

June 11, 2002

**MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL**

1. CALL TO ORDER

The Torrance City Council convened in a regular meeting at 6:32 p.m. on Tuesday, June 11, 2002, in Council Chambers.

ROLL CALL

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

Absent: None.

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

16. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on the agenda matters listed under 16.a) Real Property – Conference with Real Property Negotiator and b) Conference with Legal Counsel – Anticipated Litigation pursuant to California Government Code Sections 54956.8 and 54956.9.

The Council reconvened at 7:03 p.m.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember McIntyre.

The invocation was given by Pastor Wright, Abundant Life Church of God.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember Nowatka 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 Witkowsky and a voice vote reflected unanimous approval.

MOTION: Councilmember Nowatka 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 Witkowsky and a roll call vote reflected unanimous approval.

4. WITHDRAWN OR DEFERRED ITEMS

City Manager Jackson indicated that supplemental materials were available at the back of the auditorium.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Nowatka reported that the Mural Rededication Ceremony of the "Six Los Angeles Artists" by Kent Twitchell was held earlier the day at the Torrance One Stop building in downtown Torrance with an attendance that had exceeded their expectations. He thanked staff and the committee that worked to save the mural.

Mayor Walker asked that the meeting be adjourned in the memory of retired Police Officer David Keith Frawley.

5. COMMUNITY MATTERS

6a. RESOLUTION NO. 2002-54 RE RICHARD TSAO

RESOLUTION NO. 2002-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING RICHARD TSAO FOR HIS SERVICE AS CHAIRMAN OF THE BOARD OF THE TORRANCE AREA CHAMBER OF COMMERCE.

MOTION: Councilmember Scotto moved to adopt Resolution No. 2002-54. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval. The resolution was to be presented at a later date.

6b. COMMISSION APPOINTMENTS

Recommendation of the City Clerk that City Council review applications and make appointments to fill vacancies on the Cable Television Advisory Board, Community Services Commission, Environmental Quality and Energy Conservation Commission, Planning Commission (2), and Traffic Commission.

Mayor Walker explained procedures for appointments and indicated that Councilmembers had reviewed the applications in detail.

Councilmember Scotto asked for clarification on voting procedures for multiple applicants. City Attorney Fellows indicated that the City Council could determine procedures. The City Council agreed that a majority vote was required and that in the event of a tie, a runoff is held for the next two nominees.

The City Council made the following appointments by unanimous ballot:

Cable TV Advisory Board	Dale Korman	Appointment expires 1/15/2006
Community Services	Diane Tanaka	Appointment expires 1/15/2005
Environmental Quality	Debora Nilsson	Appointment expires 1/15/2003
Planning	Al Muratsuchi	Appointment expires 1/15/2005
Planning	Ray Uchima	Appointment expires 1/15/2005
Traffic	Tom Monson	Appointment expires 1/15/2004

City Clerk Herbers administered the oath of office to the newly appointed commissioners.

7. CONSENT CALENDAR

7a. **APPROVAL OF MINUTES MAY 21, 2002**

Recommendation

Approval of minutes of May 21, 2002.

7b. **CONTINUED STATE OF LOCAL EMERGENCY RE CAROLWOOD DRIVE 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 Drive and Singingwood Drive.

7c. **OFFICE DEPOT PURCHASE ORDERS RE ANNUAL REQUIREMENT**

Recommendation

Recommendation of the Finance Director that City Council award purchase orders in an anticipated total amount not-to-exceed \$210,000 to Office Depot Business Services Division for the purchase of the City's annual requirement of office supply items. The term of these purchase orders will be July 1, 2002 through June 30, 2003.

7d. **AGREEMENT RE AVIATION GYMNASTICS**

Recommendation

Recommendation of the Parks and Recreation Director that City Council approve an agreement with Aviation Gymnastics to provide fee offset gymnastics classes at Wilson Park Sports Center, in an amount not-to-exceed \$41,712.

7e. **PURCHASE ORDERS RE PMX MEDICAL AND BLUE RIDGE MEDICAL**

Recommendation

Recommendation of the Fire Chief that City Council authorize purchase orders be issued to:

- 1) PMX Medical for paramedic medical supplies in the amount of \$61,500 as a cooperative purchase with the City of Santa Ana; and
- 2) Blue Ridge Medical, Inc. for pharmaceutical supplies in the amount of \$20,000 as a cooperative purchase with the City of Hayward.

This would enable the Fire Department to purchase a one-year supply of paramedic medical supplies and pharmaceutical supplies for an anticipated total amount not-to-exceed \$81,500.

7f. **CHANGE ORDER RE DEWEY PEST CONTROL**

Recommendation

Recommendation of the General Services Director that City Council approve a change order of \$8,000 for Dewey Pest Control purchase order #8602 for total amount not-to-exceed \$31,768.65.

7g. GRAFFITI PROTECTIVE COATINGS, INC CONTRACT FOR FY 2002-2003

Recommendation

Recommendation of the General Services Director that City Council award a contract to Graffiti Protective Coatings, Inc. for Fiscal Year 2002-2003 to remove graffiti in the City of Torrance at a cost not-to-exceed \$220,000 (RFP B2002-17).

MOTION: Councilmember Witkowsky moved to approve Consent Calendar items 7a through 7g as written. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

10. PUBLIC SAFETY

10a. MASSAGE/ACCUPRESSURE TECHNICIANS LICENSING

Recommendation of the Chief of Police that City Council adopt an Ordinance repealing Subsection J of Section 3, entitled License Application, of Article 12 of Chapter 5 of Division 3 of the Torrance Municipal Code and replace it with a new Subsection J increasing training requirements for applicants for licensing as Massage or Acupressure Technicians.

Chief Herren introduced Detective Jim Lynch of Vice and Narcotics who noted that the proposed changes are in keeping with trends in other cities and regulations with massage businesses in general.

ORDINANCE NO. 3516

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING SUBSECTION J OF SECTION 3 OF ARTICLE 12 OF CHAPTER 5 OF DIVISION 3 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE LICENSE APPLICATION FOR MASSAGE OR ACCUPRESSURE TECHNICIANS, AND ADDING A NEW SUBSECTION J OF SECTION 3 OF ARTICLE 12 OF CHAPTER 5 OF DIVISION 3 RELATING TO THE LICENSE APPLICATION FOR MASSAGE OR ACCUPRESSURE TECHNICIANS.

MOTION: Councilmember Scotto moved to adopt Ordinance No. 3516. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

11. ADMINISTRATIVE MATTERS

11a. CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1

Recommendation of the Planning Director that City Council take the following actions:

- 1) Adopt a Resolution initiating proceedings to levy assessments within the City of Torrance Lighting District No. 99-1 for Fiscal Year 2002-2003;
- 2) Adopt a Resolution approving the Engineer's Report for the City of Torrance Lighting District No. 99-1; and
- 3) Adopt a Resolution of Intention to levy assessments within the City of Torrance Lighting District No. 99-1 for Fiscal Year 2002-2003.

Transportation Manager Semaan presented the material of record.

RESOLUTION NO. 2002-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1 FOR FISCAL YEAR 2002-2003 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE AND AS PROVIDED FOR BY ARTICLE XIID OF THE CALIFORNIA CONSTITUTION.

MOTION: Councilmember Scotto moved to adopt resolution No. 2002-58. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2002-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1 FOR FISCAL YEAR 2002-2003 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE AND AS PROVIDED FOR BY ARTICLE XIID OF THE CALIFORNIA CONSTITUTION.

MOTION: Councilmember Scotto moved to adopt resolution No. 2002-59. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2002-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1 FOR FISCAL YEAR 2002-2003 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE AND AS PROVIDED FOR BY ARTICLE XIID OF THE CALIFORNIA CONSTITUTION AND APPOINTING A TIME AND PLACE FOR PUBLIC HEARING.

MOTION: Councilmember Scotto moved to adopt resolution No. 2002-60. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

Councilmember Walker reported that City Manager Jackson had requested that 11c be considered out of order at this time.

11c. LANDLORD ESTOPPEL CERTIFICATES RE ROLLING HILLS PLAZA SHOPPING CENTER

Recommendation of the Land Management Team that City Council authorize the Mayor to execute and the City Clerk to attest to two Landlord Estoppel Certificates and agreements with respect to new loans in the aggregate amount of \$45,000,000 encumbering two of the leasehold estates with Rolling Hills Plaza Shopping Center.

MOTION: Councilmember Witkowsky moved to concur with the recommendation of the land management team regarding two of the leasehold estates with Rolling Hills Plaza Shopping Center. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

Item 12 was considered out of order at this time.

12. HEARINGS

12a. PROPOSED REVISIONS TO 2001-2003 OPERATING BUDGET

Recommendation of the Finance Director that City Council open the first public hearing on the City of Torrance proposed budget revisions for the second year of the City's two-year 2001-2003 operating budget.

Mayor Walker opened the public hearing at 7:33 p.m.

City Manager Jackson explained that revisions for the second year of the two-year budget were being considered and during the first year of the budget, modifications and adjustments were made which led to the actions presently before the Council. He indicated that the budget is balanced and the City can proceed into the second year as originally set forth.

City Manager Jackson reported that certain modifications were being brought forward as well as the five-year capital budget and he indicated that modifications were normally presented at mid-year but because of state budget concerns and the economy, it was recommended that the capital budget and use of funds be held until this time for assessment. He stated that after a review of the budget formal consideration and adoption would come the next week.

Finance Director Tsao summarized the material of record noting that the 2002-2003 budget as proposed totals \$231.5 million with the general fund comprising about \$127.5 million of that total. 66% of the general fund revenue is derived from sales, utility users and property taxes and 57% of the general fund is expended on safety.

Events that have impacted the budget include: recession, the events of September 11, and the state budget deficit as well as increased costs for employee pension and health insurance.

Finance Director Tsao stated that the local economy weathered better than most cities because of balanced revenue streams with the weakness in sales and occupancy offset by property values and the industrial and manufacturing base. The state is facing a \$23.6 billion dollar deficit and the Governor has decided to reduce state assistance by \$300,000-400,000 with additional cuts to local government expected.

The recession has impacted investment earnings of PERS with a 7% loss for 2000-2001 and the current year to date loss at 2%. The projected cost increase over next six years is \$9.3 million with 76% of that total attributed to Police and Fire but the increase can be offset by bonds and the financing scenario, if implemented, could decrease costs by about \$1 million per year.

Finance Director Tsao indicated that CalPers is the largest purchaser of public employee health benefits and effective January 2003 there will be a 19-24% increase

(\$950,000) with the likelihood of an additional increase in January 2004. He presented a five-year forecast for the general fund with the City operating at a loss by 2004-2005 but indicated that pension bonds could save \$1 million and departments have asked for reduction scenarios of 2% -2.5%

Finance Director Tsao summarized capital budget commitments and indicated that it would be extended for the full five years and continued to be aggressive reflecting previous Council action.

Assistant Finance Director Flewellyn provided an overview of 2002-2003 revenue projections noting that the approach varied by fund with revenue comparisons pretty consistent except for the general fund. He noted that taxes were the major revenue source for the general fund and projections based on occupancy indicated that things would improve during 2002-2003.

Assistant Finance Director Flewellyn explained property tax distribution and sales tax allocation noting that the majority of sales tax goes to the state with Torrance receiving only 1%. He indicated that the City was relatively optimistic for the general fund.

Finance Director Tsao reviewed the proposed program modifications indicating that only moderate changes were requested including: maintenance of the hillside slope property at Vista Largo/Via Corona; Building and Safety interns for the permitting process; supplemental employee health insurance; an increase in South Bay Cities Council of Governments annual dues; a General Services secretary; an additional Deputy Police Chief; bullet proof vests; increased professional services for sewer repair; a change in allocation of sewer discharge fees with any unspent funds available for capital; a Transit Department Business Manager and six additional bus operators; annual software maintenance; a Parks and Recreation groundskeeper, equipment, and additional Joslyn Gallery expenses; Library improvements and pages for North Torrance and Henderson; membership dues to ICA and USCM; Storm Water Pollution program; Senior Loop Transit Route; increased support for professional services of the Cultural Arts Foundation; a short term animal control facility and animal control officers; renovation of Fire Station #3; and improvements on Beryl Street

City Manager Jackson indicated that the proposed program modifications were all tied to the capital budget and staff would bring back further information on requested items.

Mayor Walker asked the Council for questions other than for the animal control item.

Councilmember Witkowsky expressed surprise at the high figure provided by staff for the proposed Senior Bus Loop noting that seniors in Torrance needed an economical way to get around the City. City Manager Jackson agreed to provide information on a demand response alternative that Councilmember Witkowsky felt might be less expensive.

In response to an inquiry by Councilmember Lieu, Finance Director Tsao explained that the City held several different types of reserves and City Manager Jackson indicated that the City had certain targets for 2004-2005 which were enhanced by one-time monies achieved by unexpended amounts at the end of the year, some of which goes into operating and some of which goes back to reserves.

Councilmember Lieu suggested that the projected \$1.2 million shortfall for 2004-2005 could be covered by reserves. City Manager Jackson stated that year-end shortfalls were compounded by a short revenue base the following year and no reserve. He

indicated that there is a year-end carryover held from last year and staff is projecting year-end money for next year's reserves.

Finance Director Tsao stated that the City might have about \$3 million in reserve this year with Councilmember Scotto noting that the proposed state budget mitigation is a carryover. Finance Director Tsao clarified that the amount had been carried over from last year. City Manager Jackson commented that Torrance ran on a tight contingency reserve leaving little latitude for significant events. He indicated that if the Council were to explore an in-house animal control program, significant changes would have to be made to the proposed budget.

Environmental Services Administrator Cessna stated that the City had previously been under a contract with the County whereby the County kept dog license fees in exchange for providing animal control services, but the County has been operating at a loss for the past several years due to changes in laws and rising costs. She explained that the new standard contract would cost about \$93,000 more per year and provide approximately 120 hours less per year than had been previously provided to the City but a proposed increase in license fees would cover the increased cost of services. She noted that the fee increases would put Torrance in the top tier of comparable agencies, but would prevent an increase in general fund expenditures.

Environmental Services Administrator Cessna reported that the Environmental Quality Commission had proposed additional program modifications including in-house animal control officers during normal working hours with the County to provide sheltering services during off hours at an estimated cost of \$474,080 with \$304,305 ongoing costs. She provided details of the proposed program pointing out that there was a possibility of offset from boarding fee charges but she had not explored that aspect.

City Manager Jackson stated that ongoing enhancements to compensation costs for personnel across the years would increase operating costs and automatic reviews and adjustments would need to be considered to ensure the program does not become a burden to the general fund. He indicated that license rates would then have to be significantly raised which would take Torrance out of the range of comparable agencies.

Environmental Services Administrator Cessna suggested retaining a consultant, as staff is not prepared to handle the details. City Manager Jackson pointed out that a City site compatible with surrounding land uses would have to be identified.

Councilmember Scotto clarified that the County contract would have to be approved for at least six months, as any changes made would take time to implement.

Councilmember Witkowsky questioned what type of assurances Torrance would have regarding hours of service received versus what was actually contracted. Environmental Services Administrator Cessna reported that the new County Director has made it a priority to ensure the terms of the contract are being met.

Marcia Mayeda, Director of the Los Angeles Department of Animal Care and Control, outlined new procedures to address the care of animals and provide better customer service.

In response to an inquiry by Councilmember Witkowsky, Ms. Mayeda indicated that one of the two new positions being created in her department would handle volunteer

recruitment and she outlined plans to implement a 10-year goal of a 95% adoption rate for all adoptable animals.

In response to an inquiry from Councilmember Nowatka, Ms. Mayeda stated that the adoption rate was currently 48.7% with a return to owner rate of 38% and she indicated that the two new positions created were countywide. She acknowledged that contract costs could vary with required hours and licensing fees but noted that the City could control those costs.

Councilmember Nowatka noted that the contract provided estimates and there was no way to predict how many animals would be sheltered, and he questioned a page of fees in the contract that had not been in the prior contract. Ms. Mayeda responded that those were fees paid each year and set by the auditor controller.

Councilmember Lieu expressed appreciation for the efforts made to better the department but felt that the contract looked worse than it did two years ago at a higher cost.

Ms. Mayeda countered that costs had increased because in the past the County was losing money on the contract with the City. Councilmember Lieu expressed concerns with the County providing the required number of hours and Ms. Mayeda agreed to report response times to provide an understanding of how many hours are necessary.

Councilmember Lieu questioned the effect of deep cuts in county funding on animal control and Ms. Mayeda indicated that in the future there would be a general 5% curtailment across all departments.

In response to an inquiry from Councilmember McIntyre, Ms. Mayeda explained that the shelter tracked the number and type of calls but not response times. She indicated that hardware and software were being refined to add that feature which would also require retraining of staff and she estimated the change would be implemented within four weeks. The number of animals euthanized is tracked and additional information as to why certain animals are euthanized will be soon be included as well.

Ms. Mayeda reported that there were 38 people on staff at the Carson shelter with an average of 25,000 animals through the shelter each year and a euthanasia rate of 61% for dogs and 79% for cats.

In response to concerns by Councilmember Scotto about the return to owner rate, Ms. Mayeda indicated that not all owners wished to reclaim their animals, and that staff did not have time to work on that but a volunteer program would help reunite owners and pets. She stated that pictures of animals are posted on the website and animals are scanned for microchips with all animals leaving the shelter implanted with microchips.

In response to an inquiry from Councilmember Scotto, Ms. Mayeda noted that if Torrance terminated the contract, the County would return any amount collected over the amount spent in field services and she noted that changes were being made to the license program to increase animal licensing and make the process more customer friendly.

In response to an inquiry from Councilmember Mauno, Ms. Mayeda reported that legislation passed in 1998 increased the holding period for strays, and as of July 1, 2002, minimum stay requirements for owner surrendered animals would be extended, thereby increasing costs. Councilmember Nowatka pointed out that those costs were borne by the City of Torrance not the County, and questioned the fluctuation in license fees.

Ms. Mayeda explained that there was a fee of \$35 for first time adoptions and \$60 thereafter and Councilmember Nowatka noted that income is not credited to Torrance.

Mayor Walker reported that the County Grand Jury Animal Report indicated that the shelter was clean and well run.

Mayor Walker called a recess from 8:45 p.m. to 9:05 p.m.

Mayor Walker asked for public comment on non-animal control budget items and City Manager Jackson indicated that there would be a sub-hearing of the increase in fees.

Venora Lee, President of Friends of Madrona Marsh, requested an internship program at Madrona Marsh and urged the City to honor funding for the Nature Center and the Manager/Naturalist position to the fullest.

Steve Treskas, Torrance Firefighter, Local 1138, expressed concern with a proposed delay for the construction of Fire Station #7.

Scotto asked that Beryl Street Improvements Phase I and Phase II be added.

STRAW VOTE: Councilmember Scotto requested that additional information be brought back on the increase in sewer discharge fee improvements. Councilmember Witkowsky seconded the motion and hearing no objection, Mayor Walker so ordered.

STRAW VOTE: Councilmember Scotto requested that additional information be brought back on the Cultural Arts Foundation request for \$35,000. Councilmember Nowatka seconded the motion and hearing no objection, Mayor Walker so ordered.

STRAW VOTE: Mayor Walker requested additional information on the \$13,000 expenditure for membership dues in ICA and USCM. Councilmember Witkowsky seconded the motion and hearing no objection, Mayor Walker so ordered.

In response to an inquiry from Councilmember Witkowsky, City Manager Jackson explained alternatives for the renovation of Fire Station #3 noting that neither plan added more fire fighters to the station.

STRAW VOTE: Councilmember Witkowsky moved to explore the renovation of Fire Station #3 and Councilmember Lieu seconded the motion.

Mayor Walker asked that alternatives be examined and expressed concerns that the \$100,000 modification might not suit the station well for the next 20 years. He noted that something else might be more expensive but would show greater wisdom in the long run. Councilmember Scotto agreed and suggested that adding another story might be more effective.

City Manager Jackson suggested making the modifications to Fire Station #5 and deferring renovations at Fire Station #3 until later and returning with a full plan for the operation.

Fire Chief Bongard clarified that the proposed \$100,000 was in addition to an existing project that already had \$260,000 budgeted for the renovation of Fire Station #3.

He asserted that \$100,000 would enable them to meet all their objectives and if that were not approved the project would be scrapped.

City Manager Jackson indicated that \$100,000 was possible in the 5-year capital budget and Councilmember Scotto suggested that the Council discuss the option of adding a second story or deferring the item until another story can be added on.

Councilmember Witkowsky withdrew her original motion with the promise that there would be some type of renovation for Fire Station #3.

City Manager Jackson indicated that staff recommended renewing the contract for animal control as proposed with an enhanced cost offset by fees considered at the fee hearing. Alternatives proposed include partial coverage in the field by City staff and an opportunity to explore sheltering in the City of Torrance.

Harrison Scott, 908 Patronella Avenue, supported continued use of the County for animal control if they can provide the services more cheaply.

Ray Jackman, 3115 W. 181st Street, expressed concerns with off-leash animals and asserted that El Nido Park is a dumping ground for dogs. He urged the Council consider the people who are in favor of Torrance animal control officers as they consider the fiscal impact of a Torrance shelter.

Joni Gang, Torrance, read her remarks into the record:

"I'm here tonight on behalf of Friends of Torrance Animals, and I'm reading my remarks into the record. Regarding the report of the 2000-2001 County Grand Jury, which was mentioned as evidence of the shelter's performance: the County's Citizen's Economy and Efficiency Commission took issue with that report. They found that the bifurcation of the Grand Jury that year was devastating. Use of the County Counsel rather than the District Attorney was a clear conflict of interest and rendered the report almost useless. The Grand Jury was sent several hundred pages of documentation, including sworn declarations from eyewitnesses to abuse, neglect, financial mismanagement, and malfeasance at the Carson shelter, before Ms. Mayeda started. The Grand Jury did not contact any of the people whose declarations were submitted. If necessary, I can bring a declaration a week and read it into the record; we could go for several years. The ones regarding intentional abuse, and inhumane euthanasia by poorly trained personnel, are especially compelling. I'd prefer, though, to focus on what the City of Torrance can do rather than what the County can't do.

Now, I would like to thank the Torrance residents who have been so supportive, in signing and collecting petitions, sending letters, speaking at Community Outreach Meetings, attending Council and Commission meetings, making phone calls, helping send out newsletters, keeping the web-site updated, making donations, and so many other things over the past two years or so. I never anticipated that it was going to take so much time and effort, in a city known for excellent city services, to improve the animal control program.

You might think that I am here tonight to demand that you disband our police force, and turn the police station into cat condos. Of course I'm not. I'm here to encourage you to improve public health and safety, which is what effective animal control does. Effective animal control isn't a "pet" program, or even an animal program. This isn't for dogs and cats and rabbits and fish and birds and turtles and hamsters and squirrels. This is for us, the people. Effective animal control is to protect people and property from animals, as well as to protect animals from people. It includes enforcement of laws that directly affect human health and safety. Animal control officers help make sure that postal workers can deliver our mail. At times, animal control includes cruelty investigations, because the link between violence against animals and violence against people has been well documented by the law enforcement authorities; people who abuse animals rarely stop there. It also includes picking up dead

animals, such as skunks, raccoons, possums, and birds. Even if there were no pets in the city, we would need animal control.

A short term holding facility may seem to be a service that affects only pets or pet owners, but it helps protect all of us from irresponsible people. Our streets are not yet overrun with stray animals who should be safe at a well-run shelter; but as people learn more about the likelihood that an animal taken to the County shelter will be euthanized instead of adopted, that is changing. Caring, kind people have told me they now ignore a dog who is running loose in traffic instead of picking it up and taking it to the shelter because, they say, "on the streets it at least has a chance." A holding facility will help get animals back with their families, and keep them out of traffic for all of us. By reducing the number of animals that enter the Carson shelter, we can help reduce the number of animals euthanized there - and reduce the costs paid by taxpayers for holding and euthanizing animals.

Licensing of dogs, another aspect of effective animal control, is required by state law to prevent an outbreak of rabies, because rabies can be fatal for people. An effective licensing program protects people. Most dogs don't even know if they're licensed. The need for animal control comes from irresponsible people, not irresponsible animals. Even if you think pets and other animals aren't important, that it's no business of the City how animals are treated - please, set that aside. This is for us. The proposals before you, to hire Animal Control Officers, and to set up a short term holding facility, are essential to an effective animal control program, and should be approved for immediate implementation. According to the staff's estimates of costs, they can be implemented at your direction, using a portion of the unallocated year-end carryover (what most of us would call a surplus), with no increase in dog license fees and no impact on the general fund for the upcoming budget year. They can be maintained after that at a cost of less than \$5 per year per resident, again with no increase in dog license fees.

For your reference, I have a financial analysis based on the staff's report of costs. We can have Animal Control Officers as recommended unanimously by your advisory body, and maintain a temporary holding facility as described by staff, for less than one half of one percent of the city's gross budget. These proposals will not provide 24/7 patrol by our own officers, as they enjoy in Manhattan Beach, and we will continue to use the County for some services; but this is a significant and important step forward. These proposals are fiscally responsible improvements to our existing animal control program, to benefit people.

I understand that, due to inaction on the part of the City, you have the choice of signing a standard contract with the County or having essentially no animal control service on July 1. Obviously, we need a contract to cover a period beginning July 1. But this contract has a 30-day cancellation clause. Please approve the proposals to hire Animal Control Officers and set up a short term holding facility; and please set a target date to let us know that you are serious about implementing a program that will be a great improvement over the level of service that we will have no choice but to accept on July 1. Don't let this 30-day cancellation clause become as meaningless as the one in our current contract. We know we need an effective animal control program, for public health and safety, for protection of people and property, and protection of animals. We know that the City can do it better than the County. We know that effective July 1st, we have a contract that is not as good as the one we have now, because the County was losing money on the one we have now.

Effective July 1, animal control service in Torrance will be no better than it is in unincorporated LA County, with no performance standards, no control over the costs, and effectively no recourse. We have been totally dependent on the County for eight full years, and until we set up our own program we will continue to have no choice but to accept whatever level of service the County chooses to provide, at whatever price the County chooses to charge. The question for the Council is, how much longer will we stay with the County before we hire our own officers and set up a temporary holding facility in the City? Please move forward tonight. I'm happy to answer any questions."

Elisabeth Rosinsky, 5005 Milne, read her remarks into the record:

"I own a dog, and my remarks concern dog license fees. I want to make two points. First, the licensing program we have now isn't effective, and we could get more revenue without raising fees if we had a more effective system to license more of the dogs already in the City. Secondly, responsible dog owners should not continue to pay the entire cost of the animal control program; it's not "dog control", and it's something that benefits everybody. As for raising more revenue from a more effective program, I have personally had difficulties getting a license tag for my dog, and I know I'm not alone. They kept losing my paperwork, and I had to make several trips to get more copies of the proof of vaccination and the proof that my dog is spayed. Even after that, it was several months of phone calls. The records aren't kept current. This is inconvenient for dog owners; but more importantly, it means we aren't really keeping track and making sure every dog is vaccinated against rabies. Instead of making those of us who fight through the barriers pay more for a license, start a more effective program.

Having dog owners pay the entire cost of the animal control program makes as much sense as making pool owners pay the entire cost of our paramedic service through a pool license fee. We all know that sometimes, unfortunately, kids fall into swimming pools and need a paramedic. In Torrance, we have excellent paramedic service as part of our Fire Department. But what kind of paramedic service would we have if it was funded by a pool license fee, assessed only to residents who have a pool? That wouldn't be fair, of course: not every pool owner uses paramedic service. But not every dog owner uses animal control, either. The City Manager might say, "Well, having a pool is a choice, and if residents choose to have a swimming pool, they should pay for the extra service that's required." Pool owners would point out that not every call for paramedic service is because of a pool; paramedics do a lot more than save kids from pools. But not every call for animal control is because of a dog, either. Year to date through April, dogs are only 28% of the animals impounded in Torrance by the County, according to their records.

If we approached our other public health and safety functions the way the staff and City Manager is approaching this one, it would be a totally different City. We would have either an extremely high pool license fee, or paramedic service that is nowhere as good as it is today - or both. We probably couldn't afford our own paramedics, and would have to contract with LA County for paramedic service. Pool owners would suffer, and so would people who don't even like pools but need a paramedic. That's what the City Manager is proposing to do with animal control. I ask that you keep the license fees where they are, at least until we have officers on the streets and a temporary holding facility in place. I don't mind paying my fair share, but I'd like for it to be fair, and I'd like everyone to share. Thank you."

Judith McCoy, Torrance, read her remarks into the record:

"Mayor and Council people. Thank you for this time. I am reading this into the record. My name is Judith McCoy, 22616 Nadine Circle. I have lived in Torrance for several years. I taught in the Torrance Public School for 35 years. I said this so that you would know I've been around for awhile.

Most of you when you ran for office said that you were interested in having animal control officers. Please don't tell me that we need to wait another year. We've been told this before. We want animal control officers to check that Carson facility now. We also want our own temporary holding facility.

Earlier this year I went down to check on the Carson shelter myself. This is what I saw. By the way I didn't know if I could handle the situation or not.

At first everything looked okay but as I walked I noticed that some of the cages with dogs in them didn't have any water. Can you believe – no water. No living animal can live very long without water. I told the man in charge and he immediately turned the faucets on to put water in the bowls. He should have done this in the first place. Again, I say, we want Torrance animal control officers. What would have happened to those animals if one of our group or anyone else wasn't there to check on things. I shudder to think of the outcome.

Other cities have their own animal control officers but not Torrance. We are larger than most South Bay cities and yet we don't have animal control officers taking care of our Torrance animals. Why not?

In closing I would like to read from the Old Testament, Proverbs 12:10. It says in part, and this is from the New International Version, "A righteous man cares for the needs of his animals."

Need I say more? One other thing is that we who love our animals are not going away. Thank you."

Joel Komjathy, 808 Fonthill Avenue, reported that he has worked for the Torrance Post Office for 28 years and is proud of Torrance and the Armed Forces Day parade and the airport and would like to be proud of the Torrance shelter. He encouraged the Council to vote for a local shelter, asserted that the Carson shelter was heartbreaking and suggested that a local shelter might make it easier to find animals.

Ben Leyva, 4718 Carmelynn, expressed support for a Torrance based animal shelter.

Abe Levine, questioned figures presented for a Torrance based shelter and quoted Mayor Walker who said: "It may be more expensive now but would show greater wisdom in the long run." Mr. Levine pointed out the high euthanasia rate and low adoption rate of the County and expressed support for a Torrance based animal shelter noting that volunteers would help make a local shelter a success.

Rich Scimeca, 21922 Grant Avenue, expressed support for a Torrance based animal control program noting that it is a public safety issue.

Amy Wagner, 2456 W. 228th Street, expressed support for a Torrance based animal control program and suggested that enforcing the leash and scoop laws could be an important source of revenue.

Christina Kaur, 4844 Merritt Street, expressed support for the Carson shelter and for the LA County Animal Control website indicating that they had been extremely helpful when she lost her cat and were very responsive about roadkill. She commented that finding the phone number for the shelter had been difficult and suggested increasing public awareness.

City Manager Jackson reminded the Council that cities are constrained on where they can raise revenues and the only resource is either a fee which offsets actual services or funds have to be withdrawn from programs that are already budgeted.

STRAW VOTE: Councilmember Scotto proposed accepting the recommendation to accept an enhanced one-year contract with the County of Los Angeles for animal control services in the amount of \$93,000 and Councilmember Witkowsky seconded the motion. A roll call on the motion was taken with all Councilmembers concurring.

City Manager Jackson clarified that the next part of the budget presentation would be an internal hearing on fees for sewer discharge, sanitation and animal control.

Mayor Walker called a recess from 10:25 p.m. to 10:40 p.m.

Waste Management Coordinator Sherman and Sanitation Services Administrator Brewer presented information on sewer discharge fees. Waste Management Coordinator Sherman noted that Resolution 89-121 established the fee to cover sewer maintenance which has remained stable since 1993 but the program has limited funds for maintenance

and all reserves are allocated for the aging sewer system and that expenditures were exceeding revenues and that the proposed increase in fees would parallel costs.

Waste Management Coordinator Sherman indicated that the average single family home in Torrance would experience an increase of between 9 and 13 cents per month and an annual CPI adjustment would allow minor increases and stabilized annual funds for future capital improvements with any remaining balances returned to fund any improvements.

G. Rick Marshall acknowledged the need for the increase in the sewer discharge fee but encouraged the Council not to approve a CPI increase which he felt put the tax on autopilot.

STRAW VOTE: Councilmember Scotto moved to approve the increase in sewer fees and Councilmember Witkowsky seconded the motion. A roll call vote reflected unanimous approval with the exception of Councilmember Nowatka who dissented citing the reason mentioned by Mr. Marshall.

Mayor Walker indicated that he had reluctantly voted yes as he felt it was important to maintain the City properly.

Waste Management Coordinator Sherman stated that despite many changes to contain costs and increased services, there was a limitation to absorption of costs. She asserted that Torrance fees were relatively low and explained the schedule for fee increases noting that the shortfall for this year is more than \$1 million and reserves need to be built for future equipment and vehicle needs. Fees for qualifying seniors and additional container fees were discussed with Sanitation Services Administrator Brewer commenting that the second container fee acted is a deterrent.

In response to an inquiry from Councilmember Witkowsky, Waste Management Coordinator Sherman agreed to provide a status report on recycling. City Manager Jackson asserted that recycling was still not an advantageous process as it requires a second routing and the ultimate goal is to remove more waste from the stream.

Councilmember Scotto expressed opposition to a fee increase for seniors and clarified that his motion did not include the rate increase to seniors and did not support making the price of the second container equal to the first. He felt that the increase should be smaller and that rates were being raised too quickly.

STRAW VOTE: Councilmember Scotto proposed that rates for seniors be maintained at current levels and the second container at 75% of the first container fee. Councilmember Witkowsky seconded the motion and a roll call vote indicated unanimous approval with the exception of Councilmember Nowatka who voted no.

City Manager Jackson stated that the base rate would have to be increased in order to achieve balance.

Councilmember Lieu commented that the people of Torrance understood that the increase to dog license fees would cover the increased cost of the County contract and asserted that the County had a monopoly and costs would be increased with a contract that provided no guarantees.

Mayor Walker stated that it was evident to the City that the County was not covering costs for services performed over the past year and the new contract would provide a

different level of service that they would be held accountable for. He indicated that he was unwilling to go to the general fund and make changes in the budgeting process and asserted that responsible pet owners would understand the increase of \$5 per dog.

STRAW VOTE: Councilmember Witkowsky moved to approve the increase to dog license fees from altered to \$20 and unaltered to \$40. Councilmember Scotto seconded the motion and a roll call vote indicated yes votes from Councilmembers Lieu, McIntyre, Scotto, Witkowsky and Mayor Walker and No votes from Councilmembers Mauno and Nowatka.

MOTION: At 11:05 p.m. Councilmember Scotto moved to continue the public hearings and fee hearings to 7:00 p.m., Tuesday, June 18, 2002. Councilmember Witkowsky seconded the motion and a roll call vote indicated unanimous approval.

MOTION: Councilmember Scotto moved that animal control officers be included as a budget item to be considered at the public hearing on June 18, 2002 and Councilmember Nowatka seconded the motion.

City Manager Jackson questioned whether offsets required to cover Torrance animal control officers should be included.

Mayor Walker recommended that they accept the straw votes for acceptance of the contract and for what has been done with regard to licensing fees with a Council ad hoc committee review of the working relationship and numbers at a six month period with the County and Friends of Torrance Animals involved to provide six months in advance of the next budget to make a change if things are not going well.

City Manager Jackson asserted that programming would have to be reduced and the last programs to be approved would be considered first for elimination. Councilmember Scotto stated the proposal he would make would be for start up to come out of carryover funds.

MOTION: Councilmember Scotto moved to have staff come back with a recommendation of how to find the money for Torrance to have their own animal control officers.

Councilmember Nowatka strongly agreed with Councilmember Scotto and asserted that the six-month study was another attempt to quash the program. He indicated that he had serious questions about numbers on page 118 of the budget.

Councilmember Lieu questioned how a full-scale review would be conducted and City Manager Jackson stated that there would be increased risk with state funding by taking surplus funds for startup funding and in the scope of things the first capital investment would not raise risks. He indicated that they would come back with a strategy based on the scenario provided and scenarios based on different factors which might change costs.

Councilmember Nowatka questioned various items including the need for 4 ½ personnel assigned to a secretary position and \$138,000 for processing. He noted that although Environmental Services Administrator Cessna did not feel she was in a position to estimate adoption fees the City would be able to charge, they have an impact on the end decision and he observed that there seemed to be a lot more to be done on the income side.

Councilmember Scotto estimated that some of the proposed figures might be a little high and indicated that if the modification were to be approved, the program would take time to establish which would reduce ongoing costs for the first year. City Manger

Jackson agreed to present a two-year phasing and Councilmember Scotto suggested initially hiring two officers and expanding to three.

Mayor Walker reported that El Segundo personnel had indicated that the reality of licensing income was substantially less than projected. Councilmember Scotto agreed and asserted that the program would have to be reviewed on an ongoing basis and be discontinued if it did not work. Mayor Walker asserted that he would not support the motion as he did not want to have to cut other programs.

A roll call vote was taken on the motion with Councilmembers Lieu, McIntyre, Nowatka and Scotto voting yes and Councilmembers Mauno and Witkowsky and Mayor Walker voting no.

Item 11 b was heard at this time.

11b. ANIMAL CARE AND CONTROL IN THE CITY OF TORRANCE

Recommendation of the Environmental Quality Commission that City Council:

- 1) Approve a contract with the County of Los Angeles for the provision of animal control services, with a thirty-day cancellation clause;
- 2) Identify and allocate one-time funds to cover the estimated \$93,000 contractual shortfall;
- 3) Fund an in-house animal control program providing licensing and field services during normal working hours, with sheltering and after-hours services to be provided by the County; and
- 4) Explore increasing dog license fees for unaltered dogs in 2003-2004.

Building and Safety Department staff recommends that City Council:

- 1) Approve a contract with the Los Angeles Department of Animal Care and Control for provision of animal control services; and
- 2) Approve an increase in license fees from \$15 and \$30 for altered and unaltered dogs to \$20 and \$40 respectively to cover the additional cost of the contract.

MOTION: Councilmember Scotto moved to concur with the staff recommendation to approve a contract with the Los Angeles Department of Animal Care and Control for provision of animal control services in the amount of \$353,450. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

11c. LANDLORD ESTOPPEL CERTIFICATES RE ROLLING HILLS PLAZA SHOPPING CENTER

Considered earlier in the meeting.

12. HEARINGS

12a. PROPOSED REVISIONS TO 2001-2003 OPERATING BUDGET

Considered earlier in the meeting

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The Torrance Redevelopment Agency met from 11:19 p.m. to 11:22 p.m.

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15. ORAL COMMUNICATIONS

15a. City Manager Jackson expressed appreciation to the City Yard staff for the inventive new ideas at the Open House which intrigued the citizens who attended.

- 15b.** Councilmember Lieu asked staff to come up with a proposal to fly a POW/MIA flag on a daily basis.
- 15c.** Councilmember Lieu commented on the dedication of a donor wall at the YMCA acknowledging its contributors.
- 15d.** Councilmember McIntyre commented on the flight of baby red hawks around Florwood noting that the hawks had returned for a second year.
- 15f.** Councilmember Mauno reported being inspired by the Special Olympics Torch run through the City.
- 15g.** Councilmember Nowatka joined in complimenting the City staff for the City Yard event.
- 15h.** Councilmember Nowatka commented on the disposition of hazardous waste and asked if the City could do more to encourage the community to recycle and save their batteries for hazardous waste.
- 15i.** Councilmember Scotto echoed previous compliments regarding the City Yard Open House adding that he had enjoyed at the car show.
- 15j.** Councilmember Witkowsky asked staff to explore pedestrian smart signals at crosswalks.
- 15k.** Mayor Walker thanked and commended attendees from Los Angeles County Animal Control and Friends of Torrance Animals.
- 15l.** John Barnett, 606 Acacia, thanked staff for street repairs at Dominguez and Madrid and Crenshaw to Sartori and asked for additional assistance in the area.

16. EXECUTIVE SESSION
 Considered earlier.

17. ADJOURNMENT
 At 11:32 p.m., the meeting was adjourned to Tuesday, June 18, 2002 at 5:30 p.m., for an executive session in the Council Chamber, with the regular meeting commencing at 7:00 p.m. in Council Chambers.

***** Adjourned in memory of
 Retired Torrance Police Officer
 David Keith Frawley *****

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 June 3, 2003