

I N D E X

Torrance City Council - July 2, 1985

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Adjournment at 8:18 p.m.

#

Peggy Laverty
Minute Secretary

City Council
July 2, 1985

Prepared by Office of City Clerk
DONNA M. BABB, CITY CLERK

July 2, 1985

MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in a Regular Meeting on Tuesday, July 2, 1985, at 5:30 p.m., in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Geissert, Mock, Walker, Wirth and Mayor Armstrong.

Absent: Councilman Nakano.

Also present: City Manager Jackson, City Attorney Remelmeyer, and other department representatives.

3. FLAG SALUTE AND INVOCATION:

Street Maintenance Superintendent Garcia led in the salute to the flag.

The invocation for the meeting was provided by Pastor Jim Park, Seventh Day Adventist Church.

STANDARD MOTIONS:

4. APPROVAL OF MINUTES:

MOTION: Councilwoman Geissert moved for approval of the minutes of June 4, 1985, as recorded. Her motion, seconded by Councilman Walker, was unanimously approved by roll call vote (Councilman Nakano absent).

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5. MOTION TO WAIVE FURTHER READING:

Councilman Applegate MOVED that after the City Clerk has assigned a number and read title to any resolution or ordinance on tonight's agenda, the further reading thereof be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. His motion, seconded by Councilwoman Geissert, carried unanimously by roll call vote (Councilman Nakano absent).

6. WITHDRAWN OR DEFERRED AGENDA ITEMS:

Item 11a: TOWING AND STORAGE CONTRACT -- Held until July 9, 1985.

7. COUNCIL COMMITTEE MEETINGS:

Community Planning and Design Committee
Monday, July 8, 1985, 4:00 p.m.
Subject: Senior Housing Development

Finance Committee
Tuesday, July 9, 1985, 6:00 p.m.
Subject: Council Travel Allowance

10. TRANSPORTATION/PUBLIC WORKS MATTERS:10a. GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON:

At the request of Mayor Armstrong, City Clerk Babb read title to --

RESOLUTION NO. 85-169

A RESOLUTION OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST AN EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY FOR UNDERGROUND ELECTRICAL SYSTEMS AND APPURTENANCES

MOTION: Councilwoman Geissert moved for the adoption of Resolution NO. 85-169. Her motion, seconded by Councilman Walker, carried unanimously by roll call vote (Councilman Nakano absent).

11. POLICE AND FIRE MATTERS:11a. TOWING AND STORAGE CONTRACT:

Deferred for one week, there being no objection.

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11b. AWARD OF CONTRACT - Software Maintenance:

City Clerk Babb read title to --

RESOLUTION NO. 85-170

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A CONTRACT WITH COMMAND DATA SYSTEMS FOR COMPUTER SOFTWARE MAINTENANCE IN AN AMOUNT NOT TO EXCEED \$8,000, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID CONTRACT

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 85-170. Her motion, seconded by Councilman Walker, carried unanimously by roll call vote (Councilman Nakano absent).

12. PLANNING AND ZONING MATTERS:

12a. PROPERTY REHABILITATION LOAN AGREEMENT AMENDMENTS:

At the request of Mayor Armstrong, City Clerk Babb read title to --

RESOLUTION NO. 85-171

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THAT CERTAIN AGREEMENT AMENDING THE PROPERTY REHABILITATION LOAN AGREEMENT BETWEEN THE CITY OF TORRANCE AND BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 85-171. Her motion was seconded by Councilman Mock, and roll call vote was unanimously favorable (Councilman Nakano absent).

15. HEARINGS:

15a. PP 83-11, BRIAN KNUTSON:

Mayor Armstrong announced that this was the time and place for Council consideration of approval of a revision of a previously denied Precise Plan of Development to allow the construction of a single-story addition to a single-family residence in the Hillside Overlay District in the R-1 zone at 129 Paseo de Granada. PP 83-11, BRIAN KNUTSON.

Proof of publication was presented by City Clerk Babb and it was ordered filed, there being no objection.

Staff presentation on this latest plan modification was provided by Acting Planning Associate Gibson, who noted staff's recommendation for APPROVAL of this current request.

The applicant, Mr. Brian Knutson, 129 Paseo de Granada, described his latest proposal and related his efforts through substantial redesign to satisfy the concerns of his neighbors and the Council. Approval of this latest proposal was requested by Mr. Knutson.

In response to questions by Councilwoman Geissert, the applicant advised that seven of his neighbors had signed his drawings indicating their approval; two had given verbal approval; and one was opposed.

Next to address the Council on this matter was Mr. Mark Hallett, 116 Paseo de Granada, who requested that the proposed roofline be lowered two feet, and submitted sketches delineating such a modification which would decrease the impact on their view.

Mrs. Karen Finesse, 249 Paseo de Granada, urged approval of the current design.

Mr. Knutson returned to maintain that his roofline cannot be lowered by two feet, as requested, and submitted sketches to the Council for review. It was Mr. Knutson's opinion that there is very little of the proposed addition that can be seen from the Hallett's vantage point. Photographs were also submitted by Mr. Knutson.

There being no one else who wished to speak on this item, Councilman Walker moved to close the hearing. His motion was seconded by Councilman Wirth, and roll call vote was unanimously favorable (Councilman Nakano absent).

MOTION: Councilman Walker moved to concur with the recommendation of the Planning Department and approve PP 83-11. His motion was seconded by Councilman Wirth.

Councilwoman Geissert stated that, while she would support the above motion, it is her opinion that there have been legitimate concerns surrounding this project -- the first proposal represented overbuilding on the lot -- views, although not expansive, should be respected. Mrs. Geissert acknowledged that the applicant has gone to unusual lengths to make a compatible addition.

Councilman Walker's above motion carried without objection (Councilman Nakano absent).

City Clerk Babb read title to --

RESOLUTION NO. 85-172

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 6, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A SINGLE-STORY ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE
AT 129 PASEO DE GRANADA
PP 83-11: BRIAN KNUTSON

MOTION: Councilman Walker moved for the adoption of Resolution No. 85-172. His motion, seconded by Councilman Wirth, carried unanimously by roll call vote (Councilman Nakano absent).

17. ADMINISTRATIVE MATTERS:

17a. EXECUTIVE SESSION:

See Pages 10-13.

17b. MOU's FOR CERTAIN EMPLOYEE GROUPS:

See Pages 12,13.

17c. DESTRUCTION OF CITY RECORDS:

At the request of Mayor Armstrong, City Clerk Babb read title to --.

RESOLUTION NO. 85-173

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE CITY CLERK TO DESTROY CERTAIN UNNEEDED CITY RECORDS AND DOCUMENTS WITHOUT MAKING COPIES THEREOF

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 85-173. Her motion, seconded by Councilman Applegate, carried unanimously by roll call vote (Councilman Nakano absent).

17d. EXCESS WORKERS' COMPENSATION INSURANCE:

RECOMMENDATION:

The City Manager recommends an increase of the current self-insured retention level to \$500,000 and an increase in the top limit to \$5,000,000. It is, therefore, requested that your Honorable Body approve the proposal of General Reinsurance Company to provide excess workers' compensation insurance with a self-insured retention of \$500,000 and a top limit of \$5,000,000 for an annual deposit premium of \$20,250.00. Funds for this coverage are contained in the 1985-86 Proposed Budget.

MOTION: Councilwoman Geissert moved to concur with the above recommendation of the City Manager. Her motion was seconded by Councilman Walker, and roll call vote was unanimously favorable (Councilman Nakano absent).

17e. ASSESSMENT DISTRICT NO. 85-1 TORRANCE BUSINESS PARK:

At the request of Mayor Armstrong, City Clerk Babb read title to --

RESOLUTION NO. 85-174

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING AND AUTHORIZING THE EXECUTION OF A SPECIAL COUNSEL AGREEMENT WITH F. MACKENZIE BROWN, INC., AND MANATT, PHELPS, ROTHENBURG, AND TUNNEY (ASSESSMENT DISTRICT NO. 85-1, TORRANCE BUSINESS PARK)

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 85-174. Her motion, seconded by Councilman Walker, carried by way of the following roll call vote:

AYES: COUNCILMEMBERS: Geissert, Mock, Walker, Wirth and Mayor Armstrong.

NOES: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: Applegate.

ABSENT: COUNCILMEMBERS: Nakano.

17f. APPOINTMENT OF DEPUTY CITY ATTORNEY:

See Page 8.

17g. REVISED MERCEDES-BENZ LEASE:RECOMMENDATIONS:

The Land Management Team recommends that the lease be approved as rewritten, with the changes already agreed upon with Mr. Adkins, and in addition that the Gross Receipts provision be rewritten to conform to Mr. Adkins' request, with clarifying language in case of changes in the Tax laws. The Land Management Team recommends the change in Paragraph 26 requested by Mr. adkins not be approved.

The City Attorney recommends that the lease be approved as rewritten, with the change already agreed upon with Mr. Adkins, but that neither the suggested change to Gross Receipts definitions, nor to the Paragraph 26 assignment provisions be approved.

Two resolutions are submitted: Resolution "A" approves the lease as rewritten, but includes the recommendations of the Land Management Team. Resolution "B" approves the lease as rewritten but includes the recommendation of the City Attorney.

The points of disparity reflected in the above recommendations were clarified by Land Management Team Executive Officer Ng and City Attorney Remelmeyer.

During the course of the extensive discussion which developed, City Attorney Remelmeyer clarified that, in his proposal, he does not necessarily reject the Gross Receipts approach; however, he would recommend a study of the issue prior to any such change.

Concurring with the need for further study as above stated, and noting that the dealership is now open for business, Councilman Applegate offered the following --

MOTION: Councilman Applegate moved to hold Item 17g for study, to be returned to the Council in three weeks. (NOTE: this was later amended to one week - see Page 8). The motion was seconded by Councilman Wirth.

Discussion continued prior to roll call vote on the motion.

City Attorney Remelmeyer pointed out a further problem in that the Mitsubishi Bank, proposed lender in this case, desires an absolute right of assignment to a third party in case of foreclosure. The right of approving any subsequent tenant on this site should rest with the City Council, per Mr. Remelmeyer (a matter of negotiation as an addendum to the lease).

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Mr. Bill Adkins, President of the Mercedes Benz Dealership, approached the podium to clarify his position. Mr. Adkins explained that the postponement of Council action for three weeks would allow his builder the right to cash a letter of credit which would, in turn, jeopardize his loan application with the Mitsubishi Bank. Mr. Adkins stressed his strong support of the Land Management Team recommendation and urged Council action in favor of that proposal.

Attorney representing the applicant, Mr. Bill Bartz, reviewed the matter of the lease addendum, deeming the question of lease assignment in the event of foreclosure to be the "one little provision" standing in the way of a satisfactory conclusion to the matter. The need for an early resolution was voiced by Mr. Bartz.

At this point, Mayor Armstrong recommended that the earlier motion for a three-week postponement be MODIFIED to a one-week postponement. Councilmen Applegate and Wirth, as maker and seconder of the motion, accepted this modification.

Roll call vote on Councilman Applegate's motion AS AMENDED was unanimously favorable (Councilman Nakano absent).

The Council now returned to --

17f. DEPUTY CITY ATTORNEY APPOINTMENT:

RECOMMENDATION:

The City Attorney recommends that your Honorable Body appoint Jesus ("Jesse") Rodriguez to the permanent position of Deputy City Attorney, effective July 3, 1985, at Step 7 (\$3501 per month).

MOTION: Councilman Walker moved to concur with the above recommendation of the City Attorney. His motion was seconded by Councilman Wirth, and there being no objection it was so ordered (Councilman Nakano absent).

17g. MERCEDES-BENZ LEASE:

See Page 7.

20. CONSENT CALENDAR:

20a. COUNCIL APPROVAL - Purchase of Two (2) Replacement "Special Use" Vehicles
EXPENDITURE: \$17,732.25

RECOMMENDATION OF FINANCE DIRECTOR/PURCHASING AGENT:

It is recommended that Council approve the purchase of the replacement "Special Use" vehicles from Avis Used Car Sales Company, for the total amount of \$17,732,25 including tax.

FUNDING:

Funding for this program is from the City Equipment Revolving Fund with proceeds from the sale of the vehicles taken out of service to likewise be returned to that same fund.

MOTION: Councilman Applegate moved to concur with the staff recommendation on Agenda Item 20a. His motion was seconded by Councilman Wirth, and roll call vote was unanimously favorable (Councilman Nakano absent).

* * *

At 6:36 p.m., the City Council recessed and reconvened as the Redevelopment Agency of the City of Torrance. At 6:37 p.m., the Agency remained in session and the City Council reconvened in order that a Joint Executive Session might be held at the close of Council business.

* * *

22. ORAL COMMUNICATIONS:

- 22a. Councilman Applegate wished everyone a safe and happy Fourth of July weekend.
- 22b. Councilman Wirth requested, when the matter of speed limit on Lomita Boulevard between Anza and Hawthorne Boulevard comes before Council, that information be provided regarding the possibility of a traffic signal at the present School Crossing Guard location.
- 22c. Councilman Wirth requested staff follow up regarding a previous citizen complaint concerning debris on a lot on Fonthill north of 190th Street, as well as other problems in that area.
- 22d. Mayor Armstrong inquired regarding progress on the Ben Haggott Reservoir and was informed by Water System Superintendent O'Cain that ground breaking is anticipated for some time in the Fall.

22e. Mayor Armstrong congratulated the Federated Group Stores for their program of videotaping children for identification purposes.

22f. Mr. Don Smith, speaking for Mr. Ken Carr, President of Local 1117 AFSCME T.M.E., noted their submittal of correspondence dated July 2, 1985, to the City Council concerning negotiation considerations. Council consideration was requested. Mayor Armstrong noted that the matter will be taken under advisement.

* * *

The Council now returned to --

17a. EXECUTIVE SESSION:

17b. MOU's FOR VARIOUS EMPLOYEE GROUPS:

The City Council/Redevelopment Agency having remained in Joint Session following the meeting of the Redevelopment Agency (see Page 9), Mayor/Chairman Armstrong read the following statement into the record:

The City Council, acting as the Redevelopment Agency, will now recess to closed session for the purpose of conferring with and receiving advice from the Redevelopment Agency's counsel concerning the following:

1. Pending litigation concerning eminent domain proceedings of 26 acres of land situated north of Torrance Boulevard and east of Van Ness Avenue (Redevelopment Agency v. J. S. Enterprises, Inc., et al Superior Court Case No. 544996, et al).

The City Council will also recess to closed session to confer with the City Attorney regarding the following:

1. Possible litigation concerning the Park Del Amo project and the deed to the Madrona Marsh;
2. Possible acquisition of the Greenwood School property site.

The City Council will also recess to closed session to confer with the City Manager regarding salaries, salary schedules and compensation of certain employee groups.

This closed session is being held pursuant to the following sections of the Government Code: 54956.9(a), 54956.9(c), 54957.8, and 54957.6.

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Councilman Applegate announced that he would abstain from consideration of the Madrona Marsh matter, and would absent himself from the meeting room during that discussion.

At 6:46 p.m., the City Council/Redevelopment Agency recessed to Joint Executive Session, returning at 8:13 p.m., to take the following action as City Council.

MOTION: Councilman Applegate moved to concur in principle with the Memorandum of Intent for the Torrance Inspection and Enforcement Association (TIEA). His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable (Councilman Nakano absent).

MOTION: Councilwoman Geissert moved to concur in principle with the Memorandum of Intent for the Torrance Fiscal Employees Association (TFEA). Her motion, seconded by Councilman Applegate, carried unanimously by roll call vote (Councilman Nakano absent).

MOTION: Councilman Walker moved to adopt the Memorandum of Understanding with the Engineers. His motion, seconded by Councilman Walker, carried without objection (Councilman Nakano absent).

At the request of Mayor Armstrong, City Clerk Babb read title to the following resolution:

RESOLUTION NO. 85-175

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF TORRANCE SETTING FORTH WAGES,
HOURS AND WORKING CONDITIONS FOR EMPLOYEES
REPRESENTED BY THE ENGINEERS, FOR THE
PERIOD FROM JULY 8, 1984 TO JULY 1, 1986

MOTION: Councilman Applegate moved for the adoption of Resolution No. 85-175. His motion, seconded by Councilwoman Geissert, was unanimously approved by roll call vote (Councilman Nakano absent).

MOTION: Councilwoman Geissert moved to concur with the Memorandum of Understanding with the Torrance Management Employees Organization (TMEO). Her motion, seconded by Councilman Mock, carried without objection (Councilman Nakano absent).

City Clerk Babb read title to --

RESOLUTION NO. 85-176.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE GOVERNING EMPLOYMENT COMPENSATION PROVISIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE MANAGEMENT EMPLOYEES ORGANIZATION (TMEO)

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 85-176. Her motion, seconded by Councilman Applegate, carried unanimously by roll call vote (Councilman Nakano absent).

MOTION: Councilwoman Geissert moved to concur with the resolution of compensation for Elected Officials. This motion was seconded by Councilman Wirth, and carried without objection (Councilman Nakano absent).

At Mayor Armstrong's request, City Clerk Babb read title to --

RESOLUTION NO. 85-177

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING RESOLUTION 84-216 AND ADOPTING A NEW COMPENSATION PROCEDURE FOR ELECTED OFFICIALS

MOTION: Councilman Applegate moved for the adoption of Resolution No. 85-177. His motion, seconded by Councilman Wirth, carried unanimously by roll call vote (Councilman Nakano absent).

(Item 17b).

City Clerk Babb read title to --

RESOLUTION NO. 85-178

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING RESOLUTION NO. 84-206 AND ADOPTING A NEW PROCEDURE GOVERNING EMPLOYMENT COMPENSATION FOR CERTAIN MANAGEMENT EMPLOYEES

MOTION: Councilman Applegate moved for the adoption of Resolution No. 85-178. His motion, seconded by Councilwoman Geissert, was unanimously approved by roll call vote (Councilman Nakano absent).

* * *

Out of Order - ORAL COMMUNICATIONS (Continued):

22g. City Attorney Remelmeyer recalled the City Council's direction that the matter of the deed to the Madrona Marsh be brought back to the Council on July 9 (see Council minutes of June 18, Item 9c, Page 6). Mr. Remelmeyer requested, at this time, that he be granted a one-week extension, with the matter to be returned at the July 16 Council meeting.

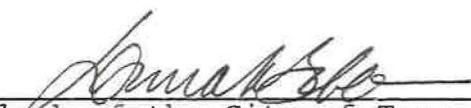
Councilman Wirth MOVED to concur with the City Attorney's request. His motion was seconded by Councilwoman Geissert, and carried without objection (Councilman Applegate abstained; Councilman Nakano absent).

* * *

At 8:18 p.m., the meeting of the City Council/Redevelopment Agency was duly adjourned to Tuesday, July 9, 1985, 7:00 p.m.

#


Mayor of the City of Torrance


Clerk of the City of Torrance

Peggy Laverty
Minute Secretary

13.

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