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TORRANCE CITY COUNCIL - APRIL 9, 1996

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*Adjourned in the memory of
... Viah Johnson ...*

Valerie Whippie
Minute Secretary

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**MINUTES OF AN ADJOURNED REGULAR MEETING
OF THE TORRANCE CITY COUNCIL**

OPENING CEREMONIES

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular meeting with the Cable Television Advisory Board on Tuesday, April 9, 1996, at 5:40 P.M., in the Library Meeting Room of the Civic Center Library, at 3301 Torrance Boulevard, for the purpose of a Joint Workshop Session on the Cable Television Franchise Renewal. This workshop session was followed by the regular City Council meeting, held in City Council Chambers of Torrance City Hall [7:20 P.M.]

ROLL CALL

Present: Council members Cribbs, Lee Messerlian, Nakano, Walker, and Mayor Hardison.
Absent: Councilwoman O'Donnell.
Also present: City Manager Jackson, City Attorney Fellows, City Clerk Herbers, Cable Television Administrator Smith and staff representatives.

Present: Commission members Dozier, Garvey Gibbons, Mikulicich*, Rische, Skoll and Wong.

Absent: Councilwoman O'Donnell.

* Arrived at 5:42 P.M.

2. FLAG SALUTE

The salute to the Flag was led by Commissioner Wong.

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3. MOTION RE POSTING OF AGENDA/FURTHER READING

MOTION: Councilman Lee moved to accept and file the report of the City Clerk on the posting of the agenda for the joint meeting. This motion was seconded by Councilwoman Cribbs and it was so ordered by Mayor Hardison.

JOINT WORKSHOP SESSION
ON CABLE TELEVISION FRANCHISE RENEWAL

Mayor Hardison discussed the nature of this workshop session and the procedures to be followed.

An overview of the current cable television franchise, its major provisions and current status was provided by the Cable Television Administrator, Michael Smith.

Mr. Carl Pilnick, President, Telecommunications Management Corporation [TMC,] presented an overview of the cable television franchise renewal process, its purpose, the effects of the Telecommunications Act of 1996 and the role of the City Council and the Cable Television Advisory Board.

Ms. Sue Gibbons, Chairwoman of the Franchise Renewal Committee of the Board, provided a presentation on the needs-and-interests assessment status.

Discussion ensued following each presentation, with Council/Board members' inquiries fielded by Mr. Smith, Mr. Pilnick and Ms. Gibbons.

At the conclusion of the workshop session, Mayor Hardison noted that a hearing regarding this matter would take place in October of this year and requested that all interested parties sign a sheet at the back of the room. Mr. Smith introduced two representatives from Paragon Cable, seated in the audience.

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At 7:00 P.M. Council recessed, reconvening at 7:20 P.M. to conduct its regularly scheduled business in the Council Chambers of Torrance City Hall.

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1. ROLL CALL

Previously taken; see page 1.

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2. **FLAG SALUTE/INVOCATION**

The Flag salute was led by Boy Scout Troop 310, Scoutmaster Bruce Maas.

Marilyn Marr, First Church of Christ Scientist, led the invocation for the meeting.

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Mayor Hardison announced the passing of former City Employee Viah Johnson, Administrative Secretary/Aide, and requested that this meeting be adjourned in her memory.

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3. **MOTION RE POSTING OF AGENDA/FURTHER READING**

MOTION: Councilman Lee moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. This motion was seconded by Councilwoman Cribbs and it was so ordered by Mayor Hardison [absent Councilwoman O'Donnell.]

MOTION: Councilman Lee moved that after the City Clerk has read number and title to any resolution or ordinance on the agenda for this meeting, the further reading thereof be waived, reserving and guaranteeing to each Council member the right to demand the reading of any such resolution or ordinance in regular order. This motion was seconded by c Councilwoman Cribbs and it was so ordered by Mayor Hardison [absent Councilwoman O'Donnell.]

4. **WITHDRAWN OR DEFERRED ITEMS**

None.

5. **COUNCIL COMMITTEE MEETINGS**

Citizen Development and Enrichment Committee
Meeting of April 17, 1996 - Postponed, per Mr. Nakano.

Ad hoc Rose Float Committee
Meeting to be scheduled by next week, per Mrs. Hardison.

6. **COMMUNITY MATTERS**

6a. **PROCLAMATION** proclaiming April 15, 1996, "Family Reading Day" in the City of Torrance.

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So proclaimed by Mayor Hardison and accepted with appreciation by Andrea Ballas, Torrance Council of PTAs.

6b. PROCLAMATION proclaiming the week of April 14-20, 1996, as "National Library Week" in the City of Torrance.

So proclaimed by Mayor Hardison and accepted with appreciation by the Chair of the Torrance Public Library Foundation and member of the Library Commission, James Cavuoto.

7. CONSENT CALENDAR

7a. APPROVAL OF MINUTES - February 27, 1996.

7b. LEASE FOR ENTRADERO SUMP LITTLE LEAGUE FIELD #4

RECOMMENDATION

It is recommended by the Parks and Recreation Director and that the City Council authorize the Mayor and City Clerk to execute certain agreements on behalf of the City, initiating a lease for the use of Entradero Sump Little League Field #4 by West Torrance Babe Ruth Baseball Organization for the period of April 1, 1996 through December 31, 1996.

7c. FINAL TRACT MAP NO. 52010 - FU-LYONS TORRANCE, L.P.

RECOMMENDATION

It is recommended by the Engineering Director that the City Council approve Final Tract Map No. 52010, located on the east side of Amapola Avenue north of Dominguez Way, which has met all conditions of approval of the Tentative Map.

7d. FUNDS FOR TREE DEDICATIONS

RECOMMENDATION

It is recommended by the Parks and Recreation Director and that the City Council accept donations totaling \$900 for the Living Tree Dedication Program and appropriate funds and program expenses [reporting period 3/1/95 - 2/28/96.]

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7e. CONTRACT FOR CONSTRUCTION OF SEWER HOLES

RECOMMENDATION

It is recommended by the Engineering Director that the City Council accept the bid and award a contract to Zaich Construction, Inc., in the amount of \$62,460 and reject all other bids; authorize staff to prepare a standard contract; and, authorize the Mayor to execute and the City Clerk to attest to said contract on behalf of the City for the construction of sewer manholes at various locations.

City Manager's Note:

Due to the concerns expressed by Council regarding contractor qualifications, the Engineering Department has made additional efforts to ensure that the qualifications of the selected contractor are commensurate with the proposed project.

7f. RELEASE OF COVENANT AND AGREEMENT

RECOMMENDATION

It is recommended by the Planning Director that the City Council approve the Release of Covenant and Agreement [recorded in 1970 on property located at 2166 Redondo Beach Boulevard] and authorize the Mayor and City Clerk to execute and to attest the document on behalf of the City.

MOTION: Councilman Lee moved to concur with Consent Calendar Items 7a through 7f. Councilwoman Cribbs seconded the motion, which carried with unanimous approval following roll call vote [absent Councilwoman O'Donnell.]

13. ADMINISTRATIVE MATTERS

13a. 1996 TORRANCE AIR FAIR CONTRACT

RECOMMENDATION

It is recommended by the City Attorney and the City Manager that the City Council approve the agreement [of record] and that the Mayor and City Clerk be authorized to execute and attest the agreement on behalf of the City.

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Supplemental information [of record] which was submitted to the City by the Torrance Air Fair Association [TAFE] was summarized by Assistant City Attorney Quale.

SUPPLEMENTAL RECOMMENDATION

It is recommended by the City Manager that the City Council approve staff position on each of the TAFE requests and that the amended contract be approved and further, that the Mayor and City Clerk be authorized to execute and attest the contract on behalf of the City.

Discussion focused on details of the contract and TAFE's requested changes to Paragraph 5 [Services to be provided by the City]; Paragraph 6 [Cancellation of Events, Costs]; Paragraph 7 [Site Amenities]; Paragraph 8 [Operating Days and Hours]; Paragraph 10 [Personnel]; Paragraph 17 [Indemnity and Insurance]; and Paragraph 18 [Performance].

Changes requested by TAFE and related staff recommendations were essentially addressed by Mr. Quale as follows:

(1) Paragraph 5 [Services to be provided by the City] - Staff agrees with TAFE request that provisions be added that the City will remove aircraft tied down on the ramp prior to the Air Fair and that the City will provide trash receptacles [funded out of \$15,000 provided by the City to produce the Air Fair.]

(2) Paragraph 6 [Cancellation of Events, Costs] - Staff agrees with TAFE request that this provision applies to the 1996 Air Fair.

(3) Paragraph 7 [Site Amenities] - Staff recommends paragraph remain as written pertaining to tables and chairs. [Staff will work with TAFE.]

(4) Paragraph 8 [Operating Days and Hours] - Staff agrees with TAFE request that TAFE's set-up activities shall begin at 8 AM on Friday, September 20, 1996.

(5) Paragraph 10 [Personnel] - Staff recommends retaining this section as it pertains to TAFE volunteers.

(6) Paragraph 17 [Indemnity and Insurance] - Staff recommends leaving date of August 15, 1996, in paragraphs 17C, 17C2, and 17C4, as the date to provide a certificate of insurance.

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(7) 17C3 regarding Worker's Compensation Insurance: Staff agrees with TAFE request to delete paragraph.

(8) Paragraph 18 [Performance].- Staff does not agree with TAFE request that a provision be added pertaining to City employees.

Nancy Clinton, 2785 Pacific Coast Highway, and Mr. Jim Gates, 142 Via Pasqual, discussed TAFE requested changes to the proposed contract. At their request, it was agreed by Council that the word *retain* in Paragraph 10 of the contract could be changed to recruit.

With counsel provided by both Assistant City Attorney Quale and City Attorney Fellows, Council further agreed to the following:

Paragraph 2 - Terms of Agreement: Amend to indicate that the effective period of the agreement will be commencing upon its execution, through midnight of September 22, 1996. Council majority was in concurrence with all positions of staff, except for Paragraph 10 - Personnel, it being agreed the word *retain* would be changed to recruit. It was also noted that Mary Giordano would be listed as the second point of contact in the agreement.

Following a brief summary of Council position, the Mayor called for a motion and the following was offered:

MOTION: Councilman Lee moved to concur with the recommendation of the City Manager and the City Attorney. Councilwoman Cribbs seconded the motion and roll call vote proved unanimously favorable. [absent Councilwoman O'Donnell.]

13b. ASSIGNMENT OF TORRANCE ACURA LEASE

RECOMMENDATION

It is recommended by the Land Management Team that the City Council approve the assignment of lease and the agreement [both of record] and that the Mayor and City Clerk be authorized to execute and attest both documents in the name of the City.

A brief summary was provided by Albert Ng, Executive Officer of the Land Management Team.

MOTION: Councilman Walker moved to concur with the recommendation of the Land Management Team. Councilman Lee seconded the motion and roll call vote proved unanimously favorable [absent Councilwoman O'Donnell.]

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16. SECOND READING ORDINANCES

16a. ORDINANCE NO. 3422

ORDINANCE NO. 3422

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LOS CODONA AVENUE AND 238TH STREET FROM C-5 (CONDITIONAL COMMERCIAL) TO R-3 (MULTI-FAMILY RESIDENTIAL)

ZON 95-0002: JCC HOMES

MOTION: Councilman Nakano moved to *adopt* Ordinance No. 3422 at its *second and final reading*. Councilman Messerlian seconded the motion and roll call vote proved unanimously favorable [absent Councilwoman O'Donnell.]

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At 8:05 P.M., the City Council recessed and reconvened as the Redevelopment Agency of the City of Torrance. The meeting of the Redevelopment Agency was adjourned at 8:06 P.M., and consideration of regular Council business was resumed.

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19. ORAL COMMUNICATIONS

19a. City Manager Jackson commented on the passing of former Administrative Secretary/Aide Viah Johnson, noting her years of service to the City; and stated that Well #4 on Elm Avenue would be shut down pending resolution of related problems.

19b. Councilwoman Cribbs requested and received clarification regarding the City's anticipated schedule to review City tree policy.

19c. Councilman Messerlian thanked the Police Department for its complete response to a recent incident in Country Hills.

19d. Councilman Walker, fondly remembered Viah Johnson and her career with the City.

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19e. Mayor Hardison stated that the City needs to begin reviewing policy as it relates to City trees in a timely fashion.

20. EXECUTIVE SESSION

20a. EXECUTIVE SESSION MATTERS

20. EXECUTIVE SESSION

Mayor Hardison read the following statement into the record:

The Council will now recess to closed session to confer with legal counsel and/or the City Manager on those agenda matters listed under Item 20.a.1, Conference with City Manager.

Further detail on this matter is contained on the agenda cover.

Redevelopment Agency Executive Session

None.

A closed session on this matter is authorized by California Government Code Section 54957.

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At 8:12 P.M., Council commenced its executive session, returning to Chambers at 9:20 P.M. No formal action was taken following this executive session.

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21. ADJOURNMENT

At 9:20 P.M., this meeting of the City Council was formally adjourned to April 16, 1996, 7:00 P.M.

*Adjourned in the memory of
... Viah Johnson ...*

Valerie Whippie
Minute Secretary

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Dee Harrison

Mayor of the City of Torrance

Joe Herbert

Clerk of the City of Torrance

**Valerie Whippie
Minute Secretary**

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