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## 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, March 19, 1996, at 5:33 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:

None.

Also present:

City Manager Jackson, City Attorney Fellows, City Clerk Herbers and

staff representatives.

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 Legal Counsel - Existing Litigation; 20.a.3, Conference with Legal Counsel - Potential Litigation; and 20.a.4, Conference with Real Property Negotiator - Real Property.

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

A closed session on these matters is authorized by California Government Code Sections 54957.6, 54956.9(a), 54956.9(c) and 54956.8.

Redevelopment Agency Executive Session Matters

None.

\*

At 5:36 P.M., the Council commenced its executive session, returning to Chambers at 7:13 P.M. No formal action was taken and consideration of executive session matters was resumed at the end of the meeting; see page 17.

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## 1. ROLL CALL

Previously taken.

## 2. FLAG SALUTE/INVOCATION

The Flag salute was led by Beach Cities Cadet Squadron #107.

The City Clerk led the invocation for the meeting.

## 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.

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 Mayor Hardison.

### 4. WITHDRAWN OR DEFERRED ITEMS

None.

#### 5. COUNCIL COMMITTEE MEETINGS

None.

Mayor Hardison noted that additional agenda information was available in the back of Council Chambers.

\*

#### 6. COMMUNITY MATTERS

6a. <u>PROCLAMATION</u> declaring March 28, 1996, as a special day of recognition for the "Principals for a Day" and "Business for a Day" programs of the Torrance Unified School District and the Torrance Area Chamber of Commerce, respectively.

So proclaimed by Mayor Hardison and accepted with appreciation by Laurie Love of the Torrance Unified School District and Steve Cummins and Carolyn Pierce of the Torrance Area Chamber of Commerce.

## 7. CONSENT CALENDAR

- 7a. APPROVAL OF MINUTES February 13, 1996
- 7b. PURCHASE ORDER FOR TOW VEHICLE FOR HAZARDOUS MATERIALS TRAILER

### **RECOMMENDATION**

It is recommended by the General Services Director, the Fire Chief and the Fleet Services Director that the City Council authorize a purchase order for an anticipated amount not to exceed \$55,220 (includes sales tax) to Westrux International, Carson, CA, for the <u>special opportunity purchase</u> of a replacement tow vehicle for the hazardous materials trailer.

7c. APPROVAL OF DONATION FROM TORRANCE YOUTH COUNCIL TO THE NATIVE AMERICAN CLUB OF EL CAMINO

#### RECOMMENDATION

It is recommended by the Torrance Youth Council that the City Council approve a \$1,000 donation from the Youth Council Donation Fund to the Native American Club of El Camino and authorize the Finance Director to issue the warrant.

## 7d. APPROVAL OF DONATION FROM TORRANCE YOUTH COUNCIL TO THE TORRANCE SYMPHONY

#### RECOMMENDATION

It is recommended by the Torrance Youth Council that the City Council approve a \$1,000 donation from the Youth Council Donation Fund to the Torrance Symphony Association and authorize the Finance Director to issue the warrant.

## 7e. APPROVAL OF DONATION FROM TORRANCE YOUTH COUNCIL TO THE TORRANCE COORDINATING COUNCIL

#### RECOMMENDATION

It is recommended by the Torrance Youth Council that the City Council approve a \$1,000 donation from the Youth Council Donation Fund to the Torrance Coordinating Council and authorize the Finance Director to issue the warrant.

#### 7f. LINE #5 SERVICE CHANGES

Considered separately; see page 6.

## 7g. FUNDS FOR REPLACEMENT OF STORM DRAIN SYSTEMS

#### RECOMMENDATION

It is recommended by the Engineering Director that the City Council approve as-built cost adjustments totaling approximately \$39,000 and allocate \$39,000 in previously appropriated Water Funds for Miscellaneous Water Main Relocations in conjunction with Replacement of Storm Drain Systems east of Delos Drive at Ridgeland Road and between Crest Road and Highcliff Drive at Portobello Drive.

### 7h. AGREEMENT AND FUNDS FOR ENGINEERING SERVICES

### RECOMMENDATION

It is recommended by the Engineering Director that the City Council approve an Agreement with ASL Consulting Engineers for design services not to exceed \$55,000; and

allocate \$55,000 from previously appropriated Gas Tax Funds for the street and traffic improvements on 190th Street including the intersection at Crenshaw Boulevard.

#### 7i. PURCHASE ORDER FOR SURVEILLANCE SYSTEM

#### RECOMMENDATION

It is recommended by the General Services Director and the Police Chief that the City Council authorize a purchase order to upgrade the closed circuit television surveillance system at the Torrance Police Department and install a surveillance camera at the City Treasurer's Office, to the lowest responsible bidder, <u>Instant Replay Communications</u> <u>Co.</u> of Marina Del Rey, CA, in the amount of \$34,928.11, plus a 10% contingency.

## 7j. CANCELLATION OF CONTRACT FOR RESIDENTIAL STREET RESURFACING PROGRAM

#### RECOMMENDATION

It is recommended by the Engineering Director that the City Council find the contractor, United Associates, Inc., in default and cancel existing Contract No. 95-058 for the Annual Residential Street Resurfacing Program 1995-96 (South Torrance).

<u>Note</u>: Engineering Director Burtt further expanded upon this Item at the request of the Mayor.

# 7k. CONTRACT FOR CLOSED CIRCUIT TELEVISION INSPECTION OF SEWER MAINS

#### RECOMMENDATION

It is recommended by the Engineering Director that the City Council award the bid to Video Inspection Specialists, Inc. in the amount of \$63,535.12 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 Closed Circuit Television (CCTV) Inspection of the Sewer Mains at various locations.

## 7I. RENEWAL OF JAIL INMATE TELEPHONE CONTRACT

### RECOMMENDATION

It is recommended by the Police Chief that the City Council approve a new contract with Invision Telcom and authorize the Mayor and City Clerk to execute and attest the agreement on behalf of the City.

<u>MOTION</u>: Councilwoman O'Donnell moved to concur with Consent Calendar Items 7a through 7I, <u>with the exception of 7f</u>, which was considered separately; see below. Councilman Walker seconded the motion, which carried with unanimous approval following roll call vote.

Consent Calendar Item considered separately ...

### 7f. LINE #5 SERVICE CHANGES

### RECOMMENDATION

It is recommended by the Fleet Services Director that the City Council approve the proposed service changes [of record] for Torrance Transit Line #5 and appropriate \$53,500 from Proposition A Local Return account to fund the changes through the end of the fiscal year and \$214,000 for the service in FY 1996-97.

Councilman Nakano requested that the Commission on Aging be given an opportunity to review any matters associated with changes in fares or services, as has been requested by the Commission in the past. The City Manager concurred, adding that while the Commission did not review this particular Item as a whole, some Commission members were advised of pending action.

Mr. Jose Melendez, 6354 Hazeltine, Van Nuys, requested and received clarification from the Fleet Services Director pertaining to proposed action.

MOTION: Councilman Walker moved to concur with Consent Calendar Item 7f. Councilwoman Cribbs seconded the motion, which carried with unanimous approval following roll call vote.

## 10. POLICE/FIRE MATTERS

## 10a. DAYTIME LOITERING ORDINANCE AND ASSOCIATED FEE RESOLUTION

### RECOMMENDATION

It is recommended by the Police Chief that the City Council adopt both an ordinance prohibiting daytime loitering within the City by any minor subject to compulsory education or compulsory continuing education and a resolution establishing fees for processing persons violating the ordinance.

<u>City Attorney Note</u>: If adopted, the fee will become effective immediately.

<u>City Manager's Note</u>: The ordinance was developed by the City Attorney's Office at the request of the Police Chief.

Clarification was provided by the Police Chief, who responded to inquiries, as did Assistant City Attorney Quale. Mr. Quale recommended that the resolution establishing a fee be held, in that it was not properly advertised. He explained that the resolution could be returned in conjunction with the second reading of Ordinance No. 3421 [April 2, 1996.] Council indicated concurrence and 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

<u>MOTION</u>: Councilman Nakano moved to *approve* Ordinance No. 3421 at its *first reading*. Councilman Walker seconded the motion and roll call vote proved unanimously favorable.

## 13. ADMINISTRATIVE MATTERS

# 13a. <u>SELECTION OF CITY COUNCIL STANDING COMMITTEE CHAIRPERSONS</u> AND MEMBERSHIPS

### **RECOMMENDATION**

It is recommended by the City Manager that the City Council select the Council standing committee chairpersons and memberships.

Mayor Hardison discussed the procedure to be followed in appointing Council committee chairpersons and members. Resulting action is as follows:

COMMITTEE	CHAIR	MEMBERS
Community Planning and Design	Mr. Walker	Mr. Lee Mr. Messerlian
Public Safety	Miss O'Donnell	Mr. Walker Mr. Nakano
Transportation	Mr. Messerlian	Mr. Nakano Miss O'Donnell
Citizen Development and Enrichment	Mr. Nakano	Mr. Messerlian Mrs. Cribbs
Finance and Govern- mental Operations-	Mr. Lee	Miss O'Donnell Mrs. Cribbs
Employee Relations	Mrs. Cribbs	Mr. Lee Mr. Walker

#### 13b. COMMUNITY AWARENESS PROGRAM

#### RECOMMENDATION

It is recommended by Council Public Safety Committee that the City Council as a whole concur with the Committee's recommendation to approve a Community Awareness Program to further develop the existing partnership between the Police Department and the Neighborhood Watch Block Captains, Reporting District Captains and Police volunteers under the following conditions:

- o Program to be a community awareness program.
- Annual cost not to exceed \$832.
- A report will be sent to Council after conclusion of the first program period, analyzing results.

The Public Safety Committee recommendation was presented by its Chair, Councilwoman O'Donnell. The following was then offered:

MOTION: Councilwoman O'Donnell moved to concur with the recommendation of the Public Safety Committee. Councilwoman Cribbs seconded the motion and roll call vote proved unanimously favorable.

## 13c. COLLINGS FOUNDATION EXHIBIT AT TORRANCE AIRPORT-ZAMPERINI FIELD

#### RECOMMENDATION

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

- o The Collings Foundation Exhibit at the Torrance Airport, Zamperini Field, on May 7, 8, and 9, 1996.
- The City supporting the Torrance Air Fair Association (TAFA)
   by providing posters and advertisements in <u>The Daily Breeze</u>.
- Designating the Collings Foundation Exhibit as a 'special exhibit' under Section 46.8.10 of the Torrance Municipal Code, which exempts such events from aircraft noise regulations.
- o Allowing the Collings Foundation to provide flights-for-hire under the following parameters:

May 7
1 flight at dusk
May 8
1 flight mid-morning
1 flight mid-afternoon
1 flight at dusk
May 9
1 flight early morning
1 flight mid-morning
Departure flight

Airport Manager Hriz summarized material of record. Ms. Nancy Clinton, 2785 Pacific Coast Highway noted that she was present to address inquiries, on behalf of TAFA.

MOTION: Councilman Walker moved to concur with the recommendation of the Airport Commission. Councilwoman Cribbs seconded the motion and roll call vote proved unanimously favorable.

## 13d. <u>LEGISLATIVE COMMITTEE RECOMMENDATIONS FOR MARCH 1996</u> <u>BALLOT MEASURES</u>

#### RECOMMENDATION

It is recommended by the City Council Ad Hoc Legislative Committee that the City Council concur with the Committee recommendations regarding the March 1996 ballot measures.

Mayor Hardison, Chair of the Ad Hoc Legislative Committee, reported that the Committee this year further defined its policy regarding the review of ballot initiatives. She noted that ballot measures were reviewed for the following:

- o Impact on local control
- o Financial impact on the operation of the City
- Creation of unfunded mandates
- o Public safety issues

The Mayor noted that the Committee recommends Neutral positions on all measures but the two shown below, for which positions of <u>support</u> are recommended:

<u>PROPOSITION 195</u> - Punishment. Special Circumstances. Carjacking. Murder of Juror. Legislative Constitutional Amendment.

<u>PROPOSITION 196</u> - Punishment for Murder. Special Circumstances. Drive-By Shootings. Legislative Initiative Amendment.

Councilman Walker commended the efforts of the Committee in its selection process. He then offered the following:

MOTION: Councilman Walker moved to concur with the recommendation of the Ad Hoc Legislative Committee, including the expanded criteria in evaluating measures [noted above.] Councilwoman Cribbs seconded the motion and roll call vote proved unanimously favorable.

## 13e. BUDGET PLAN FOR FISCAL YEAR 1996-97

### RECOMMENDATION

It is recommended by the City Manager that the City Council approve the following proposed budget actions for FY 1996-97:

- Accept the second year budget plan of the 1995-97 twoyear budget as the basic budget plan for FY 1996-97;
- o Set April 16, 1996, as a budget workshop to discuss:
  - Certain budget adjustments to the second year budget previously presented for departmental specific topics relating to organizational efficiencies, improved service at public counters, coordination and expansion of citizen interface, oversight of capital projects and position revisions;
  - AB702 utilization planning;
  - PERS planning.
- o Concur with the Fire Chief's recommendation to extend funding for the Hazardous Materials Administrative Battalion Chief for an additional fiscal year.

Councilman Nakano requested and received clarification from the Fire Chief as to the status of progress on the Mobil Oil Consent Decree.

Councilman Messerlian requested that possible ways to generate revenues for the Rose Float Association, including the management of parking at Wilson Park during the 4th of July activities, be explored at the workshop session.

<u>MOTION</u>: Councilman Walker moved to concur with the recommendation of the City Manager. Councilman Nakano seconded the motion and roll call vote proved unanimously favorable.

## 13f. MADISON PARK SHOPPING CENTER LEASEHOLD

#### RECOMMENDATION

It is recommended by the Land Management Team that the City Council concur with the following:

- 1) That the assignment of lease to M.L. Apartments LLC be approved and that the Mayor and City Clerk be authorized to execute and to attest it on behalf of the City;
- 2) That the Estoppel Certificate be approved and that the Mayor and City Clerk be authorized to execute and to attest it on behalf of the City;
- 3) That the Fifth Amendment to lease be approved, with the additional language and amendments outlined above and that the Mayor and City Clerk be authorized to execute and to attest it on behalf of the City after a final review by the City Attorney;
- 4) That the form of Memorandum of Fifth Amendment be approved and that the Mayor and City Clerk be authorized to execute it on behalf of the City.

Assistant City Attorney Quale noted that lawyers for M.L. Apartments LLC have requested that the assignment be made into a two-step assignment, the details of which he discussed. Mr. Quale reported that legal staff has no problem with this request and noted that the City Attorney recommends approval of the documents, including concurrence with the request, authorizing the City Attorney to approve the final form of the documents in accordance with what is proposed by M.L. Apartments LLC.

Mr. David Dofenhorst, representing Francis P. Torino, 3511 Pacific Coast Highway, Suite K, and Mr. David Simon of Nicol Investment Company, Lake Oswego, Oregon, were introduced by Albert Ng, Executive Officer of the Land Management Team. Both gentlemen expressed their appreciation to City staff members for their expeditious handling of this matter.

Mayor Hardison acknowledged the many contributions of the Torino Family to the community.

MOTION: Councilman Lee moved to concur with the recommendation of the Land Management Team. Councilman Walker seconded the motion and roll call vote proved unanimously favorable.

## 13g. TENANT ESTOPPEL AND SUBORDINATION DOCUMENTS

#### RECOMMENDATION

It is recommended by the Land Management Team that the City Council approve the two documents [of record] and that the Mayor and City Clerk be authorized to execute and to attest them on behalf of the City.

<u>MOTION</u>: Councilman Nakano moved to concur with the recommendation of the Land Management Team. Councilman Lee seconded the motion and roll call vote proved unanimously favorable.

## 14. **HEARINGS**

#### 14a. WAV95-0017: MICHAEL SCANLON

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 denying a request to allow a Waiver of the required maximum wall height to build an 8-foot high wall on property located in the Hillside Overlay District in the R-3 zone at 316 Paseo de la Playa.

#### WAV95-0017: MICHAEL SCANLON

Proof of publication was received and filed, without comment.

Staff presentation was provided by Senior Principal Planner Gibson, who noted that the Planning Department is recommending denial of the appeal and denial of the presently proposed project; a slightly modified version of the request which was denied by the Planning Commission.

Mr. Gibson, utilizing overheads, illustrated the request in relation to other wall heights in the area and responded to related inquiries. Photographs [of record] were also reviewed.

Attorney Kenneth Harvey, 818 Manhattan Beach Boulevard, Manhattan Beach, represented the applicant, Michael Scanlon. He provided specifics about the proposed wall, maintaining that, as designed, it would neither impact views nor be out of character with other properties. He referenced support

letters [of record] to this effect; submitted an additional letter from Rudy Gonzalez, 304 Paseo de la Playa; and responded to concerns aired during Council discussion.

It was moved by Councilman Walker that the hearing be closed.

Councilman Lee seconded the motion and it was so ordered without objection.

Councilman Lee stated that he could see no justification for a waiver during his visit to the site, adding that he felt it would create more problems than it would solve. He then offered the following:

MOTION: Councilman Lee moved to concur with the recommendation of the Planning Department for <u>denial</u> of the request [WAV95-0017.] Councilwoman Cribbs seconded the motion. [This motion ultimately carried; see roll call below.]

Councilman Walker concurred with Mr. Lee, noting that while the proposed wall would be unique and attractive in appearance, it would create more problems with setbacks, etc., than it would solve. Stating that while the wall might assist the resident with a problem temporarily, he agreed that there is no justification for the City to grant the Waiver request.

Councilman Nakano, commenting on his visit to the area, maintained that the proposed wall would be out of character and incompatible with surrounding properties and as such, he would not be supporting the request.

Mayor Hardison noted that she did not see any view impact from adjacent properties, agreeing with a statement made by the applicant's attorney. She stated, however, that the applicant's proposal was not in keeping with other properties and as such, she could not support the request.

Roll call vote was taken on the motion to deny the request and proved unanimously favorable.

### 18. ADDENDUM MATTERS

### 18a. TAX DISPUTE RESOLUTION

Background information was provided by City Attorney Fellows who noted that if the City Council wished to take action on the subject matter, which arose subsequent to the positing of the agenda, it would need to take formal action, by two-thirds majority vote, that such a need was determined following the posting of the agenda, pursuant to Government Code Section 54954.2.

Councilman Lee <u>SO MOVED</u>. Councilwoman Cribbs seconded the motion and roll call vote proved unanimously favorable.

#### RECOMMENDATION

It is recommended by the City Manager that the City Council authorize the City Manager to prepare letters of support to the Legislature for SB 1909, presently pending in the Legislature regarding tax dispute resolution.

Information pertaining to this matter was provided by City Attorney Fellows.

<u>MOTION</u>: Councilman Messerlian moved to concur with the recommendation of the City Manager. Councilman Lee seconded the motion and roll call vote proved unanimously favorable.

\*

At 8:37 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 8:38 P.M., and consideration of regular Council business was resumed.

\*

#### 19. ORAL COMMUNICATIONS

19a. City Manager Jackson commented that three of tonight's agenda Items are correlated to the City's Strategic Plan and noted that other Plan-related issues will be forthcoming.

- 19b. City Manager Jackson, on behalf of the Engineering Director, requested that the Council Finance and Governmental Operations Committee set a date to review issues regarding organizational development and specialized training.
- 19c. Fire Chief Adams reported that Insurance Services Office [ISO] audited the Torrance Fire Department and gave it a Class 1 ranking [from a previous ranking of Class 3] one of just a few fire departments in the United States so ranked. Thanks were extended to Fire Capt. Hewitt and all Department personnel associated with the audit, including the Engineering Department for the water infrastructure of the City.
- 19d. Councilwoman Cribbs congratulated the Fire Department on its Class 1 ranking with ISO.

- 19e. Councilwoman Cribbs noted that the Torrance Coordinating Council and the Torrance Council of PTAs presented a program on domestic violence "Beaten, Belittled and Betrayed" on March 13, 1996, at the Torrance Cultural Arts Center, adding that the Torrance Library has developed an excellent resource brochure on the subject.
- 19f. Councilman Lee announced the birth of his second son, <u>Andrew Thomas</u> <u>Lee</u>, born on St. Patrick's Day.
- 19g. Councilman Messerlian congratulated Councilman Lee on the birth of *Andrew Thomas*; congratulated the Fire Department for its ISO Class 1 ranking; and acknowledged students from West and Torrance High Schools, attending tonight's meeting.
- 19h. Councilman Nakano noted that as Chair of the Council's Citizen Development and Enrichment Committee, he looks forward to reviewing preliminary plans for a Gymnasium and Nature Center in the City, as provided for by the 1992 Safe Neighborhood Parks Bond.
- 19i. Councilman Nakano requested that staff provide the Council with information regarding Assembly Bill AB2887, pertaining to local control of Airports.
- 19j. Councilwoman O'Donnell praised the City's excellence, as noted by recent top rankings of its hospitals; its safety as a city; and its Fire Department.
- 19k. Councilman Walker commented on local control of Airports and reminded the public to vote in the upcoming Primary Election, March 26, 1996.
- 19I. Mayor Hardison congratulated Councilman Lee on the birth of <u>Andrew Thomas</u>; reminded the public to vote in the upcoming Primary Election; discussed the City's policy on Home Occupation Permits [related discussion ensued with direction to staff by Council; matter to be returned]; requested information on Assembly Bills AB855 and AB 2115 re the Los Angeles County Marketing Commission; and requested that staff provide information about a "Neighborhood Restoration Act," as referenced in a recent letter from the Mayor of the City of San Jose.

## 20. EXECUTIVE SESSION

## 20a. EXECUTIVE SESSION MATTERS

With a statement having been read earlier [see pages 1-2], Council resumed its consideration of executive session matters at 9:05 P.M., returning to Chambers at 10:00 P.M., <u>absent Councilman Walker.</u> No formal action was taken following this executive session.

## 21. ADJOURNMENT

At 10:00 P.M., this meeting of the City Council was formally adjourned to April 2, 1996, 5:30 P.M., executive session, followed by regular business. [Council is dark on March 26, 1996.]

Mayor of the City of Torrance

Clerk of the City of Torrance