

Manager, the City Council shall proceed immediately to appoint a new City Manager.

The City Manager shall be entitled to vacation periods and sick leave, with pay, but in no event shall the basis of such pay be less than the basis prescribed for such compensation by the Civil Service Ordinance of the City of Torrance for heads of municipal departments. Subject to the foregoing limitation, the City Council shall determine the extent of such periods and the compensation to be paid the City Manager during the same. Vacation periods and sick leave shall not respectively accumulate in excess of 30 days.

(c) Non-interference by City Council with powers and duties of City Manager. Neither the City Council, nor any member thereof, shall in any manner, direct or request the City Manager to appoint or remove any person to and/or from any office or position of employment of the City. Neither the City Council nor any member thereof shall give orders or instructions publicly or privately, to any person under the jurisdiction of the City Manager. No member of the City Council shall undertake to coerce the City Manager in respect to any of his duties and/or any municipal contract, and/or in connection with the purchase of any municipal supplies.

(d) City Manager Responsible to City Council. The City Manager shall be responsible to the City Council for the proper and efficient management of all the affairs of the city placed in his charge hereby or by the City Council.

(e) 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, City Auditor, City Judge and elective officials of the City, and shall have 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 said City Attorney, City Auditor, City Judge 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.

(f) Special Powers and Duties of City Manager. The City Manager shall be specifically charged with the performance of the following duties and shall have the following powers, in addition to those enumerated above:

(1) He shall enforce all municipal ordinances, franchises, leases, contracts, permits and privileges granted by the City.

(2) He shall purchase all supplies, property and equipment needed or required by the City. No supplies, property or equipment shall be purchased by the City Manager at a cost in excess of \$300.00 at any one time, without a prior order or direction from the City Council.

(3) He shall prepare and submit to the City Council an annual budget estimate at least 2 months prior to the date when the annual tax rate must be established, and in this connection, the City Manager shall have plenary power to demand of the various executive departments and elective officials of the City a full and complete statement of the estimated expenditures of such departments and elective officials for the ensuing fiscal year, and the reasons for such expenditures. The City Manager may include or exclude such items from said budget estimate as he may deem advisable. Should any such head of such department or elective official fail to submit such a statement within thirty days after demand, the City Manager shall thereupon have the right to take possession of all books and fiscal records of such department or elective official and retain the same thereafter until such time as the City Council shall order them returned to such department head or elective official and the City Council may likewise engage the service of such subordinate employees as may be necessary to maintain such books and records.

The City Council shall hold at least two public hearings upon said annual budget estimate and may increase the total estimated expenditures set forth therein only upon an affirmative vote of four members of the City Council.

(4) He shall make such recommendations to the City Council or the County Board of Equalization regarding taxes, assessments and/or the annual assessment roll as he may deem advisable.

(5) He shall have general supervision and control over all City property, including public buildings, parks and playgrounds.

(6) He shall advise the City Council concerning the financial needs, conditions and requirements of the City, and may make such recommendations to the City Council in connection therewith as he may deem advisable.

(7) He shall attend all meetings of the City Council or of the members thereof when public matters are under consideration or discussion, except when his suspension, removal or reduction of his salary is under consideration by the City Council.

(8) He may examine, without notice, the official conduct or the official accounts or records, of any officer or employee of the City.

(9) The City Manager shall devote his entire time to the interests of the City and shall not engage in any private business.

(10) He shall perform such other duties and powers as may be conferred upon him by the City Council by resolution or ordinance.

(11) The City Manager may delegate and/or redelegate any of the foregoing duties to any municipal department or to the head or chief official of any such department.

(g) Ordinance and Charter Provisions Repealed. 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.

(h) Invalidity. If any section or subsection, or any word, phrase or clause hereof, shall be held to be invalid or void for any reason by any court of competent jurisdiction, such decision shall not invalidate or render void, or impair the validity of any other section, subsection, word, phrase or clause hereof. Each section, subsection, word, phrase and clause hereof is hereby declared to be separable."

AMENDMENT No. 3

That Article XIX of the Charter of the City of Torrance be amended by adding thereto a new section to be known as Section 5, to read in its entirety as follows:

"Section 5. It shall be unlawful for any person, firm or corporation to engage in the managing, carrying on or conducting or permitting the carrying on, or permitting the use of any room, shop, apartment or other place within the City of Torrance where tables or other articles of furniture are used by the public for the playing of the game of cards, known or generally designated as "draw poker," and for which a fee or compensation is charged or payable by the player of such game or games within the City of Torrance."

; and

WHEREAS, The Council of the City of Torrance, County of Los Angeles, State of California, in accordance with the law in such cases made and provided, did meet at its usual place of meeting, at the time and in the manner provided by law, and duly canvassed the returns of said election as certified by the election boards, and duly found, determined and declared that the majority of the qualified electors of said city voting thereon had voted in favor of, and ratified said amendments to the Charter of the City of Torrance as hereinabove last set forth, and alleged to have been so ratified; and

WHEREAS, That the foregoing is true is shown by the certificate of J. Hugh Sherfey Jr., Mayor of the City of Torrance, and A. H. Bartlett, City Clerk of the City of Torrance, whose certificate is in words and figures as follows, to wit:

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

This is to certify that we, J. Hugh Sherfey Jr., Mayor of the City of Torrance, and A. H. Bartlett, City Clerk of the City of Torrance, have compared the foregoing proposed and ratified amendments to the Charter of the City of Torrance with the original proposed amendments submitted to the qualified electors of the said City of Torrance at the general municipal election held within the City of Torrance on April 13, 1948, and find that the foregoing is a full, true, and correct and exact copy of said amendments.

We further certify that the facts set forth in the preamble preceding said amendments to said Charter, and the matters set forth therein are and each of them is true.

IN WITNESS WHEREOF we have hereunto set our hands and caused the corporate seal of the City of Torrance to be attached this 31st day of December, 1948.

(SEAL)

J. HUGH SHERFEY JR.

Mayor of the City of Torrance

A. H. BARTLETT

Clerk of the City of Torrance

Now, WHEREAS, The said amendments to the charter of the City of Torrance so ratified as set forth in the foregoing certificate and preamble thereto have been duly presented and submitted to the Legislature of the State of California, for approval or rejection, without power of alteration or amendment, all in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

— —

1908: Resolved by the Assembly of the State of California, the Senate thereof concurring, a majority of all members elected to each house voting for the adoption of this resolution and concurring therein, That the said amendments to the charter of the City of Torrance herein set forth as presented and submitted to and ratified and adopted by the qualified electors of the City of Torrance, be and the same are hereby adopted as a whole for and as amendments to the said charter of the City of Torrance.

**ENDORSED
FILED**

in the office of the Secretary of State
of the State of California

JAN 7 1949

At 11 o'clock A M.

FRANK M. JORDAN, Secretary of State
THAS. J. HAGERTY, Dir.

SAM L. COLLINS

Speaker of the Assembly

GOODWYN J. KNIGHT

President of the Senate

Attest:

FRANK M. JORDAN


Secretary of State

SEAL

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 Amendments to the Charter of the City of Torrance was filed in my office January 10, 1949.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of January, 1949.


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

ATTACHMENT I

STATE OF CALIFORNIA



DEPARTMENT OF STATE

To all whom these presents shall come, Greetings:

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

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

In testimony whereof, I, FRANK M. JORDAN, Secretary of State, have hereunto caused the Great Seal of the State of California to be affixed and my name subscribed, at the City of Sacramento, in the State of California,

this APR 26 1962



Frank M. Jordan
Secretary of State

By *Walter C. Shuler*
Assistant Secretary of State

RECORDED on April 30, 1962
Document No. 4284
Fee \$-[Free]

Assembly Concurrent Resolution No. 21

Adopted in Assembly April 13, 1962

ARTHUR A. OHNIMUS
Chief Clerk of the Assembly

Adopted in Senate April 13, 1962

J. A. BEEK
Secretary of the Senate

This resolution was received by the Secretary of State this

13th day of April, 1962, at 11:00 o'clock A. M.

WALTER C. STUTLER
Assistant Secretary of State

CHAPTER 31

Assembly Concurrent Resolution No. 21—Approving certain amendments to the charter of the City of Torrance, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on April 10, 1962.

WHEREAS, Proceedings have been duly and regularly taken and had for the adoption and ratification of three amendments, hereinafter set forth, to the charter of the City of Torrance, a municipal corporation, in the County of Los Angeles, State of California, and set out in the certificate of the mayor and deputy city clerk of said city, as follows:

CERTIFICATE OF RATIFICATION OF CHARTER AMENDMENTS
BY THE ELECTORS OF THE CITY OF TORRANCE

State of California }
County of Los Angeles } ss.
City of Torrance }

WE, the undersigned, ALBERT BSEN, Mayor of the City of Torrance, California, and GALE WHITACRE, Deputy City Clerk of said City, DO HEREBY CERTIFY AND DECLARE as follows:

That the City of Torrance, a municipal corporation in the County of Los Angeles, State of California, is now and at all times herein mentioned was a city duly organized, existing and acting under a freeholders charter adopted under and pursuant to Section 8 of Article XI of the Constitution of the State of California.

That in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California the City Council of said city, being the legislative body thereof, on its own motion, submitted to the qualified electors of said city certain proposals for the amendment of the Charter of said city at a general municipal election duly and regularly called and held in said city on the 10th day of April, 1962, said charter amendments being herein designated as Charter Amendment No. 1, Charter Amendment No. 2 and Charter Amendment No. 3.

That on the 22nd day of February, 1962, and on the 1st day of March, 1962, said City Council caused said proposed

charter amendments to be duly and regularly published and advertised in each and every edition of said 22nd day of February, 1962, and said 1st day of March, 1962, of the TORRANCE HERALD, the official newspaper of said city and a semi-weekly newspaper of general circulation printed, published and circulated in said city.

That said City Council caused copies of said proposed charter amendments to be printed in convenient pamphlet form and in type of not less than 10-point and caused copies thereof to be mailed to each of the qualified electors of said city.

That said City Council, until the day fixed for the election upon said proposed charter amendments, did advertise in said TORRANCE HERALD, a semi-weekly newspaper of general circulation printed, published and circulated in said city, a notice that copies thereof might be had upon application therefor; that copies of said proposed charter amendments could be had upon application therefor at the office of the City Clerk of said city up to and including the day fixed for said general municipal election.

That said general municipal election was duly and regularly held in said city on the date fixed by said City Council, to wit, April 10, 1962, which date was not less than forty (40) and more than sixty (60) days after completion of the advertising of said proposed charter amendments; that at said election a majority of the qualified voters voting thereon voted in favor of and did ratify Charter Amendment No. 1, Charter Amendment No. 2 and Charter Amendment No. 3, hereinafter specifically set forth.

That all proceedings in connection with the submission of said charter amendments to the electorate, and the election thereon, were taken in accordance with the provisions of Section 8 Article XI of the Constitution of the State of California.

That said amendments to the Charter of said city so ratified by the voters of said city are as follows, to wit:

Charter Amendment No. 1

That the sections of Article XX of the Charter of the City of Torrance hereinafter specified be amended to read as follows:

“Section 2. Airport fund uses.

Moneys in the Airport Fund shall be used only for the following purposes and in the following order of priority, to wit:

(1) For the payment or providing for payment, including payments into any reserve or sinking funds, as the same falls due, of the principal of and interest on any bonds of the City.

issued for the acquisition, construction, improvement or financing of airport facilities or for additions, betterments, extensions or capital improvements thereto.

(2) For the current, necessary and reasonable costs and expenses to the City of operating and maintaining airport facilities owned, controlled or operated by the City, but without allowance for depreciation or obsolescence, or for additions, betterments, extensions or capital improvements therein.

(3) After paying or providing for all payments under subparagraph (1) above which are due or which will become due during the next ensuing 12 months' period, and after paying or providing for all current costs and expenses under subparagraph (2) above, any balance which remains from time to time in the Airport Fund and the several accounts therein may be used for the purpose of acquiring, constructing or improving airport facilities or for additions, betterments, extensions or capital improvements thereto (including deposits in reserve or depreciation reserves or accounts established for that purpose), and any part of such balance not then needed for such purposes may be used for any lawful purpose.

Section 3. Definition of airport facilities.

As used in this Article XX the term 'airport facilities' means all property of any kind heretofore or hereafter acquired by the City for airport purposes or for the direct or indirect development and promotion of air commerce, air manufacture, air navigation, air transportation, aviation, or for matters incidental to or used in connection with any of the foregoing, and all land (formerly known as "The Domita Flight Strip") acquired by the City from the United States of America by quitclaim deed dated March 5, 1948.

Section 4. Article XX not a covenant.

Nothing in this Article XX shall be deemed to be a covenant which shall be enforceable by any holder of any bond of the City."

Charter Amendment No. 2

That the sections hereinafter specified of the Charter of the City of Torrance be amended as follows:

A. Shall 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 be elected at elections called, held and conducted at the same times and in the same manner as elections for members of the governing boards of unified school districts which are not coterminous with and do not include within their boundaries a chartered city, and shall hold office for the terms prescribed by law for members of governing boards of such unified school districts except that each person elected shall hold office for a term of four years commencing on the first Monday in May next succeeding his election."

B. Shall Section 2 of Article VI of the Charter of the City of Torrance be amended to read in its entirety as follows:

"Section 2. Terms.

The elective officers of the city shall be elected from the city at large and, except members of the board of education, shall hold office for a term of four years from and after the Tuesday next succeeding the date of such election and until their successors are elected and qualified."

C. Shall the Charter of the City of Torrance be amended by repealing Section 2(b) of Article V thereof, which presently reads as follows:

"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."

D. Shall the Charter of the City of Torrance be amended by repealing Section 3 of Article V thereof, which presently reads as follows:

"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."

E. Shall the Charter of the City of Torrance be amended by repealing Section 4 of Article VI thereof, which presently reads as follows:

"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."

Charter Amendment No. 3

That the sections hereinafter specified of the Charter of the City of Torrance be amended as follows:

Shall Section 1 of Article VII of the Charter of the City of Torrance be amended to read in its entirety as follows:

"Sec. 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 existing on April 10, 1962, whether created or amended in whole or in part by ordinances adopted by vote of the people or by ordinances adopted by the city council, shall continue in full force and effect; provided, however, that the city council may amend, delete or replace any provisions of said ordinances by ordinance or ordinances passed by a five-sevenths vote of the city council after consideration thereof by the civil service commission. 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 ordinances 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. 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."

That we have compared the amendments as stated herein with the original proposals submitted to the electors of said city, and find and certify that they are full, true and correct copies thereof.

In witness whereof, we have hereunto set our hands and caused the seal of said City of Torrance to be affixed hereto this 12th day of April, 1962.

(SEAL)

ALBERT ISEN
Mayor of the City of
Torrance, California
GALE WHITACRE
Deputy City Clerk of the City
of Torrance, California

and

WHEREAS, Said proposed charter amendments as ratified (being heretofore set forth) have been and are now duly presented and submitted to the Legislature of the State of California for approval or rejection as a whole, without power of alteration and 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 aforementioned three amendments to the charter of the City of Torrance as proposed to, and adopted and ratified by, the qualified electors of said City of Torrance be and the same heretofore are approved as a whole, without amendment or alteration, for and as amendments to and as part of the charter of the City of Torrance.

**ENDORSED
FILED**

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

APR 13 1962

FRANK M. JORDAN, Secretary of State

By **WALTER C. STUTLER**

Assistant Secretary of State

CARLOS BEE

Speaker of the Assembly

pro Tempore

GLENN M. ANDERSON

President of the Senate

Attest:

FRANK M. JORDAN

Secretary of State

By **WALTER C. STUTLER**

Assistant Secretary of State

CHAPTER 31

ASSEMBLY CONCURRENT RESOLUTION
NO. 21 APPROVING CERTAIN
AMENDMENTS TO THE CHARTER OF THE
CITY OF TORRANCE, A MUNICIPAL CORP-
ORATION IN THE COUNTY OF LOS ANGELES,
STATE OF CALIFORNIA, VOTED FOR AND
RATIFIED BY THE QUALIFIED ELECTORS
OF SAID CITY AT THE GENERAL MUNICIPAL
ELECTION HELD THEREIN ON APRIL 10, 1962.

WHEREAS, proceedings have been duly and regularly taken and had for the adoption and ratification of three amendments, hereinafter set forth, to the Charter of the City of Torrance, a municipal corporation, in the County of Los Angeles, State of California, and set out in the certificate of the Mayor and Deputy City Clerk of said city, as follows:

CERTIFICATE OF RATIFICATION OF CHARTER AMENDMENTSBY THE ELECTORS OF THE CITY OF TORRANCE

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

WE, the undersigned, ALBERT ISEN, Mayor of the City of Torrance, California, and GALE WHITACRE, Deputy City Clerk of said City, DO HEREBY CERTIFY AND DECLARE as follows:

That the City of Torrance, a municipal corporation in the County of Los Angeles, State of California, is now and at all times herein mentioned was a city duly organized, existing and acting under a freeholders charter adopted under and pursuant to Section 8 of Article XI of the Constitution of the State of California.

That in accordance with the provisions of Section 8 of Article XI of the Constitution of the State of California the City Council of said city, being the legislative body thereof, on its own motion, submitted to the qualified electors of said city certain proposals for the amendment of the Charter of said city at a general municipal election duly and regularly called and held in said city on the 10th day of April, 1962, said charter amendments being herein designated as Charter Amendment No. 1, Charter Amendment No. 2 and Charter Amendment No. 3.

That on the 22nd day of February, 1962, and on the 1st day of March, 1962, said City Council caused said proposed charter amendments to be duly and regularly published and advertised in each and every edition of said 22nd day of February, 1962, and said 1st day of March, 1962, of the TORRANCE HERALD, the official newspaper of said city and a semi-weekly newspaper of general circulation printed, published and circulated in said city.

That said City Council caused copies of said proposed charter amendments to be printed in convenient pamphlet form and in type of not less than 10-point and caused copies thereof to be mailed to each of the qualified electors of said city.

That said City Council, until the day fixed for the election upon said proposed charter amendments, did advertise in said TORRANCE HERALD, a semi-weekly newspaper of general circulation printed, published and circulated in said city, a notice that copies thereof might be had upon application therefor; that copies of said proposed charter amendments could be had upon application therefor at the office of the City Clerk of said city up to and including the day fixed for said general municipal election.

That said general municipal election was duly and regularly held in said city on the date fixed by said City Council, to wit, April 10, 1962, which date was not less than forty (40) and more than sixty (60) days after completion of the advertising of said proposed charter amendments, that at said election a majority of the qualified voters voting thereon voted in favor of and did ratify Charter Amendment No. 1, Charter Amendment No. 2 and Charter Amendment No. 3, hereinafter specifically set forth.

That all proceedings in connection with the submission of said charter amendments to the electorate, and the election thereon, were taken in accordance with the provisions of Section 8 Article XI of the Constitution of the State of California.

That said amendments to the Charter of said city so ratified by the voters of said city are as follows, to wit:

CHARTER AMENDMENT NO. 1

That the sections of Article XX of the Charter of the City of Torrance hereinafter specified be amended to read as follows:

"Section 2. Airport fund uses.

Moneys in the Airport Fund shall be used only for the

following purposes and in the following order of priority, to wit:

(1) For the payment or providing for payment, including payments into any reserve or sinking funds, as the same falls due, of the principal of and interest on any bonds of the City, issued for the acquisition, construction, improvement or financing of airport facilities or for additions, betterments, extensions or capital improvements thereto.

(2) For the current, necessary and reasonable costs and expenses to the City of operating and maintaining airport facilities owned, controlled or operated by the City, but without allowance for depreciation or obsolescence, or for additions, betterments, extensions or capital improvements thereto.

(3) After paying or providing for all payments under subparagraph (1) above which are due or which will become due during the next ensuing 12 months' period, and after paying or providing for all current costs and expenses under subparagraph (2) above, any balance which remains from time to time in the Airport Fund and the several accounts therein may be used for the purpose of acquiring, constructing or improving airport facilities or for additions, betterments, extensions or capital improvements thereto (including deposits in reserve or depreciation reserves or accounts established for that purpose), and any part of such balance not then needed for such purposes

Legislature, Concurrent Res. 21 on 4/13/62] may be used for any lawful purpose. (Ratified Gen.Mun.Elec. 4/10/62, Amend. No. 1; Approved by State

Section 3. Definition of airport facilities.

As used in this Article XX the term 'airport facilities' means all property of any kind heretofore

or hereafter acquired by the City for airport purposes or for the direct or indirect development and promotion of air commerce, air manufacture, air navigation, air transportation, aviation, or for matters incidental to or used in connection with any of the foregoing, and all land (formerly known as 'The Lomita Flight Strip') acquired by the City from the United States of America by quitclaim deed dated March 5, 1948. **(Ratified Gen.Mun.Elec.4/10/62, State Legislature, Concurrent Res. 21 on 4/13/62)**

Section 4. Article XX not a covenant.

Nothing in this Article XX shall be deemed to be a covenant which shall be enforceable by any holder of any bond of the City." **(Ratified Gen.Mun.Elec. 4/10/62, Amend.No.1; Approved by State Legislature, Concurrent Res. 21 on 4/13/62)**

CHARTER AMENDMENT NO. 2

That the sections hereinafter specified of the Charter of the City of Torrance be amended as follows:

A. Shall 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 be elected at elections called, held and conducted at the same times and in the same manner as elections for members of the governing boards of unified school districts which are not coterminous with and do not include within their boundaries a chartered city, and

shall hold office for the terms prescribed by law for members of governing boards of such unified school districts except that each person elected shall hold office for a term of four years commencing on the first Monday in May next succeeding his election. (Ratified Gen.Mun.Elec. 4/10/62, Amend. No. 2; Approved by State Legislature, Concurrent Res. 21 on 4/13/62)

B. Shall Section 2 of Article VI of the Charter of the City of Torrance be amended to read in its entirety as follows:

"Section 2. Terms.

The elective officers of the city shall be elected from the city at large and, except members of the board of education, shall hold office for a term of four years from and after the Tuesday next succeeding the date of such election and until their successors are elected and qualified." (Ratified Gen.Mun.Elec. 4/10/62, Amend.No. 2; Approved by State Legislature, Concurrent Res.21 on 4/12/62)

C. Shall the Charter of the City of Torrance be amended by repealing Section 2(b) of Article V thereof, which presently reads as follows:

"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." (Ratified Gen.Mun.Elec. 4/10/62, Amend. No. 2; Approved by State Legislature, Concurrent Res. 21 on 4/13/62)

D. Shall the Charter of the City of Torrance be amended by repealing Section 3 of Article V thereof, which presently reads as follows:

"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." (Ratified Gen.Mun.Elec. 4/10/62, Amend.No. 2; Approved by State Legislature, Concurrent Res. 21 on 4/13/62)

E. Shall the Charter of the City of Torrance be amended by repealing Section 4 of Article VI thereof, which presently reads as follows:

"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." (Ratified Gen.Mun.Elec. 4/10/62, Amend. No. 2; Approved by State Legislature, Concurrent Res. 21 on 4/13/62)

CHARTER AMENDMENT NO. 3

That the sections hereinafter specified of the Charter of the City of Torrance be amended as follows:

Shall Section 1 of Article VII of the Charter of the City of Torrance be amended to read in its entirety as follows:

"Sec. 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 existing on April 10, 1962, whether created or amended in whole or in part by ordinances adopted by vote of the people or by ordinances adopted by the city council,

shall continue in full force and effect; provided, however, that the city council may amend, delete or replace any provisions of said ordinances by ordinance or ordinances passed by a five-sevenths vote of the city council after consideration thereof by the civil service commission. 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 ordinances 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. 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." (Ratified Gen.Mun.Elec. 4/10/62, Amend. No. 3; Approved by State Legislature, Concurr. Res. 21 on 4/13/62)

That we have compared the amendments as stated herein with the original proposals submitted to the electors of said city, and find and certify that they are full, true and correct copies thereof.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the seal of said City of Torrance to be affixed hereto this 12th day of April, 1962.

s/Albert Isen
 Mayor of the City of
 Torrance, California

s/Gale Whitacre
 Deputy City Clerk of the City of
 Torrance, California

and

WHEREAS, said proposed charter amendments as ratified (being hereinabove set forth) have been and are now duly presented and submitted to the Legislature of the State of California for approval or rejection as a whole, without power of alteration and 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 aforementioned three amendments to the Charter of the City of Torrance as proposed to, and adopted and ratified by, the qualified electors of said City of Torrance be and the same hereby are approved as a whole, without amendment or alteration, for and as amendments to and as part of the Charter of the City of Torrance.

CARLOS BEE

Speaker of the Assembly
Pro Tempore

GLENN M. ANDERSON

President of the Senate

ATTEST:

FRANK M. JORDAN
Secretary of State

By: Walter C. Stutler
Assistant Secretary of State

ATTACHMENT J

STATE OF CALIFORNIA



OFFICE OF THE SECRETARY OF STATE

I, **EDMUND G. BROWN JR.**, Secretary of State of the State of California, hereby certify:

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

IN WITNESS WHEREOF, I execute
this certificate and affix the Great
Seal of the State of California this
20th day of August, 1973



Edmund G. Brown Jr.
Secretary of State

George Lorenson
Deputy Secretary of State

Assembly Concurrent Resolution No. 119

Adopted in Assembly August 9, 1973

R. Brian Kennedy
Acting Chief Clerk of the Assembly

Adopted in Senate August 13, 1973

Charles E. White
Secretary of the Senate

This resolution was received by the Secretary of State this 16th day of August, 1973, at 3 o'clock P.M.

Lokao Townsend
~~Assistant~~ Secretary of State
Deputy

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RESOLUTION CHAPTER 102

Assembly Concurrent Resolution No. 119—Approving amendments to the Charter of the City of Torrance, State of California, ratified by the qualified electors of the city at a general special municipal election held therein on the 17th day of April, 1973.

LEGISLATIVE COUNSEL'S DIGEST

ACR 119; Beverly. City charters.
Approves amendments to Charter of City of Torrance.

WHEREAS, Proceedings have been taken and had for the proposal, adoption, and ratification of amendments to the Charter of the City of Torrance, a municipal corporation in the County of Los Angeles, State of California, as hereinafter set forth in the certificate of the mayor and city clerk of the city, as follows:

CERTIFICATE OF RATIFICATION OF CHARTER AMENDMENTS BY THE ELECTORS OF THE CITY OF TORRANCE

State of California }
County of Los Angeles } ss
City of Torrance }

We, the undersigned, Ken Miller, Mayor of the City of Torrance, California, and Vernon W. Coil, City Clerk of said city, do hereby certify and declare as follows:

That the City of Torrance, a municipal corporation in the County of Los Angeles, State of California, is now and at all times herein mentioned was a city duly organized, existing and acting under a freeholders charter adopted under and pursuant to Section 8 of Article XI of the Constitution of the State of California.

That in accordance with the provisions of the Government Code of the State of California, the City Council of said city, being the legislative body thereof, on its own motion, submitted to the qualified electors of said

city certain proposals for the amendment and recodification and renumbering of the Charter of said city at a Special Municipal Election duly and regularly called and held in said city on the 17th day of April, 1973, said charter amendments being herein designated as Charter Amendments Nos. 1, 2 and 3.

That on March 2, 1973, said City Council caused said proposed charter amendments to be duly and regularly published and advertised in each and every edition of said second day of March, 1973, of the South Bay Daily Breeze, the official newspaper of said city and a daily newspaper of general circulation printed, published and circulated in said city.

That said City Council caused copies of said proposed charter amendments to be printed in convenient pamphlet form and in type of not less than 10-point and caused copies thereof to be mailed to each of the qualified electors of said city.

That said City Council, until the day fixed for the election upon said proposed charter amendments, did advertise continuously in said South Bay Daily Breeze, a daily newspaper of general circulation printed, published and circulated in said city, a notice that copies thereof might be had upon application therefor, that copies of said proposed charter amendments and recodification could be had upon application therefor at the office of the City Clerk of said city up to and including the day fixed for said special municipal election.

That said special municipal election was duly and regularly held in said city on the date fixed by said City Council, to wit, April 17, 1973, which date was not less than forty (40) nor more than sixty (60) days after completion of the advertising of said proposed charter amendments; that at said election a majority of the qualified voters voting thereon voted in favor of and did ratify Charter Amendments 1, 2 and 3, hereinafter specifically set forth.

That all proceedings in connection with the submission of said charter amendments to the electorate, and the election thereon, were taken in accordance with the provisions of Sections 34450 through 34463 of the

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Government Code of the State of California.

That said amendments to the Charter and recodification thereof of said city so ratified by the voters of said city are as follows, to wit:

“Charter Amendment No. 1:

“Shall the Charter of the City of Torrance be amended to repeal Section 3 of Article VI entitled ‘1958 General Municipal Election’; Section 1 of Article XVI, entitled ‘City Judge’; Section 1 of Article XVII, entitled ‘City Court’; Section 7 of Article XVIII, entitled ‘Special Fund for Capital Outlays’; and Section 8 of Article XVIII, entitled ‘Clerk’s Petty Cash Fund?’”

“Charter Amendment No. 2:

“Shall the Charter of the City of Torrance be revised to amend all references to the City Clerk contained in Section 2 of Article XIII and Section 4 and 5 of Article XVIII to read ‘City Manager’; and to amend all references to the City Clerk contained in Sections 1, 2 and 6 of Article XVIII and Section 7 of Article VI to read ‘Finance Director’; and to amend the phrase ‘first day of July’ appearing in Section 4 of Article XVIII to read ‘first day of June’; and to delete the phrase ‘cities of the sixth class’ as set forth in Section 4 of Article V and substitute the phrase ‘general law cities’ in its stead; and to delete all references to the City Auditor contained in Section 5, subsection e of Article VII to the City Judge contained in Section 3 of Article VII, and Section 5, Subsection e of Article VII, to the City Court contained in Section 8 of Article IX; and to amend Section 4 of Article XIX to provide in its entirety as follows: ‘This Charter may be amended in accordance with the provisions of the general laws of the State of California?’”

“Charter Amendment No. 3:

“Shall the Charter of the City of Torrance be recodified and renumbered so that it shall conform to that document entitled, ‘Proposed Recodified and Renumbered Torrance City Charter’ approved by motion of the Torrance City Council, copies of which are

on file with the City Clerk of the City of Torrance?"

That a copy of the document, entitled "The Charter, Amendments Nos. 1, 2 and 3 has been certified by the City Clerk, and is attached hereto as Exhibit "A" dated April 17, 1973.

That we have compared the amendment as stated herein with the original proposals submitted to the electors of said city, and find and certify that the foregoing is a full, true and correct copy thereof.

In witness whereof, we have hereunto set our hands and caused the seal of said City of Torrance to be affixed hereto this 22nd day of June, 1973.

(SEAL)

KEN MILLER
 Mayor of the City of
 Torrance, California
 VERNON W. COIL
 City Clerk of the City of
 Torrance, California

EXHIBIT "A"

THE CHARTER

AMENDMENTS NOS. 1, 2, AND 3

April 17, 1973

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THE CHARTER

Article 1—Name of City

Section 100. 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 2—Boundaries

Section 200. 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 3—Succession

Section 300. 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 310. 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.

Section 320. 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.

Article 4—Powers of City

Section 400. Generally.

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.

Section 410. 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 411. 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

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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 funds shall, at the end of each fiscal year, accrue to the general fund.

Section 412. 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 413. 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 (1) fiscal year for advertising, promotion or music.

Section 414. 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 the

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 (40) years from the time of contracting the same; provided, however, anything to the contrary herein notwithstanding, when two (2) 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 (1) of such propositions, vote in favor thereof such proposition shall be deemed adopted.

Article 5—Elections

Section 500. 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 general law cities (~~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 510. General Municipal Elections.

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

Section 520. 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.

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Section 530. 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 insofar 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 insofar as the same may be applicable and except as herein otherwise provided.

Section 540. 1958 General Municipal Election.
(Repealed)

Article 6—Elective Officers

Section 600. Elective Officers.

The elective officers of the City shall be the Mayor, six members of the City Council, five members of the Board of Education, the City Clerk and the City Treasurer. No person shall be a candidate for more than one of said offices at any municipal election. (Ratified Spec. Mun. Elec. 10/29/57, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

Section 601. 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 (1) 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 (60) 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 602. Terms.

The elective officers of the City shall be elected from the City at large and, except members of the Board of Education, shall hold office for a term of four (4) years from and after the Tuesday next succeeding the date of such election and until their successors are elected and qualified. (Ratified Gen. Mun. Elec. 4/10/62, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 21 on 4/13/62).

Section 603. 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 (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 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 (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.

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Section 604. 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 compensation in the amount of One Hundred Dollars (\$100.00) per month, payable in equal semi-monthly payments, and in addition thereto shall receive their actual and necessary expenses while engaged on City business at the direction of the City Council. Any member of the City Council making demand for reimbursement for traveling or other expense shall provide the Director of Finance (~~City Clerk~~) with vouchers covering such expenses, together with a sworn statement to the effect that such expenses were actually incurred in good faith by said party while on official City business. 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.

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.

This Section shall become effective April 10, 1956, and shall be subject to the provisions of Article 11, Section 5 of the Constitution of the State of California and Sections 53070 and 53071 of the Government Code of the State of California. (Ratified Gen. Mun. Elec. 4/10/56, Amend. No. 1; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57).

Section 610. The Mayor.

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 for such period shall have all the powers and duties of the Mayor. 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. 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. (Ratified Spec. Mun. Elec. 10/29/57, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

Section 620. City Clerk.

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 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 ordinances 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.

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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. (Ratified Gen. Mun. Elec. 4/10/56, Amend. No. 7; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57). The salary of the City Clerk shall be determined by the City Council but shall not be less than Seven Hundred Fifty Dollars (\$750.00) per month.

The City Clerk shall devote his entire time to the interests of the City, and shall be entitled to receive expenses, vacation periods and sick leave, with pay, the same as prescribed by the civil service ordinances of the City for heads of departments. (Ratified Gen. Mun. Elec. 4/14/64, Amend. No. 1; Approved by State Legislature Concurrent Res. No. 62 on 5/7/64; filed with Sec'y of State, Chapter 55 on 5/11/64)

Section 630. City Treasurer.

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 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 Director of Finance 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. (Ratified Gen. Mun. Elec. 4/10/56, Amend. No. 8; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57).

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.

Section 650. 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

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

Article 7—City Council Powers and Duties

Section 700. 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 710. Organization Meeting.

The City Council shall meet on the Tuesday next succeeding the date of the holding of any general municipal election. (Ratified Spec. Mun. Elec. 10/29/57, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

Section 711. 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 712. 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 713. 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 (3) 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 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 714. 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. The City Council shall have the right and privilege to hold and conduct its meeting in accordance with an agenda and may specify the matters which shall be considered at each meeting and shall have the right to establish a time at which all communications shall be on file in the office of the City Clerk in order that such communications may be considered at the next regular meeting of the City Council. (Ratified Gen. Mun. Elec. 4/11/50, Amend. No. 5; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

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Section 715. 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 716. 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 meeting. 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 any court of competent jurisdiction (~~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 720. 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 721. Ordinances; Publication.

The City Clerk shall cause each ordinance to be published within fifteen (15) 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 (3) public places in the City.

Section 722. 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 (3) copies of such code shall be filed, for use and examination by the public, in the office of the City 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 723. Adoption of Code by Reference.

Detailed regulations pertaining to any subject, such as the construction of buildings, plumbing, wiring or other subjects which require extensive regulations, after

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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 724. 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 any order for the payment of money shall have any validity or effect unless passed by the votes of at least four members of the City Council, and no ordinance shall have any validity or effect unless passed by the votes of at least four members of the City Council. (Ratified Spec. Mun. Elec. 10/29/57, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

Section 725. Ordinances; When Required.

Every act of the City Council establishing a fine or other penalty, or granting a franchise, creating a commission, board or agency, or in any way restricting or governing the use of property, and in addition thereto, every act required by the City Charter to be done by ordinance shall be by ordinance. (Ratified Gen. Mun. Elec. 4/11/50, Amend. No. 6; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

Section 726. Ordinances; When Effective.

No ordinance shall become effective until thirty (30) 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 five-sevenths 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 (5) days shall intervene between the introduction and final passage shall not apply to such an ordinance. (Ratified Spec. Mun. Elec. 10/29/57, Amend No. 2; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

Section 727. 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 728. Ordinance Penalty.

The maximum fine or penalty for any violation of an ordinance of this City shall be the sum of Five Hundred Dollars (\$500.00), 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 (6) 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.

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Article 8—Board of Education

Section 800. 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 be elected at elections called, held and conducted at the same times and in the same manner as election for members of the governing boards of unified school districts which are not coterminous with and do not include within their boundaries a chartered city, and shall hold office for the terms prescribed by law for members of governing boards of such unified school districts except that each person elected shall hold office for a term of four years commencing on the first Monday in May next succeeding his election. (Ratified, Gen. Mun. Elec. 4/10/62, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 21 on 4/13/62).

Section 810. 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 (1) year next preceding the date of his election or appointment.

Section 811. 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 9—City Manager

Section 900. City Manager Form of Government.

The City Manager form of government shall be and the same is hereby established for the City of Torrance, a municipal corporation. The office of City Manager in and for the City of Torrance is hereby established.

Section 910. Appointment, Removal and Salary of City Manager.

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 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,

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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 two 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 limitations, 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 Manager, the City Council shall proceed immediately to appoint a new City Manager.

The City Manager shall be entitled to vacation periods and sick leave, with pay, but in no event shall the basis of such pay be less than the basis prescribed for such compensation by the civil service ordinance of the City of Torrance for heads of municipal departments. Subject to the foregoing limitations, the City Council shall