any such Partial Year of Service shall be calculated from the end of the Plan Member's last completed Year of Service to the end of the payroll period immediately prior to the date of his or her retirement and shall be counted as part of a Plan Member's Years of Service for his or her retirement upon a service pension hereafter granted or for a pension hereafter granted to his or her Qualified Survivor, Minor Child or Children, Dependent Child or Children or Dependent Parent or Parents if he or she hereafter shall die while upon a service pension hereafter granted or while eligible for a service pension.

~~(s)~~~~(t)~~ **Final Average Salary.** Final Average Salary means an amount equivalent to a monthly average of salary actually earned during any 24 consecutive months of service as a Plan Member as designated by the Plan Member. In the absence of such designation, the last 24 consecutive months preceding the date upon which retirement would become effective shall be used as the basis for the calculation of Final Average Salary.

For the purposes of determining Final Average Salary for periods during which the Plan Member receives less than full salary on account of injury or illness, pursuant to any applicable ordinance of the City, the Final Average Salary shall be based upon the salary, including any Length of Service Pay, Special Pay, Assignment Pay or Hazard Pay, the Plan Member would have received but for the injury or illness.

Included in the calculation of Final Average Salary shall be Length of Service Pay, Special Pay, Assignment Pay and Hazard Pay actually earned during the 24 consecutive months used to determine Final Average Salary.

For those Tier 6 Plan Members who retire from the Fire Department while holding a rank no higher than Captain or from the Police Department holding a rank no higher than Lieutenant: If Hazard Pay was not earned during all or any part of the 24 consecutive months used to determine Final Average Salary, then an amount equivalent to 10% of the Hazard Pay earned at the time of the termination of the last assignment of hazardous duties for each year in the aggregate of the assignment to hazardous duties shall be added to the Final Average Salary, not to exceed 10 years in the aggregate. The total amount of Hazard Pay included in Final Average Salary may not exceed 100% of the amount the Plan Member would have earned had he or she been entitled to Hazard Pay during the entire 24 month period utilized in the calculation of Final Average Salary.

Overtime compensation or payments of money to the member not designated as salary by an ordinance or Memorandum of Understanding shall not be considered for purposes of calculating Final Compensation.

Should a Tier 6 Plan Member not have completed 24 consecutive months of service as a Plan Member, then and in that event only shall the Final Average Salary be

calculated as a monthly average of all consecutive calendar months completed, and, if the Plan Member has completed less than one month of total service as a Plan Member, the salary actually received shall be used to calculate its monthly equivalent.

Notwithstanding any of the foregoing, if a Retired Tier 6 Plan Member were to be restored to active duty as a Department Member and thereby again were to become a Tier 6 Plan Member and if he or she again were to retire or to be retired without having performed his or her duties for at least one year subsequent to such restoration, which year shall not include any time off from work by reason of any injury or illness which had been caused by or contributed to by any injury or illness which had been sustained or suffered by him or her prior to such restoration, the Final Average Salary which shall be applicable to his or her later retirement shall be the Final Average Salary which had been applicable to his or her previous retirement. Should the Plan Member have performed the requisite one year subsequent to such restoration, but not have completed 24 consecutive months of service since being restored, then in that event Final Average Salary shall be calculated as a monthly average of all consecutive months completed after such restoration.

Sec. 4. Subsections (a) and (b) of Section 1703 of the Charter of the City of Los Angeles are amended to read as follows:

Sec. 1703. Authority of City Council to Allow Transferring Police Personnel to Purchase Prior Sworn City Service.

(a) **Council Authority.** Subject to Sections 1709 and 1711, ~~¶~~the Council may, by ordinance adopted in accordance with the provisions of this section, allow police personnel who are transferred to the Police Department from the Department of General Services and gain status in one of the following Class Codes 2214, 2217, 2223, 2227, 2232, and 2244 to transfer prior sworn service with the City from the Los Angeles City Employees' Retirement System (LACERS) to Tier 6 after they become members of the Plan pursuant to the applicable provisions of the Charter and the Los Angeles Administrative Code. Notwithstanding the provisions of Section 1702~~(q)~~(r), transferred service may count as Years of Service for all Tier 6 purposes.

(b) **Limitations on Service Purchases.** Subject to Sections 1709 and 1711, ~~¶~~the authority given to the Council to allow the transfer of prior service is specifically limited as follows:

(1) **Purchases Shall Be Cost Neutral.** The member shall be required to pay the full actuarial cost of the service to be transferred, as determined by the Plan's actuary without taking into consideration incidental administrative expenses incurred by the Plan, reduced by the amount of any funds transferred from LACERS to the Plan in connection with the transferred service.

(2) **Only Certain Service May Be Transferred.** Sworn service that may be transferred shall be limited to prior service with the City in Class Codes 3183,

3185, 3188, and 3198 for which the employee paid contributions and earned service credit with LACERS.

Sec. 5. Subsections (a) and (b) of Section 1704 of the Charter of the City of Los Angeles are amended to read as follows:

Sec. 1704. Authority of City Council to Allow Transfer of Airport Peace Personnel to Tier 6 and to Allow Transferring Personnel to Purchase Prior City Service.

(a) **Council Authority.** Subject to Sections 1709 and 1713, ~~t~~The Council may, by ordinance adopted in accordance with the provisions of this ~~S~~section, and pursuant to applicable provisions of the Charter and the Los Angeles Administrative Code, allow a person who entered City service prior to January 7, 2018, as a Member of the Airport Department, as defined in Section 1702(d), to become a Tier 6 Plan Member in lieu of membership in the Los Angeles City Employees' Retirement System (LACERS), and to transfer all prior City service from LACERS to Tier 6 after he or she becomes a member of the Plan, provided such person shall continue to make member contributions at the rate applicable to his or her LACERS membership to the extent required by the Internal Revenue Code and as further described in Section 1714(a)(3). Notwithstanding the provisions of Section 1702~~(q)~~~~(r)~~, service transferred pursuant to this ~~S~~section and the implementing ordinance adopted by Council shall count as Years of Service for all Tier 6 purposes.

(b) **Limitations on Service Purchases.** Subject to Sections 1709 and 1713, ~~t~~The authority given to the Council to allow the transfer of prior service is specifically limited as follows:

(1) **Purchases Shall Be Cost Neutral.** The member shall be required to pay the full actuarial cost of the service to be transferred, as determined by the Plan's actuary without taking into consideration incidental administrative expenses incurred by the Plan, reduced by the amount of any funds transferred from LACERS to the Plan in connection with the transferred service.

(2) **All Prior Service Must Be Transferred.** As a condition of making the election to transfer from LACERS to the Plan, a member must transfer all prior service from LACERS to the Plan, including prior City service earned as a contributing member of LACERS and any service purchased from LACERS, and pay the full actuarial cost of the service to be transferred, as determined by the Plan's actuary and pursuant to requirements of the ordinance adopted in accordance with this ~~S~~section.

(3) **Election and Service Purchase Shall Be Irrevocable.** A member's election to enter Tier 6 membership shall be irrevocable after January 7, 2018. A member's agreement to purchase his or her prior service shall be nonrefundable. Neither the Council nor the Board shall have the authority to revoke or refund a member's election or purchase, or to allow transfers after January 7, 2018.

Sec. 6. A new Section 1709 is added to the Charter of the City of Los Angeles to read as follows:

Sec. 1709. Authority of City Council to Allow Transfer of Police, Airport, Harbor, Recreation and Parks Peace Officer Personnel to Tier 6 and to Require Transfer of All Prior LACERS Service at Full Actuarial Cost.

(a) Council Authority to Allow Transfers of Police, Airport, Harbor, Recreation and Parks Peace Officer Personnel. The Council may, by ordinance adopted in accordance with the provisions of this section, and pursuant to applicable provisions of the Charter and the Los Angeles Administrative Code, allow a person, actively employed on January 12, 2025, as a sworn peace officer by the Police Department, as defined in Section 1702(b), the Department of Airports, as defined in Section 1702(d), the Harbor Department, as defined in Section 1702(c), or the Department of Recreation and Parks, as defined in Section 1702(e), to become a Tier 6 Plan Member in lieu of membership in Los Angeles City Employees' Retirement System (LACERS), provided such person shall transfer all prior City service from LACERS to Tier 6 after they become a Tier 6 Plan Member, and continue to make pre-tax member contributions at the rate applicable to their LACERS membership to the extent required by the Internal Revenue Code and as further described in Section 1714(a)(3). Notwithstanding the provisions of Section 1702(r), service transferred pursuant to this section and the implementing ordinance adopted by Council shall count as Years of Service for all Tier 6 purposes.

(b) Requirements for Transfer of City Service. The authority given to the Council to allow the transfer of personnel and prior City service is specifically limited as follows:

(1) Costs Associated with Transfer. The City shall be required to pay the full actuarial cost to transfer personnel and prior City service to Tier 6, as determined by the Plan's actuary. The actuarial cost shall include costs attributable to the initial transfer of prior City service in addition to all future costs to the Plan attributable to this transfer of membership. This amount shall be reduced by the amount of any funds transferred from LACERS to the Plan in connection with the transferred service, which shall include both employee and employer contributions and any interest credited to an employee's LACERS account as provided in Section 1162(b).

(2) All Prior City Service Must Be Transferred. As a condition of transferring from LACERS to Tier 6, a Member must transfer all prior City service from LACERS to Tier 6, including prior service earned as a contributing member of LACERS, regardless of the duties performed at the time such service was earned, and any service purchased from LACERS. City service that was previously excluded from transfer pursuant to Section 1703(b)(2) will be

transferred to Tier 6 according to the terms and conditions described in Subsection (b)(1) of this section.

(3) **Irrevocable Election to Transfer to Tier 6.** A Member's election to transfer into Tier 6 and the transfer of the Member's City service to Tier 6 shall be irrevocable after January 11, 2026 or after some other date as provided by ordinance, whichever date is earlier. Neither the Council nor the Board shall have the authority to revoke or to allow transfers after either January 11, 2026 or some other date as provided by ordinance, whichever date is earlier.

(c) **Mode of Adoption.** Ordinances adopted pursuant to this section shall be adopted in the same manner as provided in Section 1618(b), but the Council shall be advised in writing by an enrolled actuary as to the full actuarial cost of the proposed change.

Sec. 7. Subdivision (2) of subsection (b) of Section 1710 of the Charter of the City of Los Angeles is amended as follows:

(2) all contributions and donations to the Fire Department, the Police Department, the Harbor Department, ~~or the Airport-Department of Airports,~~ or the Department of Recreation and Parks for services by any Tier 6 Plan Members, except amounts of money donated to provide for any medal or permanent competitive award;

Sec. 8. A new Section 1711 is added to the Charter of the City of Los Angeles to read as follows:

Sec. 1711. Authority of City Council to Refund Costs Paid by Members of the Police Department Who Previously Transferred to Tier 6 Pursuant to Section 1703.

(a) **Council Authority to Authorize Refunds to Tier 6 Members.** The Council may, by ordinance adopted in accordance with the provisions of this section, and pursuant to applicable provisions of the Charter and the Los Angeles Administrative Code, authorize a refund to every Member, actively employed as a Member of the Police Department on January 12, 2025, who previously transferred to Tier 6 pursuant to Section 1703, and purchased any portion of their prior City service or Tier 6 health benefits pursuant to any existing provisions of the Los Angeles Administrative Code. For the purposes of this section, such Tier 6 Members shall be referred to as "Qualifying Tier 6 Member(s)."

(b) **Limitations on Authority to Provide Refunds.**

(1) **Cost Neutrality for Plan.** The City shall be required to issue payment to the Plan in an amount that covers the full cost of refunds that will be issued to Qualifying Tier 6 Members pursuant to any ordinance adopted pursuant to this section. The City shall make this payment in advance of the Plan's issuing any

refunds. This payment may be made at the same time as the City's first annual contribution to the Plan that immediately follows the effective date of the ordinance adopted pursuant to this section.

(2) **Payment Source and Method.** The Plan shall refund to a Qualifying Tier 6 Member all monies paid to purchase any portion of City service or Tier 6 health benefits pursuant to any existing provisions of the Los Angeles Administrative Code, whether purchased by a lump sum or payment plan. All payments issued pursuant to this subsection may be made prior to a Qualifying Tier 6 Member's separation in a manner consistent with the Internal Revenue Code, either as a rollover, a trustee-to-trustee transfer, or a post-tax payment. Any personal tax consequences will be borne by the Qualifying Tier 6 Member.

(3) **No Interest.** Notwithstanding any language to the contrary in Section 1714 or in any existing provisions of the Los Angeles Administrative Code, the Plan shall not pay interest on any refund issued pursuant to this section, other than interest calculated according to Section 1714(c) that is attributable to a refund authorized by this section.

(4) **Nonrefundable LACERS Member Contributions.** Notwithstanding any language to the contrary in any existing provisions of the Los Angeles Administrative Code, a Qualifying Tier 6 Member shall not receive a refund for member contributions transferred from LACERS to the Plan to purchase City service or Tier 6 health benefits.

(5) **Termination of Payment Plans.** Effective January 12, 2025, any payment plan between the Plan and a Qualifying Tier 6 Member entered into pursuant to any existing provisions of the Los Angeles Administrative Code shall be terminated. The balance of any outstanding payments owed by a Qualifying Tier 6 Member to purchase prior City service pursuant to any existing provisions of the Los Angeles Administrative Code shall be forgiven and no longer owed.

Sec. 9. A new Section 1713 is added to the Charter of the City of Los Angeles to read as follows:

Sec. 1713. Authority of City Council to Refund Costs Paid by Members of the Department of Airports Who Previously Transferred to Tier 6 Pursuant to Section 1704.

(a) **Council Authority to Authorize Refunds to Tier 6 Members.** The Council may, by ordinance adopted in accordance with the provisions of this section, and pursuant to applicable provisions of the Charter and the Los Angeles Administrative Code, authorize a refund to a person, actively employed as a Member of the Department of Airports on January 12, 2025, who previously transferred to Tier 6 pursuant to Section 1704, and purchased any portion of their prior City service or Tier 6 health benefits pursuant to any existing provisions of the Los Angeles Administrative

Code. For purposes of this section, such Tier 6 Members shall be referred to as "Qualifying Tier 6 Member(s)."

(b) Limitations on Authority to Provide Refunds.

(1) Cost Neutrality for Plan. The City shall be required to issue payment to the Plan in an amount that covers the full cost of refunds that will be issued to Qualifying Tier 6 Members pursuant to any ordinance adopted pursuant to this section. The City shall make this payment in advance of the Plan's issuing any refunds, and it may be made at the same time as the City's first annual contribution to the Plan that immediately follows the effective date of the ordinance adopted pursuant to this section.

(2) Payment Source and Method. Notwithstanding any language to the contrary in Section 1704(b)(3), the Plan shall refund to a Qualifying Tier 6 Member all monies paid to purchase any portion of City service or Tier 6 health benefits pursuant to any existing provisions of the Los Angeles Administrative Code, whether purchased by a lump sum or payment plan. All payments issued pursuant to this subsection shall be made prior to a Qualifying Tier 6 Member's separation in a manner consistent with the Internal Revenue Code, either as a rollover, a trustee-to-trustee transfer, or a post-tax payment. Any personal tax consequences will be borne by the Qualifying Tier 6 Member.

(3) No Interest. Notwithstanding any language to the contrary in Section 1714 or in any existing provisions of the Los Angeles Administrative Code, the Plan shall not pay interest on any refund issued pursuant to this section, other than interest calculated according to Section 1714(c) that is attributable to a refund authorized by this section.

(4) Termination of Payment Plans. Effective January 12, 2025, any payment plan between the Plan and a Qualifying Tier 6 Member entered into pursuant to any existing provisions of the Los Angeles Administrative Code shall be terminated. The balance of any outstanding payments owed by a Qualifying Tier 6 Member to purchase prior City service pursuant to any existing provisions of the Los Angeles Administrative Code shall be forgiven and no longer owed.

Sec. 10. Subdivision (3) of subsection (a) of Section 1714 of the Charter of the City of Los Angeles is amended to read as follows:

(3) Internal Revenue Code Requirements for Contributions by Members Who Transferred From LACERS Pursuant to Sections 1703, 1704, or 1709. Notwithstanding any language in subsection (a) to the contrary, a Tier 6 Plan Member who elected to transfer into the Plan and purchase his or her prior LACERS service pursuant to Charter Sections 1703, 1704 or 1709 and the ordinances adopted in accordance therewith shall continue to make member contributions at the rate applicable to his or her LACERS membership to the

extent required by the Internal Revenue Code, provided however: (i) if this subsection (a) would otherwise require additional member contributions by such a member, such additional member contributions shall be made by the member on an after-tax basis to the extent required by the Internal Revenue Code; and (ii) provided further, if this subsection (a) would otherwise require member contributions at a rate that is lower than the rate applicable to the member's LACERS membership, the Council may, by ordinance adopted in accordance with the provisions of this Section, and pursuant to applicable provisions of the Charter and the Los Angeles Administrative Code, provide for a larger annuity benefit at the time of retirement for such a member to reflect the additional contribution amounts, as determined by the actuary and subject to all limitations of the Internal Revenue Code.

Sec. 11. Subsection (g) of Section 1714 of the Charter of the City of Los Angeles is amended to read as follows:

(g) **Assuring Full Member Contributions.** The Board shall have rule-making authority to ~~ensure~~ insure that the Fire and Police Pension Plan – Tier 6 receives member contributions for all periods of credited service, except that the Board shall not have authority to require contributions for service credit for military service and for periods while a Tier 6 Plan Member is receiving a disability pension, or full pay for Injury On Duty. Tier 6 Plan Members, however, may elect to make contributions for periods of Injury On Duty compensated at the rate provided by general law in order to acquire credit for Years of Service for such period. Such contributions shall be at the contribution rate herein provided and shall be based on the salary the Plan Member would have received if he or she had not occupied Injury On Duty status.

Sec. 12. If any section, clause, sentence, phrase, or portion of this Charter amendment is held unconstitutional or invalid by any court or tribunal of competent jurisdiction, the remaining sections, clauses, sentences, phrases, or portions of this article shall remain in full force and effect, and to this end the provisions of this article are severable. In addition, the voters declare that they would have passed all sections, clauses, sentences, phrases, or portions of this Charter amendment without the section, clause, sentence, phrase or portion held unconstitutional or invalid.

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ORDINANCE NO. 188306

An ordinance calling a Special Election to be held on Tuesday, November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment regarding the transfer of membership of peace officers currently employed by the City's Police, Airport, Harbor, and Recreation and Parks Departments from the Los Angeles City Employees' Retirement System to the Los Angeles Fire and Police Pension Plan, and consolidating this Special Election with the City's General Municipal Election and the State General 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 November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment regarding the transfer of membership of peace officers currently employed by the City's Police, Airport, Harbor, and Recreation and Parks Departments from the Los Angeles City Employees' Retirement System to the Los Angeles Fire and Police Pension Plan.

Sec. 2. The ballot measure text of the Charter amendment is contained in the accompanying Resolution of the City Council of the City of Los Angeles. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The impartial ballot title and question adopted by the City Council to be used at the Special Election for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

**LOS ANGELES FIRE AND POLICE PENSIONS; PEACE OFFICERS.
CHARTER AMENDMENT ____.**

Shall the City Charter be amended to: allow peace officers employed by the Police, Airport, Harbor, and Recreation and Parks Departments to transfer membership and service from the Los Angeles City Employees' Retirement System to the Los Angeles Fire and Police Pension Plan; and require the City to pay associated costs, including refunds to certain Airport and Police Department members for prior transfers?

Sec. 4. To vote on the ballot 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 ballot measure and a "No" vote shall be counted against adoption of the ballot measure.

Sec. 5. The Special Election hereby called shall be, and hereby is ordered to be, consolidated with the City's General Municipal Election and the State General Election to be held in the City of Los Angeles on Tuesday, November 5, 2024.

Sec. 6. The vote centers for the Special Election shall be open as required and during the identified voting period established in the California Elections Code and as administered by the County Registrar-Recorder/County Clerk for the State General Election.

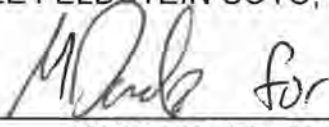
Sec. 7. The election precincts, vote centers, and officers of election for the Special Election shall be the same as those provided in the City of Los Angeles for the State General Election, and the elections shall be held in all respects as if there were only one election. The list or order prepared by the Registrar-Recorder/County Clerk designating election precincts, vote centers, and election officers for the State General Election, is hereby approved, incorporated into, and made part of this ordinance.

Sec. 8. The City Clerk shall administer the filing, printing, and distribution of all items contained in the City's Voter Information Pamphlet as provided in the City Election Code, including impartial summaries, ballot arguments, and rebuttal arguments regarding the ballot measure. In other particulars, the Special Election shall be held and conducted as provided by law for the holding of elections consolidated with the State General Election. The Board of Supervisors of the County of Los Angeles shall have authority to canvass the returns of the Special Election and transmit the certified election results to the City Council.

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.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By 
ANYA FREEDMAN
Assistant City Attorney

Date June 20, 2024

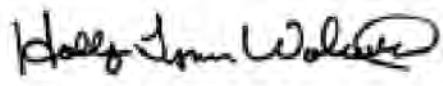
File No. 24-1100-S10

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR





June 25, 2024

Ordinance Passed _____

Approved 07/08/2024

RESOLUTION

Resolution requesting the consolidation of a Special Election for a City of Los Angeles ballot measure with the State General Election to be held in the County of Los Angeles on November 5, 2024 regarding the following subject: transfer of membership of peace officers currently employed by the City's Police, Airport, Harbor, and Recreation and Parks Departments from the Los Angeles City Employees' Retirement System to the Los Angeles Fire and Police Pension Plan.

WHEREAS, the Los Angeles City Council has taken action pursuant to the City Charter and City Election Code to call a Special Election to be held together with the City's General Municipal Election on November 5, 2024, to place before the qualified voters of the City of Los Angeles a Charter amendment described above; and

WHEREAS, the City Council wishes to request that the Board of Supervisors of the County of Los Angeles consolidate the City's Special Election for the ballot measure with the State General Election to be held in the County of Los Angeles on November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The City Council respectfully requests the Board of Supervisors of the County of Los Angeles to order the consolidation of the City of Los Angeles Special Election with the State General Election to be held on November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment regarding the following subject: transfer of membership of peace officers currently employed by the City's Police, Airport, Harbor, and Recreation and Parks Departments from the Los Angeles City Employees' Retirement System to the Los Angeles Fire and Police Pension Plan.

Sec. 2. The ballot measure text of the Charter amendment and the ballot title and question for the Charter amendment are contained in the accompanying Resolution of the City Council of the City of Los Angeles.

Sec. 3. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 4. The City Clerk shall administer the filing, printing, and distribution of all items contained in the City's Voter Information Pamphlet as provided in the City Election Code, including impartial summaries, ballot arguments, and rebuttal arguments regarding the ballot measure. In other particulars, the Special Election shall be held and conducted as provided by law for the holding of elections consolidated with the State General Election.

Sec. 5. The City Council requests and authorizes the Board of Supervisors to canvass the returns of the Special Election and transmit the certified election results to the City.

Sec. 6. The City Council requests the Board of Supervisors to fix the costs to be paid by the City of Los Angeles for consolidation of the Special Election. The City will reimburse the County for the City's share of the costs incurred in conducting the Special Election consistent with the cost estimate provided by the Registrar-Recorder/County Clerk and agreed to between the County and the City.

Sec. 7. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors of the County of Los Angeles and provide a copy of the resolution to the County Registrar-Recorder/County Clerk.

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

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF 6/25/2024
BY A MAJORITY OF ALL ITS MEMBERS

HOLLY L. WOLCOTT, City Clerk

By _____ Deputy



By Maria V. J.
DEPUTY

RESOLUTION

Resolution providing the ballot measure text and the ballot title and question for a Charter amendment to be submitted to the qualified voters of the City of Los Angeles regarding the following subject: City governance, appointments, and elections.

WHEREAS, the City Council wishes to submit the Charter amendment referenced above to the qualified voters of the City of Los Angeles at a Special Election to be consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024; and

WHEREAS, the City Attorney has prepared and presented an impartial ballot title and question for the Charter amendment as required under the City Election Code.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Charter amendment attached to this Resolution shall be submitted to the qualified voters of the City of Los Angeles at a Special Election consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024.

Sec. 2. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The impartial ballot title and question for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

CITY GOVERNANCE, APPOINTMENTS, AND ELECTIONS. CHARTER AMENDMENT ____.

Shall the City Charter be amended to: require that commission appointees file financial disclosures before they can be confirmed; clarify the Controller's auditing authority regarding City contractors; expand the City Attorney's subpoena power; authorize temporary appointments to certain general manager positions; establish a process to evaluate the impacts of laws proposed by initiative petition; and make other changes and clarifications regarding City governance, appointments, and elections?

Sec. 4. The City Clerk is hereby authorized to make technical and formatting adjustments to the attached Charter amendment as needed to facilitate presentation in ballot materials.

Sec. 5. The City Clerk is hereby authorized and directed to publish a notice containing the proposed Charter amendment and specifying the date of the election for the Charter amendment. 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.

Sec. 6. The City Clerk is hereby authorized and directed to publish once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed Charter amendment may be obtained upon request in the City Clerk's office. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the voter information pamphlets and to distribute them to persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the voter information pamphlets to the qualified voters of the City of Los Angeles.

Sec. 7. 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 _____.

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF 6/25/2024
BY A MAJORITY OF ALL ITS MEMBERS

HOLLY L. WOLCOTT, City Clerk



By *Maria Vj*
DEPUTY

By _____
Deputy

TEXT OF THE PROPOSED BALLOT MEASURE

CHARTER AMENDMENT _____ (CITY GOVERNANCE, APPOINTMENTS, AND ELECTIONS)

Section 1. Section 212 of the Charter of the City of Los Angeles is amended to read as follows:

No member of the Council shall, during the term for which he or she has been elected, serve in any other office, if the position is appointed by or subject to confirmation by the Council. This section shall not apply to prohibit a member of the Council from serving on the board of a joint powers authority if the member receives no compensation for the service.

Sec. 2. Section 244 of the Charter of the City of Los Angeles is amended to read as follows:

Two-thirds of the members of the Council shall constitute a quorum for the transaction of business. Nothing in the Charter shall prevent a smaller number from transacting business by a majority vote of members present to the extent necessary to fill vacancies in the membership of the Council in the manner provided in Article IV, where no quorum can be assembled except by filling the vacancies. Except as otherwise provided in the Charter, action by the Council shall be taken by a majority vote of the entire membership of the Council; provided, however, that if a majority of the entire membership of the Council votes against a proposed action requiring approval or disapproval, that vote shall constitute Council's disapproval without requiring a separate vote to disapprove. Whenever in the Charter a certain proportion of the Council is required for the performance of any act, it shall mean that proportion of the entire membership of the Council.

Sec. 3. Subsection (e) of Section 261 of the Charter of the City of Los Angeles, regarding the powers and duties of the Controller, is amended to read as follows:

(e) in compliance with generally accepted government auditing standards, audit all departments and offices of the City, including proprietary departments, where any City funds are either received or expended; be entitled to obtain access to all department-records and personnel, including from City contractors and subcontractors that are either expending or receiving City funds, in order to carry out this function; establish an auditing cycle to ensure that the performance, programs and activities of every department are audited on a regular basis, and promptly provide completed audit reports to the Mayor, Council, and City Attorney and make those reports available to the public;

Sec. 4. A new Subsection (f) is added to Section 271 of the Charter of the City of Los Angeles, regarding the powers and duties of the City Attorney, to read as follows:

(f) Notwithstanding any other provision of the Charter, in the course of investigating any violations of state or local law that the City Attorney has authority to enforce, the City Attorney shall have the power to subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence, require the production of any books, papers, records or other items, and require responses to written interrogatories relevant to the investigation, except that the powers granted by this subsection shall not include the power to investigate City offices, departments, officers, or employees or to compel the production of documents or testimony from City offices, departments, officers, or employees. The Chief of Police, or other officer designated by ordinance, shall cause all such subpoenas or other written orders to be served. The Council shall prescribe by ordinance suitable penalties for disobedience of subpoenas, and the refusal of witnesses to testify, produce evidence, or respond to written interrogatories.

Sec. 5. Section 401 of the Charter of the City of Los Angeles is amended to read as follows:

~~(a) Until the year 2020, for City offices and elections of the Board of Education, primary nominating elections shall be held on the first Tuesday after the first Monday in March in every odd-numbered year, and general municipal elections shall be held on the third Tuesday in May in every odd-numbered year, except that no such elections will be held in the year 2019 in order to transition to new election dates as provided in subsection (b).~~

~~(b) Beginning in the year 2020, for~~ For City offices and elections of the Board of Education, primary nominating elections shall be held on the first Tuesday after the first Monday in March in every even-numbered year, and general municipal elections shall be held on the first Tuesday after the first Monday in November of every even-numbered year. The Council may, by ordinance, specify different dates for the primary nominating and general municipal elections so that they may be held on the same dates as the statewide primary and general elections.

Sec. 6. Subsection (b) of Section 451 of the Charter of the City of Los Angeles, regarding initiative petitions, is amended to read as follows:

(b) All names signed to a petition must have been secured not more than 120 days prior to the date of filing. Any signature affixed outside of this time period shall not be counted in determining the sufficiency of the petition. To qualify for presentation to the Council, an initiative petition shall be signed by registered voters of the City in a number equal to 15% of the total number of votes cast for all candidates for the office of Mayor at the last general municipal election, or primary nominating election, at which a Mayor was elected prior to the date the City Clerk approves the petition for circulation

~~filing of the petition.~~ In order to be accepted for filing with the City Clerk, the petition must on its face purport to have the requisite number of signatures appended to it.

Sec. 7. Subsection (b) of Section 452 of the Charter of the City of Los Angeles, regarding initiative petitions, is amended to read as follows:

(b) When an initiative petition requesting the adoption by the Council of a proposed ordinance is presented to the Council by the City Clerk, the Council must take one of the following actions within 20 days after the presentation, unless the petition is withdrawn by the proponents:

(1) adopt the proposed ordinance, without alteration;

~~(2) call a special election to be held not earlier than 110 days nor more than 140 days after Council action on the petition to submit the proposed ordinance, without alteration, to a vote of the electors of the City; or~~

~~(2)(3) determine to submit the proposed ordinance, without alteration, to a vote of the electors of the City at either a special election, the next regular City election, or the next Statewide election, to be held more than 110 days from the date of Council action on the petition ~~or the next Statewide election conducted by the County of Los Angeles to be held more than 110 days from the date of Council action on the petition;~~ or~~

~~(3) refer the proposed ordinance to a department or office for a report on its fiscal and other impacts on the City, provided however that the Council must take one of the actions described in Subdivisions (1) or (2) of this subsection within 30 days after referring the proposed ordinance for a report.~~

Sec. 8. Section 462 of the Charter of the City of Los Angeles, regarding referendum petitions, is amended to read as follows:

(a) The proponents of a referendum petition may withdraw the petition in accordance with the procedures of the City Election Code.

(b) When a referendary petition is presented to the City Council by the City Clerk, the Council must take one of the following actions within 20 days of the presentation, unless the petition is withdrawn by the proponents:

~~(1)(a)~~ repeal the ordinance;

~~(b) call a special election to be held not earlier than 110 days nor more than 140 days after action by the Council on the petition to submit the ordinance to a referendary vote; or~~

~~(2)(e)~~ determine to submit the ordinance to a vote of the qualified electors of the City for approval or rejection at either a special election, the next regular City election, or the next Statewide election, to be held more than 110 days from the date of certification of the petition ~~or the next Statewide election conducted by the County of Los Angeles to be held more than 110 days from the date of certification of the petition;~~ or

(3) refer the ordinance to a department or office for a report on its fiscal and other impacts on the City, provided however that the Council must take one of the actions described in Subdivisions (1) or (2) of this subsection within 30 days after referring the proposed ordinance for a report.

Sec. 9. A new Subsection (e) is added to Section 502 of the Charter of the City of Los Angeles, regarding appointment of commissioners, is amended to read as follows:

(e) **Financial Disclosures.** Council shall not approve an appointee before the appointee's financial disclosure statements have been filed with the Ethics Commission and submitted to the Council. Notwithstanding Subsections (a) and (b), an appointee shall be deemed disapproved if the appointee's financial disclosure statements have not been filed with the Ethics Commission and submitted to the Council within 45 days after the submission of the appointment to the Council.

Sec. 10. Section 650 of the Charter of the City of Los Angeles is amended to read as follows:

The Board of Harbor Commissioners shall consist of five members appointed and removed as provided in Section 502. The board shall include at least one member who resides within San Pedro and one member who resides within Wilmington, the area surrounding the Harbor District, as that area is as those areas are defined by ordinance.

Sec. 11. Subsection (b) of Section 683 of the Charter of the City of Los Angeles, regarding the executive director of the Office of Public Accountability, is amended to read as follows:

(b) The OPA shall be headed by an Executive Director, who shall be exempt from civil service. The Executive Director shall be appointed by a citizens committee to a five-year term, subject in appointment to confirmation by the Council and Mayor. The Council shall by ordinance provide for the removal of the Executive Director in a procedure similar to that set forth in City Charter Section 575(e), and only for the reasons provided by ordinance. The Council by ordinance shall prescribe the composition and manner of selection of the citizens committee.

The citizens committee shall fill any vacancy in the position of the Executive Director by appointment, subject to confirmation by the Council and Mayor. The Mayor may appoint a temporary Executive Director to serve until the vacancy is filled, subject

to confirmation by the Council, provided however that no temporary Executive Director shall serve for longer than six months without the approval of the citizens committee.

Sec. 12. A new Subsection (d) is added to Section 1108 of the Charter of the City of Los Angeles, regarding the general managers of pension and retirement systems, to read as follows:

(d) **Temporary Appointments.** If a vacancy arises in the position of general manager, until the vacancy is filled, the board may appoint a temporary general manager for six months, which period may be extended with the consent of the Mayor and Council for an additional six months.

Sec. 13. If any section, clause, sentence, phrase, or portion of this Charter amendment is held unconstitutional or invalid by any court or tribunal of competent jurisdiction, the remaining sections, clauses, sentences, phrases, or portions of this article shall remain in full force and effect, and to this end the provisions of this article are severable. In addition, the voters declare that they would have passed all sections, clauses, sentences, phrases, or portions of this Charter amendment without the section, clause, sentence, phrase or portion held unconstitutional or invalid.

M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\RESOLUTION\Governance Appointments Elections - TEXT of Ballot Measure.docx

ORDINANCE NO. 188317

An ordinance calling a Special Election to be held on Tuesday, November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment regarding City governance, appointments, and elections, and consolidating this Special Election with the City's General Municipal Election and the State General 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 November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment regarding City governance, appointments, and elections.

Sec. 2. The ballot measure text of the Charter amendment is contained in the accompanying Resolution of the City Council of the City of Los Angeles. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The impartial ballot title and question adopted by the City Council to be used at the Special Election for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

CITY GOVERNANCE, APPOINTMENTS, AND ELECTIONS. CHARTER AMENDMENT ____.

Shall the City Charter be amended to: require that commission appointees file financial disclosures before they can be confirmed; clarify the Controller's auditing authority regarding City contractors; expand the City Attorney's subpoena power; authorize temporary appointments to certain general manager positions; establish a process to evaluate the impacts of laws proposed by initiative petition; and make other changes and clarifications regarding City governance, appointments, and elections?

Sec. 4. To vote on the ballot 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 ballot measure and a "No" vote shall be counted against adoption of the ballot measure.

Sec. 5. The Special Election hereby called shall be, and hereby is ordered to be, consolidated with the City's General Municipal Election and the State General Election to be held in the City of Los Angeles on Tuesday, November 5, 2024.

Sec. 6. The vote centers for the Special Election shall be open as required and during the identified voting period established in the California Elections Code and as

administered by the County Registrar-Recorder/County Clerk for the State General Election.

Sec. 7. The election precincts, vote centers, and officers of election for the Special Election shall be the same as those provided in the City of Los Angeles for the State General Election, and the elections shall be held in all respects as if there were only one election. The list or order prepared by the Registrar-Recorder/County Clerk designating election precincts, vote centers, and election officers for the State General Election, is hereby approved, incorporated into, and made part of this ordinance.

Sec. 8. The City Clerk shall administer the filing, printing, and distribution of all items contained in the City's Voter Information Pamphlet as provided in the City Election Code, including impartial summaries, ballot arguments, and rebuttal arguments regarding the ballot measure. In other particulars, the Special Election shall be held and conducted as provided by law for the holding of elections consolidated with the State General Election. The Board of Supervisors of the County of Los Angeles shall have authority to canvass the returns of the Special Election and transmit the certified election results to the City Council.

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.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By


HARIT U. TRIVEDI
Assistant City Attorney

Date

6/20/24

File No.

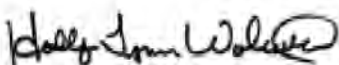
24-1100-511

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR



Karen Bass, Mayor returned without Signature
Deemed Approved July 16, 2024

Ordinance Passed July 2, 2024

Approved _____

Ordinance Published: 07/19/2024
Ordinance Effective Date: 07/19/2024

RESOLUTION

Resolution requesting the consolidation of a Special Election for a City of Los Angeles ballot measure with the State General Election to be held in the County of Los Angeles on November 5, 2024 regarding the following subject: City governance, appointments, and elections.

WHEREAS, the Los Angeles City Council has taken action pursuant to the City Charter and City Election Code to call a Special Election to be held together with the City's General Municipal Election on November 5, 2024, to place before the qualified voters of the City of Los Angeles a Charter amendment regarding City governances, appointments, and elections; and

WHEREAS, the City Council wishes to request that the Board of Supervisors of the County of Los Angeles consolidate the City's Special Election for the ballot measure with the State General Election to be held in the County of Los Angeles on November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The City Council respectfully requests the Board of Supervisors of the County of Los Angeles to order the consolidation of the City of Los Angeles Special Election with the State General Election to be held on November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment regarding the following subject: City governance, appointments, and elections.

Sec. 2. The ballot measure text of the Charter amendment and the ballot title and question for the Charter amendment are contained in the accompanying Resolution of the City Council of the City of Los Angeles.

Sec. 3. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 4. The City Clerk shall administer the filing, printing, and distribution of all items contained in the City's Voter Information Pamphlet as provided in the City Election Code, including impartial summaries, ballot arguments, and rebuttal arguments regarding the ballot measure. In other particulars, the Special Election shall be held and conducted as provided by law for the holding of elections consolidated with the State General Election.

Sec. 5. The City Council requests and authorizes the Board of Supervisors to canvass the returns of the Special Election and transmit the certified election results to the City.

Sec. 6. The City Council requests the Board of Supervisors to fix the costs to be paid by the City of Los Angeles for consolidation of the Special Election. The City will reimburse the County for the City's share of the costs incurred in conducting the Special Election consistent with the cost estimate provided by the Registrar-Recorder/County Clerk and agreed to between the County and the City.

Sec. 7. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors of the County of Los Angeles and provide a copy of the resolution to the County Registrar-Recorder/County Clerk.

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

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF 6/25/2024
BY A MAJORITY OF ALL ITS MEMBERS



By *Maria V. J.*
DEPUTY

HOLLY L. WOLCOTT, City Clerk

By _____ Deputy

RESOLUTION

Resolution providing the ballot measure text and the ballot title and question for a Charter amendment to be submitted to the qualified voters of the City of Los Angeles regarding the following subject: City administration and operations.

WHEREAS, the City Council wishes to submit the Charter amendment referenced above to the qualified voters of the City of Los Angeles at a Special Election to be consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024; and

WHEREAS, the City Attorney has prepared and presented an impartial ballot title and question for the Charter amendment as required under the City Election Code.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Charter amendment attached to this Resolution shall be submitted to the qualified voters of the City of Los Angeles at a Special Election consolidated with the City's General Municipal Election and the State General Election held on November 5, 2024.

Sec. 2. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The impartial ballot title and question for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

CITY ADMINISTRATION AND OPERATIONS. CHARTER AMENDMENT ____.

Shall the City Charter be amended to: clarify that the El Pueblo Monument and the Zoo are park property; clarify that departments may sell merchandise to support City operations; include gender identity in non-discrimination rules applicable to employment by the City; clarify the Airport Commission's authority to establish fees and regulations; and make other changes and clarifications related to City administration and operations?

Sec. 4. The City Clerk is hereby authorized to make technical and formatting adjustments to the attached Charter amendment as needed to facilitate presentation in ballot materials.

Sec. 5. The City Clerk is hereby authorized and directed to publish a notice containing the proposed Charter amendment and specifying the date of the election for the Charter amendment. 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.

Sec. 6. The City Clerk is hereby authorized and directed to publish once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed Charter amendment may be obtained upon request in the City Clerk's office. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the voter information pamphlets and to distribute them to persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the voter information pamphlets to the qualified voters of the City of Los Angeles.

Sec. 7. 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 _____.

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF 6/25/2024
BY A MAJORITY OF ALL ITS MEMBERS

HOLLY L. WOLCOTT, City Clerk



By *Maria V. S.*
DEPUTY

By _____ Deputy

TEXT OF THE PROPOSED BALLOT MEASURE

CHARTER AMENDMENT _____ (CITY ADMINISTRATION AND OPERATIONS)

Section 1. Subsection (g) of Section 104 of the Charter of the City of Los Angeles is amended to read as follows:

(g) **Business Enterprises.** The City shall not engage in any purely commercial or industrial enterprise, except upon a majority vote of the voters of the City voting on the question, unless the enterprise was engaged in by the City at the time the Charter becomes effective, or unless engaging in the enterprise is elsewhere specifically authorized in the Charter. Nothing in this subsection shall prohibit the City from engaging directly in retail concessions of food and merchandise, when those concessions are consistent with and support City operations and purposes.

Sec. 2. Subsection (i) of Section 104 of the Charter of the City of Los Angeles is amended to read as follows:

(i) **Non-discrimination.** In the employment of persons in the service of the City, there shall be no discrimination in selection or compensation on account of race, religion, national origin, ancestry, sex, gender identity, gender expression, sexual orientation, age, disability, or marital status.

Sec. 3. Section 201 of the Charter of the City of Los Angeles is amended to read as follows:

The City Offices shall be:

Office of the Mayor
Office of the City Council
Office of the City Attorney
Office of the Controller
~~Office of Administrative and Research Services~~ Office of the City Administrative Officer
Office of the City Clerk
Office of Finance

Sec. 4. The first sentence of Section 210 of the Charter of the City of Los Angeles is amended to read as follows:

The City Controller, City Attorney, Treasurer, City Clerk and ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer shall each designate an assistant or deputy, who shall become the acting incumbent in case of any vacancy in the office.

Sec. 5. Section 233 of the Charter of the City of Los Angeles is amended to read as follows:

The Mayor may make temporary transfers of employees, not to exceed 120 days in any calendar year, from one appointed office or department to another, except the Proprietary Departments, to relieve temporary shortages in personnel, or to meet temporary demands for additional employees caused by temporary or seasonal requirements in any office or department. The Mayor shall notify the City Clerk at the time the transfer of employees is made, and the City Clerk shall notify the President of the Council, the ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer and the Board of Civil Service Commissioners of the transfer. The compensation of employees so transferred shall be a charge upon the office or department to which the employees are transferred for the period of the transfer. In the event of objection in writing to the temporary transfer by any of the appointing authorities involved, the Mayor shall determine whether or not the transfer shall be made.

Sec. 6. The heading preceding Section 290 of the Charter of the City of Los Angeles is amended to replace the term "Office of Administrative Research Services" with the term "Office of the City Administrative Officer."

Sec. 7. Section 290 of the Charter of the City of Los Angeles is amended to read as follows:

~~The Director of the Office of Administrative and Research Services~~ City Administrative Officer shall be appointed and removed as provided in Section 508. The ~~Director~~ City Administrative Officer shall have administrative and executive ability as demonstrated by five years experience at the executive or administrative level within ten years immediately preceding appointment to the position of ~~Director~~ City Administrative Officer. The ~~Director~~ City Administrative Officer may appoint and remove as many assistants as may be authorized by the Charter and ordinance.

Sec. 8. The first sentence of Section 291 of the Charter of the City of Los Angeles is amended to read as follows:

The ~~Director~~ City Administrative Officer shall have the power and duty to:

Sec. 9. Subsection (h) of Section 291 of the Charter of the City of Los Angeles is amended to read as follows:

(h) subject to the approval of the Mayor, prescribe rules and standards governing the matters under the jurisdiction of the ~~Office of Administrative and Research Services~~ Office of the City Administrative Officer with which all officers and departments of the City must comply;

Sec. 10. The last sentence of Section 291 of the Charter of the City of Los Angeles is amended to read as follows:

Except as provided in Section 292, the powers and duties of the ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer set forth in this section shall not apply to the Proprietary Departments.

Sec. 11. Section 292 of the Charter of the City of Los Angeles is amended to read as follows:

The ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer shall conduct research in administrative management for the improvement of the organization, policies and practices of all appointed offices, departments and other agencies of City government, including, without limitation, the Proprietary Departments, for the purpose of evaluating programs and developing performance measures concerning the duties of the various positions, the methods and the standards of efficiency. The ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer shall recommend to the Mayor, Council and the respective departments and agencies those changes that will promote economy and efficiency in the conduct of City government.

Sec. 12. Section 293 of the Charter of the City of Los Angeles is amended to read as follows:

Notwithstanding Section 213, additional responsibilities related to management-employee relations or other responsibilities that are not the responsibility of other departments, offices and commissions may be assigned to the ~~Office of Administrative and Research Services~~ Office of the City Administrative Officer by ordinance. Responsibilities of other departments, offices and commissions may be transferred to the ~~Office of Administrative and Research Services~~ Office of the City Administrative Officer only pursuant to Section 514.

Sec. 13. Subsection (a) of Section 311 of the Charter of the City of Los Angeles is amended to read as follows:

(a) At the time the Mayor prescribes, but not later than January 1 of each year, each board or officer at the head of any department or office, or other City governmental activity, other than those departments having control of their own funds, shall submit to the Mayor, with copies to the Council and the ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer, on forms and in the manner prescribed by the Mayor, a detailed estimate of the money required for the next fiscal year for the proper operation of their departments and offices. These estimates shall contain uniform budget classifications and shall clearly set forth the functions performed and the items and services required for such performance. Summaries, schedules and supporting data shall be attached to the estimates. Any department head or officer requesting an increase over the prior year's appropriation shall indicate which

classifications need the increase and rank the order of immediate need for each classification. After consultation with an officer or head of a department, the Mayor may refer the estimate back with instructions to prepare a revised estimate on the basis of a maximum sum for the department, office or activity, that maximum sum to be fixed by the Mayor, or with further qualification as the Mayor shall determine. The officer or head of department shall present the revised estimate to the Mayor, with a duplicate to the Council and to the ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer, at a date fixed by the Mayor.

Sec. 14. Subsection (c) of Section 311 of the Charter of the City of Los Angeles is amended to read as follows:

(c) On or before March 1 of each year the Controller shall submit to the Mayor, with a duplicate to the Council and to the ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer, a detailed statement of the money that the Controller estimates will be required for the interest and sinking funds and for all outstanding bonded indebtedness and other lawful obligations of the City or of special districts and an estimate of the revenue to be derived from fines, licenses and other sources.

Sec. 15. Section 320 of the Charter of the City of Los Angeles is amended to read as follows:

Each office and department provided for in the general City budget, and the Departments of Library and Recreation and Parks to the extent that they are assisted by appropriations from the General Fund, shall have authority to expend, in the manner provided by other provisions of the Charter, ordinance, and other applicable law, the funds appropriated for its support during the ensuing fiscal year, but only in accordance with a program of planned expenditures which shall be prepared, filed and modified from time to time, as provided by law. No department, bureau, or office of the City government shall make expenditures or incur liabilities in excess of the amount appropriated therefor.

Sec. 16. Subsection (a) of Section 342 of the Charter of the City of Los Angeles is amended to read as follows:

(a) for transfers not in excess of an amount established by ordinance, on the approval of the Mayor, provided that the Mayor shall give notice of such transfer at the time it is made to the City Clerk who shall notify the President of the Council, the Controller and the ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer of the transfer;

Sec. 17. Subsection (d) of Section 343 of the Charter of the City of Los Angeles is amended to read as follows:

(d) **Notice.** At the time any transfer of funds pursuant to this section is made, the authority approving the transfer shall give notice to the City Clerk, who shall notify the President of the Council, the Controller and the ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer of the transfer.

Sec. 18. Subsection (d) of Section 508 of the Charter of the City of Los Angeles is amended to read as follows:

(d) **Annual Review.** The Mayor shall evaluate each chief administrative officer annually. The Mayor shall set or adjust the amount of compensation for the chief administrative officer within the guidelines established by Council, after recommendations concerning those guidelines have been made to the Council by the ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer.

Sec. 19. Subsection (f) of Section 508 of the Charter of the City of Los Angeles is amended to read as follows:

(f) **Chief Administrative Officers Appointed by a Commission.** Any chief administrative officer or executive director that is appointed by a Commission pursuant to ordinance shall be annually reviewed by the appointing commission. That commission shall set or adjust the compensation for the chief administrative officer or executive director within the salary guidelines established by Council, after recommendations concerning those guidelines have been made to the Council by the ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer. The commission shall forward a copy of the evaluation and salary determination to the Mayor and Council for information.

Sec. 20. The third paragraph of Section 561 of the Charter of the City of Los Angeles is amended to read as follows:

The Chief Zoning Administrator may adopt rules necessary to carry out the requirements prescribed by ordinance and which are not in conflict or inconsistent with those ordinances. All rules and regulations shall be available for inspection in accordance with the requirements of the California Public Records Act ~~in the Office of Zoning Administration~~.

Sec. 21. Subdivision (2) of Subsection (b) of Section 571 of the Charter of the City of Los Angeles is amended to read as follows:

(2) evaluate the Chief of Police annually, set or adjust the compensation for the Chief of Police within the salary guidelines established by Council after recommendations concerning those guidelines have been made to the Council by the

~~Director of the Office of Administrative and Research Services City Administrative Officer;~~ and forward a copy of the evaluation and salary determination to the Mayor and Council for information;

Sec. 22. Subsection (c) of Section 594 of the Charter of the City of Los Angeles is amended to read as follows:

(c) **Restrictions on Transfer of Dedicated Parks.** All lands heretofore or hereafter set apart or dedicated as a public park shall forever remain for the use of the public inviolate; but the board may authorize use of the lands for any park purpose, and for:

(1) Easements or rights-of-way for any work, improvement or structure necessary and convenient for giving service to the City or its inhabitants in connection with any public utility owned by the City. Under similar circumstances, similar permission may be given to any private public utility holding a franchise, and limited to the life of the franchise. These easements or rights-of-way shall be subject to regulation by ordinance.

(2) Leases to the County of Los Angeles, ~~or the Los Angeles Unified School District,~~ the State of California, or the United States for a periods not to exceed 50 years, of a sites in any public park for the erection and maintenance of public buildings consistent with public park purposes.

(3) Taking and disposal of molding sand, or other natural resources under terms as the board may prescribe and in a manner as to work no substantial impairment of public use and enjoyment of the premises.

(4) Opening, establishment and maintenance of streets or other public ways in and through the park lands controlled by the board.

Sec. 23. A new Section 598 is added to the Charter of the City of Los Angeles to read as follows:

Sec. 598. El Pueblo de Los Angeles Historical Monument and the Los Angeles Zoo.

(a) All real property that was controlled and operated previously by the Department of Recreation and Parks, that was dedicated as a public park, and that was set aside for use as a zoo, shall forever remain for the use of the public inviolate. Such property may be operated, managed, maintained, and controlled by a department other than the Department of Recreation and Parks, as may be designated by ordinance, and such department shall have the same powers and duties over such property as the Board of Recreation and Park Commissioners has over Department of Recreation and Parks' property.

(b) All real property that was controlled and operated previously by the Department of Recreation and Parks, that was dedicated as a public park, and that comprises the El Pueblo de Los Angeles Historical Monument, shall forever remain for the use of the public inviolate. Such property may be operated, managed, maintained, and controlled by a department other than the Department of Recreation and Parks, as may be designated by ordinance, and such department shall have the same powers and duties over such property as the Board of Recreation and Park Commissioners has over Department of Recreation and Parks' property.

Sec. 24. Subsection (b) of Section 604 of the Charter of the City of Los Angeles is amended to read as follows:

(b) **Annual Review.** The board of each Proprietary Department shall evaluate its general manager at least annually and shall set or adjust the compensation of the general manager within guidelines established by Council, after recommendations concerning those guidelines have been made to the Council by the ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer. The board shall forward a copy of its performance evaluation and salary determination to the Mayor and Council.

Sec. 25. A new Subsection (d) is added to Section 604 of the Charter of the City of Los Angeles to read as follows:

(d) **Alternate Title.** The board of each Proprietary Department may designate an alternate title for the general manager, including but not limited to chief executive officer or executive director.

Sec. 26. Subsection (d) of Section 609 of the Charter of the City of Los Angeles is amended to read as follows:

(d) **Competitive Bidding or Private Sale.** Revenue Bonds shall be sold pursuant to a competitive bidding process; however, Revenue Bonds may be sold by private sale or in any other manner acceptable to the department and the Council as authorized by a Procedural Ordinance, subject to the following conditions:

(1) The board of a department has authorized the sale of Revenue Bonds pursuant to private sale after written recommendation of the chief financial officer of the department stating the reasons why a private sale will benefit the department.

(2) Council, after receiving a report of the ~~Director of the Office of Administrative and Research Services~~ City Administrative Officer, has approved the private sale.

(3) Council has been provided an opportunity, as set forth in a Procedural Ordinance, to disapprove the selection by a department of the underwriting firm(s) for the private sale of Revenue Bonds.

Sec. 27. Subdivision (3) of Subsection (g) of Section 609 of the Charter of the City of Los Angeles, regarding revenue bonds issued by the City's Proprietary Departments, is amended to read as follows:

(3) *Validity of Revenue Bonds.* The validity of Revenue Bonds reciting that they have been issued pursuant to this section shall not be affected by any provision or limitation contained in any other section of the Charter. Any required signatures to the Revenue Bonds issued pursuant to this section may be by facsimile, ~~or by autograph,~~ or by electronic signature. Charter Sections 146, 146.1, 229, 229.1 and 239 existing on June 1, 1996 shall remain in full force and effect after the adoption of this section until the Council has adopted the Procedural Ordinance(s) provided for in this section.

Sec. 28. Subsections (a) and (b) of Section 632 of the Charter of the City of Los Angeles, regarding the powers and duties of the Board of Airport Commissioners, is amended to read as follows:

The board shall have the power and duty to:

(a) **Rates and Charges.** Fix and collect rates and charges for the use of the Airport Assets and any other service provided by the department, including the establishment of fees for the use of and access to airport property by commercial and private operators for aeronautical and ground transportation purposes.

(b) **Rules and Regulations.** Subject to the powers of the United States respecting commerce, make and enforce all necessary rules and regulations governing the use and control of City owned or controlled airports located inside and outside of the City and the use of airways and waterways proximate to these airports incident to aerial navigation. Regulations adopted by the board shall be approved by ordinance that shall prescribe the penalties for the violation of these rules and regulations. These rules and regulations may include, but are not limited to, the following subjects:

(1) the ascent, landing, mooring, movement, maintenance, operation or use of all apparatus for aerial navigation and flight, or convenient or necessary in connection with those operations; ~~and~~

(2) the design, construction, maintenance, use, condition and operation of any utility, machine, building, structure or improvement on any airport, and control of excavation, obstructions and traffic on or in the airports; ~~and~~

(3) the management and regulation of ground transportation on airport property, including access by commercial transportation service providers.

(c) **Development of the Airports.** Purchase, lease, acquire, condemn, design, erect, maintain, improve, repair and operate all property, improvements, utilities, equipment, supplies or facilities as it may deem necessary or convenient for Departmental Purposes. The power of condemnation shall only be exercised with approval of the Council.

Sec. 29. A new Section 637 is added to the Charter of the City of Los Angeles to read as follows:

Sec. 637. Department Name.

The Department of Airports also may be referred to and known as the Los Angeles World Airports.

Sec. 30. Subdivision (14) of Subsection (a) of Section 1001 of the Charter of the City of Los Angeles, regarding exempt positions, is amended to read as follows:

(14) ~~All Assistant Directors in the Office of Administrative and Research Services~~ Office of the City Administrative Officer.

Sec. 31. Section 1007 of the Charter of the City of Los Angeles, regarding examination bulletins, is amended to read as follows:

~~Notice of time, place and general scope of every examination shall be given by the general manager of the Personnel Department as provided in the civil service rules.~~

Sec. 32. A new Subsection (f) is added to Section 1010 of the Charter of the City of Los Angeles, regarding civil service certifications, to read as follows:

(f) Nothing in this section shall be construed to prohibit any certification from being used concurrently by multiple departments.

Sec. 33. If any section, clause, sentence, phrase, or portion of this Charter amendment is held unconstitutional or invalid by any court or tribunal of competent jurisdiction, the remaining sections, clauses, sentences, phrases, or portions of this article shall remain in full force and effect, and to this end the provisions of this article are severable. In addition, the voters declare that they would have passed all sections, clauses, sentences, phrases, or portions of this Charter amendment without the section, clause, sentence, phrase or portion held unconstitutional or invalid.

ORDINANCE NO. 188318

An ordinance calling a Special Election to be held on Tuesday, November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment regarding City administration and operations, and consolidating this Special Election with the City's General Municipal Election and the State General 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 November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment regarding City administration and operations.

Sec. 2. The ballot measure text of the Charter amendment is contained in the accompanying Resolution of the City Council of the City of Los Angeles. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 3. The impartial ballot title and question adopted by the City Council to be used at the Special Election for the Charter amendment shall be as follows and shall include a letter designation as determined by the City Council in accordance with applicable City and State law:

CITY ADMINISTRATION AND OPERATIONS. CHARTER AMENDMENT ____.

Shall the City Charter be amended to: clarify that the El Pueblo Monument and the Zoo are park property; clarify that departments may sell merchandise to support City operations; include gender identity in non-discrimination rules applicable to employment by the City; clarify the Airport Commission's authority to establish fees and regulations; and make other changes and clarifications related to City administration and operations?

Sec. 4. To vote on the ballot 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 ballot measure and a "No" vote shall be counted against adoption of the ballot measure.

Sec. 5. The Special Election hereby called shall be, and hereby is ordered to be, consolidated with the City's General Municipal Election and the State General Election to be held in the City of Los Angeles on Tuesday, November 5, 2024.

Sec. 6. The vote centers for the Special Election shall be open as required and during the identified voting period established in the California Elections Code and as administered by the County Registrar-Recorder/County Clerk for the State General Election.

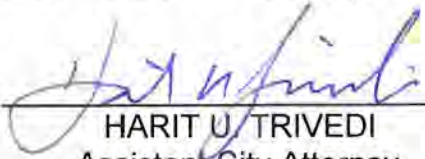
Sec. 7. The election precincts, vote centers, and officers of election for the Special Election shall be the same as those provided in the City of Los Angeles for the State General Election, and the elections shall be held in all respects as if there were only one election. The list or order prepared by the Registrar-Recorder/County Clerk designating election precincts, vote centers, and election officers for the State General Election, is hereby approved, incorporated into, and made part of this ordinance.

Sec. 8. The City Clerk shall administer the filing, printing, and distribution of all items contained in the City's Voter Information Pamphlet as provided in the City Election Code, including impartial summaries, ballot arguments, and rebuttal arguments regarding the ballot measure. In other particulars, the Special Election shall be held and conducted as provided by law for the holding of elections consolidated with the State General Election. The Board of Supervisors of the County of Los Angeles shall have authority to canvass the returns of the Special Election and transmit the certified election results to the City Council.

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.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By 
HARIT U. TRIVEDI
Assistant City Attorney

Date 6/20/24

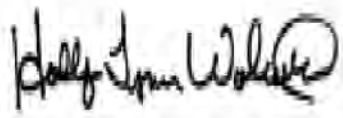
File No. 24-1100-511

M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\ORDINANCES - FINAL YELLOW\Administration and Operations Charter Amendment -- Election Ordinance.docx

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR



Karen Bass, Mayor returned without Signature
Deemed Approved July 16, 2024

Ordinance Passed July 2, 2024

Approved _____

Ordinance Published: 07/19/2024
Ordinance Effective Date: 07/19/2024

RESOLUTION

Resolution requesting the consolidation of a Special Election for a City of Los Angeles ballot measure with the State General Election to be held in the County of Los Angeles on November 5, 2024 regarding the following subject: City administration and operations.

WHEREAS, the Los Angeles City Council has taken action pursuant to the City Charter and City Election Code to call a Special Election to be held together with the City's General Municipal Election on November 5, 2024, to place before the qualified voters of the City of Los Angeles a Charter amendment regarding City administration and operations; and

WHEREAS, the City Council wishes to request that the Board of Supervisors of the County of Los Angeles consolidate the City's Special Election for the ballot measure with the State General Election to be held in the County of Los Angeles on November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The City Council respectfully requests the Board of Supervisors of the County of Los Angeles to order the consolidation of the City of Los Angeles Special Election with the State General Election to be held on November 5, 2024, for the purpose of submitting to the qualified voters of the City of Los Angeles a Charter amendment regarding the following subject: City administration and operations.

Sec. 2. The complete text of the Charter amendment and the ballot title and question for the Charter amendment are contained in the accompanying Resolution of the City Council of the City of Los Angeles.

Sec. 3. The vote requirement for the Charter amendment to pass is a majority of the votes cast.

Sec. 4. The City Clerk shall administer the filing, printing, and distribution of all items contained in the City's Voter Information Pamphlet as provided in the City Election Code, including impartial summaries, ballot arguments, and rebuttal arguments regarding the ballot measure. In other particulars, the Special Election shall be held and conducted as provided by law for the holding of elections consolidated with the State General Election.

Sec. 5. The Council requests and authorizes the Board of Supervisors to canvass the returns of the Special Election and transmit the certified election results to the City.

Sec. 6. The Council requests the Board of Supervisors to fix the costs to be paid by the City of Los Angeles for consolidation of the Special Election. The City will

reimburse the County for the City's share of the costs incurred in conducting the Special Election consistent with the cost estimate provided by the Registrar-Recorder/County Clerk and agreed to between the County and the City.

Sec. 7. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors of the County of Los Angeles and provide a copy of the resolution to the County Registrar-Recorder/County Clerk.

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

HOLLY L. WOLCOTT, City Clerk

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF 6/25/2024
BY A MAJORITY OF ALL ITS MEMBERS

By _____ Deputy



By *Mauve V J*
DEPUTY