

Torrance, California
September 13, 1966

MINUTES OF A PRE-COUNCIL MEETING
ON NEW CIVIL SERVICE ORDINANCE

A pre-council meeting scheduled for the purpose of receiving a presentation from the Civil Service Commission with respect to the proposed new civil service ordinance, was held at 7:00 p.m., in the Council Chambers. In addition to the Council members, all of whom were present, several members of the Civil Service Commission were in attendance and expressed their views.

Two alternative drafts of an ordinance had been presented: one printed on apricot colored paper and the other on green and in speaking of the two during the meeting reference was made to them by color. Also, on canary colored paper, there was a comparison study which had been prepared by the Legal Department. The apricot copy contained the recommendation of the Council Finance Committee and the green represents the recommendation of the Civil Service Commission.

There will also be a public hearing on the proposed civil service ordinance on Wednesday evening, September 14, 1966, at 7 p.m., in the Council Chambers.

Commissioner Lawrence Townsend said he had been instructed by the Commission at its last meeting to present the feelings and sentiments of the Commission that they are committed to supporting the green version of the ordinance with some modifications. Many meetings have been held with the City Manager and members of the various employee groups and it is the belief of the Commission that the problems have been resolved, and compromises reached. The main objective, he said, has been to continue the Civil Service program as the Charter indicates the City must have and protect the best interests of the City, the employees and the taxpayers. The question of whether or not the Charter can be changed by ordinance is one which would have to be answered by the City Attorney. In effect, the apricot version of the ordinance, Commissioner Townsend said, would change the civil service procedures to a merit system which the Civil Service Commission believes is prohibited by the provisions of the Charter. As an example he cited Section 8.50, Classification Plan, page 6 of the apricot version in comparison with Section 8.60, Classification Plan, page 10 of the green version.

Rather than adopt the apricot version, Mr. Townsend said the Commission would prefer keeping the civil service ordinance now in effect, if the green copy does not meet with approval of the Council.

Mayor Isen remarked that it is very difficult to follow these comparisons and contrasts and asked the City Manager if it would not be possible to draft a listing of the various provisions, side by side, with the differences between the two philosophies set forth in a third column. He did not think the Comparison Study prepared by the City Attorney was concise enough to facilitate the study to the necessary extent.

Councilman Sciarrotta said the remarks of the Commission should have been prepared and presented in writing. The comparison listing described by Mayor Isen will be prepared after the special meeting tomorrow night at which employees' groups will present their recommendations.

Commissioner Townsend said the major area of disagreement is in the area where the apricot ordinance relegates the Civil Service Commission to advisory capacity only which would place an extra burden on the Council, the employees and as a result, on the taxpayers. The apricot proposal is nothing but a merit system, which is not possible under the City's present charter.

Councilman Olson asked Mr. Townsend if the Commission objects to any system which rewards above-average performance and Mr. Townsend answered negatively, stating there are two different types of merit systems, a full discussion of which would be too lengthy for the purposes of this meeting. There is an executive merit system and a merit Civil Service system, the principal difference being the ability of disagreement with any decision as to whether or not a good job has been done warranting extra consideration.

Another way of presenting the comparisons, Mayor Isen said, would be to insert in the apricot version the provisions which the Commission would recommend to make it more palatable. He would like to see areas of agreement set forth as well as those of dissenting opinion.

Commissioner Morehart said Commissioner Townsend had accurately summarized his thoughts, also. A model ordinance, he said, has never been found and the colors of the two ordinances make no difference; neither is completely acceptable. The objection is as to the deletion of the power of the Commission to make any rules and regulations, (shown in Article 4 of the apricot version and in Article 3 of the green). Although the City Manager does not favor a rigid civil service ordinance, Mr. Morehart said there is no substitute for it as civil service is a daily arbitration and should be. The Commission's job is to give service to the City Council and relieve them of many tasks and problems. He cited the experience of the Los Angeles city government years ago.

In the twelve years Mr. Morehart has been on the Commission, he said the City has not lost a lawsuit but he fears it may lose some in the future because the Charter has been violated as to some of the recent appointments. If anyone has a right to challenge the Council's decisions, it should be its own commissions. Specifically, Mr. Morehart said illegal appointments have been made by the blanketing of employees as a result of the Jacobs survey and credited Don Hunt of the J. L. Jacobs Company with the parting remark, "Don't ever blanket in people." There should always be examinations and observance of Civil Service procedures.

Mr. Morehart said the City Manager does not believe in civil service, but Torrance has a civil service system and the responsibility of enforcing it. None of the members of the Civil Service Commission wants power and without violating the basic precepts of the Council, a strong civil service system can still be retained. A strong, rigid civil service system has faults, but it is a great protection to the City.

Commissioner Larry Bowman, who has been on the Commission for about a year and a half, reviewed the August 27th meeting of the Civil Service Commission attended by six of the seven members. He restated the position of the Commission that a strong Civil Service ordinance should be retained by the City and that the green copy of the ordinance best portrays the most appropriate system. The Commission believes that the proposals contained in the apricot ordinance are either relatively insignificant or disastrous to a civil service system. The most significant proposals of the apricot version would have, in the view of the Commission, emasculate the Commission and made it less effective. By the charter, the Council certainly has and should have the final authority and responsibility for civil service matters, but it could best serve by monitoring another agency which could be kept non-political and a potent force for both Management and the employees.

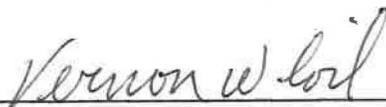
Mayor Isen asked Mr. Bowman if he feels that way personally and Mr. Bowman said not completely although he does as to most of it. He voted not against the philosophy, but against the manner of making the analysis to be presented to the Council here tonight. He believed the intent of the Commission was to say that the members do not believe that the apricot ordinance contains any significant changes which would be beneficial and some of them would be detrimental.

In conclusion, Mr. Bowman said the Commission asks, requests, advises and proposes that the green ordinance be kept as it is.

Mr. Sam Hunegs wished to speak but was advised by Mayor Isen that his presentation should be made at tomorrow's special meeting on the subject. No decision will be made tonight, nor for that matter, tomorrow night.

Councilman Olson expressed a wish for the analysis as described by Mayor Isen. It is quite likely there may be further compromises. Mayor Isen reiterated his wish: that there be a side-by-side comparison of the particular provisions at issue in the two proposed ordinances, with some comment regarding each. This ordinance has been in the mill for three years and the Council would like to have whatever would be helpful toward making the most equitable decision.

At 7:35 p.m., the pre-council meeting terminated and a recess was declared to 8:00 for calling the regular Council meeting to order.



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

APPROVED:



Mayor of the City of Torrance