February 24, 2009

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

SUBJECT: APPOINT TORRANCE ETHICS & INTEGRITY COMMITTEE

RECOMMENDATION

Recommendation of the City Clerk that City Council review applications and appoint members to fill five positions on the newly established Ethics & Integrity Committee. The City Clerk will administer the oath of office to members present.

BACKGROUND / ANALYSIS

The City Council approved Ordinance 3710 on May 13, 2008 allowing for the creation of the Torrance Ethics and Integrity Committee. The duties and powers of the Committee are found in Section 13.20.7 of the Ordinance. (Attachment B)

The ordinance provides that the members of the Committee shall be appointed by a majority of the members of the City Council.

At the meeting of January 13, 2009, the Mayor, with City Council concurrence, asked for the Committee to be appointed on February 24, 2009.

At the first appointment of members to the Committee, the first three members appointed shall be appointed to serve a three-year term. The fourth and fifth members appointed are to serve two-year terms. No members of this Committee may be currently serving the City in any elected or appointed office.

Upon the expiration of such terms all appointments and reappointments shall be for a period of three years. No member shall be eligible for reappointment after serving two full consecutive terms; provided, however, that after a lapse of two years, a former member may be reappointed to the Committee.

In addition, the City Council made completion of a Commissioner Certification Training Program mandatory for new appointments to an advisory body (Resolution 2006-90). The 87 qualified individuals eligible to submit applications for committee positions were mailed notice of the appointment and information was placed on the City Clerk website.

The following have submitted applications. This office has verified that each meets the criteria of being an elector in the City of Torrance and has completed the required Torrance Commissioner Certification training within the past two years:

Martin D. Gallagher	David Ouwerkerk	Leslie Schoon
Keith Montoya	Charles E. Payne	Dr. John Stecker

DELAY OF APPOINTMENTS

In the past, the City Council has delayed appointments if there were not sufficient applicants for any one commission or committee. The City Clerk is prepared to extend and re-notice should City Council find it necessary to postpone selection due to insufficient numbers of applicants.

A chart is attached for your convenience in selecting individuals for appointment.

Respectfully submitted,

Sue Herbers
City Clerk

Noted:

LeRoy J. Jackson
City Manager

Attachment A Application Chart
Attachment B Ordinance 3710
Attachment C Committee Applications (Limited distribution)

ATTACHMENT A

ETHICS & INTEGRITY COMMITTEE

5 seats
3 appointments expire 1/15/2012
2 appointments expire 1/15/2011

NAME (alpha)		Will attend Meeting	Nominate/ Vote		Appointee
Gallagher, Martin D.		YES			
Montoya, Keith		YES			
Ouwerkerk, David		YES			
Payne, Charles E.		YES			
Schoon, Leslie		YES			
Stecker, Dr. John		YES			

ATTACHMENT B

ORDINANCE NO. 3710

AN ORDINANCE OF THE CITY COUNCIL OF TORRANCE ADDING ARTICLE 20 TO CHAPTER 3 OF DIVISION 1 OF THE TORRANCE MUNICIPAL CODE ESTABLISHING AN ETHICS AND INTEGRITY COMMITTEE

The City Council of the City of Torrance does ordain as follows:

SECTION 1

That a new Article 20 of Chapter 3 of Division 1 shall be added to the Torrance Municipal Code to read in its entirety as follows:

"ARTICLE 20 – TORRANCE ETHICS AND INTEGRITY COMMITTEE

SECTION 13.20.1. CREATED, COMPOSITION, COMPENSATION AND QUALIFICATIONS.

a) There is hereby created this Committee, consisting of five members.

b) The members of the Committee shall be electors of the City not currently serving in any elected City office or appointed City Commission.

c) In lieu of their ordinary and necessary expenses directly connected with or pertaining to the duties imposed by Section 13.20.7, the Committee members shall be paid $10.00 per meeting attended, but not to exceed $30.00 per calendar quarter. Such payment shall be made at the end of each calendar quarter.

SECTION 13.20.2. APPOINTMENT AND TERMS OF MEMBERS.

The members of the Committee shall be appointed by a majority of the membership of the City Council. At the first appointment of members to the Committee, the first three members appointed shall be appointed to serve a three-year term. The fourth and fifth members appointed are to serve two-year terms. Upon the expiration of such terms all appointments and reappointments shall be for a period of three years. No member shall be eligible for reappointment after serving two full consecutive terms; provided, however, that after a lapse of two years, a former member may be reappointed to the Committee.

SECTION 13.20.3. FILLING OF VACANCIES.

If any vacancies shall occur in the membership of the Committee, other than by expiration of term of office, they shall be appointed by a majority of the membership of the City Council for the unexpired term of the vacated office.

SECTION 13.20.4 REMOVAL OF MEMBERS.

The members of the Committee may be removed from office by a vote of the majority of all of the members of the City Council.

SECTION 13.20.5 APPOINTMENT OF CHAIRPERSON.

At the first meeting of the Committee in every fiscal year, the members shall appoint one (1) of their number as Chairperson, who shall hold office for one (1) year and until his or her successor is appointed.

SECTION 13.20.6. MEETINGS AND FAILURE TO ATTEND.

a) The Committee shall hold regular meetings at least once quarterly.

b) If a member of the Committee does not attend two (2) consecutive regular meetings, unless excused by the Committee, his or her membership thereon shall terminate automatically; provided, however, that if a member misses more than twenty-five (25) percent of all the regular and adjourned regular meetings in any four (4) consecutive calendar quarters, unless excused in advance by the City Council, his or her membership shall terminate automatically; and provided further, that a member will be deemed absent from a meeting unless he or she is present during at least two-thirds (2/3) of the time of the entire meeting.

SECTION 13.20.7. POWERS AND DUTIES OF THE COMMITTEE.
The Committee shall perform any duties assigned to it by the City Council or this Code Section concerning Ethics and Integrity in Government. The Committee shall have the power and responsibility to:

a) Review Requests for Proposals (RFP's) and make recommendations to the City Council on the contracting with and or use of consultants to assist in aspects of the Citywide Ethics and Integrity program;

b) Receive and review status reports and recommendations and develop reports to the City Council on the status of the development of the Ethics and Integrity program inclusive of the types of training marketing and outreach, quarterly status of training implemented and the status of achieving the goals and objectives of the Ethics and Integrity program;

c) Provide a forum to accept community input, conduct discussion and assist in the development and tracking of the citywide ethics program inclusive of training, marketing and outreach.

d) Establish and maintain an Ethics/Integrity phone program to accept questions from the public and to provide guidance and assistance on issues of ethics and integrity;

e) Review the development and implementation of training programs concerning ethics and integrity in government;

f) Review the Ethics and Integrity program annually and provide the City Council with an analysis of the program's effectiveness and make recommendations for enhancement to the program and or budget related elements to support the program.

g) Work with City staff or special consultants as needed to perform any of the Committee's duties or responsibilities.

SECTION 13.20.8 RULES AND REGULATIONS
The Committee shall establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties."

SECTION 2
Any provisions of the Torrance Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 3
If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of the ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 4

This Ordinance shall take effect thirty (30) days after the date of its adoption and, prior to the expiration of fifteen (15) days from the passage thereof, shall be published at least once in the Daily Breeze, a newspaper of general circulation in the City of Torrance.

INTRODUCED AND APPROVED the 13th day of May, 2008.

ADOPTED AND PASSED this 20th day of May, 2008.

/s/ Frank Scotto
Mayor Frank Scotto

APPROVED AS TO FORM:
JOHN FELLOWS III, City Attorney

ATTEST:

by /s/ Ron Pohl
Ronald T. Pohl, Assistant City Attorney

/s/ Sue Herbers
Sue Herbers, City Clerk

TORRANCE CITY COUNCIL ORDINANCE NO. 3710

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

I, Sue Herbers, City Clerk of the City of Torrance, California, do hereby certify that the foregoing Ordinance was duly introduced and approved by the City Council of the City of Torrance at a regular meeting held on the 13th day of May 2008 and adopted and passed by said Council at a regular meeting held on the 20th day of May 2008 by the following roll call vote:

AYES:	COUNCILMEMBERS:	Barnett, Brewer, Nowatka, Sutherland, Witkowsky, and Mayor Scotto.
NOES:	COUNCILMEMBERS:	None.
ABSTAIN:	COUNCILMEMBERS:	None.
ABSENT:	COUNCILMEMBERS:	Drevno.

This ordinance was duly published in accordance with State law (GC 40806).

/s/ Sue Herbers
Sue Herbers
City Clerk of the City of Torrance