

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 thirty days.

Section 920. 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.

Section 921. Noninterference 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.

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, ( ~~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 the 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

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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.

#### Section 931. 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:

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

b) He shall purchase all supplies, property or 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 prior order or direction from the City Council.

c) He shall prepare and submit to the City Council an annual budget estimate at least two (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.

d) 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.

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

f) 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.

g) 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.

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

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

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

k) The City Manager may delegate and/or redelegate

## ACR 119

any of the foregoing duties to any municipal department or to the head or chief official of any such department.

1) All demands shall, prior to payment, be approved by the City Manager. Prior to the approval of any demands by him, he shall satisfy himself that the supplies, materials, property or services for which payment is claimed, have been actually delivered or rendered, that the payment, authorized by law, is just and fair, and that appropriation for the same has been made. All payrolls shall be certified by the respective department heads and approved by the City Manager. (Ratified Gen. Mun. Elec. 4/13/48, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 8 on 1/6/49).

#### Section 940. 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.

#### Section 941. 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. (Ratified Gen. Mun. Elec. 4/11/50, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

### Article 10—City Attorney

#### Section 1000. Eligibility.

No person shall be eligible for the office of City Attorney unless he shall have been admitted to practice before the Supreme Court of the State of California and shall have been engaged in the practice of law in the State of California for at least five (5) years prior to his

appointment. (Ratified Gen. Mun. Elec. 4/11/50, Amend. No. 11; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

**Section 1010. Powers and Duties.**

The City Attorney shall have the power and be required to:

a) Represent and advise the City Council and all City officials in all matters of law pertaining to their respective offices and/or duties.

b) Represent and appear for the City and any City officer, employee or former City officer or employee, in any and all actions or proceedings in which the City or any such officer or employee, in or by reason of his official capacity, is concerned or is a party. The City Council, at the request of the City Attorney, may employ other attorneys to assist in any litigation or other matter of interest to the City.

c) Approve the form of all bonds given to and all contracts made by the City, and amendments thereto.

e) To have charge of prosecuting on the behalf of the people all criminal cases for violations of this Charter, of City ordinances or of misdemeanor offenses arising upon violation of the laws of the State.

f) The City Council, on the recommendation of the City Attorney, may appoint such assistant City Attorneys or Deputy City Attorneys as may be required to carry out the functions of the office of the City Attorney and they shall have such duties as may from time to time be assigned to them by the City Attorney. Any such assistants or deputies so appointed shall be members of the classified service of the City and shall be paid a salary commensurate with the duties assigned to them. (Ratified Gen. Mun. Elec. 4/10/56, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57).

g) On vacating the office, surrender to his successor all books, papers, files and documents pertaining to the City's affairs. (Ratified Gen. Mun. Elec. 4/11/50, Amend. No. 11; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

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## Article 11—Director of Finance

## 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) Cooperate with the City Manager (~~City Clerk~~) 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. (Ratified, Gen. Mun. Elec. 4/10/56, Amend. No. 7; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57).

## Article 12—General Provisions Applicable to Officers and Employees

### Section 1200. 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 1210. Oaths of Office.

All officials, officers, members of boards, or commissions and employees shall take and file with the City Clerk the oath of office required by the constitution and the laws of the State. In addition to the oath of office, and as a part thereof, the City Council shall by ordinance require all of the persons herein mentioned, including members of the City Council, to affirm their loyalty to the United States of America and its principles of government. The oath of office of the City Clerk shall be taken by and filed with the Mayor. (Ratified Gen.Mun. Elec. 4/11/50, Amend. No. 4; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

### Section 1220. 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 employees 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

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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 (3) percent of all 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 1230. 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 13—Civil Service

#### Section 1300. 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 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 1300 shall repeal or modify any of the provisions of Article 9 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 Concurrent Res. No. 21, 4/13/62).

Section 1310. 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.

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Section 1320. 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.

Section 1330. Residence; Officers and Employees.

All officers and employees of the City of Torrance shall be or become residents of said City within six months after their appointment or date of employment; provided, however, that as to appointive officers or employees having technical, special or professional knowledge or abilities, the City Council may waive the residence requirements. No officer or employee may be appointed permanently in the classified service unless and until he has become a resident of the City. (Ratified Gen. Mun. Elec. 4/11/50, Amend. No. 3; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

Article 14—Fiscal Affairs

Section 1400. 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 1410. Budget.

On or before the first day of June (~~July~~) of each year the City Manager (~~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 Manager (~~City~~

~~Clerk~~ ). Such blanks shall provide for a detailed estimate of the expenses of conducting each department, as 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 1411. Council Action on Budget.

After reveiwing said proposed budget as compiled by the City Manager (~~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 purpose enumerated therein.

After adoption of the budget, the Council may, from time to time, authorize the expenditures 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.

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## Section 1420. 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 1430. 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 prescribe 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 Manager ( ~~City Clerk~~ ) for the same on the first Monday of each month or at such shorter intervals as may be prescribed by ordinance.

## Section 1431. Special Fund for Capital Outlays.—Repealed

## Section 1432. Clerk's Petty Cash Fund.—Repealed

## Section 1440. 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 Director of Finance ( ~~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 1441. 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 Director of Finance (~~City Clerk~~) must endorse thereon the words "not approved for want of funds", with the date of presentation and shall 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 1442. Actions Against City.**

No suit shall be brought against the City or any Board or Commission thereof on any claim for money or damages or for the taking of property until a demand for the same has been presented as herein provided and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole. Except in those cases where a shorter time is otherwise provided by law, all claims for damages against the City must be presented within ninety (90) days after the occurrence, event or transaction from which the damages allegedly arose, and all other claims or demands shall be presented within six (6) months after the last item of the account or claim accrued.

Every claim brought against the City or any Board or Commission thereof for money or damages or for the taking of property shall be verified by the person making the claim and filed with the City Clerk, who shall thereupon present the same to the City Council, officer, Board or Commission authorized by this Charter to incur or pay the expenditures or alleged indebtedness or liability represented thereby. In all cases, such claims shall be approved or rejected in writing and the date thereof given. Failure to act upon any claim or demand

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within sixty (60) days from the date the same is filed with the City Clerk shall be deemed a rejection thereof. (Ratified Gen. Mun. Elec. 4/10/56, Amend. No. 4; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57).

#### Section 1450. Contracts on Public Works.

Every contract involving an expenditure of more than Two Thousand Dollars (\$2,000.00) for the construction or improvement, excluding maintenance and repair, of public buildings, works, streets, drains, sewers, utilities, parks and playgrounds, and each separate purchase of materials or supplies for the same, where the expenditure required for such purchase shall exceed the sum of Two Thousand Dollars (\$2,000.00) 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 material 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 five-sevenths 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 contract 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 five-sevenths vote. (Ratified Spec. Mun. Elec. 10/29/57, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

#### Section 1451. 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.

#### Section 1460. Franchises.

Franchises may be granted to persons, firms or corporations upon such terms, conditions, restrictions, or limitations as may be prescribed by the City Council by ordinance, but no franchise shall be granted without reserving to the City adequate compensation for the privilege conferred. (Ratified Gen. Mun. Elec. 4/10/56, Amend. No. 5; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57).

### Article 15—Airport Fund

#### Section 1500. Airport Fund.

There shall be in the treasury of the City a separate fund to be designated as the "Airport Fund" and under such fund there may be such accounts as may be necessary or convenient. From time to time as the same are received, all fees, tolls, rentals, charges, proceeds from the sale of property, and other revenues received by the City from or in connection with the use or operation of any airport facilities owned, controlled or operated by the City shall be placed in said Airport Fund. (Ratified

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Spec. Elec. 10/29/57, Amend. No. 1; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

#### Section 1501. 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:

a) 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.

b) 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.

c) After paying or providing for all payments under subparagraph (a) 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 (b) 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. (Ratified Gen. Mun. Elec. 4/10/62, Amend. No. 1; Approved by State Legislature Concurrent Res. No. 21 on 4/13/62).

#### Section 1502. Definition of Airport Facilities.

As used in this Article 15 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, Amend. No. 1; Approved by State Legislature Concurrent Res. No. 21 on 4/13/62).

#### Section 1503. Article 15 Not a Covenant.

Nothing in this Article 15 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. No. 21 on 4/13/62).

### Article 16—Miscellaneous

#### Section 1600. 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 1610. 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 1620. Amendments.

This Charter may be amended in accordance with the provisions of the general laws of the State of California. (~~Section 8, Article XI, of the Constitution of the State of California~~).

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Section 1630. Operating "Draw Poker" Establishment Where Fee Charged.

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. (Ratified Gen. Mun. Elec. 4/13/48, Amend. No. 3; Approved by State Legislature Concurrent Res. No. 8 on 1/6/49).

Section 1640. Exposure of Female Breasts Prohibited.

It shall be unlawful and a public nuisance to expose or procure, or to counsel or assist in the exposure within the City of Torrance, of the breast or breasts of any living human female for the purpose of public display, amusement, entertainment, or in connection with the sale or service of any commodity. For the purpose of this section, female breasts shall include the medial and lateral lower quadrants, or the nipple or areola, or any other portion of the lower half of the breasts. Each such display shall be considered a separate offense subject to separate criminal prosecution. The adoption of this section shall not preclude the City Council from adopting more restrictive ordinances further regulating the aforesaid subject matter. (Ratified Gen. Mun. Elec. 4/12/66, Amend. No. "C"; Approved by State Legislature Concurrent Res. No. 60 on 5/25/66).

Section 1650. City Judge.—Repealed.

Section 1660. City Court.—Repealed.

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

This is to certify that the foregoing is a true and correct copy of the original document.

Dated: June 22 1973

VERNON W. COIL  
City Clerk

(SEAL)

and

WHEREAS, The proposed amendments to the charter, as adopted and ratified as hereinabove set forth, have been and now are duly submitted to the Legislature of the State of California for approval or rejection, as a whole without power of alteration or amendment, in accordance with Section 3 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 amendments to the Charter of the City of Torrance, as proposed to, and adopted and ratified by, the electors of the city, as hereinabove fully set forth, are hereby approved as a whole, without alteration or amendment, for and as amendments to, and as part of, the Charter of the City of Torrance.

RECEIVED

AUG 27 1973

OFFICE OF  
CITY ATTORNEY

Carlos Bee

*pro tempore* Speaker of the Assembly

James R. Mills

*pro tempore* President of the Senate

Attest:

Edmund G. Brown Jr.  
Secretary of State

**ENDORSED - FILED**  
In the office of the Secretary of State  
of the State of California  
EDMUND G. BROWN JR., Secretary of State  
AUG 16 1973

By Stacy Townsend  
Deputy Secretary of State

**ATTACHMENT K****City Charter 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 on the same dates as City employees, 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 expenses shall provide the Director of Finance 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.



## ATTACHMENT L

**Government Code section 36516****(a)**

**(1)** A city council may enact an ordinance providing that each member of the city council shall receive a salary based on the population of the city as set forth in paragraph (2).

**(2)** The salaries approved by ordinance under paragraph (1) shall be as follows:

**(A)** In cities up to and including 35,000 in population, up to and including three hundred dollars (\$300) per month.

**(B)** In cities over 35,000 up to and including 50,000 in population, up to and including four hundred dollars (\$400) per month.

**(C)** In cities over 50,000 up to and including 75,000 in population, up to and including five hundred dollars (\$500) per month.

**(D)** In cities over 75,000 up to and including 150,000 in population, up to and including six hundred dollars (\$600) per month.

**(E)** In cities over 150,000 up to and including 250,000 in population, up to and including eight hundred dollars (\$800) per month.

**(F)** In cities over 250,000 population, up to and including one thousand dollars (\$1,000) per month.

**(3)** For the purposes of this subdivision, the population of a city shall be determined by the last preceding federal census, or a subsequent census, or estimate validated by the Department of Finance.

**(4)** The salary of council members may be increased beyond the amount provided in this subdivision by an ordinance or by an amendment to an ordinance, but the amount of the increase shall not exceed an amount equal to 5 percent for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment is enacted. No ordinance shall be enacted or amended to provide automatic future increases in salary.

**(b)** Notwithstanding subdivision (a), at any municipal election, the question of whether city council members shall receive a salary for services, and the amount of that salary, may be submitted to the electors. If a majority of the electors voting at the election favor it, all of the council members shall receive the salary specified in the election call. The salary of council members may be increased beyond the amount provided in this section or decreased below the amount in the same manner.

**(c)** Unless specifically authorized by another statute, a city council may not enact an ordinance providing for compensation to city council members in excess of that authorized by the procedures described in subdivisions (a) and (b). For the purposes of this section, compensation includes payment for service by a city council member on a commission, committee, board, authority, or similar body on which the city council member serves. If the other statute that authorizes the compensation does not specify the amount of compensation, the maximum amount shall be one hundred fifty dollars (\$150) per month for each commission, committee, board, authority, or similar body.

**(d)** Any amounts paid by a city for retirement, health and welfare, and federal social security benefits shall not be included for purposes of determining salary under this section, provided that the same benefits are available and paid by the city for its employees.

**(e)** Any amounts paid by a city to reimburse a council member for actual and necessary expenses pursuant to Section 36514.5 shall not be included for purposes of determining salary pursuant to this section.

**(f)** A city council member may waive any or all of the compensation permitted by this section.

**ATTACHMENT M**



# FY 2018 INCOME LIMITS DOCUMENTATION SYSTEM

[HUD.gov](http://HUD.gov) [HUD User Home](#) [Data Sets](#) [Fair Market Rents](#) [Section 8 Income Limits](#) [MTSP Income Limits](#) [HUD LIHTC Database](#)

## FY 2018 Income Limits Summary

Selecting any of the buttons labeled "Explanation" will display detailed calculation steps for each of the various parameters.

FY 2018 Income Limit Area	Median Family Income Explanation	FY 2018 Income Limit Category	Persons in Family						
			1	2	3	4	5	6	7
<b>Los Angeles-Long Beach-Glendale, CA HUD Metro FMR Area</b>	\$69,300	Very Low (50%) Income Limits (\$) Explanation	33,950	38,800	43,650	<b>48,450</b>	52,350	56,250	60,100
		Extremely Low Income Limits (\$)* Explanation	20,350	23,250	26,150	<b>29,050</b>	31,400	33,740	38,060
		Low (80%) Income Limits (\$) Explanation	54,250	62,000	69,750	<b>77,500</b>	83,700	89,900	96,100

**NOTE:** Los Angeles County is part of the **Los Angeles-Long Beach-Glendale, CA HUD Metro FMR Area**, so all information presented here applies to all of the **Los Angeles-Long Beach-Glendale, CA HUD Metro FMR Area**. HUD generally uses the Office of Management and Budget (OMB) area definitions in the calculation of income limit program parameters. However, to ensure that program parameters do not vary significantly due to area definition changes, HUD has used custom geographic definitions for the **Los Angeles-Long Beach-Glendale, CA HUD Metro FMR Area**.

The **Los Angeles-Long Beach-Glendale, CA HUD Metro FMR Area** contains the following areas: Los Angeles County, CA;

\* The FY 2014 Consolidated Appropriations Act changed the definition of extremely low-income to be the greater of 30/50ths (60 percent) of the Section 8 very low-income limit or the poverty guideline as established by the Department of Health and Human Services (HHS), provided that this amount is not greater than the Section 8 50% very low-income limit. Consequently, the extremely low income limits may equal the very low (50%) income limits.

Income Limit areas are based on FY 2018 Fair Market Rent (FMR) areas. For information on FMRs, please see our associated FY 2018 [Fair Market Rent documentation system](#).

For last year's Median Family Income and Income Limits, please see here:

FY2017 Median Family Income and Income Limits for Los Angeles-Long Beach-Glendale, CA HUD Metro FMR Area

Select a different county or county equivalent in California:

Inyo County	▲
Kern County	▲
Kings County	▲
Lake County	▲
Lassen County	▲
Los Angeles County	▼
Select county or county equivalent	

Select any FY2018 HUD Metropolitan FMR Area's Income Limits:

Los Angeles-Long Beach-Glendale, CA HUD Metro FMR Area	▼
Select HMFA Income Limits Area	

Or press below to start over and select a different state:

Select a new state

Update URL For bookmarking or E-Mailing

Prepared by the [Economic and Market Analysis Division](#), HUD.



**ATTACHMENT N****City Charter 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.



**ATTACHMENT O****City Charter 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 Treasury, and shall sign all written contracts required by ordinance to be approved by the City Council and all 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.



**ATTACHMENT P****City Charter 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 thirty (30) days next preceding the date of his filing of nomination papers. 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.



**ATTACHMENT Q**

**Daily Breeze**

400 Continental Blvd, Suite 600  
 El Segundo, CA 90245  
 310-543-6635  
 Fax: 310-316-6827

5007865

CITY OF TORRANCE  
 FINANCE DEPT.ACCOUNTS PAYABLE  
 3031 TORRANCE BLVD  
 TORRANCE, CA 90503

**PROOF OF PUBLICATION  
 (2015.5 C.C.P.)**

**STATE OF CALIFORNIA  
 County of Los Angeles**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of THE DAILY BREEZE, a newspaper of general circulation, printed and published in the City of Torrance\*, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of June 10, 1974, Case Number SWC7146. The notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

**08/13/2019, 08/20/2019**

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Torrance, California  
 On this 21st day of August, 2019.

*Pauline Fernandez*

Signature

\*The Daily Breeze circulation includes the following cities: Carson, Compton, Culver City, El Segundo, Gardena, Harbor City, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Lomita, Long Beach, Manhattan Beach, Palos Verdes Peninsula, Palos Verdes, Rancho Palos Verdes, Rancho Palos Verdes Estates, Redondo Beach, San Pedro, Santa Monica, Torrance and Wilmington.

(Space below for use of County Clerk Only)

Legal No. **0011300649**

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Torrance City Council in the City Council Chambers of City Hall at 3031 Torrance Blvd., Torrance, California on Tuesday, August 27, 2019, no earlier than 7:00 p.m. on the following matter:

**A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CITY CHARTER. THE CITY COUNCIL WILL CONSIDER AND RECEIVE COMMENTS FROM THE COMMUNITY ON THE PROPOSED AMENDMENTS TO THE CITY CHARTER.**

The City Charter can be viewed in the City Clerk's Office or online at <https://www.codepublishing.com/CA/Torrance/#!/TorranceCH.html>. Background information on the City Charter and proposed amendments can be found in City Council Agenda Item 9D from the City Council Meeting of July 23, 2019, which can be viewed in the City Clerk's Office or online at: [https://torrance.granicus.com/MetaViewer.php?view\\_id=8&clip\\_id=13584&meta\\_id=304563](https://torrance.granicus.com/MetaViewer.php?view_id=8&clip_id=13584&meta_id=304563)

This Public Hearing fulfills the requirements of California Government Code § 34458(b) for the first public hearing to consider the amendment of the City Charter. If the City Council approves further consideration of the proposed amendments to the City Charter, then a second noticed public hearing will be held as required by law.

Pursuant to California Public Resources Code section 21065 and California Environmental Quality Act Guidelines section 15061(b)(3) this action is exempt from the California Environmental Quality Act.

**All interested persons have the right and are invited to attend this meeting and express their opinion. You may provide verbal or written testimony at the public hearing. You may also submit written testimony in advance of the public hearing to the City Clerk if you are unable to attend.**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the City Manager's Office at (310) 618-5880. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

For further information, contact the Office of the City Attorney at (310) 618-5810.

REBECCA POIRIER  
 CITY CLERK

Pub Aug 13, 20, 2019(21)DB(11300649)

**ATTACHMENT R**

**AFFIDAVIT OF AGENDA POSTING**

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

I, Michelle Pena, in compliance with Government Code 54954.2(a) DO HEREBY AFFIRM that a copy of the Notice of Public Hearing to consider proposed amendments to the City Charter for August 27, 2019, was conspicuously posted on the City Clerk's bulletin board, 3301 Torrance Boulevard, Torrance, California at the time and date indicated below.

POSTED:

Time: 4:40 pm

Date: August 5, 2019

By: M. Peña

Michelle Pena  
Deputy City Clerk I

AFFIDAVIT OF AGENDA POSTING

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

I, Leallani Stewart, in compliance with Government Code 54954.2(a) DO HEREBY AFFIRM that a copy of the Notice of Public Hearing to consider proposed amendments to the City Charter for August 27, 2019, was conspicuously posted on the Katy Geissert Civic Center Library's bulletin board, 3301 Torrance Boulevard, Torrance, California at the time and date indicated below.

POSTED:

Time: 4:46 p.m.

Date: 8/5/2019

By: Leallani Stewart, Administrative Assistant

**AFFIDAVIT OF AGENDA POSTING**

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

I, Jean Jordan, in compliance with Government Code 54954.2(a) DO  
HEREBY AFFIRM that a copy of the Notice of Public Hearing to  
consider proposed amendments to the City Charter for August 27,  
2019, was conspicuously posted in the Torrance Cultural Arts Center  
Kiosk, 3330 Civic Center Drive, Torrance, California at the time and  
date indicated below.

POSTED:

Time: 8:30am

Date: August 6, 2019

By: Jean Jordan

Jean Jordan  
Box Office Manager

**ATTACHMENT S**

**Sullivan, Patrick**

---

**From:** [REDACTED]  
**Sent:** Thursday, July 25, 2019 12:02 PM  
**To:** Chen, George; Furey, Pat; Goodrich, Tim; Griffiths, Mike; Herring, Milton; Mattucci, Aurelio; Rizzo, Geoffrey  
**Cc:** Jackson, LeRoy; Sullivan, Patrick; Poirier, Rebecca  
**Subject:** CORRECTION to earlier email

**WARNING: External e-mail**

Please verify sender before opening attachments or clicking on links.

Dear Mayor and Council Members,

I noticed a scribner's error in my earlier email to you in the last paragraph. Obviously, the purpose of my email was reconsideration of your actions. The last paragraph should read:

I respectfully ask that you please reconsider and plan on having all of the Charter Amendments on the NOVEMBER 2020 BALLOT! PLEASE make the correction.

Thank You  
Sandi Monda

-----Original Message-----

**From:** [REDACTED]  
**To:** GChen <GChen@TorranceCA.Gov>; PFurey <PFurey@TorranceCA.Gov>; TGoodrich <TGoodrich@TorranceCA.Gov>; MGriffiths <MGriffiths@TorranceCA.Gov>; MHerring <MHerring@TorranceCA.Gov>; AMattucci <AMattucci@TorranceCA.Gov>; GRizzo <GRizzo@TorranceCA.Gov>  
**Cc:** LJackson <LJackson@TorranceCA.gov>; PSullivan <PSullivan@TorranceCA.gov>; RPoirier <RPoirier@TorranceCA.Gov>  
**Sent:** Thu, Jul 25, 2019 11:07 am  
**Subject:** CHARTER AMENDMENTS

f

Gentlemen.....please grab the reins and hold your horses!

At the beginning of Item 9D on Tuesday night, I'm pretty sure I heard the following comments which I'm paraphrasing:

It's in our best interest to take our time with this.  
Need to give the community more time to respond  
In the interest of public involvement, would still be in our purview to go out in the community to speak to various groups, clubs.

March 2020 deadline is just too tight. We need to look at that November date. Gives us time to hold as many meetings as we need.

I'm not sure when those feelings changed to where now you're looking at the March 2020 election for some or all of the City's Charter amendments being included on that ballot and with the first public hearing to be held August 20th or 27th!  
You're giving notice to the residents on even the 27th only 3-4 week notice....or less!

Please consider:

#1 The amendments to be considered are from the 1940's, 50's, 70's, 80's; the latest being June of last year regarding District Elections. What's the hurry? Is there a back story?

#2 Holding IMPORTANT meetings as this during the summer, during vacation periods, could exclude residents who would like to personally express their three meeting opinion on their City Charter!

#3 Moving these hearing to meet the November 2020 election would allow plenty of time to schedule two or more dates for public hearings, plenty of time (almost a year!) to advertise and promote the hearings, plenty of time for HOA's to have meetings with their members, and/or invite councilmembers to their meetings during the year, and show complete transparency by you as our elected representatives.

We are talking about our City Charter, a document that could last who knows how long.....another 70 years?

I respectfully ask that you please reconsider and plan on having all of the Charter Amendments on the March 2020 ballot. Please give the residents of Torrance every opportunity to make their opinions known. I would hope that doing the hearings later, perhaps residents will not be intimidated and will attend those meetings!

Sandi Monda

**Sullivan, Patrick**

---

**From:** Pena, Michelle on behalf of City Clerk  
**Sent:** Thursday, August 08, 2019 7:45 AM  
**To:** Sullivan, Patrick  
**Subject:** FW: SETHA EMAIL - Proposed City Charter Amendments

**From:** John Bailey [REDACTED]  
**Sent:** Wednesday, August 07, 2019 11:47 AM  
**To:** Furey, Pat <PFurey@TorranceCA.gov>; Mattucci, Aurelio <AMattucci@TorranceCA.gov>; Rizzo, Geoffrey <GRizzo@TorranceCA.gov>; Chen, George <GChen@TorranceCA.gov>; Griffiths, Mike <MGriffiths@TorranceCA.gov>; Herring, Milton <MHerring@TorranceCA.gov>; Goodrich, Tim <TGoodrich@TorranceCA.gov>  
**Cc:** Jackson, LeRoy <LJACKSON@TorranceCA.gov>; Poirier, Rebecca <RPoirier@TorranceCA.gov>; Chaparyan, Aram <AChaparyan@TorranceCA.gov>  
**Subject:** SETHA EMAIL - Proposed City Charter Amendments

**WARNING: External e-mail**

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

Mayor Furey and Honorable Councilmembers,

Once again, the questions have come up of whether those filling the Torrance city clerk and city treasurer roles should be elected or appointed and should the salaries and benefits of the Torrance councilmembers be increased. Since this is not a health, welfare or safety issue, let us not rush to put the questions to the voters on the March 2020 ballot. Would you not expect the voter turnout to be higher in the November 2020 election?

#### City Clerk and City Treasurer

If you want to ask voters if they want to change the city clerk and treasurer from elected to appointed positions, will the City Council or the Manager make the appointments. Will supplemental minimum qualifications including education and experience be included in the charter amendment? Will the two positions combined? Is it possible to obtain the history of the Charter and Compensation Committee that met a number of years ago so we can determine why the Committee did not make any changes?

#### Proposed Increase in Salary and Benefits

In agenda item #9 of the July 23, 2019 meeting, the pay scale for charter city council members includes Glendale, Santa Clarita and Long Beach which do not meet the requirements of being listed. Is it possible to see an updated list to include both salaries and benefits for all those cities including footnotes of where the information was obtained? In addition, a more detailed report

on the Torrance councilmembers including both salaries and benefits paid in the last 8 years. Is it possible to get more detailed information on the salaries and benefits including when they were established and what the salaries would be if cost of living allowances were applied to the salaries?

If you have any questions, please let me know.

Regards,

John Bailey, President  
Southeast Torrance Homeowners' Association, Inc. (SETHA)



**ATTACHMENT T**

Council Meeting of  
July 23, 2019

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

**Members of the Council:**

**SUBJECT: City Attorney – Consider and give direction on potential City Charter amendments.**

**Expenditure: None.**

**RECOMMENDATION:**

Recommendation of the City Attorney that the City Council:

- 1) Consider the methods to amend the City Charter and give direction to staff on the method the City Council prefers
- 2) Direct staff on potential timelines and election dates
- 3) Direct staff on potential amendments to the City Charter

**BACKGROUND:**

There are two types of cities under California law: general law cities and charter cities. General law cities are bound by the State of California's general law as found in the California Constitution and the California Government Code, even with respect to municipal affairs. Municipal affairs are matters which a Charter city has control. A statewide concern is a matter over which the legislature has control.

Charter cities are governed by a charter, approved by the electorate, which operates as the "constitution" of the city. The California Constitution authorizes the adoption of a city charter. Cal. Const. art XI, §3(a). Charter cities have the power to regulate municipal affairs, including the creation and regulation of a police force, subgovernment within the city, the conduct of city elections, and dealings with municipal offices and employees. Cal. Const. art XI, §5(b). Essentially, Charter cities are subject only to conflicting provisions in the California Constitution or the United States Constitution and state law that preempts local laws on matters of statewide concern. Additional information from the League of California Cities on the differences between General law cities and Charter cities is attached as Attachment A.

The City of Torrance was a general law city from 1921 until 1946. The original Torrance City Charter was voted on and ratified by the qualified electors at an election held August 20, 1946, and filed with the Secretary of State January 7, 1947. From 1948 to 1966, the City Charter was amended as follows:

**MATERIAL AVAILABLE  
MONDAY**

**9D**

Election Date	Filed With Secretary Of State	Subject Matter Amended
April 13, 1948	January 7, 1949	<p><b>CHARTER AMENDMENT NO. 1</b> AMEND LANGUAGE CREATING BOARD OF EDUCATION</p> <p><b>CHARTER AMENDMENT NO. 2</b> ADOPTS CITY MANAGER FORM OF GOVERNMENT</p> <p><b>CHARTER AMENDMENT NO. 3</b> MAKES IT UNLAWFUL TO PLAY "DRAW POKER" IN CITY</p>
April 11, 1950	March 20, 1951	<p><b>CHARTER AMENDMENT NO. 2</b> REQUIRES CITY MANAGER TO APPROVE ALL PAYMENTS</p> <p><b>CHARTER AMENDMENT NO. 3</b> REQUIRES RESIDENCE FOR ALL EMPLOYEES AND OFFICIALS WITH EXCEPTIONS</p> <p><b>CHARTER AMENDMENT NO. 4</b> EMPLOYEES AND OFFICIALS MUST TAKE OATH AFFIRMING LOYALTY TO USA</p> <p><b>CHARTER AMENDMENT NO. 5</b> SETS FORTH LOCATION OF CITY COUNCIL MEETINGS WITHIN CITY LIMITS</p> <p><b>CHARTER AMENDMENT NO. 6</b> ESTABLISHES CONDITONS FOR RULE BY ORDINANCE</p> <p><b>CHARTER AMENDMENT NO. 11</b> DEFINES ELIGIBILITY AND POWERS OF CITY ATTORNEY</p> <p><b>CHARTER AMENDMENT NO. 12</b> SETS TERMS FOR FILING CLAIM AGAINST THE CITY</p> <p><b>CHARTER AMENDMENT NO. 14</b> ESTABLISHES CITY COURT, JUDGE &amp; JURISDICTION</p>

Election Date	Filed With Secretary Of State	Subject Matter Amended
April 10, 1956	January 10, 1957	<p><b>CHARTER AMENDMENT NO. 1</b> SALARY FOR CITY COUNCIL, CLERK &amp; TREASURER</p> <p><b>CHARTER AMENDMENT NO. 2</b> APPOINTED ASSISTANT OR DEPUTY CITY ATTORNEYS</p> <p><b>CHARTER AMENDMENT NO. 3</b> EXPENDITURES GREATER THAN \$2000 AWARDED TO LOWEST BIDDER</p> <p><b>CHARTER AMENDMENT NO. 4</b> CONDITIONS FOR BRINGING SUIT OR FILING CLAIMS AGAINST THE CITY</p> <p><b>CHARTER AMENDMENT NO. 5</b> TERMS &amp; CONDITIONS FOR AWARD OF FRANCHISE</p> <p><b>CHARTER AMENDMENT NO. 6</b> SET TERMS FOR ADOPTING AN ORDINANCE</p> <p><b>CHARTER AMENDMENT NO. 7</b> REDEFINE DUTIES OF CITY CLERK; CREATE OFFICE OF DIRECTOR OF FINANCE</p> <p><b>CHARTER AMENDMENT NO. 8</b> REDEFINE DUTIES OF CITY TREASURER</p>
October 29, 1957	February 5, 1958	<p><b>CHARTER AMENDMENT NO. 1</b> CREATE AIRPORT FUND</p> <p><b>CHARTER AMENDMENT NO. 2</b> ESTABLISH ELECTIVE MAYOR AND SIX MEMBER CITY COUNCIL</p>
April 10, 1962	April 26, 1962	<p><b>CHARTER AMENDMENT NO. 1</b> AIRPORT FUND/FACILITIES</p> <p><b>CHARTER AMENDMENT NO. 2</b> SCHOOL BOARD OF EDUCATION</p> <p><b>CHARTER AMENDMENT NO. 3</b> CIVIL SERVICE SYSTEM</p>

<b>Election Date</b>	<b>Filed With Secretary Of State</b>	<b>Subject Matter Amended</b>
April 14, 1964	May 11, 1964	<b>CHARTER AMENDMENT NO. 1</b> FULL-TIME SALARIED CITY CLERK
April 12, 1966	May 25, 1966	<b>CHARTER AMENDMENT NO. C</b> PROHIBIT BREAST EXPOSURE

On April 17, 1973 the qualified electors of the City of Torrance approved and ratified an amended, recodified and renumbered City Charter, which was adopted in the Assembly by Assembly Concurrent Resolution No. 19 on August 9, 1973; adopted by the Senate August 13, 1973; filed with the Secretary of State on August 13, 1973 at 3:00 P.M. The City Clerk recorded said Charter in the Office of the County Recorder on September 7, 1973 at 2:47 P.M., Document No. 4140; File No. F2507. The Charter was subsequently amended as follows:

<b>Election Date</b>	<b>Filed With Secretary Of State</b>	<b>Subject Matter Amended</b>
November 5, 1974	January 9, 1975	<b>PROPOSITION VV</b> <b>CHARTER AMENDMENT NO. 1</b> ELECTIVE OFFICE VACANCIES  <b>PROPOSITION WW</b> <b>CHARTER AMENDMENT NO. 2</b> GENERAL MUNICIPAL ELECTION IN MARCH OF EACH EVEN YEAR  <b>PROPOSITION XX</b> <b>CHARTER AMENDMENT NO. 3</b> COUNCIL COMPENSATION; CLERK AND TREASURER DUTIES AND COMPENSATION  <b>PROPOSITION YY</b> <b>CHARTER AMENDMENT NO. 4</b> POWERS & DUTIES OF CITY MANAGER; COUNCIL ACTION ON BUDGET; DEMANDS & AUDITS

Election Date	Filed With Secretary Of State	Subject Matter Amended
March 2, 1976	April 2, 1976	<p><b>CHARTER AMENDMENT NO. 1</b> 30 DAY RESIDENCY FOR CITY ELECTIVE OFFICE CANDIDATES</p> <p><b>CHARTER AMENDMENT NO. 2</b> 30 DAY RESIDENCY FOR BOARD OF EDUCATION CANDIDATES</p> <p><b>CHARTER AMENDMENT NO. 3</b> ALLOW CITY COUNCIL TO SET SALARY FOR CITY CLERK AND TREASURER</p> <p><b>CHARTER AMENDMENT NO. 4</b> REPEALS REQUIREMENT OF RESIDENCY FOR CITY EMPLOYEES</p> <p><b>CHARTER AMENDMENT NO. 5</b> ALLOWS CITY COUNCIL TO SET DOLLAR LIMIT ABOVE WHICH PUBLIC WORKS CONTRACTS MUST BE OFFERED TO COMPETITIVE BID</p>
November 2, 1976	March 25, 1977	<p><b>CHARTER AMENDMENT NO. 1 (PROPOSITION V):</b> TERM LIMITS (2) FOR MAYOR</p>
Election Date	Filed With Secretary Of State	Subject Matter Amended
March 7, 1978	March 27, 1978	<p><b>CHARTER AMENDMENT NO. 1</b> CODIFY DUTIES OF CITY CLERK</p> <p><b>CHARTER AMENDMENT NO. 2</b> REQUIRES MAYOR TO SIGN ONLY CONTRACTS THAT ARE REQUIRED BY ORDINANCE TO BE APPROVED BY THE CITY COUNCIL</p> <p><b>CHARTER AMENDMENT NO. 3</b> SPECIAL MEETINGS CALLED PER STATE LAW NOTICE REQUIREMENTS</p> <p><b>CHARTER AMENDMENT NO. 4</b> REPEALS SECTION 941 (INVALIDITY) OF CITY CHARTER</p> <p><b>CHARTER AMENDMENT NO. 5</b> SETS TIME LIMITS FOR CLAIMS/ACTIONS AGAINST THE CITY</p>

		<p><b>CHARTER AMENDMENT NO. 6</b>          ALLOWS CITY CODE VIOLATIONS TO BE PROSECUTED BOTH CIVILLY AND CRIMINALLY</p> <p><b>CHARTER AMENDMENT NO. 7</b>          PAY CITY COUNCIL ON SAME DATE AS CITY EMPLOYEES</p>
November 8, 1988	May 1, 1989	<p><b>PROPOSITION QQ:</b>          CHARTER AMENDMENT ALLOWS COUNCIL TO SET VIOLATION OF AN ORDINANCE AS MISDEMEANOR OR INFRACTION</p> <p><b>PROPOSITION RR:</b>          CHARTER AMENDMENT ALLOWS COUNCIL TO DECIDE TO PUBLISH AN ORDINANCE IN FULL OR IN SUMMARY</p>

Amended As Follows

Ordinance No.	Date Adopted	Subject Matter Amended
3829	June 19, 2018	COUNCIL MEMBERS ELECTED BY-DISTRICT INSTEAD OF AT-LARGE

**ANALYSIS:**

There are three potential ways that a vote of the people may modify a Charter: (1) by proposal of the City Council pursuant to Government Code § 34458, (2) by a Charter Commission chosen by the voters pursuant to Government Code § 34451, or (3) by initiative (requires a petition signed by 15 percent of the registered voters in the city) pursuant to Government Code § 9255 et seq.<sup>1</sup>

**Procedure for the City Council method pursuant to Government Code § 34458**

Prior to submitting the 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

<sup>1</sup> If a State law preempts the language of a Charter, the governing body is not required to amend the Charter via a vote of the people, but may bring the Charter in conformity with State law via ordinance.

cannot vote on whether to submit the Charter amendment to the voters until 21 days after the second hearing. For most Charter amendments, the City Council may submit the 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 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.

#### Procedure for Charter Commission method pursuant to Government Code § 34451

An election for choosing Charter commissioners may be called by a majority vote of the City Council or upon presentation of a petition signed by not less than 15 percent of the registered voters of the city. Government Code § 34452. The election may be held at any general or special election. There would be two questions on the ballot: (1) Shall a charter commission be elected to propose a new charter? and (2) The candidates for charter commissioner. Government Code § 34453. If the answer to the first question is yes, then the 15 candidates with the highest vote totals form as a Charter commission. The charter commission may propose amendments to the Charter and submit that to the City Clerk. Government Code § 34455. The proposed Charter shall be submitted at the next statewide general election, provided that there are at least 95 days before that election. Government Code § 34457, Elections Code § 1200.

#### Timelines and Election Dates

The timelines of the meetings will depend on which method the City Council chooses to amend the Charter. If the City Council decides to amend the Charter by City Council action, then the City Council can suggest meeting dates taking into consideration the public notice requirements listed above. If the City Council chooses to amend the Charter by a Charter Commission, then City Council can give direction to staff to prepare for a Charter Commission election.

The election dates will be dependent upon the method that the City Council chooses to amend the Charter, either by the City Council or a Charter Commission. For almost all amendments to the Charter, the election can occur at the next regularly scheduled general municipal election (March 3, 2020) or at any established statewide general election (November 5, 2020) or statewide primary election (coincides with our municipal election of March 3, 2020 pursuant to Charter section 510). But, any amendments that impact employment rights, benefits, or employment status must occur at the statewide general election.

#### Potential Charter Amendments

There are several sections of the Charter that the City Council or Charter Commission could look at amending:

1. 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 or Charter Commission could choose to follow the Government Code or choose its own time period to fill vacancies.

2. Charter section 640 allows an election to be held to make the City Clerk or City Treasurer appointed officials instead of elected officials.
3. Charter section 910 deals with the City Manager. There are a couple of provisions in Section 910 that the City Council or Charter Commission could look at amending. First, the removal process in the Charter is very complicated. If this Charter section was amended, then the City Council would need to look at entering into an employment contract with the City Manager. Second, the 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 or Charter Commission could amend this section and make the City Attorney an at-will employee. If this Charter section was amended, then the City Council would need to look at entering into an employment contract with the City Attorney.
5. Charter section 1310 lists the following Appointive Officers: City Attorney, City Engineer, Street Superintendent, Park Superintendent, Transportation Superintendent, Chief of Police, Chief of the Fire Department, and Building Inspector which according to the Charter are all appointed by the City Council. However, with the exception of the City Manager and City Attorney and the Finance Director who is appointed after recommendation by the City Manager, the City Council no longer appoints these other employees, as this section of the Charter was preempted when the Charter was amended to indicate a City Manager form of government. This section should be updated.
6. Charter section 604 sets City Council compensation at \$100.00 per month. The City Council or Charter Commission could amend this section to change the amount of City Council compensation. The City Council or Charter Commission could also amend section 610 of the Charter to allow a differential for the Mayor's 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 Charter that the City Council or Charter Commission wants to modify.
9. The City Clerk and the City Attorney have noticed that there are some previous amendments to the Charter that were adopted by the voters, but do not seem to be codified. We will need to research whether those Charter Amendments were just not codified correctly or if the election results were not sent to the legislature.

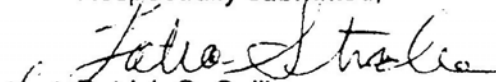
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**CONCLUSION:**

The City Attorney seeks direction from the City Council on:

1. The method of Charter Amendment the City Council would prefer - City Council or Charter Commission;
2. Potential timelines and election dates; and
3. Potential amendments to the City Charter.

Respectfully submitted,

  
Patrick Q. Sullivan  
City Attorney

Attachment:

- A. League of California Cities information on General law v Charter cities

NOTED:



LeRoy J. Jackson  
City Manager



## Charter Cities: A Quick Summary for the Press and Researchers

*The following summary was drafted by the League of California Cities' legal staff, in an attempt to give the press and research communities a primer on some frequently asked questions regarding charter cities.*

### Charter Cities vs. General Law Cities – The Basics

The California Constitution gives cities the power to become charter cities.<sup>1</sup> The benefit of becoming a charter city is that charter cities have supreme authority over "municipal affairs."<sup>2</sup> In other words, a charter city's law concerning a municipal affair will trump a state law governing the same topic.<sup>3</sup>

Cities that have not adopted a charter are general law cities. General law cities are bound by the state's general law, even with respect to municipal affairs. Of California's 478 cities, 108 of them are charter cities.

The charter city provision of the State Constitution, commonly referred to as the "home-rule" provision, is based on the principle that a city, rather than the state, is in the best position to know what it needs and how to satisfy those needs.<sup>4</sup> The home-rule provision allows charter cities to conduct their own business and control their own affairs.<sup>5</sup> A charter maximizes local control.

A city charter, in effect a city's constitution, need not set out every municipal affair the city would like to govern. So long as the charter contains a declaration that the city intends to avail itself of the full power provided by the California Constitution, any city ordinance that regulates a municipal affair will govern over a general law of the state.<sup>6</sup>

### Defining 'Municipal Affairs'

Determining what is and is not a "municipal affair" is not always straightforward. The California Constitution does not define "municipal affair." It does, however, set out a nonexclusive list of four "core" categories that are, by definition, municipal affairs.<sup>7</sup>

These categories are 1) regulation of the "city police force"; 2) "subgovernment in all or part of a city"; 3) "conduct of city elections"; and 4) "the manner in which . . . municipal officers [are] elected."<sup>8</sup> Beyond this list, it is up to the courts to determine what is and is not a municipal affair.

To determine if a matter is a municipal affair, a court will ask whether there are good reasons, grounded on statewide interests, for the state law to preempt a local law.<sup>9</sup> In other words, courts

<sup>1</sup> Cal. Const. art. XI, § 3(a).

<sup>2</sup> Cal. Const. art. XI, § 5(a).

<sup>3</sup> *Johnson v. Bradley*, 4 Cal. 4th 389, 399 (1992).

<sup>4</sup> *Fragley v. Phelan*, 126 Cal. 383, 387 (1899).

<sup>5</sup> *Id.*

<sup>6</sup> There are some exceptions to this rule. For example, a charter city is bound by the Public Contract Code unless the city's charter expressly exempts the city from the Code's provisions or a city ordinance conflicts with a provision in the Code. See Cal. Pub. Cont. Code § 1100.7.

<sup>7</sup> Cal. Const. art. XI, § 5(b); *Johnson*, 4 Cal. 4th at 398.

<sup>8</sup> Cal. Const. art. XI, § 5(b).

<sup>9</sup> *Johnson*, 4 Cal. 4th at 405.