

Comparable Cities

Survey Agency	Population	Classification	Charter or General Law City?	Regular Pay (Year)	TOTAL PAY (2017)	TOTAL BENEFITS (2017)	TOTAL PAY + TOTAL BENEFITS (2017)
Burbank	107,149	Councilmember	Charter	\$15,480	\$15,480	\$12,775	\$28,255
Glendale	205,536	Councilmember	Charter	\$18,562	\$18,562	\$37,154	\$55,716
Long Beach	478,561	Councilmember	Charter	\$35,197	\$35,197	\$26,143	\$61,340
Pasadena	144,388	Councilmember	General Law	\$17,619	\$17,619	\$23,516	\$41,135
Pomona	155,687	Councilmember	Charter	\$9,732	\$9,732	\$9,182	\$18,914
Santa Monica	92,416	Councilmember	Charter	\$17,507	\$17,507	\$35,456	\$52,963
Torrance	149,245	Councilmember	Charter	\$1,200	\$1,200	\$5,411	\$6,611
			Median	\$17,507	\$17,507	\$23,516	\$41,135
			Average	\$16,471	\$16,471	\$21,377	\$37,848
				Regular Pay (Year)	TOTAL PAY (2017)	TOTAL BENEFITS (2017)	TOTAL PAY + TOTAL BENEFITS (2017)

Burbank	107,149	Mayor	Charter	\$15,480	\$15,480	\$1,611	\$17,091
Glendale	205,536	Mayor	Charter	\$18,537	\$18,537	\$37,154	\$55,691
Long Beach	478,561	Mayor	Charter	\$140,770	\$140,770	\$43,498	\$184,268
Pasadena	144,388	Mayor	General Law	\$26,426	\$26,426	\$22,088	\$48,514
Pomona	155,687	Mayor	Charter	\$19,476	\$19,476	\$4,820	\$24,295
Santa Monica	92,416	Mayor	Charter	\$17,963	\$17,963	\$36,037	\$54,000
Torrance	149,245	Mayor	Charter	\$1,200	\$1,200	\$1,193	\$2,393
			Median	\$18,537	\$18,537	\$22,088	\$48,514
			Average	\$34,264	\$34,264	\$20,914	\$55,179
				Regular Pay (Year)	TOTAL PAY (2017)	TOTAL BENEFITS (2017)	TOTAL PAY + TOTAL BENEFITS (2017)

**Pena, Michelle**

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**From:** City Clerk  
**Subject:** FW: Hearing on Charter amendments options

**From:** Linda [REDACTED]  
**Sent:** Tuesday, August 27, 2019 4:28 PM  
**To:** Furey, Pat <PFurey@TorranceCA.gov>; Chen, George <GChen@TorranceCA.gov>; Goodrich, Tim <TGoodrich@TorranceCA.gov>; MGiffiths@Torranceca.gov; AMattuci@Torranceca.gov; Herring, Milton <MHerring@TorranceCA.gov>; Rizzo, Geoffrey <GRizzo@TorranceCA.gov>  
**Subject:** Hearing on Charter amendments options

**WARNING: External e-mail**

**Please verify sender before opening attachments or clicking on links.**

Dear Mayor and Members of the Council,

I noticed the hearing scheduled for tonight addressing the options available regarding Charter amendments changes to be presented to the voters at the March 3, 2020 election and the November 2020 election.

I would like to give my input regarding the City Treasurer options that will be before this honorable Council this evening. Unfortunately, I will not be able to attend but wanted to express some thoughts to consider.

I have briefly researched the position of City Treasurer's throughout the State of California and the numbers have shifted from Elected to Appointed. Many decades ago the position was predominately elected but as Cities have grown and become more complex it is no longer acceptable to elect a Treasurer with minimal requirements. It is important to stay abreast of current changes which should require professional experience and education in the field of Finance, Economics or Accounting.

However, I noticed the two options under discussion tonight would be to consider amending the Charter to change the position of the City Treasurer to appointed or consider combining the Finance Director and City Treasurer to be Finance Director/Treasurer. I would not be in favor of the combination of Finance Director/Treasurer. I believe it would be better to have one more layer of check and balances within the City system. Currently the Finance Department oversees and makes decisions for both side of the balance sheet. It would be prudent to separate the responsibilities and allow the Treasurer to manage the duties as described in the Government code that include the responsibilities for collection, receipt, deposit, reporting, custody, investments or disbursement of municipal funds, etc.

Although I have always been a firm supporter of an Elected Treasurer because I sincerely felt we needed an independent process and oversight of City Funds. I can support an Appointed City Treasurer with the professional experience and education going forth if we maintain an independent Department.

Thank you for your consideration,

Linda Barnett  
 Former Torrance City Treasurer

Sent from Mail for Windows 10



Council Meeting of  
August 27, 2019

**PUBLIC HEARING**

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance, California

**Members of the Council:**

**SUBJECT: City Attorney – Conduct First Public Hearing on the Proposed  
Amendments to the City Charter  
Expenditure: None.**

**RECOMMENDATION:**

Recommendation of the City Attorney that the City Council:

- 1) Conduct the first Public Hearing on Proposed Amendments to the City Charter
- 2) Direct staff on potential amendments to the City Charter
- 3) Direct staff on the date of the second noticed Public Hearing

**BACKGROUND:**

On July 23, 2019, the City Council decided to have the City Council review proposed amendments to the City Charter. The City Council directed staff to: (1) notice a public hearing for either August 20, 2019 or August 27, 2019, (2) to consider various proposed amendments to the City Charter for the March 3, 2020 election and (3) to consider other proposed amendments to the City Charter for the November 5, 2020 election.

The proposed amendments being considered for the March 3, 2020 election and that will be discussed during this Public Hearing are (using the numbers from the list in Item 9D on July 23, 2019):

1. City Charter section 603 requires the City Council to fill a vacancy in an elective office within 30 days or call an election. This is a very tight timeline to announce a vacancy, receive applications, conduct interviews, and then schedule an appointment for a City Council meeting. Government Code section 36512 allows 60 days for an appointment. The City Council could choose to follow the Government Code or choose its own time period to fill vacancies.
2. City Charter section 640 allows an election to be held to make the City Clerk or City Treasurer appointed officials instead of elected officials.

5. City Charter section 1310 lists Appointive Officers, which are appointed by the City Council. Except for the City Manager and City Attorney, the City Council no longer appoints any employees. This section should be updated.
6. City Charter section 604 sets City Council compensation at \$100.00 per month. The City Council could amend this section to change the amount of City Council compensation.
7. Another possibility is consolidating the positions of City Treasurer and Finance Director. There are many cities that combine the two positions.
8. Any other areas of the City Charter that the City Council wants to modify.

Also, the City Council added a proposed amendment regarding if the Mayor becomes incapacitated.

The proposed amendments being considered for the November 5, 2020 election are as follows, and will not be discussed during this Public Hearing (using the numbers from the list in Item 9D on July 23, 2019):

3. City Charter section 910 deals with the City Manager. There are a couple of provisions in Section 910 that the City Council could look at amending. First, the removal process in the City Charter is very complicated. If this City Charter section was amended, then the City Council would need to look at entering into an employment contract with the City Manager. Second, the City Charter provides that the City Manager can only accumulate 30 days of vacation leave and sick leave. This requires the City Manager to cash out or defer (into deferred compensation or a retirement health savings plan) all hours of vacation leave and sick leave over 30 days. This restriction requires the City of Torrance to carry a disability insurance plan for the City Manager. This could be an issue for recruitment in the future.
4. The City Attorney is covered by the Civil Service System. This is very unusual in California local government. The City Council could amend this section and make the City Attorney an at-will employee. If this City Charter section was amended, then the City Council would need to look at entering into an employment contract with the City Attorney.

The proposed amendments that need to be researched further are:

9. The City Clerk and the City Attorney have noticed that there are some previous amendments to the City Charter that were adopted by the voters, but do not seem to be codified. We will need to research whether those City Charter Amendments were just not codified correctly or if the election results were not sent to the legislature.

Prior to submitting the City Charter amendment to the voters, the City Council must hold at least two public hearings. The City must publish notice in the newspaper once a week for two successive weeks. Additionally, the City must post the notice in three public places within the jurisdiction at least 21 calendar days prior to the date of each public hearing. The second public hearing must be held at least 30 days after the first public hearing. One of the public hearings must be held outside of normal business hours. The City Council

cannot vote on whether to submit the City Charter amendment to the voters until 21 days after the second hearing. For most City Charter amendments, the City Council may submit the City Charter amendment to the voters at the next regularly scheduled general municipal election pursuant to Section 1301, or at any established statewide general or statewide primary election pursuant to Section 1200 or 1201, occurring not less than 88 days after the date of the order of election. Government Code § 34457, Elections Code § 1415. But, any City Charter amendment that proposes to alter any procedural or substantive protection, right, benefit, or employment status of any local government employee or retiree or of any local government employee organization must be held at the statewide general election. Elections Code § 1415.

Tonight will be the first of two noticed Public Hearings and fulfills the requirements of California Government Code section 34458(b). A Notice of Public Hearing was published in the Daily Breeze on August 13, 2019 and August 20, 2019. On August 5, 2019, a Notice of Public Hearing was posted on the City Clerk's Bulletin Board and the Katy Geissert Civic Center Library Bulletin Board. On August 6, 2019, a Notice of Public Hearing was posted on the Torrance Cultural Arts Center Kiosk. The purpose of this Public Hearing is for the City Council to consider and discuss potential amendments to the City Charter and for the public to comment on potential amendments to the City Charter.

### **ANALYSIS:**

#### **Vacancy in Elective Office (#1 on list from July 23, 2019)**

City Charter section 603 (Attachment A) requires the City Council to fill a vacancy in an elective office within 30 days or call an election. This is a very tight timeline to announce a vacancy, receive applications, conduct interviews, and then schedule an appointment for a City Council meeting. Government Code section 36512 (Attachment B) allows 60 days for an appointment to fill a vacancy. The City Council could choose to follow the Government Code or choose its own time period to fill vacancies.

Section 603 of the City Charter provides that vacancies in any City elective office "shall be filled by appointment by the City Council." If the City Council fails "to fill a vacancy by appointment within thirty (30) days after such vacancy occurs, the City Council ... must immediately, after the expiration of said thirty (30) days, cause an election to be held to fill such vacancy." Any person appointed or elected to fill a vacancy holds office only until the next regular municipal election when a person will be elected to serve the remainder of any unexpired term.

Government Code section 36512 provides that in the event of vacancy in an elective office, a city council "shall, within 60 days from the commencement of the vacancy, either fill the vacancy by appointment or call a special election to fill the vacancy." Unlike the City Charter, the Government Code has a different provision for how long the person holds office. If there is a special election, the person elected holds office for the unexpired term of the former incumbent. If the city council fills the vacancy by appointment, there are two different options:

- (1) if the vacancy occurs in the first half of the term of office and at least 130 days prior to the next general municipal election, then the person appointed shall hold office until the next general municipal election that is 130 days or more after the date the council is notified of the vacancy and thereafter until the person who is elected has been qualified. The person elected shall hold office for the unexpired balance of the term of office.
- (2) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general municipal election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall hold office for the unexpired balance of the term of office.

The advantage to the appointment process is that it is quicker and cheaper than calling for a special election. The disadvantage is that it does not allow the residents of Torrance to elect a new member of the City Council.

The Government Code also provides that a city can enact an ordinance that requires a special election to be called for every city council vacancy and the office of mayor. The advantage to this process is that it allows for the residents of Torrance to elect a new member of the City Council. The disadvantage to this procedure is the cost of a special election, which can be very expensive if it is a stand-alone election.

**City Clerk and City Treasurer as Appointed Officials** (#2 on list from July 23, 2019)

City Charter section 640 (Attachment C) allows an election to be held to make the City Clerk or City Treasurer, or either of them, appointed officials instead of elected officials. Section 640 provides that the City Clerk or City Treasurer, or either of them, would be appointed by the City Council. If the voters were to approve this amendment, then at the expiration of the official's term of office or upon a vacancy in that office, the office "shall be filled by appointment of the City Council and the appointee shall hold office as other appointive officers."

The City Clerk and City Treasurer were elected to a four-year term in June 2018. The current terms of the City Clerk and City Treasurer run through March 2022.

**Revisions to Appointive Officers** (#5 on list from July 23, 2019)

City Charter section 1310 (Attachment D) lists Appointive Officers, which are appointed by the City Council. Except for the City Manager and City Attorney, the City Council no longer appoints any employees. But, this could change if the voters approve amending the City Charter to make the City Clerk or City Treasurer appointed officials.

The current City Charter has a conflict between Section 1310 and Section 930 (Attachment E). Section 1310 appears to give the City Council power to appoint a list of Appointive Officers. But, Section 930 gives the City Manager power to appoint all Department Heads, except for the City Attorney and Elected Officials. The one exception to this is the Finance Director who, pursuant to Section 1100 (Attachment F), is appointed by the City Council upon recommendation of the City Manager. But, the Finance Director is responsible to and under the supervision of the City Manager and is a member of the Civil Service system.

Resolving the conflict between Section 930 and Section 1310 requires an analysis of the City Charter and its amendments. The City Charter dated January 7, 1947 (Attachment G), sets up the Civil Service system in Article VII. Section 3 of Article VII lists the Appointive Officers as "a City Judge, a City Attorney, a City Engineer, a Street Superintendent, a Park Superintendent, a Transportation Superintendent, a Chief of Police, a Chief of Fire Department, a Building Inspector." The second paragraph of Section 3 provides that the "City Council shall have the power of appointment of all appointive officers ...."

The City Charter dated January 7, 1949 (Attachment H), amends the City Charter to provide for a City Manager form of government by Amending Article VII adding a new Section 5 with subsections (a) through (h). Subsection (e) is entitled "The Power of City Manager over Executive Departments." It provides that the "City Manager shall have the supervision and control over all heads of Departments, except the City Attorney, City Auditor, City Judge, and elective officials of the City, and shall have the power to direct and control the administrative and executive functions of such Departments and shall have the power to appoint from the Civil Service eligible list, all heads of departments except said City Attorney, City Auditor, City Judge and elective officials of said City ...." The most important part of Section 5 is found in subsection (e) that provides "All ordinances or parts of ordinances of the City of Torrance and all sections, subsections or parts of sections of this Charter, in conflict herewith, are hereby amended or repealed as the case may be."

The City Charter dated April 26, 1962 (Attachment I), amends Section 1 of Article 5 of the City Charter in its entirety. It essentially restates the civil service system. It is important to note that the last sentence provides that "Nothing contained in this section 1 shall repeal or modify any of the provisions of section 5 of article VII of this charter which established the city manager form of government."

The City Charter dated August 20, 1973 (Attachment J), recodifies and renumbers the Charter. The Civil Service system is found in Section 1300. Appointive Officers are found in Section 1310. It does delete the City Judge from the list of Appointive Officers. The Power of City Manager Over Executive Departments is found in Section 930. It deletes the City Auditor and City Judge from the list of positions that are excepted from his control. It just leaves City Attorney and elected officials that he does not have control over.

The City Council had the authority to appoint the Appointed Officers in the 1947 Charter. But, the 1949 City Charter amendment gave the power to appoint the Department Heads to the City Manager, with the exception of the City Attorney and elected officials. Additionally, the 1949 City Charter amendment repealed inconsistent provisions of the City Charter and Municipal Code. Unfortunately, the City did not go back in and clean up the Civil Service section of the City Charter to reflect the change and the language carried forward to the present even though it had been repealed back in 1949.

All of the positions, with the exception of the City Attorney, in the first line of Section 1310 should be deleted since it was amended by the City Charter dated January 7, 1949. Depending upon what happens with the proposed amendment to the positions City Clerk and City Treasurer, the last line of this section may need to be revised as well.

**Council Compensation** (#6 on list from July 23, 2019)

City Charter section 604 (Attachment K) sets City Council compensation at \$100.00 per month or \$1,200 per year. This amount was set by the voters at the election on April 10, 1956. The City Council could amend this section to change the amount of City Council compensation.

There are many ways to look at how to set City Council compensation. One method is to look at Government Code section 36516 (Attachment L). Government Code 36516 has a couple of different ways of setting compensation. Government Code section 36516(a) allows the City Council to adopt an ordinance that sets the compensation based upon the population in the last census. The City of Torrance's population in the 2010 census was 145,438. For cities with a population over 75,000 up to and including 150,000, the monthly salary is \$600 per month or \$7,200 per year. If the population were to exceed 150,000, then the monthly salary would be \$800 per month or \$9,600 per year. Additionally, Government Code section 36516(a)(4) allows the amount to be increased 5% per calendar year and the ordinance cannot provide for future automatic increases in salary.

Another method allowed under Government Code section 36516(b) allows the matter of the amount to be submitted to the voters. The amount may be higher or lower than allowed in Government Code section 36516(a).

Another method would be to look at other cities. The voters in the City of Carson recently adopted their City Charter on November 6, 2018. Carson City Charter section 304 sets the City Council compensation at the "Low Income Limits" for a family of four as set forth by the U.S. Department of Housing and Urban Development ("HUD") for the area including Los Angeles County for the year 2018. The Low Income Limits for for a family of four in FY 2018 in the Los Angeles-Long Beach-Glendale, CA HUD Metro FMR Area is \$77,500. For a single person, the amount would be \$54,250. For Very Low Income Limits, a family of four would be \$48,450 and a single person would be \$33,950. For Extremely Low Income Limits, a family of four would be \$29,050 and a single person would be \$20,350. A chart of HUD's FY 2018 Income Limits Summary can be found at <https://www.huduser.gov/portal/datasets/il/il2018/2018summary.odn> and is attached as Attachment M.

Another option is to survey similar cities. The City Manager's Office conducted a survey of Mayor and City Council salaries that was attached as Supplemental #1 to Agenda Item 9D on July 23, 2019. Many cities, but not all, provide a differential between the Mayor and City Council salaries where the Mayor gets an increased salary amount over the City Council.

The City Council may also suggest other methods of setting City Council compensation.

**Consolidation of City Treasurer and Finance Director Positions** (#7 on list from July 23, 2019)

Another potential amendment is consolidating the positions of City Treasurer and Finance Director. There are many cities that combine the two positions. Some cities have a City Treasurer and a Finance Director. Other cities have consolidated the duties of the City Treasurer into the position of the Finance Director. This proposed amendment would

require an amendment of Section 1100 dealing with the Finance Director and a repealing of Section 630 (Attachment N) dealing with the City Treasurer.

**Other Sections that City Council Wants to Modify** (#8 on list from July 23, 2019)

Any other areas of the City Charter that the City Council wants to modify. This section is provided for any other areas of the City Charter that the City Council would like to suggest amending.

**Mayor Incapacitation or Vacancy** (Suggested by City Council on July 23, 2019)

During the meeting of July 23, 2019, the City Council added a proposed amendment regarding if a Mayor becomes incapacitated or otherwise vacates office. There was some concern that the language regarding vacancies in Section 603 was ambiguous. In Section 603(a), it provides any vacancies occurring in any of the elective offices provided for in this Charter, other than of members of the Board of Education, shall be filled by appointment by the City Council. Any elective office clearly includes the office of Mayor. But, Section 603(c) only discusses any person appointed or elected to fill any vacancy on the City Council. The concern is that it is silent as to the Mayor.

City Charter section 610 (Attachment O) provides that "the Mayor shall be a member of the City Council for all purposes and shall have all the rights, powers and duties of a member of the City Council in addition to those powers and duties conferred upon him by virtue of his office as Mayor. Unless otherwise expressly provided to the contrary, any provision in this Charter which relates to the City Council or to members of the City Council shall be interpreted to include the Mayor as a member of the City Council." This section clarifies that anything that relates to members of the City Council includes the Mayor.

However, the City Council may decide that it wants to clarify Section 603 so that it expressly includes the Mayor in its provisions. If the City Council decides to pursue this, then they may also want to look at amending Section 601 (Attachment P) since that has a provision regarding a member of the City Council missing meetings for 60 consecutive days resulting in an automatic vacancy.

**CONCLUSION:**

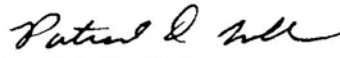
Recommendation of the City Attorney that the City Council

- 1) Conduct the first Public Hearing on Proposed Amendments to the City Charter
- 2) Direct staff on potential amendments to the City Charter
- 3) Direct staff on the date of the second noticed Public Hearing

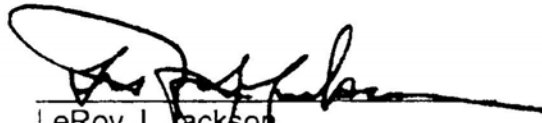
The second noticed Public Hearing must be at least 30 days after the first noticed Public Hearing. This means that the first date the City Council could conduct the second noticed Public Hearing would be Thursday, September 26, 2019. The first regular City Council meeting date would be Tuesday, October 1, 2019. If City Council were to proceed on October 1, 2019, then the City Council must wait 21 days prior to voting on whether to put the amendments on the ballot, which would be Tuesday, October 22, 2019. The City Council is dark on October 29, 2019.

The Los Angeles County Registrar-Recorder/County Clerk has set a deadline of Monday, November 5, 2019 for a city to adopt an election resolution to call a general or special municipal election for March 3, 2020. This deadline means that the City Council would need to call the election at its regular meeting on Tuesday, October 22, 2019 or call a special meeting sometime between Wednesday, October 23, 2019 and Monday, November 5, 2019.

Respectfully submitted,

  
Patrick Q. Sullivan

NOTED:

  
LeRoy J. Jackson  
City Manager

Attachments:

- A. City Charter section 603
- B. Government Code section 36512
- C. City Charter section 640
- D. City Charter section 1310
- E. City Charter section 930
- F. City Charter section 1100
- G. City Charter dated January 7, 1947
- H. City Charter dated January 7, 1949
- I. City Charter dated April 26, 1962
- J. City Charter dated August 20, 1973
- K. City Charter section 604
- L. Government Code section 36516
- M. HUD's FY 2018 Income Limits Summary
- N. City Charter section 630
- O. City Charter section 610
- P. City Charter section 601
- Q. Proof of Publication
- R. Affidavits of Posting
- S. Correspondence
- T. Agenda Item 9D from City Council Meeting of July 23, 2019

**ATTACHMENT A****City Charter section 603 VACANCIES.**

- a) Any vacancies occurring in any of the elective offices provided for in this Charter, other than of members of the Board of Education, shall be filled by appointment by the City Council. Vacancies in the Board of Education shall be filled by appointment by the Board of Education.
- b) In the event of the City Council or the Board of Education, respectively, failing to fill a vacancy by appointment within thirty (30) days after such vacancy occurs, the City Council or the Board of Education, as the case may be, must immediately, after the expiration of said thirty (30) days, cause an election to be held to fill such vacancy.
- c) Any person appointed or elected to fill any vacancy on the City Council shall hold office only until the next regular municipal election at which time a person shall be elected to serve for the remainder of such unexpired term. Any person appointed or elected to fill a vacancy on the Board of Education shall hold office for the remainder of the unexpired term.
- d) In the election of member of the City Council or members of the Board of Education, where full terms and one (1) or more unexpired terms are to be filled, no distinction shall be made in nomination or voting between the full terms and the unexpired terms but the person or persons elected by the highest number of votes shall be elected for the full terms or term and the persons receiving the next highest vote shall be elected for the unexpired terms or term, as the case may be.



**ATTACHMENT B****Government Code section 36512**

(a) If a vacancy occurs in an appointive office provided for in this chapter, the council shall fill the vacancy by appointment. A person appointed to fill a vacancy holds office for the unexpired term of the former incumbent.

(b) If a vacancy occurs in an elective office provided for in this chapter, the council shall, within 60 days from the commencement of the vacancy, either fill the vacancy by appointment or call a special election to fill the vacancy.

(1) If the council calls a special election, the special election shall be held on the next regularly established election date not less than 114 days from the call of the special election. A person elected to fill a vacancy holds office for the unexpired term of the former incumbent.

(2) If the council fills the vacancy by appointment, the person appointed to fill the vacancy shall hold office pursuant to one of the following:

(A) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general municipal election, the person appointed to fill the vacancy shall hold office until the next general municipal election that is scheduled 130 or more days after the date the council is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(B) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general municipal election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall hold office for the unexpired term of the former incumbent.

(c) Notwithstanding subdivision (b) and Section 34902, a city may enact an ordinance that does any of the following:

(1) Requires that a special election be called immediately to fill every city council vacancy and the office of mayor designated pursuant to Section 34902. The ordinance shall provide that the special election shall be held on the next regularly established election date not less than 114 days from the call of the special election.

(2) Requires that a special election be held to fill a city council vacancy and the office of mayor designated pursuant to Section 34902 when petitions bearing a specified number of verified signatures are filed. The ordinance shall provide that the special election shall be held on the next regularly established election date not less than 114 days from the filing of the petition. A governing body that has enacted such an ordinance may also call a special election pursuant to subdivision (b) without waiting for the filing of a petition.

(3) Provides that a person appointed to fill a vacancy on the city council holds office only until the date of a special election which shall immediately be called to fill the remainder of the term. The special election may be held on the date of the next regularly established election or regularly scheduled municipal election to be held throughout the city not less than 114 days from the call of the special election.

(d)

(1) Notwithstanding subdivision (b) and Section 34902, an appointment shall not be made to fill a vacancy on a city council if the appointment would result in a majority of the members serving on the council having been appointed. The vacancy shall be filled in the manner provided by this subdivision.

(2) The city council may call an election to fill the vacancy, to be held on the next regularly established election date not less than 114 days after the call.

(3) If the city council does not call an election pursuant to paragraph (2), the vacancy shall be filled at the next regularly established election date.

(e)

(1) If the city council of a city that elects city council members by or from districts elects to fill a vacancy on the city council by appointment as a result of a city council member resigning from office, the resigning city council member may cast a vote on the appointment if the resignation will go into effect upon the appointment of a successor. A city council member shall not cast a vote for a family member or any other person with whom the city council member has a relationship that may create a potential conflict of interest.

(2) If a city council member elects to cast a vote under this subdivision, the city council member shall be prohibited from the following actions for a period of two years after the appointment of a successor:

(A) Advocating on any measure or issue coming before the city council in which the city council member may have a personal benefit.

(B) Entering into a contract of any kind with the city or a city vendor.

(C) Accepting a position of employment with the city or a city vendor.

(D) Applying for a permit that is subject to the approval of the city council.

(3) This subdivision shall not apply to any city council member who is resigning from the city council due to charges of, or conviction for, corruption or criminal behavior, or who is subject to a recall election.

**ATTACHMENT C****City Charter section 640 ELECTION AS TO MAKING CLERK OR TREASURER  
APPOINTIVE OFFICES.**

The City Council may submit to the electors at any special or general municipal election, the question as to whether the City Clerk or City Treasurer, or either of them, shall be appointed by the City Council instead of being elected, as provided in this Charter. If a majority of votes cast on any such proposition are in favor of the appointment of such officers, or either of them, then at the expiration of any such official's term of office, or on the occurrence of a vacancy in such office, such office shall be filled by appointment by the City Council and the appointee shall hold office in the same manner as other appointive officers.



**ATTACHMENT D****City Charter section 1310 APPOINTIVE OFFICERS.**

Appointive officers of the City shall be a City Attorney, a City Engineer, a Street Superintendent, a Park Superintendent, a Transportation Superintendent, a Chief of Police, a Chief of the Fire Department, a Building Inspector. The City Council may also provide by ordinance for such additional appointive boards, commissions, officers, assistants, deputies and employees as it deems necessary. The Council may also provide for the holding by one (1) person of several offices, providing that such offices are not incompatible with one another.

The City Council shall have the power of appointment of all appointive officers with the exception of such deputies as it may provide for in the office of the City Clerk and City Treasurer, as to which deputies the heads of the respective departments shall have the power of appointment.



## ATTACHMENT E

**City Charter section 930 THE POWER OF CITY MANAGER OVER EXECUTIVE DEPARTMENTS.**

The City Manager shall have supervision and control over all heads of departments, except the City Attorney, and elective officials of the City, and shall have the power to direct and control the administrative and executive functions of such departments and shall have power to appoint from the civil service eligible list, all heads of departments except the City Attorney, and elective officials of said City, and shall have power to prefer charges against such heads of such departments as are appointed by him in the manner prescribed by and in accordance with the provisions of any civil service ordinance of said City applicable to suspension, discipline or removal of such heads of such departments, but any decision of the Civil Service Board or the Trial Board, as the case may be, upon any such charges may be overruled by an affirmative vote of four members of the City Council.

The City Manager may recommend to the City Council, setting forth reasons therefor, the abolition, suspension or consolidation of the duties and functions of any of the heads of departments, chief officials, subordinate officers and employees of the City. The City Council may thereafter, at any time, abolish, suspend or consolidate any such duties or functions in accordance with such recommendations or as it may determine, and thereafter remove the person or persons affected from the employment of the City, whose duties are thus abolished, suspended or consolidated.



## ATTACHMENT F

**City Charter section 1100 POWERS AND DUTIES.**

There is hereby created and established the office of Director of Finance of the City of Torrance. The Director of Finance shall be appointed by the City Council upon the recommendation of the City Manager and shall be responsible to and under the supervision of the City Manager and shall be a member of the classified service of the City. The duties and functions of said Director of Finance shall be to:

- a) Maintain and operate the general accounting system of the City and of the respective departments, offices and agencies thereof.
- b) Keep and maintain, or to prescribe and require the keeping and maintaining of inventory records of municipal properties.
- c) Cooperative with the City Manager and City Treasurer in establishing and maintaining sufficient and satisfactory procedures and controls over municipal revenues and expenditures in all departments of the City.
- d) To assume and perform all municipal functions and duties relating to the preparation, auditing, presenting and disbursement of claims and demands against the City, including payrolls.
- e) Assist the City Manager in the preparation of the annual budget and in the administration thereof.
- f) Prepare and present to the City Council through the City Manager, in sufficient detail to show the exact financial condition of the City, an annual statement and report of the financial condition of the City and such other financial reports as may be required by the City Council or the City Manager.
- g) Supervise such subordinate employees or assistants as may be authorized by the City Council.
- h) Perform such additional duties as may be hereafter required by the City Council or the City Manager.



**ATTACHMENT G**

# State of California



## Office of the Secretary of State

I, FRANK M. JORDAN, Secretary of State of the State of California, hereby certify:

*That I have compared the annexed transcript with the RECORD on file in my office, of which it purports to be a copy, and that the same is a full, true and correct copy thereof.*

IN WITNESS WHEREOF, I hereunto set my hand and  
affix the Great Seal of the State of California  
this 7th day of January, 1919

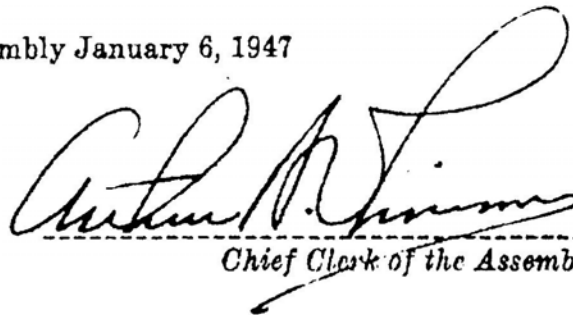


*Frank M. Jordan*  
Secretary of State

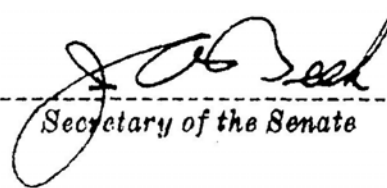
By *John W. Sawyer*  
Deputy

**Assembly Concurrent Resolution No. 3**

Adopted in Assembly January 6, 1947

  
-----  
Chief Clerk of the Assembly

Adopted in Senate January 7, 1947

  
-----  
Secretary of the Senate

This resolution was received by the Secretary of State this

7 day of January, 1947, at 5 o'clock P. M.

  
-----  
Deputy Secretary of State

## CHAPTER \_\_\_\_\_

*Assembly Concurrent Resolution No. 3—Relative to the approval of the charter of the City of Torrance, a municipal corporation, in the County of Los Angeles, State of California, as voted for and ratified by the electors of the City of Torrance, at an election held therein on the twentieth day of August, 1946.*

WHEREAS, The City of Torrance is now and at all times herein mentioned was a municipal corporation duly authorized and existing under the general laws of the State of California as a city of the sixth class; and

WHEREAS, Proceedings have been duly had in and taken by the said City of Torrance for the preparation, proposal, adoption, and ratification of a charter for the government of said City of Torrance, all as set forth in the following certificate of the mayor of said city and the City Clerk of said City of Torrance, to wit:

CERTIFICATE OF PROCEEDINGS HAD AND TAKEN  
BY THE CITY OF TORRANCE IN FRAMING A  
CHARTER FOR ITS OWN GOVERNMENT

STATE OF CALIFORNIA }  
COUNTY OF LOS ANGELES } ss.  
CITY OF TORRANCE }

We, the undersigned, J. HUGH SHERFEY, JR., Mayor of the City of Torrance, County of Los Angeles, State of California, and A. H. BARTLETT, City Clerk of said City and ex-officio Clerk of the City Council of said City, do hereby certify and declare as follows:

That the undersigned, said A. H. Bartlett, was at all times herein mentioned, the Clerk of the legislative body of the City and City Clerk of said City of Torrance; that heretofore and prior to the first day of July, 1946, the said City Council of the City of Torrance did cause to be framed a proposed charter for its own government, and on the first day of July, 1946, at an adjourned regular meeting of said City Council of said City, said City Council by Resolution No. 1786, adopted by the unanimous vote of those members of said City Council present, four members being present and one member being absent, ordered said City Clerk to place the proposition of the adoption of said proposed charter on the ballot at the special election theretofore ordered in the City of Torrance for the twentieth day of August, 1946, for the purpose of submitting said proposition to the electors of said City of Torrance, and which reso-

lution ordered that said charter be filed with the City Clerk of the City of Torrance; that said proposed charter of the City of Torrance, consisting of pages 1 to 25, was filed in the office of the City Clerk in the City Hall at Torrance, on the first day of July, 1946; and said resolution further ordered that the adoption of the charter should be submitted to the electors at said special election held on the twentieth day of August, 1946, and directed that said City Clerk publish said proposed charter in the Torrance Herald, a newspaper of general circulation, printed and published in the City of Torrance;

That said proposed charter was published pursuant to said order in said newspaper and in each edition thereof during the publication on the fourth day of July, 1946, said newspaper being of general circulation in said City of Torrance; that the date of such publication was within 15 days after the said charter was filed in the office of said Clerk of said City Council; that the date set for the submission to the electors of said proposed charter, to-wit, August 20, 1946, was not less than forty days nor more than sixty days after the completion of the advertising in said official paper, as aforesaid;

That until the day fixed for the election upon such charter there was advertised in the said Torrance Herald a notice that copies of said charter were available at the office of the City Clerk in the City Hall of the City of Torrance and could be secured upon application therefor at said office; that such copies were so available;

That the population of said City of Torrance is more than three thousand five hundred (3,500) and less than fifty thousand (50,000) inhabitants as ascertained by the last preceding census taken under the authority of the Congress of the United States;

That said election was duly and regularly held on the twentieth day of August, 1946, and that at said election a majority of the qualified voters voting thereon voted in favor of said proposed charter and for the ratification and adoption thereof;

That the said City Council of the City of Torrance at a meeting duly held on August 27, 1946, at the time and in the form and manner required by law, and in accordance with the law in such cases made and provided, duly canvassed the returns of said election, and duly found, determined and declared that a majority of said electors voting thereon had voted in favor of said proposed charter and for the ratification and adoption thereof, and that the same was adopted and ratified by more than the majority of the qualified voters of the City of Torrance voting thereon, as follows, to wit:

Votes in favor of the ratification of said proposed	
charter -----	1,385

Votes against the ratification of said proposed

charter ----- 771;

That said election was held in accordance with the election laws of the State of California relating to and governing elections in cities of the sixth class within said State, so far as applicable, and in other respects in strict accordance with the general laws of the State of California;

That said charter so prepared, proposed, submitted, ratified, and adopted as herein set forth is in the words and figures following, to wit:

## CHARTER OF THE CITY OF TORRANCE

We, the People of the City of Torrance, State of California, do ordain and establish this Charter as the fundamental law of said City under the Constitution of said State.

### ARTICLE I

#### NAME OF CITY

Section 1. Name. The municipal corporation now existing and known as the "City of Torrance," in Los Angeles County, California, shall remain and continue to exist a body politic and corporate, as the present, in fact and in law, by the name of "City of Torrance," and by such name shall have perpetual succession.

### ARTICLE II

#### BOUNDARIES

Section 1. Boundaries. The territory of the City shall be that contained within its present boundaries as now established, with the power and authority to change the same in the manner provided by law.

### ARTICLE III

#### SUCCESSION

Section 1. Rights and Liabilities. The City of Torrance as successor in interest of the municipal corporation of the same name, heretofore created and existing, shall own, hold, possess, use, lease, control and in every way succeed to and become the owner of rights and of property of every kind and nature by said existing municipal corporation, owned, controlled, possessed or claimed, and shall be subject to all the debts, obligations, liabilities, and duties of said existing corporation.

Section 2. Ordinances Continue in Force. All ordinances, resolutions and other regulations, or portions thereof, in force at the date this Charter takes effect and not inconsistent with this Charter, shall be and remain in force after this Charter takes effect until changed or repealed by proper authority.

#### ARTICLE IV

##### POWERS OF CITY

Section 1. The City shall have the power to make and enforce all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter, and in the Constitution of the State of California. It shall also have the power to exercise any and all rights, powers and privileges heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority. The specifications in this Charter of any particular powers shall not be held to be exclusive of, or any limitations upon, this general grant of power. The city shall have the power to act pursuant to procedure established by any law of the State, unless a different procedure is established by ordinance.

#### ARTICLE V

##### ELECTIONS

Section 1. General Municipal Elections. General municipal elections shall be held in said City on the second Tuesday in April in each even numbered year.

Section 2. Special Municipal Elections. All other municipal elections that may be held by authority of this Charter or of any law, shall be known as special municipal elections.

Section 2 A. Eligibility. No person shall be eligible to hold office as a member of the Board of Education unless he shall have been a qualified elector of the School District for at least one year next preceding the date of his election or appointment.

Section 2 B. Presiding Officer. On the Tuesday next succeeding any election at which a Board member is elected, the Board of Education shall meet and elect one of its members as the presiding officer to serve at the pleasure of the Board.

Section 3. First Board of Education Election. A special municipal election shall be held for the election of the first members of the Board of Education under this Charter, on the tenth Tuesday following the approval of this Charter by the Legislature.

Section 4. Procedure for Holding Elections. All elections shall be held in the manner prescribed in the Elections Code of

the State of California for the holding of elections in cities of the sixth class, so far as the same may be applicable and excepting as herein otherwise provided. No person shall be entitled to vote in any such election unless he shall be a qualified elector of said city or school district. The City Council may by ordinance provide a procedure for the holding of City elections, in which event such procedure shall prevail over the provisions of the said Elections Code.

Section 5. Initiative, Referendum and Recall. The provisions of the Elections Code of the State of California governing the initiative and referendum shall apply to the use of the initiative and referendum in said City in so far as the same may be applicable and except as herein otherwise provided. All elective officers of said City shall be subject to recall in the manner provided in the said Elections Code of the State of California relating to recall of municipal officers in so far as the same may be applicable and except as herein otherwise provided.

## ARTICLE VI

### ELECTIVE OFFICERS

Section 1. Elective Officers. The elective officers of the City shall be five members of the Council, five members of the Board of Education, the City Clerk and the City Treasurer.

Section 2. Terms. The elective officers of the City shall be elected from the City at large and shall hold office for a term of four years from and after the Tuesday next succeeding the day of such election and until their successors are elected and qualified.

Section 3. First General Municipal Election. At the first general municipal election held under this Charter only those offices shall be filled whose incumbents have fulfilled the respective terms of office for which they were elected prior to the adoption of this Charter and those officers whose terms have not expired shall continue to serve until the expiration thereof.

Section 4. First Election of Members of the Board of Education. At the special election at which the first members of the Board of Education are elected, the two members receiving the highest number of votes for said office shall serve from and after the Tuesday next succeeding the day of such election until the second Tuesday in April in 1950, and until their successors are elected and qualified, and the remaining three highest shall serve until the second Tuesday in April 1948, and until their successors are elected and qualified.

Section 5. Vacancies. Any vacancies occurring in any of the elective offices provided for in this Charter, other than

of members of the Board of Education, shall be filled by appointment by the City Council. Vacancies in the Board of Education shall be filled by appointment by the Board of Education. In the event of the City Council or the Board of Education, respectively, failing to fill a vacancy by appointment within thirty days after such vacancy occurs, the City Council must immediately, after the expiration of said thirty days, cause an election to be held to fill such vacancy. Any person appointed or elected to fill any vacancy shall hold office only until the next regular municipal election at which time a person shall be elected to serve for the remainder of such unexpired term. In the election of councilmen or members of the Board of Education, where full terms and one or more unexpired terms are to be filled, no distinction shall be made in nomination or voting between the full terms and the unexpired terms, but the person or persons elected by the highest number of votes shall be elected for the full terms or term and the persons receiving the next highest vote shall be elected for the unexpired terms or term, as the case may be.

Section 6. Eligibility for Elective Office. No person shall be eligible to hold any elective office in this city unless he be a resident and elector therein and shall have resided in such City for at least one year next preceding the date of his election. If an elective officer shall cease to possess any of the qualifications for office herein set forth, or shall be convicted of a crime involving moral turpitude, or shall resign, or be adjudged an incompetent, his office shall immediately become vacant. In case a member of the City Council or Board of Education absents himself from all regular meetings of the body to which he shall belong, for a period of sixty days consecutively, from and after the last regular meeting of such body attended by said member, unless by the expressed permission of such body duly recorded in its official minutes, his office shall automatically become vacant and the same shall be filled as in case of other vacancies.

Section 7. Compensation. The members of the Board of Education shall receive no compensation for their services as such. The members of the City Council shall receive such compensation as may have been, or may hereafter be approved by the majority vote of the electors voting at any special or general municipal election and in addition thereto, shall receive their actual and necessary expenses while engaged on city business at the direction of the City Council. Any change in compensation approved at any such election, shall commence at the beginning of the term of office of all members of the City Council who take office subsequent to the canvassing of the returns of any such election. The compensation of any member of the City Council appointed or elected to fill a vacancy shall be the same

as that payable to such member whose office was vacated. No change in compensation shall apply to any member of the City Council during his term of office.

The City Clerk and City Treasurer shall severally receive, at stated times, a compensation to be fixed by ordinance adopted by the City Council; which compensation shall not be increased or diminished after their election or during their respective terms of office.

Section 8. Election As To Making Clerk or Treasurer Appointive Offices. The City Council may submit to the electors at any special or general municipal election, the question as to whether the City Clerk or City Treasurer, or either of them, shall be appointed by the City Council instead of being elected, as provided in this Charter. If a majority of votes cast on any such proposition are in favor of the appointment of such officers or either of them, then at the expiration of any such official's terms of office, or on the occurrence of a vacancy in such office, such office shall be filled by appointment by the City Council and the appointee shall hold office in the same manner as other appointive officers.

## ARTICLE VII

### CIVIL SERVICE

#### APPOINTIVE OFFICERS AND EMPLOYEES

Section 1. Civil Service System. All appointments and promotions in the classified service of the City shall be made according to merit and fitness, to be ascertained, so far as practicable, by competitive examination. The Civil Service system heretofore adopted by ordinance of the City Council shall continue in full force and effect unless amended, modified, enlarged or extended by ordinance adopted by the City Council or by amendment to the rules and regulations heretofore adopted by said City Council pursuant to the provisions of said ordinance. The City Council shall not have the authority to withdraw any departments, appointive officers or employees from the operation of such system, either by outright repeal of the Civil Service Ordinance or otherwise, unless and until the withdrawal thereof shall have been submitted to the qualified electors of said City at a regular or special municipal election held in said City and shall have been approved by not less than a two-thirds vote of the electors voting at such election.

Section 2. Political Activity of Those Under System. No person in the classified service of the City shall seek or accept election, nomination or appointment as an officer of a political

club, or organization or take an active part in a county or municipal campaign or serve as a member of a committee of such club, organization or circle, or seek signatures to any petition or act as a worker at the polls, or distribute badges, pamphlets, dodgers or handbills of any kind, favoring or opposing any candidate for election, or for nomination to a public office or for nomination to a county or municipal public office; provided, however, that nothing in this Act shall be construed to prevent any such officer or employee from becoming or continuing to be a member of a political group or organization, or from attendance at a political meeting, or from enjoying entire freedom from all interference in casting his vote or from seeking or accepting election or appointment to any public office.

Any wilful violation hereof, or violation through culpable negligence shall be sufficient grounds for the discharge of any such officer or employee.

Section 3. **Appointive Officers.** Appointive officers of the City shall be, a City Judge, a City Attorney, a City Engineer, a Street Superintendent, a Park Superintendent, a Transportation Superintendent, a Chief of Police, a Chief of the Fire Department, a Building Inspector. The City Council may also provide by ordinance for such additional appointive boards, commissions, officers, assistants, deputies and employees as it deems necessary. The Council may also provide for the holding by one person of several offices, providing that such offices are not incompatible with one another.

The City Council shall have the power of appointment of all appointive officers, with the exception of such deputies as it may provide for in the office of the City Clerk and City Treasurer, as to which deputies the heads of the respective departments shall have the power of appointment.

Section 4. **Compensation.** Appointive Officers and Employees. Compensation of all appointive officers and employees of the City, other than those serving gratuitously, shall be fixed or changed by the City Council. No officer or employee shall be paid by the City any fee or emolument in addition to, or save as embraced in, the salary or compensation fixed by the Council, and all fees received by such officer or employee for the performance of any of his official duties shall be paid by him into the City Treasury.

## ARTICLE VIII

### GENERAL PROVISIONS

#### APPLICABLE TO OFFICERS AND EMPLOYEES

Section 1. **Official Bonds.** The City Clerk and the City Treasurer and such other officers or employees as may be

required to do so by ordinance of the City Council, shall each execute a bond to the City for the faithful performance of official duties; which bonds shall be in the amount fixed by the City Council. Said bonds shall be approved by the City Council and with the exception of the bond of the City Clerk, shall be filed with the City Clerk. The bond of the City Clerk shall be filed with the Mayor. Premiums upon said bonds shall be paid by the City out of its general fund. All the provisions of any law of this State relating to the official bonds of officers shall apply to any bonds herein required or authorized to the extent that such provisions are not in conflict herewith.

Section 2. Oath of Office. Every officer shall take the constitutional oath of office and subscribe thereto before entering upon the performance of his official duties.

Section 3. Illegal Contracts. Financial Interest. No member of the City Council shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the City is a party. No City official or employee shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the City is a party, and which comes before said official or employee, or the department of the government with which he is connected, for official action. Any contract or transaction hereinabove mentioned in which any such officer or employee of the City shall be or become financially interested, shall become void at the election of the City, when so declared by resolution of the City Council.

No member of the City Council, city official or employee shall be deemed to be financially interested, within the meaning of the foregoing provisions, in any contract made with a corporation by reason of the ownership of stock in such corporation unless said stock so owned by him shall amount to at least three percent of all the stock of such corporation issued and outstanding. No City Councilman or member of any board or commission shall vote on or participate in any contract or transaction in which he is directly or indirectly financially interested, whether as a stockholder of the corporation or otherwise. If any officer of the City, during the term for which he was elected or appointed, shall so vote or participate, or be financially interested as aforesaid, upon conviction thereof, he shall forfeit his office and be punished for misdemeanor.

Section 4. Duties of Officers and Employees. In addition to the powers and duties prescribed by this Charter, the officers and employees of the City shall have such other powers and perform such other duties as may be prescribed by the laws of the State of California, or by ordinances, resolutions or orders of the City Council, and not in conflict with the provisions of this Charter.

## ARTICLE IX

## CITY COUNCIL. POWERS AND DUTIES

Section 1. Legislative Powers. The legislative powers of the City shall be vested in the City Council and in the people through the initiative and referendum.

Section 2. Organization Meeting. The City Council shall meet on the Tuesday next succeeding the date of the holding of any general municipal election. At said meeting the City Council shall choose one of its number to act as mayor, who shall serve at the pleasure of the City Council.

Section 3. Regular Meetings. The City Council shall hold regular meetings at least once in each month, at such times as it shall fix by ordinance or resolution, and may adjourn any regular meeting to a date certain, which shall be specified in the order of adjournment, and when so adjourned, each adjourned meeting shall be a regular meeting for all purposes. Any adjourned meeting may likewise be adjourned.

Section 4. Special Meetings. Special meetings may be called at any time by the Mayor, or by three members of the City Council, by written notice delivered personally to each member at least three hours before the time specified for the proposed meeting; provided, however, that any special meeting of the City Council shall be a validly called special meeting, without the giving of such written notice, as above provided, if all members of the City Council shall give their consent, in writing, to the holding of such meeting, and such consent is on file in the office of the City Clerk at the time of holding such meeting. A telegraphic communication from a councilman consenting to the holding of the meeting shall be deemed to be a consent in writing, within the meaning of the terms as expressed in the foregoing sentences. At any special meeting the powers of the City Council to transact business shall be limited to matters referred to in such written notice or written consent.

Section 5. Place of Meetings. All regular or special meetings of the City Council shall be held within the corporate limits of the City, at such place as may be designated by ordinance or resolution, and shall be open to the public. If, by reason of fire, flood or other disaster or emergency, it shall be unsafe to hold a council meeting at the designated place, the City Council may meet during such emergency at such place as is designated by the Mayor or by three members of the City Council.

Section 6. Adjournment. In the event that any order of adjournment of a regular meeting fails to set the hour at which any adjourned meeting is to be held, such adjourned meeting may be validly held on the day specified in the order of adjournment, if held at the hour set forth in the ordinance or resolution prescribing the time for regular meetings.

Section 7. Quorum. At any meeting of the City Council a majority of said Council shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time, and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. In the absence of all of the City Council from any regular meeting or adjourned regular meeting the City Clerk may declare the same postponed and adjourned to a stated day and hour, and must thereupon deliver or cause to be delivered personally to each member of the City Council a written notice of such adjournment at least three hours before the time to which said regular or any adjourned regular meeting has been adjourned. Whenever in this Charter a certain proportion of the Council is required for the performance of any act, it shall mean such proportion of the entire membership of the Council.

Section 8. Council Proceedings. The City Council shall judge of the qualifications of its members and of all election returns, and determine contested elections of all city officers. It may establish rules for the conduct of its proceedings and punish any member or other person for disorderly behavior at any meetings. It shall have the power and authority to examine witnesses under oath and compel the attendance of witnesses and the production of evidence before it by subpoena. Such subpoenas shall be issued in the name of the City and be attested by the City Clerk. Such subpoenas shall be served by the Chief of Police and the disobedience of such subpoenas, or the refusal to testify, shall constitute a misdemeanor for which prosecution may be had in the City Court. It shall cause the City Clerk to keep a correct record of all its proceedings and at the desire of any member, the City Clerk shall call the roll, and shall cause the ayes and noes taken on any question to be entered in the record journal.

Section 9. Ordinances. Enactment Clause. The enacting clause of all ordinances shall be substantially as follows: "The City Council of the City of Torrance does ordain as follows." Every ordinance must be signed by the Mayor and attested by the City Clerk.

Section 10. Ordinances. Publication. The City Clerk shall cause each ordinance to be published within fifteen days after its passage at least once in a newspaper of general circulation, printed, published and circulated in the City. If there be no such newspaper, then each ordinance must be posted in at least three public places in the City.

Section 11. Codification of Ordinances. Any and all ordinances of the City which have been enacted and published in the manner required at the time of their adoption, and which have not been repealed, may be compiled, consolidated, revised, indexed, including such re-statements and substantive changes

as may be necessary in the interest of clarity and arranged as a comprehensive ordinance code, and such code may be adopted by reference by the passage of an ordinance for such purpose; which ordinance shall be required to be adopted and approved in the manner provided in this Charter for the passage of ordinances of the City. The ordinance code itself need not be published in the manner required for other ordinances, but not less than three copies of such code shall be filed, for use and examination by the public, in the office of the Clerk, prior to the adoption thereof. After the code has been adopted all ordinances thereafter adopted shall be amendatory and revisory of the code, and no section of the code shall be revised or amended by reference, but the section revised or amended shall be readopted and published at length as revised or amended.

Section 12. Adoption of Codes by Reference. Detailed regulations pertaining to any subject, such as the construction of buildings, plumbing, wiring or other subjects which require extensive regulations, after having been arranged as a comprehensive code, may be adopted by reference by the passage of an ordinance for such purposes; which ordinance may be adopted in the same manner as specified for the adoption of a comprehensive ordinance code.

Section 13. Adoption of Ordinances and Resolutions. No ordinance of any kind shall be passed by the City Council on the day of its introduction, nor within five days thereafter, nor at any time other than a regular or adjourned regular meeting. At the time that an ordinance or resolution is up for final passage, it shall be read in full, unless after the reading of the title thereof, the further reading thereof is waived by motion of the City Council regularly made and approved by the unanimous vote of those present. In the event that any ordinance is materially altered after its introduction, the same shall not be finally adopted except at a regular or adjourned regular meeting held not less than five days after the date upon which such ordinance was so altered. The correction of typographical or clerical errors shall not constitute the making of an alteration within the meaning of the foregoing sentence.

No resolution or order for the payment of money shall be adopted or made at any other than at a regular meeting or adjourned regular meeting. No ordinance or resolution or any order for the payment of money shall have any validity or effect unless passed by the votes of at least three members of the City Council.

Section 14. Ordinances, When Effective. No ordinance shall become effective until thirty days from and after the date of its final passage, except an ordinance calling or otherwise relating to an election, or to a street improvement proceeding taken under some law, or ordinance determining the amount

of money necessary to be raised by taxation, or fixing the rate of taxes to be levied, or an ordinance for the immediate preservation of the public peace, health or safety, which contains a declaration of facts constituting its urgency, and is passed by a four-fifths vote of the City Council. An ordinance for the immediate preservation of the public peace, health or safety which contains a declaration of the facts constituting its urgency and is passed as aforesaid, may be introduced and passed at one and the same meeting and the requirement that not less than five days shall intervene between the introduction and final passage shall not apply to such an ordinance.

Section 15. Ordinance Violation. Misdemeanor. A violation of any ordinance of the City shall be deemed a misdemeanor and may be prosecuted by the authorities of the City in the name of the people of the State of California; or may be redressed by civil action at the option of said authorities.

Section 16. Ordinance Penalty. The maximum fine or penalty for any violation of an ordinance of this City shall be the sum of Five Hundred (\$500.00) Dollars, or a term of imprisonment in the City Jail or in the County Jail of the County of Los Angeles, for a period not exceeding six months, or by both such fine and imprisonment. By ordinance or resolution of the City Council, any persons imprisoned for violation of any ordinance may be compelled to labor on the streets or other public property or works within the City.

## ARTICLE X

### LIMITATIONS ON GENERAL POWERS

Section 1. Limitations Upon General Powers of the City Council. The general powers vested in the City Council by this Charter are hereby limited in the following manner:

Section 2. Tax Limit. The City Council shall not levy a property tax in excess of One Dollar on each One Hundred Dollars of the assessed value of taxable property in the City, without the assent of two-thirds of the qualified electors of the City, voting at any general or special municipal election at which a proposition to exceed such limit shall be submitted. Such limitation shall not apply to any tax that is levied for the payment of principal or interest of bonds heretofore or hereafter issued and any taxes levied for the purpose of payment thereof may be in excess of said limitation.

In addition to the levy for municipal purposes, there shall be included in every annual levy, a sufficient amount to cover all liabilities of the City for principal and interest of all bonds or judgments due and unpaid or to become due during the ensuing fiscal year and not otherwise provided for. The City

Council may also levy such additional tax as is required to cover all obligations of the City to the State Employees' Retirement System or any other system for the retirement of city employees which may be provided for.

Special levies, in addition to the above, may be made annually, based on approved budget requirements, for the following specific purposes: parks, playground and recreational centers, promotion and advertising, city planning and libraries. The proceeds of any such special levy shall be used for no other purpose than that specified.

Any unexpended or unencumbered balances resulting from such special fund shall, at the end of each fiscal year, accrue to the General Fund.

Section 3. Limitation on Indebtedness. The City Council shall not incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year without the assent of two-thirds of the qualified electors of said City voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest of such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same; provided, however, anything to the contrary herein notwithstanding, when two or more propositions for incurring any indebtedness or liability are submitted at the same election, the votes cast for and against each proposition shall be counted separately, and when two-thirds of the qualified electors, voting on any one of such propositions, vote in favor thereof, such proposition shall be deemed adopted.

Section 4. Bonded Debt Limitation. The City shall not incur any bonded indebtedness for public improvements which shall in the aggregate exceed fifteen percent of the assessed value of all the real and personal property of the City.

Section 5. Taxation System. Unless otherwise provided by ordinance of the City Council, the City shall continue to use, for purposes of municipal taxation, the county system of assessment and tax collection.

Section 6. Advertising, Promotion and Music. The City Council shall not expend more than five percent of the moneys accruing to the general fund in any one fiscal year for advertising, promotion or music.

Section 7. Contracts on Public Works. Every contract, involving an expenditure of more than One Thousand Dollars (\$1,000.00) for the construction or improvement, excluding maintenance and repair, of public buildings, works, street, drains, sewers, utilities, parks and playgrounds, and each sep-

arate purchase of materials or supplies for the same, where the expenditure required for such purchase shall exceed the sum of One Thousand Dollars (\$1,000.00), shall be let to the lowest responsible bidder after notice by publication in the official newspaper by two or more insertions, the first of which shall be at least ten days before the time for opening bids; or if there is no newspaper, then by posting copies of such notice in at least three public places in said City.

The City Council may reject any and all bids presented and may readvertise in its discretion.

After rejecting bids, or if no bids are received, the City Council may declare and determine that, in its opinion, the work in question may be performed better or more economically by the City with its own employees, or that the materials or supplies may be purchased at a lower price in the open market, and after the adoption of a resolution to this effect by at least a three-fifths (3/5ths) vote, it may proceed to have said work done or such materials or supplies purchased in the manner stated, without further observance of the provisions of this section. Such contracts may be let and such purchases made without advertising for bids, if such work, or the purchase of such materials or supplies, shall be deemed by the City Council to be of urgent necessity for the preservation of life, health or property, and shall be authorized by at least a three-fifths (3/5ths) vote.

Section 8. Publishing of Legal Notices. In the event that there is more than one newspaper of general circulation printed and published in the City, the City Council shall, annually, prior to the beginning of each fiscal year, publish a notice inviting bids and contract for the publication of all legal notices required to be published in a newspaper of general circulation printed and published in said City. Said contract shall include the printing and publishing of all such legal notices during the ensuing fiscal year. In the event there is only one newspaper of general circulation printed and published in the City, then the City Council shall have the power to contract with such newspaper for the printing and publishing of such legal notices without being required to advertise for bids therefor. In no case shall the price charged for the publication of such notices exceed the customary rate charged by such newspaper for the publication of legal notices of a private character.

## ARTICLE XI

### BOARD OF EDUCATION

Section 1. Board of Education. The control of the public schools of this City shall be vested in the Board of Education, which shall consist of five members; the qualifications, election and removal of which shall be as prescribed in this Charter.

Section 1 A. Vacancies. If a member of the Board of Education absents himself from all regular meetings of the Board for a period of sixty days, consecutively, from and after the last regular Board meeting attended by such member, unless by permission of the Board expressed in its official minutes, or is convicted of a crime involving moral turpitude, or ceases to be an elector of the School District, his office shall become vacant and shall be so declared by the Board of Education.

## ARTICLE XII

### THE MAYOR

Section 1. Powers and Duties. The mayor shall preside at the meetings of the City Council, and in case of his absence or inability to act, the City Council shall appoint a mayor pro tempore, who shall serve only until such time as the mayor returns and is able to act, and who for such period shall have all of the powers and duties of the Mayor. The Mayor shall have the power to make or second any motion and to present and discuss any matters, notwithstanding the fact that the Mayor is the presiding officer of the Council. The Mayor shall sign all warrants drawn on the City Treasurer, and shall sign all written contracts and conveyances made up or entered into by said City. The Mayor shall have the power to administer oaths and affirmations, to take affidavits and to testify the same under his hand. The Mayor is authorized to acknowledge the execution of all instruments executed by said City that are required to be acknowledged.

## ARTICLE XIII

### CITY CLERK

Section 1. Powers and Duties. It shall be the duty of the City Clerk to keep a full and true record of all the proceedings of the City Council in books that shall bear appropriate titles and be devoted exclusively to such purposes, respectively. Such books shall have a general index sufficiently comprehensive to enable a person readily to ascertain matters contained therein.

The City Clerk shall be the accounting officer of the City and shall maintain such financial records as shall readily reflect the financial condition of the City, and he shall prepare a summary statement of receipts and disbursements by departments and funds, at the end of each fiscal year, including opening and closing fund balances in the treasury, which statement he shall present to the City Council. The City Clerk shall cause said statement to be published once in a newspaper of general

circulation, printed and published within the City, and if there be no newspaper of general circulation printed and published herein, then he shall cause copies of such statement to be posted in three public places in said City. Said Statement shall be printed, or posted, not later than one hundred twenty days after the close of the fiscal year for which said report is compiled.

The City Clerk shall keep a book marked "Ordinances" into which he shall record all City ordinances with his certificate annexed to each of said ordinances stating the same to be a true and correct copy of an ordinance of said City, giving the number of said ordinance and stating that the same has been published or posted according to law. Said record with said certificate shall be prima facie evidence of the contents of each ordinance and of the passage and publication of the same and shall be admissible as such evidence in any court or proceedings.

The official records of the City in the custody of the City Clerk shall not be filed in any court proceedings or other action but shall be returned to the custody of the City Clerk. Nothing herein contained shall be construed to prevent the proof of the passage and publication of ordinances in the usual way. The City Clerk shall be the custodian of the seal of the City.

The City Clerk may appoint a deputy, or deputies, from an eligible list to be prepared in accordance with the proceedings prescribed in the Civil Service System of the City. Such deputy or deputies to receive such compensation as may be provided for by the City Council.

The City Clerk and his deputy, or deputies, shall have power to administer oaths or affirmations, to take affidavits and depositions pertaining to the affairs and business of the City, which may be used in any court or proceedings in the State, and to certify the same.

#### ARTICLE XIV

##### CITY TREASURY

Section 1. Powers and Duties. It shall be the duty of the City Treasurer to receive and safely keep all moneys which shall come into his hands as City Treasurer. He shall comply with all provisions of law governing the deposit and securing of public funds. He shall also comply with all of the provisions of the general laws of the State governing the handling of such trust funds as may come into his possession. He shall pay out moneys only on warrants signed by persons designated by law, or ordinance, as the proper persons to sign warrants and as to trust funds which may come into his possession or control by virtue of some law, ordinance or resolution, by warrant or other order, in accordance with the provisions of such law, ordinance or resolution. He shall at regular intervals, at least once each

month, submit to the City Clerk a written report and accounting of all receipts, disbursements and fund balances, a copy of which report he shall file with the City Council.

The City Treasurer may appoint a deputy, or deputies, from an eligible list to be prepared in accordance with the proceedings prescribed in the Civil Service System of the City. Such deputy or deputies to receive such compensation as may be provided by the City Council.

#### ARTICLE XV

##### CITY ATTORNEY

Section 1. Powers and Duties. The City Attorney shall be an elector of the City, admitted to practice before the Supreme Court of the State of California, and shall have been in active practice in said State for at least three years next preceding his appointment. The City Attorney shall be the legal advisor of the City Council and all other city officials, boards and departments concerning City business. He shall frame all ordinances and resolutions, contracts and instruments required by the City Council. When, from any cause, the City Attorney is unable to perform the duties of his office, he may, with the consent of the City Council, appoint a deputy City Attorney or some other qualified attorney, temporarily, to act in his place. He or his deputy shall prosecute such cases in the City Court which, in his opinion or in the opinion of the Chief of Police, require his attention.

#### ARTICLE XVI

##### CITY JUDGE

Section 1. The City Judge shall be an elector of the City, admitted to practice before the Supreme Court of the State of California and shall have been in active practice in said State for at least three years next preceding his appointment. The City Judge shall be Judge of the City Court and shall have the powers and perform the duties of a magistrate.

He may administer and certify oaths of affirmation, and take and certify acknowledgments. A justice of the peace may, at the same time, hold the office of City Judge.

In all cases in which the City Judge is a party, or in which he is interested, or when he is related to either party, by consanguinity or affinity within the third degree or is otherwise disqualified, or in case of sickness or inability to act, the City Judge may call in a city judge or a justice of the peace residing in the County of Los Angeles to act in his place and stead.

## ARTICLE XVII

## CITY COURT

Section 1. Jurisdiction of City Court. A City Court is hereby established in the City, to be held by the City Judge of said City. The City Court shall have the same jurisdiction as a justice's court of Class B in all criminal actions arising within the corporate limits of the City and which might be tried in such a justice's court. The rules of practice and mode of proceeding in the City Court shall be the same as are or may be prescribed by law for justice's courts having like jurisdictions and in like cases; and appeals may be taken to the superior court of the county in which the City Court may be situated, from all judgments of said City Court, in like manner and with like effect as in cases of appeals from justice's courts of like jurisdiction.

## ARTICLE XVIII

## FISCAL ADMINISTRATION

Section 1. Presentation of Demands. All demands against the City shall be presented in accordance with such regulations as the City Council may prescribe by ordinance; provided, that the same are hereby required to be audited by the City Council or by a committee thereof and approved by the Council, as audited. On the allowance of any demand, the Mayor shall draw a warrant on the City Treasurer for the same; which warrant shall be countersigned by the City Clerk and shall specify for what purpose the same is drawn and out of what fund it is to be paid. Demands against the funds in the control of the Board of Education shall be presented to the Board of Education.

Section 2. Registration of Demands. When any order or demand is presented for approval and is not approved for want of funds and the amount of said order or demand does not exceed the income and revenue provided for the year in which the indebtedness was incurred, for which said order or demand was drawn, the City Clerk must indorse thereon the words "not approved for want of funds," with the date of presentation and shall, in attestation thereof, affix his signature thereto; and shall number such indorsement and shall register said order or demand in the records of his office and shall thereupon deliver said order or demand to the claimant, or his order. From that time, such order or demand shall bear interest at such rate as the City Council may prescribe by ordinance. Such orders or demands so registered, as herein provided, shall be paid in the order in which the same are registered, as and when funds are available.

Section 3. Fiscal Year. The fiscal year of the City shall begin on the first day of July and end on the 30th day of June of the following year.

Section 4. Budget. On or before the first day of July of each year the City Clerk shall submit to the City Council a proposed budget for all departments. Said budget shall include estimates for all the revenues and expenditures for all City departments for the ensuing year. This estimate shall be compiled from detailed information to be supplied by each of the departments, on blanks to be furnished by the City Clerk. Such blanks shall provide for a detailed estimate of the expenses of conducting each department, a statement of expenditures for the corresponding items for the current year and the last preceding fiscal year, with reasons for increases and decreases recommended for the current year; an estimate of the amount which should be reserved for contingent or emergency purposes; an itemization of all anticipated revenues of the City; an item to be known as "cash basis fund," to be carried over to the next ensuing fiscal year, following the fiscal year for which the budget is prepared, to meet the cash requirements prior to the receipt of taxes; an estimate of the amount of money to be raised for taxes; the tax rate, which, with revenue from other sources, will be necessary to meet the expenditures proposed. A recommendation as to such funds as should be deposited in, or withdrawn from, any capital outlay fund and such other information as may be required by the City Council.

Section 5. Council Action on Budget. After reviewing said proposed budget as compiled by the City Clerk from information secured from department heads, and making such corrections, modifications or additions as it may deem advisable, the Council shall adopt the same by resolution. Said proposed budget shall serve as a financial guide for the City Council and the Department heads of the City. It is not intended that any act of the City Council with respect to the preparation or adoption of the budget shall constitute the appropriation of City funds for the purposes enumerated therein.

After the adoption of the budget, the Council may, from time to time, authorize the expenditure of funds as proposed in said budget, or if circumstances have changed making it advisable to deviate therefrom, it may do so without the necessity of taking action to amend the budget. In its future authorization of expenditures, either budgeted or unbudgeted, the City Council shall not incur any indebtedness in excess of the limitations imposed by this Charter.

Section 6. Deposit of Moneys in Treasury. All moneys belonging to or collected or received for the use of the City by any officer or employee thereof, shall immediately be deposited into the treasury in such manner as the City Council shall pre-

scribe by ordinance, for the benefit of the funds to which such moneys respectively belong. Every officer or employee collecting or receiving any such moneys shall report to the City Clerk for the same on the first Monday of each month or at such shorter intervals as may be prescribed by ordinance.

Section 7. Special Fund for Capital Outlays. The City Council may by ordinance provide for the levy and collection of taxes for the creation of a fund, or funds, for a specific capital outlay purpose or for capital outlays generally. In making a levy for such purpose under this Charter the City Council shall not exceed the maximum tax rate provided for in this Charter without the assent of two-thirds of the qualified electors of the City, voting at any general or special election, at which such proposition may be submitted. At any time after the creation of such a fund the City Council may transfer to such fund any unencumbered surplus funds remaining on hand in the City at any time.

Whenever such fund is created it shall remain inviolate for the making of such capital outlays and no money shall be disbursed therefrom excepting for such a purpose; provided, however, that the City Council may submit a proposition to the electors of the City to obtain the consent of such electors to the use of the moneys in said fund, or any portion thereof, for some other specific purpose. Such proposition may be submitted at any election. It shall require a majority vote of all the voters voting at such election to authorize the expenditure of the moneys in said fund, or any portion thereof, for such other purpose as aforesaid.

Section 8. Clerk's Petty Cash Fund. The City Council may provide for a Clerk's petty cash fund of not more than Five Hundred Dollars, to be paid to the City Clerk and used by him for payment in cash of expenditures previously authorized by the City Council that cannot conveniently be paid otherwise. The City Clerk shall account to the City Council for all moneys paid by him out of said fund, when making demand for the replenishment of the same and at such other times as the Council may require, and they shall thereupon be charged against the proper accounts.

Section 9. Actions Against City. No action shall be brought on any claim for demand for money or damages against the City, or any Board, Commission or officer thereof, until a demand for the same has been presented, as provided in this Charter or by Ordinance, and rejected in whole or in part. If rejected in part, action may be brought to recover the whole. Nor shall any action be brought upon any such demand that has been approved in whole, as herein or by Ordinance provided, but nothing herein contained shall prevent the holder of any demand from resorting to proceedings to compel any officer, board or

commission to act upon a demand or to pay a demand that has been properly allowed.

## ARTICLE XIX

### MISCELLANEOUS

Section 1. Definitions. Whenever in this Charter the word "City" occurs, it means the City of Torrance, and every department, board or officer, whenever either is mentioned, means a department, board or officer, as the case may be, of the City of Torrance.

Section 2. Preservation of Personnel Rights. Nothing in this Charter contained, except as specifically provided or as inconsistent with this Charter, shall affect or impair the rights or privileges of officers or employees of the City or of any office, department or agency thereof existing at the time when this Charter shall take effect.

Section 3. Invalidity. If any section or part of a section of this Charter proves to be invalid, it shall not be held to invalidate or impair the validity of any other section or part of a section, unless it clearly appears that such other section or part of a section is dependent for its operation upon the section or part of a section so held invalid.

Section 4. Amendments. This Charter may be amended in accordance with the provisions of Section 8, Article XI, of the Constitution of the State of California.

We do further certify and declare that the foregoing constitutes a full, true, and correct statement of the actions and proceedings had by the City of Torrance and the City Council of said City, in the matter of the framing, proposal, and submission of said proposed charter for the government of the City of Torrance, and in the calling, voting upon, and canvassing the returns and declaring the result of said election.

IN WITNESS WHEREOF, We have hereunto set our hands and hereto affixed the seal of said City of Torrance, this 22nd day of October, 1946.

(Signed)

J. HUGH SHERREY, Jr.,

(SEAL)

Mayor of the City of Torrance, California

A. H. BARTLETT,

City Clerk of the City of Torrance, California

WHEREAS, Said charter has been submitted to the Legislature of the State of California for approval or rejection without alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, A majority of all the members elected to each house voting therefor and concurring therein, that the said charter as presented to, adopted; and ratified by the electors of the City of Torrance and as hereinbefore fully set forth, be, and the same is hereby approved as a whole, as and for the charter of the City of Torrance.

**ENDORSED  
FILED**

In the office of the Secretary of State  
of the State of California

**JAN 7 1947**

At 5 o'clock P. M.

**FRANK M. JORDAN**, Secretary of State  
By **CHAS. J. HAGERTY**, Dep.

*Samuel Hollister*  
-----  
Speaker of the Assembly

*Goodwin Knight*  
-----  
President of the Senate


Attest:

*Frank M. Jordan*  
-----  
Secretary of State

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ( SS  
CITY OF TORRANCE )

I, A. H. Bartlett, City Clerk of the City of Torrance, California, HEREBY CERTIFY that the attached copy of Charter of the City of Torrance was filed in my office January 9, 1947.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of January, 1947.

  
A. H. Bartlett  
A. H. Bartlett, City Clerk,  
City of Torrance, California.



**ATTACHMENT H**

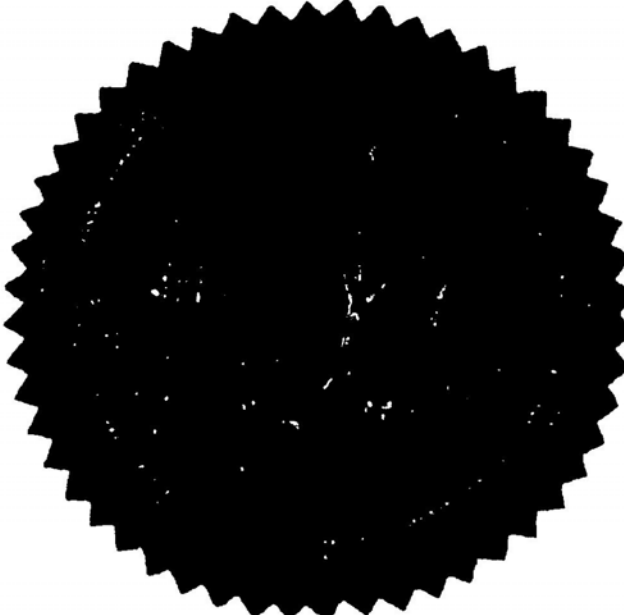
# State of California

Office of the  
Secretary of State

I, FRANK M. JORDAN, Secretary of State of the State of California, hereby certify:

That I have compared the annexed transcript with the RECORD on file in my office, of which it purports to be a copy, and that the same is a full, true and correct copy thereof.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California this 7th day of January, 1949



*Frank M. Jordan*  
Secretary of State

By *John G. Sugart*  
Deputy

**Assembly Concurrent Resolution No. 8**

—

Adopted in Assembly January 4, 1949

**ARTHUR A. OHNIMUS**

-----  
*Chief Clerk of the Assembly*

—

Adopted in Senate January 6, 1949

**J. A. BEEK**

-----  
*Secretary of the Senate*

—

This resolution was received by the Secretary of State this

7th day of January, 1949, at 11 o'clock A.M.

**CHAS. J. HAGERTY**

-----  
*Deputy Secretary of State*

CHAPTER 10

*Assembly Concurrent Resolution No. 8—Approving certain amendments to the charter of the City of Torrance, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Torrance at a general municipal election held therein on the thirteenth day of April, 1948.*

WHEREAS, The City of Torrance, in the County of Los Angeles, has at all times mentioned herein been and now is a municipal corporation of the State of California, containing a population of more than three thousand five hundred and fewer than fifty thousand inhabitants as ascertained by the last preceding census taken under the authority of Congress of the United States, and is now and has been ever since the seventh day of January, 1947, organized, existing and acting under a charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city at an election held for that purpose on the twentieth day of August, 1946, and approved by the Legislature of the State of California, on the seventh day of January, 1947; and

WHEREAS, On the eighteenth day of February, 1948, the legislative body of the City of Torrance, to wit: The city council, on its own motion passed a resolution to submit proposed amendments to the city charter of the City of Torrance to the electors of said city, at the general municipal election to be held on April 13, 1948, which date was fixed by the said City Council of the said City of Torrance as the time for voting on said amendments as proposed; and

WHEREAS, Said proposed amendments were published on the twenty-sixth day of February, 1948, in each edition of the Torrance Herald, a newspaper of general circulation, printed and published in the City of Torrance, and having a general circulation therein, the said paper being the official newspaper of the City of Torrance, and said publication was made at the time and in the manner prescribed in Section 8 of Article XI of the Constitution of the State of California; and

WHEREAS, Said election was duly called and regularly held on the thirteenth day of April, 1948, which said date of the election was not less than 40 nor more than 60 days after the completion of the advertising in said official newspaper of said proposed amendments, and at said election the said proposed amendments to said charter were voted upon by the qualified electors of the City of Torrance, and at said election a majority

of the qualified electors voting thereon voted in favor of ratifying and did ratify said proposed amendments to said charter, said proposed amendments so ratified being in the words and figures as follows, to wit:

#### AMENDMENT No. 1

That Section 1 of Article XI of the charter of the City of Torrance be amended to read in its entirety as follows:

"Section 1. Board of Education. The control of the public schools of this city shall be vested in the Board of Education, which shall consist of five members; the qualifications and removal of which shall be as prescribed in this charter.

Notwithstanding any other provisions of this charter, the members of the Board of Education shall hold office for the term prescribed by law for governing boards of unified school districts which are not coterminous with and do not include within their boundaries a chartered city, and the members of such board shall be elected at elections called, held and conducted at the same time and in the same manner as elections for members of the governing boards of such unified districts are called, held and conducted."

#### AMENDMENT No. 2

That Article VII of the Charter of the City of Torrance be amended by adding thereto a new section to be known as Section 5, Subsections (a) to (h) both inclusive, to read in its entirety as follows:

"Section 5. City Manager Form of Government. That the city manager form of government be and the same is hereby established for the City of Torrance, a municipal corporation.

(a) Office of City Manager. That the office of City Manager in and for the City of Torrance is hereby established.

(b) Appointment, Removal and Salary of City Manager. That within sixty days after this amendment shall have become effective, the City Council shall appoint without reference to the provisions of any civil service ordinance rule or regulation, a City Manager, who need not be a resident at the time of his appointment. Said City Manager, however, shall become a resident of Torrance within six months from the date of his appointment. The City Manager must be a citizen of the United States, not less than thirty years of age, and shall be a person of demonstrated administrative ability, with experience in responsible executive positions and he shall be chosen by the City Council solely upon the basis of his executive and administrative qualifications.

The City Manager shall be appointed for an indefinite term and shall be removable at the pleasure of the City Council, but only upon the adoption of a resolution by the affirmative vote of at least a majority of the members of the City Council. The City Manager, however, shall not be removed until after the expiration of six months after the date of his appointment except (1) for conviction of a felony or (2) for conviction of a crime prescribed by statute applicable to municipal officials or (3) upon the passage of a resolution adopted by the unanimous vote of all City Councilmen. After the expiration of said six months period, said City Manager may be removed by the City Council for either of the two reasons set forth in Exceptions 1 and 2 above, and/or in the manner set forth in said Exception 3, last above mentioned and/or in the manner following:

At a regular meeting of the City Council, it shall adopt a Resolution of Intention to remove said City Manager, which resolution shall be approved by a majority of the members of the City Council and shall set forth the grounds for such proposed removal. A certified copy of said Resolution of Intention shall then be served personally upon said City Manager who shall have the right to defend himself against said charges before said City Council at a public hearing and at a time to be fixed by it, which shall be not less than 2 weeks after the service of said Resolution of Intention upon said City Manager and not more than thirty days thereafter.

The City Council may thereupon, or within five days thereafter enact a resolution by an affirmative vote of a majority of the members of said City Council, either discharging said City Manager or retaining him in office, as it may by such resolution determine.

Pending such hearing and by said Resolution of Intention, the City Manager may be suspended from office, but shall be entitled to his salary during the time of such suspension, if reinstated.

The salary of the City Manager shall be not less than Five Hundred Dollars (\$500.00) per month, payable in equal semi-monthly installments. Subject to the foregoing limitation, the salary of the City Manager shall be fixed by resolution of the City Council adopted by a majority vote and salary thus fixed cannot be reduced without notice to the City Manager and an opportunity to be heard thereon at a public meeting of the City Council prior to adoption of the resolution reducing his salary.

In case of absence, suspension, or disability of the City Manager, the City Council may designate some qualified person to perform the duties of the Office during his absence, suspension or disability. In case of a vacancy in the office of City