

Council Meeting of
January 23, 2007

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

Members of the Council:

**SUBJECT: City Manager – Approve establishment and adopt RESOLUTION
enabling a Council Compensation and Charter Study Committee.
Expenditure: \$5,000**

RECOMMENDATION

The City Manager recommends that City Council consider establishing a Council Compensation and Charter Study Committee to explore amending the City Charter to update City Council compensation, benefits and certain Charter language and appropriate \$5,000 from the Program Contingency Reserve. The City Manager also recommends the City Council adopt a **RESOLUTION** creating a Council Compensation and Charter Study Committee for a fixed term and providing for the appointment of its members and its power and duties. It is further recommended that the City Council set February 6, 2007, as the date that the Committee members will be appointed.

Funding

\$5,000 is available from the General Fund Program Contingency Reserve.

BACKGROUND

On September 12, 2006, Councilman Paul Nowatka, under the Oral Communications portion of the City Council meeting, requested that an item be brought back to the City Council outlining the formation of a citizen Council Compensation Study Committee to update provisions of the City Charter related to Council compensation. Based on the findings of the Committee, a proposition could be placed on the November 6, 2007, election ballot to amend the City Charter.

On April 14, 1936, the residents of the City of Torrance voted to approve Proposition No. 1 to allow \$50.00 per month compensation for members of the City Council. On April 10, 1956, the Charter was amended to increase the compensation to \$100.00. Since 1956, several ballot measures were introduced to provide a salary for the positions of City Clerk and City Treasurer. In 1976, Torrance voters approved Charter Amendment No. 3 to allow the City Council to set the salary for the City Clerk and City Treasurer as these two elected positions also serve as Department Heads. However, the propositions to address the compensation for City Council have not carried.

ANALYSIS

The duties of the City Council have evolved over the years to include additional demands and a greater time commitment. Cities throughout California have amended their Charters to include provisions that allow increases in City Council compensation tied directly to the Consumer Price Index and other economic factors.

If the City Council approves the formation of a Council Compensation and Charter Study Committee ("Committee") to review the City Charter and develop compensation standards, there is a large amount of material available for the Committee to review and consider. The Committee can utilize this opportunity to review the current Charter language related to Council Compensation and obsolete language as recommended by the City Attorney.

In order to place the measure on the ballot for the November 6, 2007, election, the City Council must approve a Resolution calling the election and a Resolution requesting consolidation and services. The suggested last day to call an election for ballot measures is July 18, 2007. The cost of the election is contingent upon several factors inclusive of number of measures on the ballot and the length of the text (cost is estimated at \$50,000 to \$100,000). Once the City Council approves the Resolutions to place a measure on the ballot, the City Clerk will notify the County of Los Angeles Registrar-Recorder/County Clerk. Upon receipt of notification and availability of additional information from the City Clerk, the County will provide the City with the actual cost for placing the measure on the ballot from the County of Los Angeles.

If the City Council approves the formation of the Committee, members of the Committee will have approximately four months to prepare the final report for City Council consideration. If the Committee meets beginning mid-February, the report should be delivered to Council early June. At this time, the City Council will have specific details related to the cost of the election and the actual cost of a proposed increase for Council compensation. Upon Council action, the City's budget will need to be adjusted during the June budget revisions to absorb possible future funding for increased Council compensation and provide one-time funding for the election costs.

To form the Council Compensation and Charter Study Committee, staff requests approval from the City Council on the information and structure required in the attached enabling Resolution. The following areas require approval from Your Honorable Body to assist staff in establishing the Committee, its mission, structure and areas of study.

Mission of the Committee

To form the Committee it will be necessary to have a charge and objectives to accomplish their mission. In order to assist in framing the mission of the Committee, it is suggested that the Committee look to the following areas for review and recommendation.

Some areas of study could include the following topics:

- Current City Charter provisions for compensation;
- Historical patterns and laws related to City Council compensation;
- Similar size cities and their level of Council compensation;
- Determining levels of compensation; and
- Obsolete language as recommended by the City Attorney.

The Committee would be given packets of information, upon appointment, that may include examples of policies from other cities so that it can “hit the ground running” when the Committee convenes.

Committee Formation and Structure

The make-up of the Committee should include enough individuals to assist in the research, analysis and recommendations to the City Council, while not being so large that it is hard to accomplish their goals. To that end, staff would recommend the Council follow the same guidelines used for the Blue Ribbon Ethics Committee:

1. The Committee would be made up of 11 members appointed at large. Each Councilmember would appoint one Committee member and the Mayor shall appoint all additional members.
2. Quorum for the Committee will be six members.
3. Meetings will be public and subject to the Brown Act.
4. The Committee will meet every two weeks on Thursdays at 7:00 p.m. at City Hall, location and site to be determined (unless the Committee determines another date is better). The Committee must deliver its findings to Council by May 27, 2007, for consideration by Council at the June 5, 2007, Council meeting.
5. The Committee should issue periodic status reports to the City Council at intervals determined by the City Council; staff recommends monthly.
6. Each Committee member will be allowed to miss no more than three (3) meetings.
7. The Committee will elect a Chair and Vice-Chair at the first meeting.
8. There will be a “sunset” clause in the Resolution for the Committee, and that date should be one year after the first Committee meeting or the presentation to the City Council of the Committee’s final report, whichever comes first.
9. The Committee may in their final report include other areas of study as a recommendation to the City Council as discussed above.

Staffing the Committee

Staff recommends using the recently approved Blue Ribbon Ethics Committee format approved by Your Honorable Body to structure the Council Compensation and Charter Study Committee. The Committee will be staffed by an attorney from the City Attorney’s office and a member of the City Manager’s staff.

If the City Council wishes to have formal minutes taken for the Committee, there will be costs associated as this would require an outside contracted employee. The average hourly rate for a minute secretary is \$20.00 per hour and each hour of minutes takes approximately five hours to transcribe. If the meetings are about two hours long, the cost

for each meeting's minutes would be \$240. There would be other small overhead items for the Committee as well, such as refreshments, reprographics, etc. It would be recommended that the City Council establish a budget of \$5,000 for the Committee to cover these overhead costs based on a goal of having the report before Council by May 22, 2007.

Upon receiving direction from the City Council, staff recommends adoption of the attached enabling Resolution authorizing the creation of the Council Compensation and Charter Study Committee. Staff recommends February 6, 2007, for Committee appointments.

Respectfully submitted,

LeROY J. JACKSON

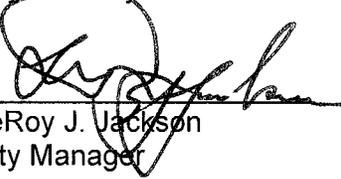
By: 
Aram Chaparyan
Assistant to the City Manager

JOHN L. FELLOWS III

By: 
Patrick Q. Sullivan
Deputy City Attorney

CONCUR:


John L. Fellows, III
City Attorney


LeRoy J. Jackson
City Manager

Attachment: Resolution

RESOLUTION NO. 2007-__**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, CREATING A COUNCIL COMPENSATION AND CHARTER STUDY COMMITTEE TO EXPLORE AMENDING THE CITY CHARTER TO UPDATE THE CITY COUNCIL COMPENSATION, BENEFITS AND CERTAIN CHARTER LANGUAGE, AND PROVIDING FOR THE APPOINTMENT OF ITS MEMBERS AND ITS POWER AND DUTIES**

WHEREAS, the Torrance City Council deems it necessary to create a Council Compensation and Charter Study Committee for the purpose of exploring an amendment of the City Charter to update City Council compensation, benefits and certain Charter language.

WHEREAS, the Committee members shall be registered voters of the City of Torrance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TORRANCE RESOLVES as follows:

SECTION 1. CREATION, MEMBERSHIP, MEETINGS AND DUTIES

- (1) A Council Compensation and Charter Study Committee is hereby created to study and make recommendations to the City Council regarding Council compensation, benefits and Charter language.
- (2) The Committee shall be made up of 11 members appointed at large. Each Councilmember shall appoint one Committee member, and the Mayor shall appoint all additional members. Six members shall constitute a quorum.
- (3) Meetings of the Committee shall be public and subject to the Brown Act.
- (4) The Committee shall meet every two weeks on Thursdays at 7:00 p.m. in a City facility to be determined. The Committee may, by majority vote, select other dates and times for its meetings.
- (5) The Committee shall issue monthly status reports to the City Council and shall transmit a final report and recommendation to the City Council no later than May 22, 2007.
- (6) Each member shall be allowed to miss no more than three regular meetings. If a member does not attend three regular meetings, his/her membership thereon shall terminate automatically.
- (7) The Committee shall select a Chair and Vice Chair at its first meeting.

- (8) The Committee shall expire on July 1, 2007, or upon the presentation to the City Council of the Committee's final report, whichever comes first.

SECTION 2. AREAS OF STUDY AND RECOMMENDATION

The areas of study and recommendation by this Committee may include the following:

- (1) Current City Charter provisions for compensation;
- (2) Historical patterns and laws related to City Council compensation;
- (3) Similar size cities and their level of Council compensation;
- (4) Determining levels of compensation; and
- (5) Obsolete language as recommended by the City Attorney.

SECTION 3. COMMITTEE OBJECTIVE.

- (1) To study policies used by other cities to determine City Council compensation and benefits;
- (2) To review existing City of Torrance Charter language and update obsolete language; and
- (3) To make recommendations to the City Council to determine the feasibility of placing a proposition on the November 6, 2007, election ballot to amend the City Charter.

INTRODUCED, APPROVED, AND ADOPTED this ____ day of January, 2007.

Frank Scotto
Mayor of the City of Torrance

ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:
JOHN L. FELLOWS III
City Attorney

By _____
John L. Fellows III
City Attorney