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## MEASURE P

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### PROPOSAL TO AMEND ROSEVILLE CITY CHARTER

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Shall provisions of Article 8 of the City Charter regarding personnel administration be amended as follows: (1) Shall Section 8.01 be amended to address filling vacancies on the personnel board and to clarify that an appointment to an unexpired term shall not count towards the term limit consistent with the City's existing practices? (2) Shall Section 8.04 be amended to allow for the adoption of personnel rules to provide for waivers or modifications of the formal applicant examination process?

YES \_\_\_\_\_

NO \_\_\_\_\_

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#### IMPARTIAL ANALYSIS BY THE ROSEVILLE CITY ATTORNEY

The City Council has placed before the voters the question whether to amend Section 8.01 of the City Charter entitled "Personnel board" and Section 8.04 entitled "Personnel rules."

Section 8.01 establishes a personnel board to handle matters related to personnel administration. Although this section establishes the appointment process to the personnel board, it does not address the filling of unexpected vacancies. This Charter Amendment would revise Section 8.01 to specify that in the event of a vacancy on the personnel board, the City Council shall appoint a person to fill the unexpired term. Section 8.01 also currently provides that no member of the board shall serve more than two consecutive terms. This Charter Amendment would additionally clarify that an appointment to fill an unexpired term shall not be considered as one of the two term limit. These changes are consistent with existing practices for other boards and commissions.

Section 8.04 requires the City Council to enact by ordinance a set of rules governing the employment of City employees. The rules shall provide, among other things, for a formal applicant examination process and the creation of eligibility lists. This Charter Amendment would revise Section 8.04 to authorize the City Council to adopt a rule allowing for waivers or modifications to the creation of eligibility lists in certain circumstances.

A "Yes" vote is a vote in favor of this Charter Amendment. A "No" vote is a vote against this Charter Amendment. This Measure will be approved if it receives a simple majority of "Yes" votes.

Robert R. Schmitt  
Roseville City Attorney

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The above statement is an impartial analysis of Measure P. If you desire a copy of the measure, please call the Elections Official at 916-774-5263 and a copy will be mailed at no cost to you.

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## ARGUMENT IN FAVOR OF MEASURE P

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The Charter Review Commission recommends approval of Measure P because it adds missing provisions to the Charter regarding filling vacancies and term limits for the personnel board. Furthermore, Measure P would

authorize the City Council to adopt an ordinance in order to create efficiencies in the administration of the employment examination process.

Susan Rohan, Charter Review Commission Chair

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## NO ARGUMENT AGAINST MEASURE P WAS SUBMITTED

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## PROPOSED CHARTER TEXT REVISION

### Sec. 8.01. Personnel board.

A personnel board consisting of five (5) resident and qualified voters shall be appointed by the council for four (4) year overlapping terms of office. Vacancies shall be filled by ~~the~~ council appointment for the expired portion of the term. A member of the personnel board shall be removed from office by the council only for malfeasance, misfeasance or nonfeasance and after charges have been filed and such member has been given a reasonable opportunity to defend themselves in an open public hearing before the council. In the event of a vacancy on the personnel board, other than vacancies caused by expiration of the terms of members, the city council shall appoint a person to fill the unexpired term. Such an appointment to fill an unexpired term shall not be considered as one of the two term limit. The board shall provide for its own organization and rules for conduct of meetings; provided, that all meetings shall comply with the public meeting requirements of state law. Three (3) members shall constitute a quorum. Members of the board shall serve without pay, but shall be entitled to actual and reasonable expenses incurred outside of the City in the performance of their duties.

No member of the personnel board shall serve more than two (2) consecutive terms.

Reappointment of incumbents to the personnel board shall be for four-year (4) terms in accordance with this section.

### Sec. 8.04. Personnel rules.

It is the intention of this article to provide for a merit system of employment in City service. The council shall enact by ordinance a set of rules governing classified municipal employment which shall, among other things, provide:

- a. For the classification of all positions in the classified service.
- b. For open, free and competitive examinations to test the relative fitness of applicants for such positions, and or reasonable publication and public advertisement of all examinations and for promotion based upon competitive

examinations or records of efficiency, character, conduct and seniority, or upon examination and record.

- c. For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing on the examination, except if waived or modified in the personnel rules, and for the certifications of those on the appropriate list to the manager or department heads for appointment to fill vacancies and for the manner in which appointments shall be made from such list.
- d. For the period of time in which eligible lists shall continue in effect.
- e. For a period of probation not to exceed one (1) year, both on original and promotional appointments, before the appointment is made permanent, during which time, in the case of an original appointment, the probationer may be discharged or, in the case of a promotion, returned to a position of their former classification by the head of the department of office in which employed. Provided, however, that no period of absence from work, leave, or limited duty assignment shall be credited toward completion of the probationary period, nor shall any overtime or additional work beyond normal working hours be credited towards completion of the probationary period.
- f. For the rejection of candidates of eligibility who fail to comply with a bona fide occupational qualification in regard to age or sex or who fail to comply with a qualification standard which is job-related and consistent with business necessity; or who have been convicted of a crime which adversely affects their qualification for the position applied for;

or who have attempted any deception or fraud in connection with an examination for employment by the City.

- g. For the employment with examination of provisional employees, in cases of emergency pending appointment from an eligible list, but no such provisional employment shall continue for more than thirty (30) days after the establishment of an eligible list for the position held, and in no event for more than (90) days.
- h. For transfer from one (1) position to a similar position in the same class and grade, for reinstatement after resignation, layoff or reduction in class or grade.
- i. For the discipline of employees by suspension, demotion, discharge or other actions not inconsistent with the provisions of this article.
- j. For the certification to the chief finance officer of the City of names and classifications of all persons legally employed in the City service, without which certifications this officer shall not authorize the issuance of salary paychecks.