

Council Meeting
April 19, 2011

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

Members of the Council:

SUBJECT: SECOND AND FINAL READING OF ORDINANCE 3747

RECOMMENDATION:

Second and Final Reading of **ORDINANCE NO. 3747** amending Section 14.8.24 of the Torrance Municipal code relating to the resolution of impasse on agreement terms.

BACKGROUND:

At the regular meeting of the City Council held on the 12th day of April 2011, this Ordinance was introduced and approved for its first reading by the following roll call vote:

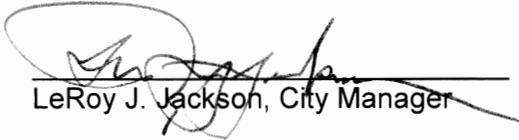
AYES:	COUNCILMEMBERS:	Barnett, Brewer, Furey, Numark, Rhilinger, Sutherland, and Mayor Scotto.
NOES:	COUNCILMEMBERS:	None.
ABSTAIN:	COUNCILMEMBERS:	None.
ABSENT:	COUNCILMEMBERS:	None.

Respectfully submitted,



Sue Herbers, CMC
City Clerk

NOTED:



LeRoy J. Jackson, City Manager

Attachment A: Ordinance 3747
B: Ordinance summary

ORDINANCE NO. 3747**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 14.8.24 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE RESOLUTION OF IMPASSE ON AGREEMENT TERMS.**

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

SECTION 1

That Section 14.8.24 of the Torrance Municipal Code is amended to read in its entirety as follows:

“SECTION 14.8.24. RESOLUTION OF IMPASSE ON AGREEMENT TERMS.

- a) If the appropriate management representatives and the representatives of a recognized employee organization reach an impasse, either party may, within 5 working days of impasse, notify the other party that the matter is to be submitted for mediation to the California State Conciliation Service. All mediation proceedings will be private. The mediation must be completed within 60 days of submitting the request to the California State Conciliation Service except by mutual agreement of both parties. Failure to schedule and mediate within 60 days will move the matter to the City Council, as described in subsection (e) below.
- b) Either party may request fact-finding within 5 working days in accordance with this section in connection with any disputed matter after completion of mediation. The fact-finding must be completed within 120 days after completion of mediation except by mutual agreement of the parties. Failure to schedule and obtain the fact-finding report within 120 days after completion of mediation will move the matter to the City Council, as described in subsection (e) below.
- c) A fact-finder so requested shall be selected by the parties from a list of arbitrators supplied by the California State Conciliation Service.
 1. The recommendation of the fact-finder will be limited to the issues originally referred for dispute settlement.
 2. Fact-finding proceedings will be private.
 3. The fact-finding report will be filed with the parties.
- d) The fees and expenses of the mediator and fact-finder will be shared equally by the parties involved. The City will furnish meeting space and recordings and transcribing services when requested for such proceedings.”
- e) If the appropriate management representatives and the representatives of a recognized employee organization are unable to reach agreement during mediation or fact-finding, the matter will be submitted to the City Council for resolution.”

SECTION 2

Any provisions of the Torrance Municipal Code or its appendices, or any other ordinances of the City inconsistent with this ordinance, to the extent of the inconsistencies and no further, are 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, the decision will not affect the validity of the remaining portions of the ordinance. The City Council declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases are declared invalid or unconstitutional.

SECTION 4

This ordinance will take effect thirty days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the City of Torrance.

INTRODUCED AND APPROVED the 12th day of April, 2011.

ADOPTED AND PASSED this ___ day of April, 2011.

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

Mayor Frank Scotto

ATTEST:

by _____
Patrick Q. Sullivan, Assistant City Attorney

Sue Herbers, CMC
City Clerk

Ordinance Summary

TORRANCE CITY COUNCIL ORDINANCE NO. 3747

On _____, 2011, the City Council of the City of Torrance adopted Ordinance No. 3747, amending Section 14.8.24 of the Torrance Municipal Code relating to the Resolution of Impasse on Agreement Terms.

Ordinance No. 3747 modifies the City's existing impasse ordinance to shorten the time period during which the City and affected employee organizations will attempt to reach agreement on matters in dispute, prior to submission of the impasse to the City Council for its resolution.

*****City Clerk to add a paragraph stating that copies of the ordinance are available at the City Clerk's office and stating the names of the City Council members that voted in favor and those that voted against. *****

