

Torrance, California
August 8, 1967

MINUTES OF PRE-COUNCIL MEETING
ON CIVIL SERVICE ORDINANCE

A pre-council session of the Torrance City Council was called to order at 7 p.m., on Tuesday, August 8, 1967, for the purpose of hearing from employees and their organizational representatives as to the proposed new civil service ordinance.

Mayor Isen said the agenda had promised and he had expected to have three different colored versions of the ordinance. Previously he had asked that the ordinance be laid out section by section for convenient comparison.

Councilman Sciarrotta is chairman of the Council Finance Committee which recommended the April 1967 version presented here tonight. The other members who comprised the committee are Councilman Beasley and recently resigned Councilman Olson. Councilman Sciarrotta said there are varying opinions even within the committee as to some of the provisions. He believed the Council should hear the employees' arguments as to any changes, consider them for three weeks and then adopt whichever version seems best, with the modifications which appear necessary.

Mr. Sam Hunegs, representing Local 1117, whose address is 4949 Hollywood Boulevard, said he too had understood that the three versions would be compiled in a comparative manner so as to be easily assimilated. Weeks were consumed in hammering out an ordinance which was printed on green paper - then a peach (apricot, pink) ordinance was developed and subsequently a white ordinance. Mr. Hunegs said this white ordinance before the council tonight in effect changes the whole character of the ordinance from a civil service system to a merit system. He asked for some reasons for these radical changes.

John Kirkpatrick, Torrance City Employees' Association, had distributed letter from John Hall, the Association's attorney, which he called to the councilmen's attention. He favored using what is now in existence as a basis of comparison and change. The Commission meets monthly and interprets the things that come before it and when interpretation is made against the interests of Civil Service, it comes before the Council. The Council, Mr. Kirkpatrick said, has the right to determine whether they want civil service or a merit system. In the first place, civil service and merit systems were compatible. About 40% of the present ordinance is identical to existing rules and regulations; 20% is not clear as to intent, and about 40% is new and in effect takes power from The Civil Service Commission and gives it to the City Manager.

Mayor Isen asked Mr. Kirkpatrick to take the white ordinance and point out, page by page, the places which delete from the civil service system. Mr. Kirkpatrick said out of 38 articles, the organization questions 8 strongly. Specifically, he pointed out page 64, Sections 14.47.3 dealing with suspension for cause and suspension pending appeal, and pointed out the objectionable features. Eight more articles are more than questionable, and seven that the association would fight. In all 23 of the 38 articles need work.

Page 64 was discussed at some length and it became obvious much more time would be needed to go over the entire ordinance. Larry Bowman, who is Chairman of the Civil Service Commission, volunteered the information that the Commission has made no review of the "white" ordinance, although he sees no great difference between the apricot and the white editions. His statement was for clarification; he was not suggesting the Commission should have it back.

Edith Shaffer
Minute Secretary

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Mr. Bowman said so far as the Commission is concerned, as stated in September, 1966, the green ordinance reflects the various compromises from the viewpoints of the entire spectrum of people who would be affected i.e., Management, employee groups and the interests of the public. In the view of the Commission the apricot ordinance is a marked departure from the green ordinance - the apricot was the interim ordinance and the apricot and the white ordinances are substantially the same. The very first draft was also a white one so there are two ordinances printed on white paper. The viewpoint of the Civil Service Commission, Mr. Bowman said, has not changed since September of 1966.

Mayor Isen said he believes any changes made in civil service rules are very important. City Manager Ferraro said the changes in the white ordinance were primarily as a result of the Wooldridge incident. At any rate, Mayor Isen said this needs resolving at Civil Service Commission level. He has no intention of going from one color ordinance to another trying to ferret out the differences. This job should be given priority by Administration. Councilman Sciarrotta agreed with Mayor Isen that what the Council wanted is a physical comparison of the three - placed on one sheet of paper and easy to follow - in effect, a paste-up layout for comparison. Mayor Isen added that he would like also to have attached the existing civil service rules and an argument as to why the change is being made and what is being gained. Because of human fallibility, he fears something will be overlooked.

The thought is not necessarily to make this comparison in a Council meeting, Mayor Isen said, the City Attorney and City Manager can do this in conference with the interested parties. No magic solution is going to appear. He said also that some of the provisions now placed in this white version would not stand up in court, in the light of recent decisions.

One question asked of Mr. Knickerbocker by Mayor Isen related to prohibition of engaging in city elections by any City employee. Mr. Knickerbocker said there is a Supreme Court decision on this question but he is not certain that the provisions embodied in the ordinance are strictly legal.

Mr. Hunegs remarked that there are still differences between the green, the apricot and the white ordinances and they are significant differences. He agreed they should be set up with the provisions side by side for comparison. However, Mr. Hunegs said he had spent an entire evening pointing out those differences to the Council and he could do it again, if necessary, but he believed it to be the responsibility of the City's staff. The time taken by the Deputy City Attorney to prepare the summary might better have been used in breaking down and delineating the differences.

From the conversation to this point, Councilman Beasley predicted that the Council would probably never adopt a satisfactory civil service ordinance. This has been in the process of revamping for twenty years. Now, it seems the employees want to go back to what they had originally and forget about any new Civil Service Ordinance.

Mr. Kirkpatrick said he is acquainted with the situation in 1947 and at that time the Civil Service rules were adopted; he has a copy of what was in effect between 1947 and 1953, also of the County Civil Service rules. Basically these are the rules which Torrance adopted in 1947. The County Civil Service rules change constantly. A civil service ordinance must be a living thing and capable of being changed, but it is not the thing to do to change something which is presently working in a satisfactory manner.

Mayor Isen moved that the City Attorney be charged with the responsibility of meeting with employees' groups, Management and other interested parties to determine the issues as they may exist between the various civil service ordinances; to line all this up and correlate it side by side with the present existing civil service ordinances and rules so that as to each page, the Council can see the problem with the suggested alternate; and to return such a study to this Council within a period of not to exceed one hundred twenty days. The City Attorney may, at his discretion, call in members of the Civil Service Commission, its Chairman, Personnel Director Donovan and any other parties who may be thought to have particular interest in this problem. The intent of the motion is to line up side by side the existing ordinances and rules and regulations as against the various proposals and the objections thereto.

Councilman Vico seconded. Mayor Isen said if there appeared no objection, the motion would be considered to have carried; there was no objection.

A recess was declared prior to starting the regular council meeting at 8:00 p.m.



 Vernon W. Coil, Clerk of the
 City of Torrance, California

APPROVED:



 Mayor of the City of Torrance