

I N D E X

TORRANCE CITY COUNCIL - APRIL 2, 1996

<u>SUBJECT</u>	<u>PAGE</u>
<u>OPENING CEREMONIES</u>	
1. Call to Order/Roll Call	} 1-4
2. Flag Salute/Invocation	
3. Motion re Posting of Agenda/Further Reading	
4. Withdrawn or Deferred Items	
5. Council Committee Meetings	
<u>6. COMMUNITY MATTERS</u>	
6a. Resolution Honoring Claire T. Gall	1, 4
6b. Presentation -Torrance Rose Float Assn. Trophy Photo	} 4
6c. Torrance Area Chamber of Commerce Quarterly Report	
<u>7. CONSENT CALENDAR</u>	
7a. Approval of Minutes - February 20, 1996	} 4-6
7b. Subdivision Bond Certificate of Deposit - Tract No. 44962	
7c. Corrugated Metal Pipe Replacement Program	
7d. JTPA Employment and Training Agreements	
7e. Acceptance of Donation	
7f. Additional Funding for DOJ Lawsuit	
7g. Restroom and Washrack Facility at Zamperini Field	
<u>9. TRANSPORTATION/PUBLIC WORKS MATTERS</u>	
9a. FY 1995-96 FTA Urbanized Area Formula Program Grant Application	6-7
<u>12. PERSONNEL MATTERS</u>	
12a. Risk Manager Position	7-8
<u>13. ADMINISTRATIVE MATTERS</u>	
13a. SB 1977 (Mountjoy) - Sales and Use Taxes: Rates	} 8-13
13b. AB 2887 (Tucker) - Airports: Noise Standards	
13c. AB 2115 (Bowen) - Tourism: L. A. Marketing Commission	
13d. AB 2569 (Margett) - Redevelopment: Eminent Domain	
13e. Settlement Agreement - Refco, Inc.	
13f. P-38 Aircraft Model for GAC Rotunda	
13g. Vendor for Air Fair	
13h. National Endowment for the Arts [NEA] Grant	
<u>14. HEARINGS</u>	
14a. Fee for Police Department Costs Loitering Cases	13-16
14b. ZON 95-0002, GPA 95-0002, CUP 95-0037, TTM 51638 (EAS 95-0008): JCC Homes (Douglas Maupin)	17-19
<u>16. SECOND READING ORDINANCES</u>	
16a. Ordinance No. 3421	13-16,19

City Council
April 2, 1996

<u>SUBJECT</u>	<u>PAGE</u>
<u>19. ORAL COMMUNICATIONS</u>	
19a. City Manager Jackson re congratulations to Administrative Secretary/Aide Claire Gall on her retirement	} 20-21
19b. Councilwoman Cribbs re Acting mayor pro tem Messerlian and procedures for bidding on public works projects	
19c. Councilman Lee re congratulations to Councilman Walker; need to address trees blocking views; noise from Redondo Beach Police Pistol Range	
19d. Councilman Messerlian re Little League opening ceremonies and southeast corner of Arlington & Van Ness	
19e. Councilman Nakano re need to address trees blocking views; Chamber presentation; scheduling of meeting with School District/Council Committee; need to keep public informed of water system changes; appropriate recognition for Girls' Basketball Team; and recognition of World Figure Skating Champion Michelle Kwan	
19f. Councilwoman O'Donnell re retirement of Claire Gall; trimming of trees for views; concerns about pound; and birth of Thomas Andrew Lee	
19g. Mayor Hardison re thanks to Councilman Messerlian; Claire Gall retirement; City trees [trimming and preservation]; and meeting re 1997 Float design	
19h. Ms. Shirley Turner re Madrona Marsh	
19i. Mr. Charles Boughton re water quality in the North Torrance	
<u>20. EXECUTIVE SESSION</u>	
20a. Executive Session Matters	2,21
<u>21. ADJOURNMENT</u>	
Adjournment was at 12:15 A.M. [4-3] to 4-9-96, 5:30 P.M.	21

*Adjourned in the memory of
... Betty Ainsworth ...*

April 2, 1996

**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, April 2, 1996, at 5:37 P.M., in the Council Chambers of Torrance City Hall.

ROLL CALL

Present: Council members Cribbs, Lee Messerlian, Nakano, O'Donnell, Walker and Mayor Hardison.

Absent: Councilman Walker.

Also present: City Manager Jackson, City Attorney Fellows, City Clerk Herbers and staff representatives.

Considered out of order . . .

6a. RESOLUTION HONORING CLAIRE T. GALL

RESOLUTION NO. 96-18

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TORRANCE HONORING CLAIRE T. GALL FOR
HER DEDICATION, PROFESSIONALISM AND
CONTRIBUTIONS TO THE CITY OF TORRANCE**

MOTION: Councilman Nakano moved to adopt Resolution No. 96-18. The motion was seconded by Councilman Messerlian and roll call vote proved unanimously favorable [absent Councilman Walker.]

For adoption only - to be presented a later time.

**City Council
April 2, 1996**

Considered out of order . . .

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 Labor Negotiator; 20.a.2, Conference with City Manager; 20.a.3, Conference with Legal Counsel - Existing Litigation; and 20.a.4, Conference with Legal Counsel - Potential Litigation.

Further detail on these matters is contained on the agenda cover.

A closed session on these matters is authorized by California Government Code Sections 54957.6, 54957, 54956.9(a) and 54956.9(c).

*

At 5:40 P.M., Council commenced its executive session, returning to Chambers at 7:25 P.M. No formal action was taken at this time and consideration of executive session matters was resumed at the end of the meeting.

Mayor Hardison left the meeting at 7:15 P.M., and *Acting mayor pro tem Messerlian* chaired the meeting until her return to the dais at 8:28 P.M.

*

1. **ROLL CALL**

Previously taken.

2. **FLAG SALUTE/INVOCATION**

The Flag salute was led by Robby Ray, Boy Scout Troop 851.

Reverend George Johnson, Cathedral of Life Church, led the invocation for the meeting.

City Council
April 2, 1996

*

Acting mayor pro tem Messerlian announced the passing of Hawthorne Councilwoman Betty Ainsworth and requested that this meeting be adjourned in her memory.

*

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 acting mayor pro tem Messerlian [absent Councilman Walker, Mayor Hardison.]

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 Councilwoman Cribbs and it was so ordered by acting mayor pro tem Messerlian [absent Councilman Walker, Mayor Hardison.]

4. WITHDRAWN OR DEFERRED ITEMS

Item 7f [re Additional Funding for DOJ lawsuit] was withdrawn.

5. COUNCIL COMMITTEE MEETINGS

Finance and Governmental Operations Committee
Engineering Department - Organizational Development/Specialized Training.

April 3, 4:30 P.M.

3rd Floor Assembly Room

City Council Workshop Session
Cable Television Franchise Renewal Workshop

April 9, 5:30 P.M.

Civic Center Library Meeting Room

City Council Workshop Session
Review of City Manager's Proposed Adjustment to the 1996-97 Budget Plan

April 16, 5:30 P.M.

Council Chambers

**City Council
April 2, 1996**

Finance and Governmental Operations Committee
Cultural Arts Center Business Plan
May 14, 5:30 P.M.
3rd Floor Assembly Room

6. COMMUNITY MATTERS

6a. RESOLUTION HONORING CLAIRE T. GALL

Considered earlier; see page 1.

6b. PRESENTATION OF TORRANCE ROSE FLOAT ASSOCIATION [TRFA] TROPHY PHOTO

TRFA President, Mary Hoffman, presented the City with a trophy photograph of the City's entry in the 1996 Pasadena Tournament of Roses Parade. Acting mayor pro tem Messerlian, accepting the photograph on behalf of the City Council, expressed his appreciation to all those involved in the 1996 entry. He was echoed by Councilwoman O'Donnell, Chair of the Council ad hoc Rose Float Committee.

6c. PRESENTATION OF TORRANCE AREA CHAMBER OF COMMERCE [TACC] QUARTERLY REPORT

The TACC Quarterly Report covering the months of October-November-December 1995, was provided by Chamber President, Steve Cummins, who utilized overheads during his presentation.

Following the presentation, Councilman Nakano remarked that he felt Council members should have been provided with hard copies of tonight's presentation. Ms. Barbara Glennie, the chamber's executive vice president, reported that the Mayor and City Manager's Office were provided with individual packets at the regular monthly meeting between the Chamber, the Mayor and the City Manager.

Ms. Glennie also addressed Council member Nakano's and O'Donnell's concerns about the Chamber's endorsement of a City Council candidate during the 1996 Municipal Election and related funds. Mr. Nakano requested documentation of information provided by Ms. Glennie pertaining to funds used for a political flier. Also addressed by Ms. Glennie were matters pertaining to the Chamber's newsletter, including related costs, of concern to Miss O'Donnell.

7. CONSENT CALENDAR

7a. APPROVAL OF MINUTES - February 20, 1996.

City Council
April 2, 1996

7b. **RELEASE OF SUBDIVISION BOND CERTIFICATE OF DEPOSIT FOR TRACT NO. 44962 - SPENCER INVESTMENT COMPANY**

RECOMMENDATION

It is recommended by the Engineering Director that the City Council approve the release of the Certificate of Deposit in the amount of \$294,000 for Tract No. 44962, located at 4401 Spencer Street [Spencer Investment Company - 3 lots, 54 condominiums.]

7c. **AGREEMENT AND FUNDS FOR ENGINEERING SERVICES FOR THE CORRUGATED METAL PIPE REPLACEMENT PROGRAM**

Considered separately; see page 6.

7d. **JTPA EMPLOYMENT AND TRAINING AGREEMENTS**

RECOMMENDATION

It is recommended by the Private Industry Council and the Employment and Training Division of the Personnel Department that the City Council authorize the execution of agreement for employment and training services with Vector Resources.

7e. **ACCEPTANCE OF DONATION**

RECOMMENDATION

It is recommended by the Parks and Recreation Director that the City Council accept a donation of \$1,136.40 from the Torrance Special Olympics Advisory Committee and appropriate the funds to the Therapeutic Recreation Operating Account.

7f. **APPROVAL OF ADDITIONAL FUNDING FOR DEPARTMENT OF JUSTICE LAWSUIT**

Withdrawn; see page 3.

7g. **RESTROOM AND WASHRACK FACILITY AT ZAMPERINI FIELD**

RECOMMENDATION

It is recommended by the City Manager that the City Council accept the completion of the construction of a restroom and

City Council
April 2, 1996

washrack facility at Zamperini Field and release of the retention payment to Cal-City Construction, Inc. in the amount of \$17,857.15.

MOTION: Councilwoman O'Donnell moved to concur with Consent Calendar Items 7a, 7b, 7d, 7e, and 7g [Item 7c was considered separately; Item 7f was withdrawn.] Councilwoman Cribbs seconded the motion, which carried with unanimous approval following roll call vote [absent Councilman Walker, Mayor Hardison.]

Consent Calendar Item considered separately ...

7c. **AGREEMENT AND FUNDS FOR ENGINEERING SERVICES FOR THE CORRUGATED METAL PIPE REPLACEMENT PROGRAM**

RECOMMENDATION

It is recommended by the Engineering Director that the City Council approve an Agreement with Bryant-Palmer-Soto, Inc. for design, inspection and contract administration services in an amount not to exceed \$290,000; and allocate \$290,000 from Bond Proceeds previously appropriated to the Corrugated Metal Pipe Replacement Program.

Engineering Director Burt responded to Councilwoman Cribbs' concerns regarding overrides of from 10 to 20% on reimburseables. She requested that firms be advised up front regarding the City's related concern. Following a brief discussion, the following was offered:

MOTION: Councilwoman Cribbs moved to concur with Consent Calendar Item 7c. Councilman Lee seconded the motion, which carried with unanimous approval following roll call vote [absent Councilman Walker, Mayor Hardison.]

9. **TRANSPORTATION/PUBLIC WORKS**

9a. **FY 1995-96 FTA URBANIZED AREA FORMULA PROGRAM GRANT APPLICATION**

RECOMMENDATION

It is recommended by the Fleet Services Director that the City Council approve the resolution authorizing the City Manager to apply and the Mayor to execute and the City Clerk to attest to

City Council
April 2, 1996

the grant and cooperative agreements for \$1,790,999 in Federal Transit Administration Urbanized Area Formula Program funds to assist in financing the following items for the Torrance Transit System:

- o Six 40-foot replacement buses with compressed natural gas engines.
- o The fourth year's net debt service payment on fourteen 40-foot replacement buses.

Fleet Services Director Ishmael provided a brief summary of staff report.

Acting mayor pro tem Messerlian requested the City Clerk to read number and title to ...

RESOLUTION NO. 96-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION FOR \$1,790,999 WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR ASSISTANCE IN FY 1995-96 AS AUTHORIZED BY 49 U.S.C. CHAPTER 53, TITLE 23 UNITED STATES CODE AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION

MOTION: Councilman Nakano moved to adopt Resolution No. 96-19. The motion was seconded by Councilwoman Cribbs and roll call vote proved unanimously favorable [absent Councilman Walker, Mayor Hardison.]

12. PERSONNEL MATTERS

12a. RISK MANAGER POSITION

RECOMMENDATION

It is recommended by the Personnel Director that the City Council approve the proposed job description for Risk Manager and adopt a resolution establishing the salary range for Risk Manager.

**City Council
April 2, 1996**

Mr. Frank Rizzardi, 23544 Carlow Road, requested that the job description, under the Experience and Education section, be amended to include: "Graduation from four-year 'accredited' college or university ..." City Manager Jackson concurred.

Acting mayor pro tem Messerlian requested that the City Clerk read number and title to ...

RESOLUTION NO. 96-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH CERTAIN CHANGES REGARDING HOURS, WAGES AND WORKING CONDITIONS FOR NON-REPRESENTED EMPLOYEES

MOTION: Councilman Nakano moved to adopt Resolution No. 96-20. The motion was seconded by Councilwoman Cribbs and roll call vote proved unanimously favorable [absent Councilman Walker, Mayor Hardison.]

MOTION: Councilman Lee moved to concur with the recommendation of the Personnel Director, *as amended*. Councilwoman Cribbs seconded the motion and roll call vote proved unanimously favorable [absent Councilman Walker, Mayor Hardison.]

13. ADMINISTRATIVE MATTERS

13a. SB 1977 (MOUNTJOY) - SALES AND USE TAXES: RATES

RECOMMENDATION

It is recommended by the City Manager that the City Council adopt a position supporting SB 1977 (Mountjoy); legislation to increase the Bradley-Burns uniform local sales tax from 1% to 2%.

Principal Management Assistant Sunshine provided clarification, noting that the City Manager is now recommending that the Council take no position on this proposed legislation at this time, in order to observe various possibilities.

MOTION: Councilman Lee moved to concur with the recommendation of the City Manager to table a position on SB 1977. Councilman Nakano seconded the motion and roll call vote proved unanimously favorable [absent Councilman Walker, Mayor Hardison.]

City Council
April 2, 1996

13b. AB 2887 (TUCKER) - AIRPORTS: NOISE STANDARDS

RECOMMENDATION

It is recommended by the City Manager that the City Council adopt a position on Assembly Bill AB 2887 (Tucker); legislation relating to airport noise standards.

Clarification was provided by Principal Management Assistant Sunshine who noted that the City Manager is recommending that the City oppose the legislation in its current form, but support the legislation if it is amended to either exempt general aviation airports like Torrance, or make the legislation apply to those airports with commercial flights.

Mr. Jim Gates, 142 Via Pasqual, requested and received clarification as it relates to City policy in its consideration of legislative issues.

MOTION: Councilman Lee moved that the City Council oppose AB 2887 in its current form and that in the event it is amended, that it be returned to the Body for review. Councilwoman O'Donnell seconded the motion and roll call vote proved unanimously favorable [absent Councilman Walker, Mayor Hardison.]

13c. AB 2115 (BOWEN) - TOURISM: LOS ANGELES MARKETING COMMISSION

RECOMMENDATION

It is recommended by the City Manager that the City Council adopt a position of support on AB 2115 (Bowen), which would allow businesses to choose not to participate in the Los Angeles County Marketing Commission.

Clarification was provided by Principal Management Assistant Sunshine.

MOTION: Councilwoman Cribbs moved to concur with the recommendation of the City Manager on AB 2115. Councilman Lee seconded the motion and roll call vote proved unanimously favorable [absent Councilman Walker, Mayor Hardison.]

13d. AB 2569 (MARGETT) - REDEVELOPMENT: EMINENT DOMAIN

RECOMMENDATION

It is recommended by the City Manager that the City Council adopt a position of opposition to AB 2569 (Margett), legislation that restricts the utilization of eminent domain on commercial properties in redevelopment zones.

Clarification was provided by Principal Management Assistant Sunshine.

MOTION: Councilman Lee moved to concur with the recommendation of the City Manager on AB 2569. Councilwoman Cribbs seconded the motion and roll call vote proved unanimously favorable [absent Councilman Walker, Mayor Hardison.]

13e. SETTLEMENT AGREEMENT - REFCO, INC.

RESOLUTION NO. 96-21

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TORRANCE APPROVING A SETTLEMENT
AGREEMENT WITH REFCO, INC. AND OTHER
AFFILIATED COMPANIES**

MOTION: Councilman Nakano moved to adopt Resolution No. 96-21. The motion was seconded by Councilwoman Cribbs and roll call vote proved unanimously favorable [absent Councilman Walker, Mayor Hardison.]

13c. P-38 AIRCRAFT MODEL FOR GENERAL AVIATION CENTER ROTUNDA

RECOMMENDATION

It is recommended by the Airport Commission that the City Council:

- o Accept a P-38 model for display in the General Aviation Center at the Torrance Airport-Zamperini Field;
- o Authorize the installation and maintenance of the model by the City;
- o Authorize the installation of a wall plaque summarizing the history of the P-38.

Airport Manager Hriz summarized staff report.

City Council
April 2, 1996

MOTION: Councilwoman O'Donnell moved to concur with the recommendation of the Airport Commission. Councilman Nakano seconded the motion and roll call vote proved unanimously favorable [absent Councilman Walker, Mayor Hardison.]

13g. **VENDOR FOR AIR FAIR**

RECOMMENDATION

It is recommended by the Airport Commission that the City Council accept the proposal submitted by the Torrance Air Fair Association [TAFa] to plan, coordinate and produce an air fair at Torrance Municipal Airport on September 21 and 22, 1996, subject to verification of financial condition, inclusive of TAFa-requested clarifications and deletions to the RFP provisions as follows:

Waiver of general requirement that proof of insurance be filed with the City Clerk prior to contract award as the RFP provides that \$15,000 of City services in support of the Air Fair may include insurance to cover event activities;

Clarification that RFP insurance requirement for automobiles extends only to coverage of automobiles owned, rented or hired by TAFa;

Waiver of the RFP requirements that address appearance and demeanor of vendor personnel, as all personnel are volunteers;

Deletion of RFP provision addressing replacement of employees/volunteers for good cause as not applicable to an all-volunteer organization.

City Manager Note: The City Manager recommends that the RFP requirement addressing volunteer appearance and demeanor not be waived.

A brief discussion ensued regarding Section II, Item 11 of the RFP addressing appearance and demeanor of personnel. Council concurred with the City Manager Note that the requirement should be included in the RFP provisions [of record.]

City Council
April 2, 1996

MOTION: Councilman Lee moved to concur with the recommendation of the Airport Commission, with the exception of waiving Section II, item 11 of the RFP, addressing appearance and demeanor of personnel. Councilwoman Cribbs seconded the motion.

Prior to roll call vote, Mr. Jim Gates, 142 Via Pasqual, and Ms. Nancy Clinton, 2785 Pacific Coast Highway, requested and received clarification as to specifics of the actual Agreement.

Mr. Frank Rizzardi, 23544 Carlow Road, clarified Airport Commission consideration of this issue.

Mr. Jim Gates, requested that he be provided with a formal agreement as soon as possible and following additional input from Ms. Clinton, it was agreed that staff would work toward returning a formal document to the next regular meeting of the Council.

Councilwoman O'Donnell requested that everything possible be done to ensure that the formal agreement is returned to the next regular meeting [April 9, 1996,] as had been previously agreed upon.

Roll call vote was taken on the above motion [page 11] to concur with the recommendation of the Airport Commission, except for waiving the requirement addressing appearance and demeanor of vendor personnel. The roll call vote proved unanimously favorable [absent Councilman Walker, Mayor Hardison.]

13h. **NATIONAL ENDOWMENT FOR THE ARTS [NEA] GRANT**

RECOMMENDATION

It is recommended by the Cultural Arts Commission and the General Services Director that the City Council concur with a request to apply for a National Endowment for the Arts Grant.

MOTION: Councilwoman O'Donnell moved to concur with the recommendation of the Cultural Arts Commission and the General Services Director. Councilman Lee seconded the motion. [This motion carried; see page 13.]

Prior to roll call, City Manager Jackson and General Services Director Tilden addressed Councilman Nakano's concern about potential strings attached to a grant award and Councilwoman Cribbs' concerns about potential impacts to future budgets. The City Manager noted that the proposed recommendation is for application purposes only and that if awarded the grant, it would be explored as to what bailout language it would contain. He added that most grants include an escape clause.

City Council
April 2, 1996

Roll call vote was taken and proved unanimously favorable [absent Councilman Walker, Mayor Hardison.]

*

Mayor Hardison, having returned to the meeting, joined her colleagues on the dais, at 8:28 P.M.

*

14. **HEARINGS**

14a. **FEE FOR POLICE DEPARTMENT COSTS LOITERING CASES**

Mayor Hardison noted that this was the time and place for a public hearing on City Council consideration of a resolution proposing to set a fee to recover the costs of detaining and supervising minors who violate the daytime loitering ordinance.

Proof of publication was received and filed, without comment.

RECOMMENDATION

It is recommended by the Police Chief that the City Council adopt the resolution setting a fee of \$57.00 per minor.

The City Clerk was asked to read number and title to ...

RESOLUTION NO. 96-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING A FEE FOR DETAINING, PROCESSING, HOLDING OR TRANSPORTING MINORS SUBJECT TO THE PROVISIONS OF SECTION 45.2.3 OF THE TORRANCE MUNICIPAL CODE

MOTION: Councilman Nakano moved to adopt Resolution No. 96-17. The motion was seconded by Councilman Messerlian. [This motion ultimately carried by majority vote; see roll call vote below.]

Background and clarification was provided by Police Chief De Ladurantey, who noted that this Item is a companion to Item 16a [Ordinance No. 3421.] The Chief fielded Council inquiries as discussion focused on when the proposed \$57/hr. fee should commence – at the moment of detention, or after one hour of detention, as proposed.

**City Council
April 2, 1996**

In response to Councilwoman Cribbs, the Chief stated that the primary goal of the Department, in its recommendation, is to establish a sense of responsibility in the youths of the community, as opposed to a means of cost recovery. Police Sgt. Nelms provided additional expansion and clarification as to how the proposed policy would be instituted.

Councilwoman O'Donnell, echoing a sentiment expressed earlier by Councilwoman Cribbs, voiced her strong preference toward imposing a fee from the moment a juvenile is determined to be truant and detained.

Discussion ensued, with Assistant City Attorney Quale providing additional information about legal issues associated with the subject matter.

Councilman Nakano inquired if the proposed ordinance would apply to suspended students, to which Police Sgt. Nelms responded no. Mr. Nakano noted the success of a program in another city where suspended students are made to attend a detention center [supervised by the school district] and required to perform an ample amount of homework – the net result of which has been a significant reduction in crime. He suggested that the Department explore such a policy.

Mayor Hardison noted that the Torrance Unified School District is currently requiring middle school students to stay on the school grounds while suspended and theorized that the same policy may be considered for high school students, as well.

Both Sgt. Nelms and the Chief continued to address Council inquiries, including issues related to detainment, punishment, cost recovery, etc. The Chief noted that the Department has conducted joint meetings with the Juvenile Court Commissioner and the Superintendent of Schools to discuss various types of community service possibilities for truant youths. He added that the Department will be monitoring this issue, along with the cost recovery issue, for the next year, at which time a thorough review will be made.

Councilwoman O'Donnell reiterated her opinion that the fee should commence the moment a juvenile is picked up and determined to be truant adding that she felt there would be problems associated with waiting an hour before imposing a fee. She subsequently offered a motion to this effect, which was seconded by Councilwoman Cribbs.

Assistant City Attorney Quale noted that it would be the Ordinance which would be so revised [deleting reference to 'one hour' in Section 45.2.6]; hence, Item 16(a) was considered at this time.

City Council
April 2, 1996

Considered at this time, out of order ...

16. SECOND READING ORDINANCES

16a. ORDINANCE NO. 3421

Mayor Hardison noted that she would be opposing the motion to amend the Ordinance to make the fee commence at the moment a juvenile is detained, as opposed to after the first hour [as written], it being her feeling that the purpose behind pending action is to instill in youths the importance of being in school, leaving it at the court level to get the attention of both the parent and the student.

Roll call was now taken on the motion to amend the Ordinance and reflected the following tie vote.

Ayes: Council members Cribbs, Nakano and O'Donnell,
Noes: Council members Lee, Messerlian and Mayor Hardison.
Absent: Councilman Walker.

Mr. Charles Boughton, 4039 W. 175th Place, approached the podium to express his support for making the fee commence at the moment of detainment.

Roll call was now taken on Motion to adopt Resolution No. 96-17 [see page ,] and reflected the following:

Ayes: Council members Cribbs, Lee, Messerlian,
Nakano and Mayor Hardison.
Noes: Councilwoman O'Donnell*.
Absent: Councilman Walker.

* Councilwoman O'Donnell restated that she feels waiting to impose the fee after 1 hour of detention will create more legal problems than it solves.

The City Clerk was asked to read number and title to ...

ORDINANCE NO. 3421

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING SECTIONS 45.2.3 THROUGH 45.2.6 TO THE TORRANCE MUNICIPAL CODE RELATED TO DAYTIME LOITERING OF MINORS

MOTION: Councilman Nakano moved to *adopt* Ordinance No. 3421 at its *second and final reading*. Councilwoman Cribbs seconded the motion.

**City Council
April 2, 1996**

Prior to roll call, Councilman Nakano, noting that while he would have preferred imposing the fee at the time detention begins, requested that the matter be returned to Council within a year, in order to determine its effect.

Councilman Messerlian addressed the matter from a philosophical point of view, expressing dismay that such action is necessary, when considering the majority of youths in the City to which it does not apply.

The Police Chief noted that the Torrance Unified School District enjoys one of the lowest truancy rates of any of the school districts in Southern California, adding that while the Ordinance is about to be adopted by the City, it will also be a defensive measure for the City to deal with visitors that may be truant from other communities.

Mayor Hardison noted the importance of notification to parents and students, as it relates to this action.

Roll call was now taken on the motion to *adopt* Ordinance No. 3421 at its *second and final reading*. The motion carried, after roll call vote reflected the approval of all but Councilwoman O'Donnell, who voted No [absent Councilman Walker.]

*

At 9:00 P.M., Mayor Hardison ordered a brief recess. Council reconvened at 9:08 P.M. and consideration of regular Council business continued.

*

City Council
April 2, 1996

14b. ZON 95-0002, GPA 95-0002, CUP 95-0037, TTM 51638(EAS 95-0008): JCC HOMES (DOUGLAS MAUPIN)

Mayor Hardison noted that this was the time and place for a public hearing on City Council consideration of an appeal of a Planning Commission decision approving a request for a Zone Change from C-5 (Conditional Commercial) to R-3 (Multi-Family Residential), a General Plan Amendment from General Commercial to Medium Density Residential, a Conditional Use Permit to allow the construction of 18 detached patio homes and a Tentative Tract Map to allow a one-lot subdivision for condominium purposes on property located at the southeast corner of Los Codona Avenue and 238th Street. The Planning Commission and the Planning Department recommend denial of the appeal and approval of the project.

ZON 95-0002, GPA 95-0002, CUP 95-0037, TTM 51638(EAS 95-0008): JCC HOMES (DOUGLAS MAUPIN)

Proof of publication was received and filed, without comment.

Staff presentation was provided by Senior Principal Planner Gibson who utilized overheads to illustrate specifics of the proposed request.

Following the slide presentation, Mr. Gibson responded to inquiries related to the configuration of this property in relation to parking; driveway width; pedestrian access; sound attenuation from surrounding uses; lack of gates; and amount of usable open space provided.

Representing JCC Homes, Mr. Doug Maupin, 2733 Pacific Coast Highway, #201, provided expanded information pertaining to parking provisions; the rationale in not providing gates; and details about proposed noise attenuation.

Mr. R. S. Collins, 352 Paseo de la Playa, owner of property on Los Codona Avenue, opposed the request, maintaining that it is too large for the land on which it is proposed. He stated that this high-density area has been long-neglected in terms of parking enforcement, adding that the project will only exacerbate existing and potential problems with street cleaning, trash pickup, access, traffic, etc.

It was moved by Councilman Lee that the hearing be closed. Councilwoman O'Donnell seconded the motion and it was so ordered without objection.

Mayor Hardison requested that staff investigate parking problems in the area, as reported by Mr. Collins.

City Council
April 2, 1996

Councilman Lee, indicating his support of the request, noted what could have been proposed at this location, as well as what has previously been proposed, stating that while dense at 18 units, the number of units proposed is half of what would be allowable in the R-3 zone.

Councilwoman O'Donnell and Mayor Hardison concurred that the proposed 18 detached patio homes represents a far better proposal than previously proposed projects and a far better proposal in terms of what could be proposed with R-3 zoning.

Mayor Hardison requested that the City investigate to ensure that residents of the area are being provided with adequate City services.

MOTION: Councilman Lee moved to deny the appeal and approve the project. Councilwoman O'Donnell seconded the motion and roll call vote proved unanimously favorable [absent Councilman Walker.]

Councilman Nakano, noting the previous posting of signs by JCC Homes on City trees and telephone poles along Crenshaw Boulevard [advertising homes built in Lomita], stated that he hopes this will not happen again.

Mayor Hardison requested that the City Clerk read numbers and titles to the Ordinance and Resolutions accompanying this Item.

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 *approve* Ordinance No. 3422 at its *first reading*. Councilman Messerlian seconded the motion and roll call vote proved unanimously favorable [absent Councilman Walker.]

RESOLUTION NO. 96-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING THE LAND USE ELEMENT OF THE GENERAL PLAN ADOPTED OCTOBER 27, 1992, BY RESOLUTION NO. 92-172, TO

**City Council
April 2, 1996**

**REVISE THE DESIGNATION OF THE PROPERTY
LOCATED AT THE SOUTHEAST CORNER OF LOS
CODONA AVENUE AND 238TH STREET
GPA 95-0002: JCC HOMES**

MOTION: Councilman Nakano moved to adopt Resolution No. 96-22. The motion was seconded by Councilwoman Cribbs and roll call vote proved unanimously favorable [absent Councilman Walker.]

RESOLUTION NO. 96-23

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TORRANCE, CALIFORNIA, APPROVING A
CONDITIONAL USE PERMIT TO ALLOW THE
CONSTRUCTION OF 18 DETACHED PATIO HOMES
ON PROPERTY LOCATED IN THE C-5 ZONE AT THE
SOUTHEAST CORNER OF 238TH STREET AND LOS
CODA AVENUE**

CUP 95-0037: JCC HOMES

MOTION: Councilman Nakano moved to adopt Resolution No. 96-23. The motion was seconded by Councilwoman Cribbs and roll call vote proved unanimously favorable [absent Councilman Walker.]

RESOLUTION NO. 96-24

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TORRANCE, CALIFORNIA, APPROVING A
TENTATIVE TRACT MAP TO ALLOW A ONE-LOT
SUBDIVISION FOR CONDOMINIUM PURPOSES IN
THE C-5 ZONE ON PROPERTY LOCATED AT THE
SOUTHEAST CORNER OF 238TH STREET AND LOS
CODONA AVENUE**

TTM 51638: JCC HOMES

MOTION: Councilman Nakano moved to adopt Resolution No. 96-24. The motion was seconded by Councilwoman Cribbs and roll call vote proved unanimously favorable [absent Councilman Walker.]

16. SECOND READING ORDINANCES

16a. ORDINANCE NO. 3421

Considered during consideration of 14a; see pages 13-16.

**City Council
April 2, 1996**

*

At 9:45 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 9:46 P.M., and consideration of regular Council business was resumed.

*

19. ORAL COMMUNICATIONS

19a. City Manager Jackson congratulated Administrative Secretary Claire Gall on her retirement and briefly discussed her distinguished career.

19b. Councilwoman Cribbs commended Councilman Messerlian for his performance as Acting mayor pro tem and recommended that the procedures for bidding on public works projects be reviewed and possibly amended.

19c. Councilman Lee congratulated Councilman Walker on securing his party's nomination for State Assembly; requested that staff pursue addressing the issue of City street trees blocking views; and suggested that concerns of area residents about noise associated with the Redondo Beach Police Pistol Range be explored.

19d. Councilman Messerlian commented on his attendance at opening ceremonies of the Central Torrance Little League and requested that staff investigate a delapidated building located at the southeast corner of Arlington and Van Ness Avenues.

19e. Councilman Nakano stressed a need to address the issue of City trees blocking views; commented again on the fact that Council was not provided with a copy of tonight's presentation by the Torrance Area Chamber of Commerce (Item 6c, pg. 4); stated that the School District would like to meet with the Citizen Development & Enrichment Committee to discuss Youth Services Task Force and noise mitigation for Redondo Beach Police Pistol Range; expressed the importance of developing a means to forewarn the public when there is a change in the water system; requested appropriate recognition for the Bishop Montgomery High School Girls' Basketball Team; and suggested that World Figure Skating Champion Michelle Kwan be recognized by the City.

19f. Councilwoman O'Donnell congratulated retiring Administrative Secretary/Aide Claire Gall on her retirement; concurred that the City must pursue the trimming of trees to preserve views; expressed concern about the responsiveness of the pound to citizens' concerns; and congratulated the Lee family on the birth of Thomas Andrew.

**City Council
April 2, 1996**

19g. Mayor Hardison thanked Councilman Messerlian for chairing the first portion of the meeting; expressed best wishes to Administrative Secretary/Aide Claire Gall on her retirement; suggested that the focus of trimming trees should be directed toward City trees at this time and recommended that a policy be explored with respect to preserving trees; and noted that the current members of the Council ad hoc Rose Float Committee would be meeting with the Torrance Rose Float Association to review the 1997 Float design.

19h. Ms. Shirley Turner, 23216 Juniper Avenue, discussed current events at the Madrona Marsh, including the upcoming Spring Science Camp [fliers distributed.]

19i Mr. Charles Boughton, 4039 W. 175th Place, discussed the poor water quality in the North Torrance area as the result of two recently reactivated wells, as reported in today's issue of The Daily Breeze. Related discussion ensued with the City Manager addressing related remedial efforts.

20. EXECUTIVE SESSION

20a. EXECUTIVE SESSION MATTERS

*

At 10:24 P.M., with a statement having been read earlier [see pages 1-2,] the City Council resumed its consideration of executive session matters, returning to Chambers at 12:15 A.M. [4-3-96,] absent Miss O'Donnell. No formal action was taken as a result of this executive session.

*

21. ADJOURNMENT

At 12:15 A.M. [4-3-96,] this meeting of the City Council was formally adjourned to April 9, 1996, 5:30 P.M. for a workshop session on the Cable Television Franchise Renewal.

*Adjourned in the memory of
... Betty Ainsworth ...*

Dick Henderson

Mayor of the City of Torrance

Due Herbers

Clerk of the City of Torrance

**Valerie Whippie
Minute Secretary**

**City Council
April 2, 1996**