

ORDINANCE NO. 2011-361

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING ORDINANCE NO. 260 ESTABLISHING A PERSONNEL SYSTEM**

WHEREAS, on January 2, 1962, the City Council adopted Ordinance No. 260 which established the City's Personnel System; and

WHEREAS, Ordinance No. 260 has been amended by Ordinance No. 81-52, Ordinance No. 85-125 and Ordinance No. 97-353.

The City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. Section 2 of Ordinance No. 260 entitled "Personnel Officer" shall be amended by adding the following second paragraph to read as follows:

"The City Manager shall have the authority to amend and revise Personnel Rules subject to this ordinance in order to stay current with changing practices, Council actions, or changes in legal requirements. If substantive provisions of the Personnel Rules are amended or revised, the City Manager will report these to Council."

SECTION 2. Section 3 of Ordinance No. 260 entitled "Scope" shall be amended by adding the following:

4. "Seasonal and part-time employees; temporary employees who are not designated to receive regular employment benefits."

SECTION 3. Section 4 of Ordinance No. 260 entitled "Adoption of Rules" shall be amended by repealing the first paragraph in its entirety and replacing it with the following new first paragraph to read as follows:

"The Personnel Rules prepared by the City Manager subject to this Ordinance may be amended from time to time. The rules shall establish specific procedures and regulations governing the following phases of the Personnel System:"

SECTION 4. Section 6 of Ordinance No. 260 entitled "Status of Present Employees" shall be repealed in its entirety.

SECTION 5. Section 11 of Ordinance No. 260 entitled "Restrictions,"

- A. The first sentence in paragraphs one and two in Section 11 of Ordinance No. 260 shall be amended to read as follows:

"Improper Political Activity

Any employee in the municipal service shall not during paid work time, on the premises of a local agency, or in City uniform:"

"Permitted Political Activity

Any employee in the municipal service may during off-duty time, at public areas of a local agency and not in City uniform:"

- B. Section 11 of Ordinance No. 260 entitled "Restrictions," shall be amended by adding the following:

Improper Political Activity

“(f) Conduct political activities as prohibited by law.”

Permitted Political Activity

“(g) Conduct political activities as permitted by law.”

SECTION 6. Section 12 of Ordinance No. 260 entitled “Discrimination” shall be repealed in its entirety and replaced with the following new section to read as follows:

“No person in the municipal service, or seeking admission thereto, shall be employed, promoted, demoted, or discharged, or in any way favored or discriminated against (except as provided under the laws of the State of California) because of political opinions or affiliations or because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation.”

SECTION 7. CONSTITUTIONALITY/SEVERANCE. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Los Altos hereby declares that it would have passed and adopted this Ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective upon the commencement of the thirty-first day following the date the adopted Ordinance is attested by the City Clerk.

SECTION 9. PUBLICATION. This Ordinance shall be published as provided in Government Code section 36933.

The foregoing Ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on January 25, 2011 and was thereafter, at a regular meeting held on February 8, 2011 passed and adopted by the following vote:

AYES: SATTERLEE, CASAS, CARPENTER, FISHPAW, PACKARD
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE



Ronald D. Packard, MAYOR

Attest:


Susan Kitchens, CITY CLERK

Date: February 8, 2011