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CITY OF  
TORRANCE

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Rebecca Poirier, MMC  
City Clerk

Vacant  
Deputy City Clerk III

**ADOPTED**

July 22, 2024

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

64 October 22, 2024

Edward Yen  
Executive Officer, Board of Supervisors  
500 West Temple Street, Room 383  
Kenneth Hahn Hall of Administration  
Los Angeles, CA 90012

EDWARD YEN  
EXECUTIVE OFFICER

Dear Mr. Yen,

The Torrance City Council held a regular meeting on July 2, 2024 and adopted Resolution No. 2024-47 calling a Special Municipal Election on November 5, 2024, for the purpose of placing a charter measure on the ballot.

At the same meeting, the Torrance City Council also adopted Resolution No. 2024-48 requesting the Board of Supervisors of the County of Los Angeles to consent and agree to consolidate the Torrance Special Municipal Election to be held on November 5, 2024 with the General Election.

Certified copies of the resolutions are enclosed for your convenience. At the earliest opportunity, please provide confirmation of the approved consolidation. This request was sent to Dean Logan, Los Angeles County Registrar/Recorder.

Sincerely,

Rebecca Poirier, MMC  
City Clerk

Enc: Resolutions 2024-47 Calling Special Municipal Election  
Resolutions 2024-48 Requesting Consolidation with Board of Supervisors of LACO

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES  
FILED

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**RESOLUTION NO. 2024-47**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, ORDERING, CALLING AND PROVIDING FOR AND GIVING NOTICE OF A SPECIAL ELECTION TO BE HELD IN THE CITY OF TORRANCE ON TUESDAY, NOVEMBER 5, 2024, FOR THE PURPOSE OF SUBMITTING A PROPOSED CHARTER AMENDMENT RELATING TO AMENDMENTS TO THE CITY CHARTER TO A VOTE OF THE QUALIFIED ELECTORS OF THE CITY; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE CHARTER AMENDMENT; AND PROVIDING FOR THE FILING OF PRIMARY AND REBUTTAL ARGUMENTS AND SETTING RULES FOR THE FILING OF WRITTEN ARGUMENTS REGARDING A PROPOSED CHARTER AMENDMENT TO BE SUBMITTED AT THE ELECTION**

**WHEREAS**, pursuant to authority provided by California Constitution, Article XI, Torrance City Charter Section 1620, California Government Code Sections 34450 et. seq. and California Elections Code Sections 9255 et. seq., the City Council of the City of Torrance desires to submit to the voters a proposed charter amendment to make various updates and amendments to the City Charter ("Charter Amendment"); and

**WHEREAS**, California Constitution, Article XI, Section 3, requires that any charter amendment be approved by a majority of City voters voting at an election called for that purpose; and

**WHEREAS**, pursuant to California Government Code Section 34458(b), which requires two public hearings, the City Council held a duly noticed public hearing on March 12, 2024, a second duly noticed public hearing on April 23, 2024, and a third duly notice public hearing on June 4, 2024 to hear public comment and testimony and to consider the Charter Amendment, with the three public hearings being held at 7:00 p.m., outside normal City business hours; and

**WHEREAS**, pursuant to California Government Code Section 34458(b), this resolution is being adopted at a City Council meeting which is at least 21 calendar days after the third public hearing referenced above; and

**WHEREAS**, the City Council is authorized and directed by statute to submit the proposed Charter Amendment to the voters; and

**WHEREAS**, the City Council further desires to set deadlines and rules for primary and rebuttal arguments for and against the Charter Amendment;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1. The foregoing recitals are true and correct and are hereby incorporated and made an operative part of this Resolution.

Section 2. That pursuant to the provisions of California Constitution, Art. XI, Section 3, Torrance City Charter section 1620, California Government Code, Sections 34450 et. seq., and California Elections Code, Sections 9255 et. seq., and any other applicable requirements of the laws of the State of California relating to charter cities, the City Council, by a majority vote, hereby calls and orders to be held a General Municipal Election in the City of Torrance between the hours of 7:00 a.m. and 8:00 p.m. on Tuesday, the 5th day of November, 2024, for the purpose of submitting to a vote of the qualified electors of the City of Torrance the following proposed Charter Amendment:

<p>Shall City of Torrance's Charter (established in 1947) be amended/modernized, compliant with State law, including:</p>	<p><b>YES</b></p>
<ul style="list-style-type: none"> <li>• Requiring disclosure of all campaign donations to City candidates</li> <li>• Requiring lobbyists to register with the City</li> <li>• Requiring ethics training for all elected officials</li> <li>• Establishing stricter conflict of interest rules on elected officials/City staff</li> <li>• Restricting Mayor/Councilmembers compensation to State of California Minimum Wage rate without raising taxes</li> <li>• Requiring public disclosure, independent audits of all City spending?.</li> </ul>	<p><b>NO</b></p>

Section 3. That the text of the Charter Amendment to be submitted to the voters is attached hereto as Exhibit "A".

Section 4. That the minimum vote requirement for the Charter Amendment to pass is a simple majority (50% + 1) of the votes cast.

Section 5. That pursuant to California Elections Code Section 9280, the City Council hereby directs the City Clerk to transmit a copy of the Charter Amendment to the City Attorney. Due to a potential conflict that the City Attorney may have, the City Clerk shall prepare an impartial analysis of the Charter Amendment, not to exceed 500 words in length, showing the effect of the Charter Amendment on the existing law and the operation of the Charter Amendment, and transmit such impartial analysis to the City Clerk not later than the deadline for submittal of primary arguments for or against the Charter Amendment.

The impartial analysis shall include a statement indicating whether the Charter Amendment was placed on the ballot by a petition signed by the requisite number of voters or by the City Council. In the event the entire text of the Charter Amendment is not printed on the ballot, nor in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-font bold type, the following: **"The above statement is an impartial analysis of Ordinance or Measure "\_\_\_\_." If you desire a copy of the ordinance or measure, please call the Office of the City Clerk at (310)618-2870 and a copy will be mailed at no cost to you."**

Section 6.Primary Arguments. That the City Council authorizes (i) the Mayor, City Council or any member(s) of the City Council, (ii) any appointive officer of the City, (iii) any individual voter eligible to vote on the above measure, (iv) a bona fide association of such citizens or (v) any combination of voters and associations, to file a written argument in favor of or against the City measure, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, the City Council Rules of Order, and to change the argument until and including the date fixed below by the City Clerk, after which no arguments for or against the City measure may be submitted to the City Clerk.

Section 7.Pursuant to the City Council Rules of Order, the Mayor, with the approval of the City Council, may designate a person, or association of persons, to write arguments either for or against or both for and against the adoption of any measure or proposition placed on the ballot.

Section 8.The deadline to submit arguments for or against the City Measure pursuant to this Resolution is declared by the City Clerk to be Friday, August 16, 2024, at 5:30 p.m. Each argument shall not exceed 300 words and shall be filed with the City Clerk, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

Section 9.Rebuttal Arguments. Pursuant to Section 9285 of the Elections Code of the State of California, when the City Clerk has selected the primary arguments for and against the City Measure which will be printed and distributed to the voters, the Clerk shall send copies of the primary argument in favor of the Measure to the authors of the primary argument against, and copies of the primary argument against to authors of the primary argument in favor. The authors or persons designated by them may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than Monday, August 26, 2024 at 5:30 p.m. Authors may change a rebuttal argument until and including the date fixed above by the City Clerk, after which no rebuttal arguments for or against the City measure may be submitted to the City Clerk. Rebuttal arguments shall be printed in the same manner as the primary arguments. Each rebuttal argument shall immediately follow the primary argument which it seeks to rebut.

Section 10. That notice of the time and place of holding the election is hereby given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

Section 11. The City Clerk is authorized, instructed and directed to coordinate with the County of Los Angeles Registrar-Recorder/County Clerk to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

Section 12. That the ballots to be used at the election shall be in form and content as required by law.

Section 13. This call for a general election on November 5, 2024 includes the Vote Center Election procedure provided for in Elections Code section 4007.

Section 14. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 15. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

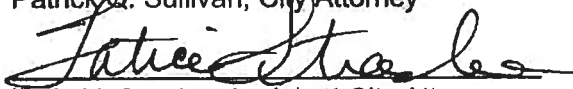
Section 16. The City Council finds that this Resolution is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.


Section 17. The provisions of this Resolution are severable and if any provision of this Resolution is held invalid, that provision shall be severed from the Resolution and the remainder of this Resolution shall continue in full force and effect, and not be affected by such invalidity.

Section 18. That the City Council authorizes the City Clerk to administer the election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

**PASSED, APPROVED, and ADOPTED** this 2nd day of July, 2024.

APPROVED AS TO FORM:  
Patrick Q. Sullivan, City Attorney

  
Tatia Y. Strader, Assistant City Attorney

  
\_\_\_\_\_  
Mayor George K. Chen  
ATTEST: -

  
\_\_\_\_\_  
Rebecca Poirier, MMC, City Clerk

Attachment: Exhibit A Text of Charter Amendment

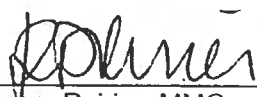
**TORRANCE CITY COUNCIL RESOLUTION NO. 2024-47**

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

I, Rebecca Poirier, City Clerk of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Torrance at a regular meeting of said Council held on the 2<sup>nd</sup> day of July 2024 by the following vote:

AYES:        COUNCILMEMBERS     Gerson, Kalani, Lewis, Mattucci, Sheikh, and Mayor Chen.  
NOES:        COUNCILMEMBERS     None.  
ABSTAIN:    COUNCILMEMBERS     None.  
ABSENT:     COUNCILMEMBERS     Kaji.

Date: 8/9/24

  
\_\_\_\_\_  
Rebecca Poirier, MMC  
City Clerk of the City of Torrance

MEASURE " \_\_\_\_ "

SECTION 1. THE PEOPLE OF THE CITY OF TORRANCE DO HEREBY AMEND, RESTATE, AND RECODIFY THE TORRANCE CITY CHARTER TO HAVE IT READ IN ITS ENTIRETY AS FOLLOWS:

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## **ARTICLE 1 – INCORPORATION AND SUCCESSION**

### **100 NAME AND BOUNDARIES.**

The City of Torrance, hereinafter termed the City, shall continue to be a municipal corporation under its present name of "City of Torrance." The boundaries of the City shall be the boundaries established at the time this Charter takes effect, and as such boundaries may be changed thereafter in the manner authorized by law.

### **101 SUCCESSION, RIGHTS, AND LIABILITIES.**

The City shall continue to own, hold, possess, use, lease, control, and in every way succeed to and become the owner of all rights and property of every kind and nature owned, possessed, controlled, or claimed by it at the time this Charter takes effect and shall be subject to all its debts, obligations, liabilities, duties, and contracts of the existing municipal corporation.

### **102 ORDINANCES, CODES, AND OTHER REGULATIONS.**

All lawful ordinances, codes, resolutions, rules, regulations, or portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent herewith, shall continue in force until they shall be duly repealed, amended, changed, or superseded by proper authority.

### **103 CONTINUANCE OF PRESENT OFFICERS AND EMPLOYEES.**

The present officers and employees shall continue to perform the duties of their respective offices and employments without interruption and for the same compensations and under the same conditions until the appointment or election or qualification of their successors, but subject to removal, amendment, change, or control as provided by this Charter. Nothing contained in this Charter, unless specifically otherwise provided herein, shall affect or impair the personnel, pension, or retirement rights or privileges of officers or employees of the City, or of any officer, department, or agency thereof, existing at the time this Charter takes effect. For the avoidance of doubt, this Section does not prevent the implementation of Section 404.

### **104 CONTINUANCE OF CONTRACTS, FRANCHISES, AND PUBLIC IMPROVEMENTS.**

All contracts entered into by the City, or for its benefit, prior to the taking of effect of this Charter, shall continue in full force and effect. All franchises granted by the City prior to the taking effect of this Charter shall continue in full force and effect. Public improvements for which proceedings have been instituted under laws existing at the time this Charter takes effect, in the discretion of the City Council, may be carried to completion as nearly as practicable in accordance with the provisions of such existing laws or may be continued or perfected under this Charter.

### **105 PENDING ACTIONS AND PROCEEDINGS.**

No action or proceeding, whether civil, criminal, or administrative, filed and pending at the time this Charter takes effect, brought by or against the City or any officer, office, department, or agency thereof, shall be affected or abated by the adoption of this Charter or by anything contained in the Charter, but all such actions or proceedings may be continued notwithstanding that functions, powers, and duties of any officer, office, department, or agency a party thereto, may be assigned or transferred by or under this Charter to another officer, office, department, or agency, but in that event, the same may be prosecuted or defended by the head of the office, department, or agency to which such functions, powers, and duties have been assigned or transferred by or under this Charter.

### **106 SEAL.**

The official seal of the City at the time this Charter takes effect shall continue to be the official seal of the City for its acts and business unless and until changed by ordinance of the City Council.

**107 SEVERABILITY.**

If any article, section, paragraph, sentence, clause, or portion of this Charter is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such article, section, paragraph, sentence, clause, or portion shall be deemed a separate, distinct, and independent provision and severable and such holding shall not affect the validity of the remaining articles, sections, paragraphs, sentences, clauses, or portions of this Charter.

**108 CITATION TO STATE LAW.**

Any citation to any specific provision of State law in this Charter, shall be construed to apply to any successive provisions, amendments, or revisions to such sections so long as the successive provisions, amendments, or revisions are largely consistent with such authorities as of the effective date hereof.

**109 INTERPRETATION.**

The provisions of this Charter shall be construed in accordance with the generally accepted meaning of the language used, and in the event of any asserted ambiguity in, or dispute regarding, the interpretation of any matter herein, the ambiguity or dispute shall be resolved by a construction which best carry out the overall intent of this Chapter as expressed in the terms hereof. "Shall" is mandatory and "may" is permissive.

**110 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 of the City of Torrance.

City means the City of Torrance.

Charter means the City Charter of the City of Torrance.

County means the County of Los Angeles.

Elected Official means any person who holds elective office in the City of Torrance.

Elections Code means the California Elections Code.

Municipal Code means the Torrance Municipal Code.

Officer means a person who holds the position of City Manager, Assistant City Manager, Deputy City Manager, City Clerk, City Treasurer, or Department Head.

State means the State of California.

**111 AMENDMENTS.**

This Charter may be amended in accordance with the laws of the State of California.

**112 CITY CLERK AUTHORITY TO MAKE MINOR CORRECTIONS.**

The City Clerk shall be authorized to make minor amendments to the Charter to correct typographical errors or to make other similar non-substantive corrections, subject to ratification by the City Council and approval as to form by the City Attorney.

**113 EFFECTIVE DATE OF THIS CHARTER.**

This Charter, and any amendment hereto, will take effect upon its ratification by the voters of the City and filing with the Secretary of State pursuant to Section 3 of Article XI of the California Constitution.

## **ARTICLE 2 – POWERS OF CITY**

### **200 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 or act pursuant to any and all rights, powers, privileges, or procedures heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise, or act pursuant to, under the Constitution of the State of California. The enumeration in this Charter of any particular power shall not be held to be exclusive of, or any limitation 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. This Charter shall be liberally construed to vest the City with all legal authority and powers necessary to protect the health, safety, and general welfare of all of the residents of the City.

### **201 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:

### **202 TAX LIMIT.**

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

### **203 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.

### **204 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.

## **205 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 the 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 3 – ELECTIONS**

### **300 PROCEDURE FOR HOLDING ELECTIONS.**

Section 5 of Article XI of the California Constitution provides that elections are municipal affairs and therefore the City Council retains full authority to regulate municipal 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, 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 the person shall be a qualified elector of the City. 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 the Elections Code.

### **301 GENERAL MUNICIPAL ELECTIONS.**

General municipal elections shall be held in the City on the same day as the statewide direct primary election in each even numbered year.

### **3302 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.

### **303 PROCEDURE FOR HOLDING ELECTIONS.**

Unless otherwise provided by ordinance after the adoption of this Charter, all municipal elections will be held in accordance with the provisions of the Elections Code of the State of California, as it exists or may be amended, for the holding of municipal elections provided that the provisions of the Elections Code are not in conflict with this Charter. The conduct of all municipal elections will be under the control of the City Council, and the City Council will, by ordinance or resolution, provide for the holding of each municipal election. The City Council may, in its discretion, determine to conduct mail ballot elections, ranked choice voting (or instant runoff voting) elections, or any other voting election method. The City Clerk, as the City's election official, shall conduct City elections.

### **304 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 the City insofar as the same may be applicable and except as herein otherwise provided. All elective officers of the City shall be subject to recall in the manner provided in the Elections of the State of California relating to

recall of municipal officers insofar as the same may be applicable and except as herein otherwise provided.

## **ARTICLE 4 – ELECTIVE OFFICERS**

### **400 ELECTIVE OFFICERS.**

The elective officers of the City shall be the Mayor and six members of the City Council, the City Clerk and the City Treasurer. No person shall be a candidate for more than one of the offices at any municipal election.

### **401 ELIGIBILITY FOR ELECTIVE OFFICE.**

No person shall be eligible to hold any elective office in this City unless that person is a resident and elector therein and shall have resided in such City for at least 30 days immediately preceding the date of filing of nomination papers.

### **402 TERMS.**

- a) The six members of the City Council shall be elected by-district, and the remaining elective officers of the City shall be elected from the City at large and shall hold office for a term of 4 years from and after the Tuesday next succeeding the date of such election and until their successors are elected and qualified.
- b) No person shall be elected as Mayor for more than 2 consecutive full terms; provided, however, that such person may be successively elected to additional terms as Mayor in full compliance with this subsection where the first of such 2 full terms succeeds the term of another person.
- c) Any person elected as a member of the City Council for 2 consecutive full terms shall not be eligible to hold office as a member of the City Council until a period of 4 years has elapsed from the expiration of the second consecutive term. Appointment or election to an unexpired term shall not count in determining a person's eligibility under this section. Terms completed prior to this provision taking effect, shall not be counted in determining a person's eligibility under this section. Terms which are in progress at the time this provision goes into effect, shall count as the first term of the 2-term limit.

### **403 VACANCIES.**

- a) A City Councilmember, Mayor, City Clerk, or City Treasurer shall be deemed to have vacated their office on the date that the elected official:
  - 1) is absent from all regular meetings of the City Council for a period of 60 days consecutively from and after the last regular City Council meeting attended by such member without permission or excuse approved by the City Council;
  - 2) is convicted of a felony, a crime involving moral turpitude, or a crime involving a violation of the elected official's official duties;
  - 3) resigns from office in writing;
  - 4) is sworn into another office or position requiring surrender of the City office;
  - 5) is removed from office by judicial procedure or other state law proceeding;
  - 6) forfeits the office under any provisions of this Charter;
  - 7) no longer meets the qualifications necessary;
  - 8) is judicially determined to be incompetent;



9) is permanently disabled as to be unable to perform the duties of the position. A finding of disability shall require the affirmative vote of at least two-thirds of the members of the City Council after considering competent medical evidence bearing on the physical or mental capability of the officer; or

10) dies.

Any vacancies occurring in any of the elective offices provided for in this Charter, shall be filled by appointment by the City Council.

- b) In the event of the City Council, failing to fill a vacancy by appointment within 60 days after such vacancy occurs, the City Council must immediately, after the expiration of the 60 days, cause an election to be held to fill such vacancy.
- c) Any person appointed or elected to fill any vacancy on the City Council shall hold office only until the next regular municipal election at which time a person shall be elected to serve for the remainder of such unexpired term.

#### **404 COMPENSATION.**

The members of the City Council shall receive compensation for their services in an amount equal to the minimum wage as published by the State of California Department of Industrial Relations, or any successor agency, in its Minimum Wage Order (or any successor order, notice, or publication of the State of California's minimum wage), which amount shall reimburse the City Councilmember for expenditures imposed on the City Councilmember in serving as a City Councilmember. For the avoidance of doubt, the monthly compensation for Councilmembers will be calculated by taking the minimum wage of the State of California and multiplying it by 2,080 hours to get the yearly amount and dividing the yearly amount by 12 to get the monthly compensation. City Councilmembers are not employees, are not hourly workers, and will not be entitled to overtime. The reference to minimum wage is just for the purposes of calculating the monthly compensation. Councilmembers will be paid 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 the Councilmember 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.

#### **405 THE MAYOR.**

The Mayor shall preside at the meetings of the City Council, and in case of the Mayor's 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 the Mayor by virtue of the 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 the City. The Mayor shall have the power to administer oaths and affirmations, to take affidavits and to testify. The Mayor is authorized to acknowledge the execution of all instruments executed by the City that are required to be acknowledged.

#### **406 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 the City Clerk shall record all City ordinances with the City Clerk's certificate annexed to each of the ordinances stating the same to be a true and correct copy of any ordinance of the City, giving the number of the ordinances and stating that the same has been published or posted according to law. The record with the certificate shall be prima facie evidence of the contents of each ordinance and of the passage and publication of the same and shall be admissible as such evidence in any court or proceedings.

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

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

The City Clerk and the City Clerk's 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.

The salary of the City Clerk shall be determined by the City Council.

The City Clerk shall devote their 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.

#### **407 POWERS AND DUTIES OF THE CLERK.**

The City Clerk shall be the department head for the City Clerk's Office and be required to:

1. Attend in person or through an authorized representative, all meetings of the City Council and be responsible for recording and maintaining a full and true record of all proceedings of the City Council.
2. Maintain separate books, in which shall be recorded respectively all ordinances and resolutions, with the certificate of the City Clerk annexed to each book stating the ordinance or resolution to be the original or a correct copy, and as to an ordinance requiring publication, stating that the same has been published or posted in accordance with this Charter; keep all books properly indexed and open to public inspection when not in actual use.
3. Maintain a record of all written contracts, deeds, official bonds, and other recorded instruments.
4. Be the custodian of the seal of the City.
5. Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs and business of the City and certify copies of official records.
6. Serve as the election official of the City and administer all City elections.
7. Attest the signature of City officials on written contracts or conveyances:
8. Acknowledge the execution of all instruments executed by the City as required.
9. Serve as the City's agent for service of process.
10. In accordance with the City's transparency goals, assure that appropriate procedures are established and followed to comply with the California Public Records Act (Government Code section 7920.000 *et seq.*).
11. Administer the City's record retention policy.
12. Administer the City's electronic or digital signature policy.
13. Conduct the opening of bids for public works projects publicly advertised by the City. The City Clerk may delegate this duty to another officer or employee of the City.
14. Upon request, the City Clerk may publish or notice or facilitate the publication of all City Council-related matters required to be published or noticed in accordance with applicable laws.
15. Perform other duties not inconsistent with this Charter, as may be required by State general law, or by ordinance or resolution of the City Council.

#### **408 CITY TREASURER.**

It shall be the duty of the City Treasurer to receive and safely keep all moneys which shall come into the City Treasurer's hands as City Treasurer. The City Treasurer shall comply with all provisions of law governing the deposit and securing of public funds. The City Treasurer 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 the City Treasurer's possession. The City Treasurer 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 the City Treasurer's 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. The City Treasurer 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 the City Treasurer shall file with the City Council.

The City Treasurer shall attend a minimum of one City Council meeting per month. The City Treasurer shall be deemed to have vacated the office of City Treasurer on the date that the City Treasurer is absent from all regular meetings of the City Council for a period of 60 days consecutively from and after the last regular City Council meeting attended by such member without permission or excuse approved by 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.

#### **409 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.

#### **410 POLITICAL ACTIVITY OF THOSE UNDER SYSTEM.**

No elective officer, appointive officer, or employee of the City shall:

- (a) Directly or indirectly use, promise, threaten, or attempt to use any official influence in the aid of any partisan political activity, or to affect the result of any election to partisan or political office or otherwise at or fail to act, in their official capacity as a result of any or partisan or political consideration.
- (b) Solicit or coerce from any other officer or employee of the City, any political payment, contribution, or membership.
- (c) Use any office or position within the City in any activity in support or opposition to any person running for any elected office.

Nothing in this Section shall be construed to prevent any such officer or employee from becoming or continuing to be a member of a political group or organization, or from attendance at a political meeting, or from enjoying entire freedom from all interference in casting a vote or from seeking or accepting election or appointment to any public office.

Any willful violation hereof, or violation through gross negligence of this Section, in addition to any other remedies provided in this Charter for violations hereof, shall be sufficient grounds for the discharge of any such officer or employee.

No officer or employee, or seeking admission thereto, shall be employed, promoted, demoted, or discharged, or in any way favored or discriminated against because of political opinions or affiliations.

#### **411 CAMPAIGN CONTRIBUTION DISCLOSURES.**

(a) Any elected officer, candidate, committee or other person required to file statements, reports or other documents with the City Clerk must disclose their campaign contributions and expenditures in accordance with the State's Political Reform Act, or any successor statute or provision.

(b) The City Clerk shall post all campaign statements and reports on the City's website.

### **ARTICLE 5 – CITY COUNCIL POWERS AND DUTIES**

#### **500 LEGISLATIVE POWERS.**

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

#### **501 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 meetings 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.

#### **502 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.

#### **503 SPECIAL MEETINGS.**

Special meetings may be called at any time by the Mayor, or by a majority of the members of the City Council, upon compliance with the notice requirements for special meetings prescribed by state law; 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. An email, text message, or other electronic communication from a member of the Council 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.

#### **504 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.

#### **505 QUORUM.**

At any meeting of the City Council, a majority of the 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 to each member of the City Council a notice of such adjournment. 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.

#### **506 COUNCIL PROCEEDINGS.**

The City Council shall judge 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. 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. 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.

**507 PUBLIC PARTICIPATION.**

The City Council and all City boards, commissions, and committees shall operate transparently and in a manner to promote public participation. No person shall be denied the right, personally or through counsel, to present grievances or offer suggestions for the betterment of municipal affairs at any regular meeting, adjourned regular meeting, or special meeting of the City Council, board, commission, or committee if the item is within the subject matter jurisdiction of the City Council, board, commission, or committee or if such item is on the agenda, prior to the item being considered by the City Council, board, commission, or committee. The City Council may, by ordinance or resolution, establish time limitations for speaking and impose other reasonable regulations on the exercise of such right in order to preserve the orderly nature of its proceedings. The Mayor, Mayor Pro Tem, or presiding officer may modify the regular rules of order in a nondiscriminatory fashion where large audiences are present and may make necessary orders to prevent disorderly conduct or disruptions when the meeting is being disrupted and preventing the business of the City Council from being completed. All boards, commissions, and committees shall conduct their meetings in a similar fashion consistent with the City Council's rules of order or with their own procedures so long as the procedures are consistent with the City Council's rules of order.

**508 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.

**509 ORDINANCES: PUBLICATION.**

At the time any ordinance is introduced to the City Council, the City Attorney shall prepare and submit a summary of the ordinance. Upon adoption of an ordinance, the City Council may determine that the summary of the ordinance shall be published in a newspaper of general circulation, published and circulated within the City, or that the full ordinance shall be so published. In the event the City Council shall determine that a summary shall be published, it shall approve the summary as submitted or may modify it.

The City Clerk shall thereafter cause either the ordinance, or the summary thereof approved by the City Council, to be published within fifteen (15) days after its adoption at least once in a newspaper of general circulation, published and circulated within the City. If there is no such newspaper, then each such ordinance must be posted in at least three (3) public places within the City or published in a newspaper of general circulation printed and published in the County and circulated in the City.

In the event the summary is published, the names of the Council Members voting for and against shall be shown.

## **510 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.

## **511 ADOPTION OF CODE BY REFERENCE.**

Detailed regulations pertaining to any subject, including by not limited to the California Building Standards Code (Title 24 of the California Code of Regulations) or any successor provision, or other subjects which require extensive regulations, after having been arranged as a comprehensive code, may be adopted by reference by the passage of an ordinance for such purposes; which ordinance may be adopted in the same manner as specified for the adoption of a comprehensive ordinance code. Maps, charts, and diagrams also may be adopted by reference.

## **512 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 (5) 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 (5) 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 (4) members of the City Council, and no ordinance shall have any validity or effect unless passed by the votes of at least four (4) members of the City Council.

All ordinances and resolutions shall be signed by the Mayor, attested by the City Clerk and approved to legal form by the City Attorney. The Mayor shall sign all ordinances and resolutions within 30 days of passage or adoption. The signature of the Mayor on a ordinance or resolution is a ministerial act. The failure of the Mayor to sign an ordinance or resolution does not invalidate that ordinance or resolution and does not prevent that ordinance or resolution from taking effect. If the Mayor does not sign an ordinance or a resolution within 30 days of its passage, it will take effect in the same manner as if the Mayor had signed it. The Mayor Pro Tem may sign ordinances and resolutions if the Mayor is unable to sign due to being out of town or due to disability.



### **513 ORDINANCES; WHEN EFFECTIVE.**

No ordinance shall become effective until thirty (30) days from and after the date of its final passage, except an ordinance

- (a) calling or otherwise relating to an election.
- (b) to a street improvement proceeding taken under some law.
- (c) ordinance determining the amount of money necessary to be raised by taxation or fixing the rate of taxes to be levied.
- (d) 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 no less than five (5) days shall intervene between the introduction and final passage shall not apply to such an ordinance.
- (e) As otherwise provided by State law.

### **514 ORDINANCE VIOLATION: MISDEMEANOR OR INFRACTION.**

- A. A violation of any ordinance of the City may be prosecuted by the authorities of the City either as a misdemeanor or an infraction, as the City Council may determine, in the name of the People of the State of California, or may be redressed by civil action, or both, at the option of the authorities.
- B. For any ordinance of the City adopted after the effective date of this amended section, the City Council shall declare at the time of adoption whether the violation of such ordinance shall be a misdemeanor or an infraction or alternatively, a misdemeanor or infraction pursuant to Section 17(d) of the California Penal Code.
- C. For each ordinance adopted before the effective date of this amended section, the City Council may determine, by the adoption of an ordinance or ordinances that the violation of any such previously adopted ordinances shall be an infraction, or alternatively a misdemeanor or an infraction pursuant to Section 17(d) of the California Penal Code.

### **515 ORDINANCE PENALTY.**

The maximum fine or penalty for any violation of an ordinance of this City which is a misdemeanor, shall be the sum of One Thousand Dollars (\$1000), or a term in the County Jail or in the City Jail for a period not exceeding six (6) months, or by both such fine and imprisonment, or as otherwise provided in Section 36901 of the California Government Code. The maximum fine or penalty for violation of any ordinance of this City which is an infraction, or which is charged as an infraction, shall be provided in Section 36900 of the California Government Code. The City may also provide for the issuance of administrative citations and administrative fines for violations of any provisions of this Charter or any provisions of the Municipal Code.

## **ARTICLE 6 – CITY MANAGER**

### **600 CITY MANAGER FORM OF GOVERNMENT.**

The City Manager form of government is hereby established for the City of Torrance. The office of City Manager in and for the City of Torrance is hereby established.

### **601 APPOINTMENT, REMOVAL AND TERMS AND CONDITIONS OF EMPLOYMENT OF THE CITY MANAGER.**

The City Council shall appoint a City Manager.

The City Manager must be a citizen of the United States, with relevant experience as determined by the City Council to effectively serve as the City Manager. The City Manager shall be chosen by the City Council based on the Council's assessment of their qualifications.

The City Manager shall be an at-will employee who shall serve at the pleasure of the City Council. The City Manager position is exempt from the Civil Service System of the City.

The terms and conditions of employment of the City Manager shall be set forth in an employment agreement between the City Council and the City Manager.

If the City Manager is absent from work for reasons other than use of vacation leave, the City Council has the discretion to appoint either an Acting or Interim City Manager. If the City Manager's employment ends with the City, the City Council shall proceed to appoint a new City Manager. In that situation, the City Council may also appoint an Acting or Interim City Manager.

### **602 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 their charge by the City Council.

### **603 NONINTERFERENCE BY CITY COUNCIL WITH POWERS AND DUTIES OF CITY MANAGER.**

Neither the City Council nor any individual City Council member 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 individual City Council member 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 regarding any of their duties, as well as regarding any municipal contract, and/or in connection with the purchase of any municipal supplies.

### **604 THE POWER OF CITY MANAGER OVER CITY DEPARTMENTS.**

The City Manager shall have supervision and control over all department heads, except the City Attorney, and elective officials of the City.

The City Manager shall have the power to direct and control the administrative and executive functions of such departments.

The City Manager shall have power to appoint from the civil service eligible list, all department heads except the City Attorney, and elective officials of the City.

The City Manager shall have power to discipline (up to and including termination) department heads subject to the provisions of applicable civil service requirements.

The City Manager may recommend to the City Council for the abolition, suspension or consolidation of the duties and functions of any of the department heads as well as any of their subordinate employees (i.e., department staff employees) of the City. Such recommendation must

include the City Manager's reason(s) for this proposed action. The City Council may, at any time, abolish, suspend or consolidate any such duties or functions in accordance with such recommendations or as it may determine, and remove the affected employee(s) from employment with the City, subject to any requirements of a memorandum of understanding applicable to the particular employee(s).

#### **605 ADDITIONAL POWERS AND DUTIES OF CITY MANAGER.**

The City Manager shall be charged with the performance of the following duties and shall have the following powers, in addition to those set forth above:

- a) They shall enforce all municipal ordinances, franchises, leases, contracts, permits and privileges granted by the City.
- b) They shall purchase all supplies, property or equipment needed or required by the City in accordance with such regulations as the City Council shall prescribe by ordinance.
- c) They shall prepare and submit to the City Council an annual budget estimate at least two (2) months prior to the end of the fiscal year, and in this connection, the City Manager shall have right to demand of the various 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 the budget estimate as they may deem advisable.

The City Council shall hold at least two (2) public hearings upon the annual budget estimate and may increase the total estimated expenditures set forth therein only upon an affirmative vote of four (4) members of the City Council.

- d) They shall make such recommendations to the City Council or the County Board of Equalization regarding taxes, assessments and/or the annual assessment roll as they deem advisable.
- e) They shall have general supervision and control over all City property, including public buildings, parks and playgrounds.
- f) They shall advise the City Council concerning the financial needs, conditions, and requirements of the City.
- g) They shall attend all City Council meetings.
- h) They may evaluate and/or investigate the conduct or records of any employee of the City.
- i) The City Manager shall not engage in any private business in conflict with their role as the City Manager.
- j) They shall perform such other duties as may be conferred upon them by the City Council by resolution or ordinance.
- k) The City Manager may delegate any of the foregoing duties to any department head.

#### **606 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 with Article 6 of this Charter, are hereby amended or repealed as the case may be.

## **ARTICLE 7 – CITY ATTORNEY**

### **700 ELIGIBILITY.**

No person shall be eligible for the office of City Attorney unless they 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 their appointment by the City Council.

### **701 APPOINTMENT, REMOVAL, AND TERMS AND CONDITIONS OF EMPLOYMENT OF THE CITY ATTORNEY.**

The City Attorney shall be appointed by the City Council.

The City Attorney shall be chosen by the City Council based on the Council's assessment of their qualifications.

The City Attorney shall be an at-will employee of the City and shall serve at the pleasure of the City Council. The City Attorney is exempt from the Civil Service System of the City.

The terms and conditions of employment of the City Attorney shall be set forth in an employment agreement between the City Council and the City Attorney.

If the City Attorney is absent from work for reasons other than use of vacation leave, the City Council has the discretion to appoint either an Acting or Interim City Attorney. If the City Attorney's employment ends with the City, the City Council shall proceed to appoint a new City Attorney. In that situation, the City Council may also appoint an Acting or Interim City Attorney.

### **702 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 their 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, administrative law proceedings 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.
- d) Prepare any and all ordinances or resolutions for 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 or Deputy City Attorneys as may be required to carry out the functions of the office of the City Attorney and they shall have the duties as may 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.
- g) Upon ending their employment, surrender to their successor all files and documents pertaining to the City's affairs.

## **ARTICLE 8 – DIRECTOR OF FINANCE**

### **800 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 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 the Director of Finance shall be to:

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

## **ARTICLE 9 – GENERAL PROVISIONS APPLICABLE TO OFFICERS AND EMPLOYEES**

### **900 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. The 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 the 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.

### **901 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.

### **902 ILLEGAL CONTRACTS. FINANCIAL INTEREST.**

- (a) No member of the City Council shall be financially interested, directly or indirectly, in any contract, sale, purchase, or transaction:
  - 1. made in their official City capacity, by the City Council, or made by any board or body of which the Councilmember is a member, or to which the City is a party
  - 2. or as otherwise described in Article 4 of Division 4 of Title 1 (commencing with Section 1090) of the California Government Code or any successor provision.
- (b) No department head, City official, officer, or employee shall be financially interested, directly or indirectly, in any contract, sale or transaction
  - 1. Made in their official City capacity or to which the City is a party, or which comes before the department head, City official, officer, or employee, or the department of the government with which the official or employee is connected, for official action.
  - 2. or as otherwise described in Article 4 of Division 4 of Title 1 (commencing with Section 1090) of the California Government Code or any successor provision.
- (c) No member of any board, commission, or committee shall participate in any decision when the member has a financial interest in any contract, sale, purchase, or transaction to which the City is a party and which comes before the board, commission, or committee of which the person is a member for approval or other official action.
- (d) Any contract, sale, purchase, or transaction in which any Councilmember, department head, City official, 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.
- (e) No member of the City Council, department head, City official, officer, or employee or member of any board, commission, or committee shall be deemed to be financially interested, within the meaning of the foregoing provisions:(1) in any contract made with a corporation by reason of the ownership of stock in such corporation unless the stock so owned shall amount to at least 3 percent of all stock of such corporation issued and outstanding and (2) if an exception under California Government Code Section 1090 et seq., or any successor statute, is applicable. No member of the City Council or member of any board or commission shall vote on or participate in any contract or transaction in which the official or employee is directly or indirectly financially interested, whether as a stockholder of the corporation or otherwise.
- (f) If any member of the City Council, department head, officer of the City, or member of a board, commission, or committee, shall so vote or participate, or be financially interested as defined in this Section, then upon conviction, , shall forfeit the office or employment with the City and in addition to any other penalty imposed by the Government Code, State law, or this Charter.

### **903 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.

**904 ACCEPTANCE OF OTHER OFFICE.**

- (a) Any elective officer of the City shall comply with California Government Code section 1099, or any successor statute, relating to incompatible offices.
- (b) Any officer or employee of the City that accepts or retains any elective public office in the City shall be deemed to have resigned from their office or employment under the City government.

**905 ANTI-NEPOTISM.**

- (a) The City Council shall not appoint to a salaried position under the City government any person who is a relative by blood or marriage within the third degree or who has another relationship (including a domestic partnership, cohabiting, fiancé, fiancée, dating relationship, or parent of their child) of any one or more of the members of the City Council.
- (b) No department head or other officer having appointive power shall appoint to a salaried position under the City government any person who is a relative by blood or marriage within the third degree or who has another relationship (including a domestic partnership, cohabiting, fiancé, fiancée, dating relationship, or parent of their child).

**906 ETHICS TRAINING.**

- (a) All members of the City Council, the City Clerk, and the City Treasurer shall complete ethics training every two years. The ethics training may be satisfied by taking an approved training that meets the requirements of AB 1234 (Government Code section 53235), or any successor statute.
- (b) All members of any board, commission, or committee shall complete ethics training every two years. The ethics training may be satisfied by taking an approved training that meets the requirements of AB 1234 (Government Code section 53235), or any successor statute.

**907 LOBBYING.**

- (a) It is the purpose and intent of the City Council in enacting this Section to
  1. Ensure that the public has access to information about persons who attempt to influence decisions of the City government
  2. Ensure that elected City officials, City candidates, City officers, City officials, City employees, and members of City boards, commissions, and committees are informed of what interests the lobbyist represents
  3. Require registration and disclosure requirements for lobbyists
  4. Promote transparency concerning attempts to influence City decisions
  5. Prohibit gifts from lobbyists
  6. Avoid corruption and the appearance of corruption in the City's decision-making process
  7. Regulate lobbying activities in a manner that does not discourage or prohibit the exercise of constitutional rights
  8. Reinforce public trust in the integrity of City government
  9. Ensure that this Section and the enabling ordinance are vigorously enforced

- (b) All lobbyists must register with the City Clerk, pay registration fees, and make disclosures about their lobbying activities.
- (c) It is unlawful for a lobbyist to deliver any gift to an elected City official, City candidate, City officer, City official, City employee, or a member of a City board, commission, or committee.
- (d) It is unlawful for an elected City official, City candidate, City officer, City official, City employee, or a member of a City board, commission, or committee to accept any gift from a lobbyist.
- (e) The City Council will adopt an ordinance pursuant to this Section to implement the regulation of lobbyists. The City Council may make the ordinance stricter than this Section.

### **908 REVOLVING DOOR RESTRICTIONS.**

- (a) It is the purpose and intent of the City Council in enacting this section to help ensure fair and impartial government decisions and to reinforce public trust in the integrity of City government.
- (b) For purposes of this section, the following words and phrases shall have the following meanings
  1. City official means the Mayor, members of the City Council, City officers, City employees, members of all City boards, commissions, and committees.
  2. Compensation means money or any other thing of value that is received, or is to be received, in return for or in connection with lobbying services rendered, or to be rendered, including reimbursement of expenses incurred in lobbying. A person receives compensation within the meaning of this definition whether or not the compensation is received solely for activities regulated by Section 907 or is received for both.
  3. Personally and substantially participated means making or voting on a decision, making a recommendation, conducting research or an investigation or giving advice.
- (c) Prohibitions
  1. For one year after leaving City service, no former City official shall, for compensation, engage in direct communication with any department, agency, board, commission, or committee on which they served during the 24 months preceding their departure from City service, for the purpose of attempting to influence any action or decision on any matter pending before that department, agency, board, commission, or committee on behalf of any other person.
  2. For one year after leaving City service, no former Mayor or City Councilmember shall for compensation, engage in direct communication with the City Council or any department, agency, board, commission, or committee of the City for the purpose of attempting to influence any action or decision on any matter pending before the department, agency, board, commission, or committee of the City on behalf of any other person.
  3. No former City official shall, for compensation, engage in direct communication with any department, agency, board, commission, or committee on any matter in which they personally and substantially participated during their City service. The prohibition lasts as long as the matter is pending with the City or the City is a party to the matter.



- (d) The City Council will adopt an Ordinance pursuant to this Section to implement the revolving door restrictions. The City Council may make the ordinance stricter than this Section.

**909 NEGOTIATING FUTURE EMPLOYMENT.**

- (a) It is the purpose and intent of the City Council in enacting this section to help ensure fair and impartial government decisions and to reinforce public trust in the integrity of City government.
- (b) The Mayor, members of the City Council, and members of City boards, commissions, and Committees may not directly or indirectly negotiate future employment or future business opportunities with a person (other than a government entity) who has a matter pending before them or a body of which they are a voting member.
- (c) The City Attorney, City Manager, City Clerk, City Treasurer, and department heads may not directly or indirectly negotiate future employment or future business opportunities with a person (other than a government entity) who has a matter pending before them or their department.
- (d) The City Council will adopt an ordinance pursuant to this Section to implement the restriction on negotiating future employment. The City Council may make the ordinance stricter than this Section.

**ARTICLE 10 – CIVIL SERVICE**

**1000 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 the 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, 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 the City at a regular or special municipal election held in the City. Nothing contained in this Section 1000 shall repeal or modify any of the provisions of Article 6 of this Charter which established the City Manager form of government.

**1001 APPOINTIVE OFFICERS.**

Appointive officers of the City shall be a City Attorney and a City Manager. The City Council may also provide by ordinance for such additional appointive boards, commissions, officers, assistants, deputies and employees as it deems necessary. The Council may also provide for the holding by one (1) person of several offices, providing that such offices are not incompatible with one another.

## **1002 COMPENSATION; APPOINTIVE OFFICERS AND EMPLOYEES.**

Compensation of all appointive officers and employees of the City, other than those serving gratuitously, shall be fixed or charged 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 their official duties shall be paid by the officer or employee into the City Treasury.

## **ARTICLE 11 – FISCAL AFFAIRS**

### **1100 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.

### **1101 BUDGET.**

On or before the first day of June of each year the City Manager shall submit to the City Council a proposed budget for all departments. The 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. 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.

### **1102 COUNCIL ACTION ON BUDGET.**

- a) After reviewing the proposed annual budget as compiled by the City Manager from information secured from department heads, and making such modifications as it may deem advisable, the Council shall adopt the budget by resolution on or before June 30. From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several departments, offices, agencies, and programs therein named.
- b) After adoption of the budget, the Council may amend the budget by motion adopted by the affirmative vote of at least 4 members. In its authorization of expenditures, either budgeted or unbudgeted, the City Council shall not incur any indebtedness in excess of the limitations imposed by this Charter.
- c) After adoption of the budget, the City Manager may make such changes within the budget totals and allocations of any department during the fiscal year as the City Manager deems reasonably necessary in order to meet the City's needs or goals; provided, however, that the City Manager may not increase the number of employee positions allocated in the budget for any department without the Council having amended the budget therefor.

- d) A copy of the budget shall be placed on file in the office of the City Clerk where it shall be available inspection by the general public and a copy of the budget will be made available on the City's website. The City may also use other electronic or technological means to disseminate the budget to the public.

#### **1103 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.

#### **1104 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 for the same on the first Monday of each month or at such shorter intervals as may be prescribed by ordinance.

#### **1105 DEMANDS.**

- a) All claims for damages against the City shall be governed by the Government Claims Act (Government Code section 810 *et seq.*) unless otherwise provided by ordinance of the City Council. The City Council declares its intent to require that claims exempt from the Government Claims Act under Government Code section 905 will be subject to the claims requirement of the City ordinance.
- b) All other demands against the City must be in writing and may be in the form of a bill, invoice, payroll, or formal demand.
- c) The City Council may delegate its authority regarding claims to the City Manager, Finance Director, Risk Manager, City Attorney, or other appropriate officer or department head.

#### **1106 INDEPENDENT AUDIT**

The City Council shall employ, at the beginning of each fiscal year, a qualified certified public accountant who shall, at such time or times as may be specified by the City Council, and at such other times as the certified public accountant shall determine, examine the books, records, inventories, and reports of all officers and employees who receive, handle, or disburse public funds and of all such other officers, employees, or departments as the City Council may direct. The qualified certified public accountant shall not be an employee of the City. As soon as practicable after the end of the fiscal year, a final audit and report shall be submitted by the certified public accountant to the City Council, one copy thereof to be distributed to each member, one to the City Manager, Director of Finance, and City Attorney, respectively, and one additional copy shall be placed on file in the office of the City Clerk where they shall be available inspection by the general public, and a copy will be made available on the City's website. The City may also use other electronic or technological means to disseminate the final audit and report to the public.

#### **1107 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, a suit may be brought to recover the whole. All such claims must be presented within the time prescribed by law. Any amounts owed to the City pursuant to ordinance or resolution must be timely paid, before the suit is commenced, though the claimant may pay under protest and contest the payment.

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 or officer 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.

#### **1108 CONTRACTS ON PUBLIC WORKS.**

As to contracts for the construction or improvements, excluding maintenance and repair, of public buildings, works, streets, drains, sewers, utilities, parks and playgrounds, and each separate purchase of materials and supplies for the same, the City Council shall establish by ordinance an expenditure limit therefor above which competitive bidding shall be required. The expenditure limit may be revised from time to time by ordinance of the City Council. Every such contract involving an expenditure in excess of the expenditure limit shall be let to the lowest responsible bidder after notice by publication in the official newspaper by 2 or more insertions, the first of which shall be at least 10 days before the time for opening bids; or if there is no newspaper, then by posting copies of such notice in at least 3 public places in the 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 five-sevenths vote, it may proceed to have the 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.

#### **1109 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 the City. The 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.

#### **1110 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.

## ARTICLE 12 – Appointive Boards, Committees, and Commissions

### 1200 IN GENERAL.

- (a) The City Council may create, by ordinance, advisory boards, committees, or commissions as, in its judgment, are required, and may grant to them such powers and duties as are consistent with the provisions of this Charter.
- (b) The City Council may combine two or more boards, committees, or commissions as, in its judgment, the duties of the boards overlap, or it conserves financial and staff resources.
- (c) The City Council may suspend a board, committee, or commission.
- (d) The City Council may eliminate a board, committee, or commission as, in its judgment, the board, committee, or commission is no longer required.
- (e) The City Council may ask a board, committee, or commission to advise the City Council or may provide for the duties of a board, committee, or commission by ordinance, but the board, committee, or commission shall have no authority to direct the conduct of any department.
- (f) All meetings of a board, committee, or commission shall be conducted pursuant to the Ralph M. Brown Act, or any successor law.
- (g) All members of City boards, committees, and commissions must be residents of the City and at least 18 years of age. The age requirement shall not apply to members of boards, committees, or commissions on which youth members are permitted to serve by City ordinance or otherwise approved by the City Council. Notwithstanding the foregoing, the City Council may appoint non-residents to boards, committees, or commissions when the City Council has specifically provided for non-residents to be qualified for boards, committees, or commissions by ordinance.
- (h) No person shall serve on more than one board, committee, or commission concurrently unless otherwise approved by the City Council.
- (i) No person shall serve on a City board, committee, or commission if they are a contractor for the City, a consultant for the City, a vendor for the City, a lobbyist to the City, or have a financial interest, directly or indirectly, in any contract, sale, purchase, or transaction where the City is a party.

### 1201 EXISTING BOARDS, COMMITTEES, AND COMMISSIONS.

The members of the boards, committees, and commissions holding office when this Charter takes effect shall continue to hold office until their respective terms of office shall expire and until their successors are appointed and qualify.

### 1202 REMOVAL; VACANCIES.

- (a) Any member of a board, committee, or commission shall serve at the pleasure of the City Council and may be removed at any time, without cause, by a vote of the majority of the City Council.
- (b) Causes for removal include, but are not limited to:
  - (1) Excessive absenteeism, to be defined as absence from 2 consecutive meetings of such board, committee, or commission or for 25 percent of the duly scheduled meetings of the board, committee, or commission within any fiscal year unless permission of the board, committee, or commission expressed in the official minutes.

A member will be deemed absent from a meeting unless the member is present during at least 2/3 of the time of the entire meeting.

- (2) Upon conviction of any felony.
  - (3) Upon ceasing to be a qualified elector of the City.
  - (4) Upon written resignation by the member.
  - (5) Failure to take the required ethics training described in Section 906.
  - (6) Any of the circumstances described in Section 403.
- (c) For the foregoing reasons, or any other, or without cause, the City Council may declare the office of any board, committee, or commission member vacant, and the vacancy shall be effective from the date of the declaration unless otherwise specified in the declaration.
- (d) Any vacancies in any board, committee, or commission shall be filled by the City Council in the same manner as the original appointment for the removed member. Upon a vacancy occurring leaving an unexpired portion of a member's term, any appointment to fill such vacancy shall be for the unexpired portion of the removed member's term."

**SECTION 2. Approval, Filing and Recordation of Charter Amendment.** Pursuant to California Government Code Section 34460, if approved by a majority of voters, the Mayor and City Clerk shall certify, authenticate and attest to the passage of this Charter Amendment. The City Clerk shall also (i) record one copy of this Charter Amendment with the Los Angeles County Recorder's Office, (ii) file one copy in the City's archives and (iii) file one copy with the California Secretary of State. Each copy recorded with the County Recorder and filed in the City's archives shall also be filed with the following:

- (a) Certified copies of all publications and notices required of the City by State law in connection with the calling of an election to propose the Charter Amendment.
- (b) Certified copies of any arguments for or against the Charter Amendment that were mailed to voters pursuant to California Elections Code Sections 9281 and 13303.
- (c) A certified abstract of the vote at the election at which the Charter Amendment was approved by the voters.

**SECTION 3. Ratification and Effective Date.** Pursuant to California Government Code Section 34459, this Charter Amendment shall be deemed ratified if approved by a majority of the eligible voters of the City of Torrance voting at the General Election of November 5, 2024. However, this Charter Amendment shall not take effect until it has been accepted and filed by the Secretary of State pursuant to Government Code Section 34460.

**SECTION 4. Severability.** If any provision of this Charter Amendment or the application thereof to any person or circumstance is held invalid, the remainder of the Charter Amendment and the application of such provision to other persons or circumstances shall not be affected thereby.

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. 8/8/24  
Dated:

*[Signature]*

**RESOLUTION NO. 2024-48**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, WITH THE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO §10403 OF THE ELECTIONS CODE**

**WHEREAS**, the City Council of the City of Torrance called a Special Municipal Election to be held on November 5, 2024, for the purpose of placing a Charter Measure on the ballot; and

**WHEREAS**, it is desirable that the Special Municipal Election be consolidated with the General Election to be held on the same date and that within the city the precincts, vote centers and election officers of the two elections be the same, and that the county election department of the County of Los Angeles canvass the returns of the Special Municipal Election and that the election be held in all respects as if there were only one election;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1**

That pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a Special Municipal Election with the General Election on November 5, 2024, for the purpose of the placing a Charter measure on the ballot.

**SECTION 2**

That the City of Torrance acknowledges that the consolidated election will be held and conducted in the manner prescribed in California Elections Code §10418 and Government Code 10403(a)(3).

**SECTION 3**

That the county election department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide election.

**SECTION 4**

That the Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary for the holding of the consolidated election.

**SECTION 5**

That the City of Torrance recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.



**SECTION 6**

That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the county election department of the County of Los Angeles.


**SECTION 7**

That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.


**INTRODUCED, APPROVED, and ADOPTED** this 2<sup>nd</sup> day of July, 2024.

  
\_\_\_\_\_  
Mayor George K. Chen

APPROVED AS TO FORM:  
PATRICK Q. SULLIVAN, City Attorney

by   
\_\_\_\_\_  
Tatia Y. Strader,  
Assistant City Attorney

ATTEST:

  
\_\_\_\_\_  
Rebecca Poirier, MMC, City Clerk

**TORRANCE CITY COUNCIL RESOLUTION NO. 2024-48**

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

I, Rebecca Poirier, City Clerk of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Torrance at a regular meeting of said Council held on the 2<sup>nd</sup> day of July 2024 by the following vote:


AYES:           COUNCILMEMBERS    Gerson, Kalani, Lewis, Mattucci, Sheikh, and Mayor Chen.

NOES:           COUNCILMEMBERS    None.

ABSTAIN:       COUNCILMEMBERS    None.


ABSENT:        COUNCILMEMBERS    Kaji.

Date: 7/19/24

  
\_\_\_\_\_  
Rebecca Poirier, MMC  
City Clerk of the City of Torrance

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

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

Dated 7/19/24  
  
\_\_\_\_\_  
City Clerk