

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

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular session at 6:30 p.m. on Tuesday, July 20, 2004 in City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Lieu, McIntyre, Mauno, Nowatka, Scotto, and Mayor Walker.

Absent: Councilmember Witkowski.

Also Present: City Manager Jackson, Assistant City Attorney Pohl, City Clerk Herbers, and other staff representatives.

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Mayor Walker announced that subsequent to the posting of the agenda, the City's Labor Negotiator received inquiries from the Torrance Professional and Supervisory Association, the Torrance Fiscal Employee Association, and the Engineers' Association regarding health insurance coverage and the Labor Negotiator was seeking immediate instruction from the City Council regarding these issues. In order to take action on a matter not listed on the agenda, the California Government Code requires a determination by a two-thirds vote that immediate action is necessary and that the need to take action arose subsequent to the posting of the agenda.

MOTION: Councilmember Scotto, seconded by Councilmember McIntyre, moved to add this matter to the agenda under Executive Session pursuant to Government Code Section 54957.7; the motion passed by unanimous roll call vote (absent Councilmember Witkowski).

Agenda Item 17 was considered out of order at this time.

17. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on the above-mentioned item and agenda matters listed under 17A) Real Property – Conference with Real Property Negotiator pursuant to California Government Code Section 54956.8.

The Council reconvened in Council Chambers at 7:03 p.m. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Lieu.

Councilmember Mauno gave the non-sectarian invocation for the meeting.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember Scotto moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember McIntyre, and passed by unanimous roll call vote (absent Councilmember Witkowski).

MOTION: Councilmember Scotto moved that after the City Clerk has read aloud the number and title to any resolution or ordinance on the meeting agenda, the further reading thereof shall be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote (absent Councilmember Witkowsky).

4. WITHDRAWN OR DEFERRED ITEMS

Item 11 C was withdrawn; Item 11D was deferred to July 27, 2004; and the public hearing on Item 12A was opened and continued to July 27, 2004.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Nowatka announced a meeting of the Ad Hoc Legislative Committee on Tuesday, August 24, at 4:30 p.m. in the Third Floor Assembly room to consider ballot measures on the November ballot.

City Clerk Herbers announced that vacancies on the library and water commissions will be filled at the August 10 City Council meeting and that applications are available online at www.torrcnet.com and in the City Clerks office. For additional information contact the City Clerk's office at 618.2870.

City Clerk Herbers announced that the City Clerk's office will now be accepting passport applications by appointment between 10:00 a.m. and 2:00 p.m., Monday through Thursday and on alternate Fridays.

Councilmember Nowatka announced a meeting of the Community Planning and Design Committee on Monday, August 23, at 4:30 p.m. in the West Annex meeting room to discuss the Mills Act and the possibility of establishing a Historical Overlay Zone.

In response to Councilmember Mauno's inquiry, City Clerk Herbers advised that those applying for passports must supply their own appropriately sized photos as the City Clerk's office does not offer this service.

Mayor Walker announced a new policy to facilitate communication with residents, reporting that his office will be open the first Wednesday of every month from 7:30 a.m. to 5:30 p.m. on an open-house basis, no appointment necessary, and anyone is welcome to stop by and speak with him.

7. CONSENT CALENDAR

7A. APPROPRIATION/ ALLOCATION OF INTEREST FROM 2002 BJA LOCAL LAW ENFORCEMENT BLOCK GRANT

Recommendation

Recommendation of the **Chief of Police** that City Council appropriate and allocate any interest from the 2002 Bureau of Justice Assistance (BJA) Local Law Enforcement Block Grant to fund the Uniform Crime Reporting software (FEAP #368) program.

7B. REIMBURSEMENT OF TRAVEL EXPENSES TO MILLS CORPORATION

Recommendation

Recommendation that City Council concur with a reimbursement to the Mills Corporation of travel expenses related to a requested meeting with Mayor Dan Walker in Washington D.C. regarding certain development proposals for the City of Torrance.

Considered separately, see page 4.

7C. AMENDMENT TO PUBLIC WORKS AGREEMENT C2003-149 RE CITYWIDE SIDEWALK RAMPING AND GRINDING PROJECT

Recommendation

Recommendation of the **Acting Public Works Director** that City Council:

- 1) Approve an amendment to public works agreement with Hardy & Harper, Inc. (C2003-149) in the amount of \$188,800 for Phase VII of the Sidewalk Ramping and Grinding Project (CIP I-55) with the not to exceed total of \$368,345;
- 2) Approve a consulting services agreement with Project Partners in the amount not to exceed \$44,000 for project inspection (CIP I-55); and
- 3) Authorize the Mayor to execute and the City Clerk to attest to said agreements.

7D. AMENDMENT TO AGREEMENT FOR LEGAL SERVICES WITH RUTAN AND TUCKER

Recommendation

Recommendation of the **City Attorney** that City Council authorize the Mayor to execute and the City Clerk to attest to an amendment to the agreement for legal services between the City of Torrance and the law firm of Rutan & Tucker for purposes of providing legal services in conjunction with air right leases for a parking structure to be constructed on City property for a cumulative amount not to exceed \$40,000.

7E. AMENDMENT OF CONTRACT AGREEMENT WITH MATRIX IMAGING

Recommendation

Recommendation of the **Chief of Police** that City Council:

- 1) Amend the agreement with Matrix Imaging to include 20 years of Field Training Officer Files, add police reports for 2003 and year to date 2004, both of which increases the number of images to be scanned, to complete the police reports for 2001 and 2002, and to remove the agreement to scan the microfilmed images.
- 2) Extend the term of the agreement through December 31, 2005.
- 3) Increase the amount of the agreement by \$120,000 for a total contract amount of \$317,746; and
- 4) Appropriate \$91,020.93 from the Asset Forfeiture DOJ Unappropriated project to the FEAP #368 Crime Reporting Software Project.

MOTION: Councilmember McIntyre moved for the approval of Consent Calendar Items 7A and 7C through 7E. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote (absent Councilmember Witkowsky).

Consent Calendar Item 7B was considered out of order at this time.

7B. REIMBURSEMENT OF TRAVEL EXPENSES TO MILLS CORPORATION

Recommendation

Recommendation that City Council concur with a reimbursement to the Mills Corporation of travel expenses related to a requested meeting with Mayor Dan Walker in Washington D.C. regarding certain development proposals for the City of Torrance.

Newton Young, resident, questioned why the City was reimbursing the Mills Corporation for the Mayor's travel expenses when the company requested this meeting.

Assistant City Attorney Pohl advised that legal staff has recommended that the City reimburse the Mills Corporation to avoid any appearance that City officials are beholden to the company.

David Hensler, resident, suggested that in the future, corporations be directed to come to Torrance if they wish to meet with City officials so the City is not burdened with travel expenses.

Mayor Walker explained that this meeting was highly unusual, noting that he could recall only one other occasion when this type of expense was incurred.

MOTION: Councilmember McIntyre moved to concur with the staff recommendation. The motion was seconded by Councilmember Mauno and passed by unanimous roll call vote (absent Councilmember Witkowsky).

8. COMMUNITY SERVICES

8A. REPEAL OF RESOLUTION NO. 76-210 AND ADOPTION OF RESOLUTION RESTATING THE ORGANIZATION OF TORRANCE YOUTH COUNCIL

Recommendation

Recommendation of the **Torrance Youth Council** and the **Parks and Recreation Director** that City Council repeal Resolution 76-210 and adopt a resolution restating the organization of the Youth Council.

Parks and Recreation Director Barnett stated that it was necessary to update the resolution outlining Youth Council organization/procedures to match current practices.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote (absent Councilmember Witkowsky).

RESOLUTION NO. 2004-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING RESOLUTION NO. 76-210 AND RESTATING THE ORGANIZATION OF THE TORRANCE YOUTH COUNCIL

MOTION: Councilmember Mauno moved for the adoption of Resolution No. 2004-89. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote (absent Councilmember Witkowsky).

9. PLANNING AND ECONOMIC DEVELOPMENT

9A. VACATION OF STORM DRAIN EASEMENT WEST OF VIA SEVILLA BETWEEN CALLE DE ARAGON AND VIA COLUSA

Recommendation

Recommendation of the **Community Development Director** that City Council approve and adopt a Resolution summarily vacating a storm drain easement west of Via Sevilla between Calle De Aragon and Via Colusa.

Community Development Director Gibson advised that staff was recommending the vacation of this easement because the storm drain was no longer needed.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote (absent Councilmember Witkowsky).

RESOLUTION NO. 2004-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ORDERING THE SUMMARY VACATION OF A STORM DRAIN EASEMENT WEST OF VIA SEVILLA BETWEEN CALLE DE ARAGON AND VIA COLUSA IN THE CITY OF TORRANCE

MOTION: Councilmember Mauno moved for the adoption of Resolution No. 2004-90. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote (absent Councilmember Witkowsky).

11. ADMINISTRATIVE MATTERS

11A. STATE OF LOCAL EMERGENCY RE CAROLWOOD LANE AND SINGINGWOOD DRIVE

Recommendation

Recommendation of the **City Manager** and the **City Attorney** that City Council continue the state of local emergency, proclaimed March 2, 2001 for properties located on Carolwood Lane and Singingwood Drive.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

11B. MODIFICATION OF MOU FOR TME-AFSCME, LOCAL 1117

Recommendation

Recommendation of the **City Manager** that City Council adopt a supplemental Memorandum of Understanding Resolution with TME-AFSCME, Local 1117 modifying the salary of Sr. Welder to match that of Sr. Mechanic.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote (absent Councilmember Witkowsky).

RESOLUTION NO. 2004-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2003-99 SETTING FORTH CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE MUNICIPAL EMPLOYEES – AFSCME, LOCAL 1117

MOTION: Councilmember Mauno moved for the adoption of Resolution No. 2004-91. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote (absent Councilmember Witkowsky).

11C. RESOLUTIONS WITHDRAWING EMPLOYEE REPRESENTATIVE UNITS AND MEMBERS FROM PERS HEALTH CARE SYSTEM

Recommendation

Recommendation of the **City Manager** that City Council adopt resolutions withdrawing the following representative units and their respective members from the PERS health care system:

- Torrance Professional and Supervisory Association (TPSA)
- Torrance Fiscal Employees Association (TFEA)
- Engineers Association (Engineers)

Item was withdrawn, see page 2.

11D. AIR-RIGHTS LEASE FOR PARKING STRUCTURE DEVELOPMENT AT TORRANCE MUNICIPAL AIRPORT/ZAMPERINI FIELD

Recommendation

Recommendation of the **Land Management Team** that City Council authorize the Mayor to execute and the City Clerk to attest to a lease agreement by and between the City of Torrance, a California municipal corporation ("City"), and Carwell, LLC, a Delaware limited liability company ("Carwell") for the development of a multi-level parking structure in the air-rights area of Sub-Parcel 1 of Parcel 10 at Torrance Municipal Airport/Zamperini Field.

Item was deferred to July 27, 2004, see page 2.

12. HEARINGS

12A. EAS03-00015, CUP04-00053, PRE03-00038, TTM60807, WAV03-00024: RIVIERA COLONY LLC (DOUG MAUPIN)

Recommendation

Recommendation of the **Community Development Director** that City Council open and continue the public hearing of EAS03-00015, CUP03-00053, PRE03-r00038, WAV03-00024, and TTM60807 to the City Council meeting of July 27, 2004. Staff received a letter requesting a continuance on July 14, 2004. Staff notified the appellant and several neighbors of record. The matter will not be re-advertised.

The public hearing was opened and continued to July 27, 2004.

MOTION: Councilmember Scotto moved to continue the hearing to July 27, 2004. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote (absent Councilmember Witkowsky).

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The Council met as the Redevelopment Agency from 7:21 p.m. to 7:24 p.m.

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16. ORAL COMMUNICATIONS

16A. Fire Chief Bongard announced that a team from the Torrance Softball Association qualified as one of six teams from California to compete in the national tournament in Texas the first week in August.

16B. Fire Chief Bongard reported that over the past week, a strike team from Torrance and other South Bay cities was sent out to assist in fighting the Lake Hughes fire and the Santa Clarita fire and firefighters are currently on alert for the Santa Barbara area fire.

16C. Councilmember Lieu announced that Los Angeles Air Force Base will be celebrating its 50th anniversary on July 30, and asked staff to draft a resolution honoring the base for its contributions to national security and technology.

16D. Councilmember Mauno reported on his attendance at the Parks and Recreation Department's 47th annual awards banquet honoring employees, community members and businesses for their volunteer work.

16E. Councilmember Mauno noted that he attended the Torrance Kendo Club's 30th anniversary tournament, which was very impressive, and thanked Assemblyman George Nakano for being one of the club's founding members.

16F. Councilmember McIntyre echoed comments regarding the Kendo tournament, which included over 400 competitors between the ages of 7 and 35.

16G. Councilmember McIntyre stated that she enjoyed attending the picnic organized by the Save Historic Old Torrance (SHOT) group at Torrance Park.

16H. Councilmember Nowatka requested that the Council reschedule the agenda item to consider changing the date of the City's election, which is scheduled for the July 27 Council meeting, to August 3, explaining that he will be absent from the July 27 meeting and would like to participate in the discussion of this issue.

A brief discussion ensued, and it was the consensus of the Council to defer consideration of the item until August 3. City Manager Jackson advised that the agenda item would be prepared and distributed to councilmembers in advance so that they would have time to review the information and address any questions to the City Clerk.

16I. Councilmember Scotto wished Torrance Unified School District President Maureen O'Donnell a speedy recovery from her recent operation.

16J. Mayor Walker echoed well wishes to Maureen O'Donnell.

16K. Mayor Walker echoed comments regarding the SHOT picnic and stated that he was pleased to receive a Krispy Kreme gift certificate from the group's president.

16L. Geraldine Lloyd, resident, expressed concerns about the condition of an easement south of her property and about a pepper tree in her parkway with roots that are cracking the pavement and growing into her sewer line. She reported that she has sent letters and made several phone calls but has been unable to resolve this matter.

Mayor Walker noted that the City has a tree removal policy about which Ms. Lloyd has already been informed; explained that the maintenance of the easement is the responsibility of the property owner; and asked that staff from the City Attorney's office provide clarification for Ms. Lloyd on this matter.

16M. David Hensler, resident, served notice of intention to circulate a petition to recall Mayor Walker pursuant to California Election Code §11020 and outlined the grounds for the requested recall, maintaining that the Mayor has supported and encouraged inappropriate housing developments, which have seriously endangered the quality of life for Torrance residents.

16N. Alan Lee, TME-AFSCME, Local 1117, stated that City workers who are members of his organization support Mayor Walker and the entire City Council.

16O. Alan Lee thanked Councilmember Nowatka for attending funeral services for City employee Joe Knapp. Mr. Lee also discussed his concerns regarding employees' life insurance, deferred compensation plan, and health insurance coverage.

16P. Mr. Lee noted that he had sent an e-mail to the Mayor and Councilmembers expressing concerns that another employee group was being given preferential treatment regarding the use of City facilities.

16Q. Responding to the notice of intention, Mayor Walker stated that he was very proud of what Torrance has accomplished in the last two years with the current City Council. Commenting on concerns about over-development, he reported that the population increase in Torrance since 1970 is a fraction of the increase in other nearby cities and noted that the City is under pressure by the state and federal government to provide housing. He explained that economic factors have led to a number of applications for residential developments by people seeking to exercise their right to develop their properties and maintained that this Council has approved only high quality developments, which have added value to the community. With regard to traffic, he suggested that much of the traffic congestion can be attributed to commuters from the Palos Verdes Peninsula and beach cities traveling through Torrance and the thousands of people who come to Torrance every day to work and shop.

17. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

18. ADJOURNMENT

At 8:00 p.m., the meeting was adjourned to Tuesday, July 27, 2004, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers, CMC
City Clerk of the City of Torrance

Approved on September 14, 2004