

August 27, 2002

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

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular meeting at 6:00 p.m. on August 27, 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.

17. 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 17.a) Conference with Legal Counsel – Anticipated Litigation and 17.b) Real Property – Conference with Real Property Negotiator and Redevelopment Agency Real Property – Conference with Real Property Negotiator pursuant to California Government Code Sections 54956.9 (c) and 54956.8.

The Council reconvened at 7:04 p.m.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Witkowsky.

The invocation was given by Pastor Moriarity, Ascension Lutheran Church.

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 roll call 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 WITHDRAWN OR DEFERRED ITEMS

City Manager Jackson reported that items 7f and 12a were being withdrawn.

City Clerk Herbers indicated that additional material was available for items 7c, 7h, 7j, 7u, 7h, 11h, 11i and 12a at the back of the room.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Scotto stated that President George Bush, through Public Law No. 107-89, designated September 11 as Patriot Day and calls on all Americans to observe this day with appropriate programs and to display the U.S. flag at half-staff in memory of those individuals who lost their lives in the terrorist attacks on September 11, 2001. He invited the public to join the Mayor and City Council for Patriot Day observance Wednesday, September 11th at 10:00 a.m. in front of City Hall, 3031 Torrance Boulevard.

6. COMMUNITY MATTERS

6a. PROCLAMATION RE 17TH ANNUAL OKTOBERFEST FUNDRAISER

Proclamation commending those organizations supporting the 17th Annual Oktoberfest Fundraiser at Alpine Village on Saturday, September 7, 2002 at 6:00 p.m., and also to owners Hans and Teri Rotter for their dedication to charities serving the Torrance community.

Mayor Walker presented the proclamation to Teri Rotter who introduced Mike Randall of the Daily Breeze. Mr. Randall introduced representatives of the Daily Breeze; Help the Homeless Help Themselves; Carl E. Wynn Foundation; H & C Sharp; Senator Edward Vincent; Hawthorne Healthy Start Collaborative; Sisters of St. Joseph of Carondelet; Westside Concrete; Sertomas of Torrance; Cal Fed; Pacific Bell; Little Company of Mary Hospital; Somerville Plywood; Tim Meyers Scholarship Fund; Newmans Vacation/Air New Zealand; Knights of Columbus, Manhattan Beach; Clark Construction; St. James Catholic Church; AMOCOR Sunclipse North America; Sons of Italy; Lufthansa; St. Lawrence Martyr Golf Club; Peninsula Pontiac GMC Buick; Kent H. Lansberg; Mellon First Business Bank; Granstrom Masonry, Inc.; Hugo Neuproler and Alpine Village.

7. CONSENT CALENDAR

Alan Lee, AFSME, requested a brief discussion of item 7d.

7a. APPROVAL OF MINUTES OF JULY 16, 2002

Recommendation

Approval of minutes for July 16, 2002.

7b. PURCHASE ORDER RE ANNUAL REQUIREMENT OF LIBRARY SUPPLIES – FISCAL YEAR 2002-2003

Recommendation

Recommendation of the City Librarian that City Council authorize purchase agreements in a combined total not-to-exceed \$417,000 to:

- Baker and Taylor of Reno, NV in the amount of \$317,000;
- Baker and Taylor Entertainment of Reno, NV in the amount of \$25,000;
- ProQuest Information and Learning of Ann Arbor, MI in the amount of \$25,000;
- Random House, Inc. of Finksburg, MD in the amount of \$25,000; and
- Brodart Company of Williamsport, PA in the amount of \$25,000.

These are for the purchase of the annual requirement of various books, audio and video material, electronic databases and miscellaneous library supplies on an "as needed basis" for the Torrance Library System for Fiscal Year 2002-2003.

7c. ADVANCED INFORMATION MANAGEMENT CONTRACT RE SUNDAY STAFFING

Recommendation

Recommendation of the City Librarian that City Council authorize a contract in an amount not-to-exceed \$25,142 with Advanced Information Management (AIM) to provide contract personnel to staff the Katy Geissert Civic Center Library for 28 selected Sundays beginning September 22, 2002 to June 8, 2003.

7d. CONTRACT RE SUE SWEET

Recommendation

Recommendation of the City Clerk that City Council authorize a contract in an amount up to \$28,000 to K. Sue Sweet to provide minute taking and transcription services from July 1, 2002 through June 30, 2003.

Considered separately.

7e. ADECCO CONTRACT RE TEMPORARY PERSONNEL SERVICES

Recommendation

Recommendation of the Civil Service Administrator that City Council award Adecco of Torrance, CA a contract not-to-exceed the amount of \$230,000 for an annual consulting services agreement to provide temporary personnel services (B2002-12).

7f. JOINT EXERCISE OF POWERS AGREEMENT RE INTERAGENCY COMMUNICATIONS INTEROPERABILITY SYSTEM

Recommendation

Recommendation of the Information Technology Director that City Council authorize the City Manager to execute a Joint Exercise of Powers Agreement to establish an interim Joint Powers Agency (JPA) to create the Interagency Communications Interoperability System (ICIS).

7g. PARKS AND RECREATION COMMISSION 2001-2002 ANNUAL REPORT

Recommendation

Recommendation of the Parks and Recreation Director and the Parks and Recreation Commission that City Council accept and file the Parks and Recreation Commission 2001-2002 Annual Report.

7h. APPROVAL AND ADOPTION OF FINAL DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

Recommendation

Recommendation of the Transit Director that City Council authorize the approval and adoption of the Final Disadvantaged Business Enterprise (DBE) Program and Established Overall Annual DBE Goal for FY 2002-2003, to facilitate timely submission to the Federal Transit Administration (FTA) for funding authority approval, on behalf of Torrance Transit.

7i. **AGREEMENT RE STRATEGIC ENERGY CONSULTING, INC.**

Recommendation

Recommendation of the General Services Director that City Council approve an agreement for consulting services with Strategic Energy Consulting, Inc. of Scottsdale, AZ for an amount not-to-exceed \$45,000.

7j. **CONTRACT RE RIDESHARE PROGRAM – KIM FUENTES**

Recommendation

Recommendation of the City Manager that City Council approve the renewal of the Commuter Transportation Consultant - Rideshare Program contract with Kim Fuentes for the contract term September 7, 2002 through September 6, 2003.

7k. **RBF CONSULTING, INC. AGREEMENT AMENDMENT RE ARTESIA BOULEVARD IMPROVEMENT PROJECT**

Recommendation

Recommendation of the City Manager that City Council:

- 1) Approve an amendment to consulting services agreement C2000-209 with RBF Consulting, Inc. to include additional design services, increase the amount by \$18,400 and extend the term until December 31, 2003 in conjunction with the Artesia Boulevard Improvement Project (CIP Projects A-15/T-26); and
- Authorize the Mayor to execute and the City Clerk to attest to said amendment.

7l. **TURF STAR CONTRACT RE TORO LAWNMOWER PARTS**

Recommendation

Recommendation of the General Services Director that City Council authorize a vendor contract to Turf Star, Inc. of Los Angeles, CA in the amount of \$40,000 for the sole-source purchase of Toro brand lawnmower parts. The vendor contract will be for a 12-month term, beginning August 28, 2002 and ending August 27, 2003.

7m. **PEERLESS AUTOMOTIVE CONTRACT RE ANNUAL REQUIREMENT OF AUTOMOTIVE STOCK AND REPAIR PARTS**

Recommendation of the General Services Director that City Council authorize a vendor contract to Peerless Automotive of Torrance, CA in an amount not-to-exceed \$50,000 for the purchase of the City's annual requirement of automotive stock and repair parts on an "as needed basis". The vendor contract will be for a 12-month term, beginning August 28, 2002 and ending August 27, 2003.

7n. **RATIFY REVISIONS TO EZPASS FARE AGREEMENT**

Recommendation

Recommendation of the Transit Director that City Council:

- 1) Accept and ratify the revisions to the agreement C2002-161 previously approved on July 23, 2002 with the Los Angeles County Metropolitan Transportation Authority (MTA) to participate in the regional EZPass Fare Program; and

- 2) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

7o. SITE AGREEMENT RE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AND TENG CONSTRUCTION CONTRACT

Recommendation

Recommendation of the City Manager and General Services Director that City Council:

- 1) Authorize a site agreement with South Coast Air Quality Management District to provide two 60 Kilowatt Capstone Microturbines for installation at the City Services Yard;
- 2) Authorize a contract to Teng Construction of California, Inc. located in Glendale, CA for the amount not-to-exceed \$54,280 for installation of microturbines at the City Services Facility; and
- 3) Authorize a 10 percent project management fee of \$5,428 for administration and oversight of contract work.

7p. ACCEPTANCE OF DISCOUNTED ANA TICKET FOR MAYOR WALKER'S TRAVEL TO KASHIWA

Recommendation

Recommendation of the City Manager that City Council designate Mayor Walker as head of the Kashiwa delegation and accept a discounted ticket from ANA for the Mayor's travel.

7q. APPROPRIATION RE EAST ANNEX CARPET REPLACEMENT PROJECT

Recommendation

Recommendation of the General Services Director that City Council transfer \$16,670 from the Building Maintenance Capital Project Fund and appropriate same amount to FEAP #126, the East Annex carpet replacement project.

7r. MONTHLY INVESTMENT REPORT – JULY 2002

Recommendation

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for the month of July 2002.

7s. JRB & ASSOCIATES AGREEMENT RE VULNERABILITY ASSESSMENT

Recommendation

Recommendation of the Engineering Director that City Council:

- 1) Approve an agreement with JRB & Associates for professional consulting services for a Vulnerability Assessment (VA) of the City of Torrance water system in an amount of \$75,000 with funding from a grant from the U.S. Environmental Protection Agency; and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

7t. SEAGRAVE FIRE APPARATUS PURCHASE ORDER RE REPLACEMENT FIRE ENGINES

Recommendation

Recommendation of the Fire Chief and the General Services Director that City Council:

- 1) Authorize a purchase order be issued to Seagrave Fire Apparatus, a Division of FWD Corporation, in the amount not-to-exceed \$1,114,796.39 for the sole-source purchase of three replacement fire engines;
- 3) Approve a contract with Seagrave Fire Apparatus, a Division of FWD Corporation, relative to the purchase; and
- 4) Appropriate \$1,114,796.39 from the Fire Apparatus Replacement Fund.

7u. LA SIGNAL CONTRACT EXTENSION RE TRAFFIC SIGNAL MODIFICATION PROJECTS

Recommendation

Recommendation of the Planning Director that City Council:

- 1) Extend the contract expiration date to public works agreement C2001-117 with LA Signal, Inc. from June 27, 2002 to December 31, 2002 in conjunction with the construction of the Traffic Signal Modification project approved by City Council on June 26, 2001;
- 2) Authorize an amendment to public works agreement C2001-117 to increase the contract by the amount of \$2,653 through Project T-41, Traffic Signal Upgrade – 195th Street & Western Avenue, of the 5-year Capital Budget for a total contract cost of \$110,278;
- 3) Approve a change order in the amount of \$4,485; and
- 4) Authorize the Planning Director to execute said change order.

MOTION: Councilmember Witkowsky moved to approve items 7a-c, item 7e, and 7g through 7u as written. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

Item 7d was considered at this time.

7d. CONTRACT RE SUE SWEET

Recommendation

Recommendation of the City Clerk that City Council authorize a contract in an amount up to \$28,000 to K. Sue Sweet to provide minute taking and transcription services from July 1, 2002 through June 30, 2003.

Alan Lee, President of AFSCME, asked that the item be considered separately as he had received calls from clerical members who had traditionally performed minute secretary duties. He indicated his understanding that in 1997 this was to have been a temporary position to cover an employee on maternity leave. He stated that he had spoken with both Ken Flewellyn and with City Clerk Herbers, and requested a commitment from the City to have discussions with management representatives.

MOTION: Councilmember Witkowsky moved to approve item 7d. Councilmember McIntyre seconded the motion and a voice vote reflected unanimous approval.

11. ADMINISTRATIVE MATTERS

11a. RESOLUTION NO. 2002-96 RE USED OIL BLOCK GRANT

Recommendation of the Street Services Director that City Council:

- 1) Approve the application and appropriation of funds and interest for the 2002-2005 Used Oil Recycling Block Grant; and
- 2) Adopt a Resolution authorizing the application and use of grant funds for the full expenditure period (2002/2003 to 2007/2008) of the 2002-2005 Used Oil Block Grant

MOTION: Councilmember Scotto moved to approve the application and appropriation of funds and interest for the 2002-2005 Used Oil Recycling Block Grant. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2002-96

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE USED OIL RECYCLING BLOCK GRANT APPLICATION FISCAL YEAR 2002-2003 TO FISCAL YEAR 2007-2008.

MOTION: Councilmember Scotto moved to adopt Resolution No. 2002-96. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

11b. CONTINUED STATE OF LOCAL EMERGENCY FOR CAROLWOOD DRIVE AND SINGINGWOOD DRIVE

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.

MOTION: Councilmember Scotto moved to continue the state of local emergency for Carolwood Drive and Singingwood Drive. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

11c. CONTINUED STATE OF LOCAL EMERGENCY FOR TOMLEE AVENUE

Recommendation of the City Manager and the City Attorney that City Council continue the state of local emergency, proclaimed August 13, 2002 for properties located in the area of the 20900 block of Tomlee Avenue.

MOTION: Councilmember Scotto moved to continue the state of local emergency for Tomlee Avenue. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

11d. RESOLUTION NO. 2002-97 RE EXECUTIVE AND MANAGEMENT EMPLOYEES

Recommendation of the City Manager that City Council adopt a revised pay Resolution for Executive and Management employees for the pay period beginning August 11, 2002, and making certain modifications to the pay for the City Manager and the City Attorney.

RESOLUTION NO. 2002-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING RESOLUTION NUMBER 2002-76 SETTING FORTH CHANGES REGARDING EMPLOYMENT COMPENSATION FOR EXECUTIVE AND MANAGEMENT EMPLOYEES EFFECTIVE AUGUST 11, 2002.

MOTION: Councilmember Scotto moved to adopt Resolution No. 2002-97. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

11e. LEASE AMENDMENT RE TORRANCE UNIFIED SCHOOL DISTRICT

Recommendation of the Land Management Team that City Council authorize the Mayor to execute and the City Clerk to attest to an amendment to the lease by and between the City of Torrance and the Torrance Unified School District (TUSD) for a portion of certain real property located at 1520 Greenwood within Greenwood Park.

MOTION: Councilmember Scotto moved to authorize the Mayor to execute and the City Clerk to attest to an amendment to the lease by and between the City of Torrance and the Torrance Unified School District (TUSD) for a portion of certain real property located at 1520 Greenwood within Greenwood Park. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

11f. SOUTHERN CALIFORNIA EDISON EASEMENT RE FLITE PARK

Recommendation of the City Manager that City Council grant an easement to Southern California Edison ("Edison") for underground electrical supply systems and communications systems on property located in Flite Park.

MOTION: Councilmember Scotto moved to grant an easement to Southern California Edison for underground electrical supply systems and communications systems on property located in Flite Park. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

11g. RESOLUTION NO. 2002-98 RE CALIFORNIA COASTAL CONSERVANCY GRANT

Recommendation of the Engineering Director and the Parks and Recreation Director that City Council:

- 1) Adopt a Resolution authorizing the acceptance of a \$780,000 grant fund from the California State Coastal Conservancy; and
- 2) Authorize the Mayor to execute all necessary documents for said funds to finance the Madrona Marsh Restoration and Enhancement Project.

Venora Lee, Friends of Madrona Marsh, was concerned that they be consulted as to actions taken and asked to be placed on the notification list for the Santa Monica Bay Project.

RESOLUTION NO. 2002-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR TO

EXECUTE ALL NECESSARY DOCUMENTS FOR FUNDS PROVIDED THROUGH THE CALIFORNIA STATE COASTAL CONSERVANCY VIA THE SANTA MONICA BAY RESTORATION PROJECT TO FINANCE THE MADRONA MARSH RESTORATION AND ENHANCEMENT PROJECT.

MOTION: Councilmember Scotto moved to adopt Resolution No. 2002-98. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

MOTION: Councilmember Scotto moved to authorize the Mayor to execute all necessary documents for a \$780,000 grant fund from the California State Coastal Conservancy to finance the Madrona Marsh Restoration and Enhancement Project. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

11h. URGENCY ORDINANCE NO. 3518 RE UPDATED REQUIREMENTS OF THE STORM WATER PERMIT FOR THE LOS ANGELES REGION

Recommendation of the Steering Committee for the Implementation of the National Pollutant Discharge Elimination System Permit that City Council adopt an Urgency Ordinance amending the Torrance Municipal Code by replacing language enabling the City to comply with the updated requirements of the Storm Water Permit for the Los Angeles Region. The Steering Committee further recommends that City Council approve a summary of the ordinance for publication.

URGENCY ORDINANCE NO. 3518

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA IMPLEMENTING THE STANDARD URBAN STORM WATER MITIGATION PLAN OF THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD FOR THE LOS ANGELES REGION BY AMENDING THE TORRANCE MUNICIPAL CODE IN ITS ENTIRETY REPEALING CHAPTER 11 OF DIVISION 4 AND ENACTING IN ITS ENTIRETY A NEW CHAPTER 11 TO DIVISION 4, TITLED "STANDARD URBAN STORM WATER MITIGATION PLAN IMPLEMENTATION."

MOTION: Councilmember Scotto moved to adopt Urgency Ordinance No. 3518. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

MOTION: Councilmember Nowatka moved to approve the summary of the Urgency Ordinance for publication. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

Mayor Walker commented that there was nothing the Council would do this evening that would affect the City more than this.

11i. RESOLUTION NO. 2002-99 RE INITIAL RULES AND REGULATIONS – TOMLEE AVENUE

Recommendation of the City Manager/Director of Emergency Services that City Council take a series of actions by adopting a Resolution. The resolution would rescind the initial Rules & Regulations issued by the Director of Emergency Services on August 13, 2002 for the disaster in the Tomlee Avenue area and would replace it with Rules & Regulations set forth in Emergency Order No. 3 reducing the restricted area. Additionally, the City Manager recommends that City Council grant fee waivers for any necessary permits, dumpster fees and other related fees for residents affected by the Tomlee explosion and waive undergrounding of utility requirements for those affected residents.

Assistant City Manager Giordano summarized the material of record noting that the item reduced the restricted area and the revised resolution removed yellow tags from the waiver requirement.

In response to a request from Councilmember Witkowsky that yellow tagged homes be given the same treatment as red tagged homes, Assistant City Manager Giordano explained that the recommendation had been changed due to a substantial amount of clean-up during the last week by insurance companies with initial estimates being revised as damage has proved to be less extensive than first thought. She clarified that all 58 affected homes would receive fee waivers but signing the waiver released liability to enter the homes.

City Attorney Fellows questioned paragraph 3 of Emergency Order Number 3 which indicates that minors cannot enter red or yellow tagged properties and Building and Safety Director Isomoto asked that the words "...or yellow tagged properties" be struck from the last sentence of paragraph 3 on page 4 of the supplemental.

MOTION: Councilmember Scotto moved to grant fee waivers for any necessary permits, dumpster fees and other related fees for resident affected by the Tomlee explosion and waive undergrounding of utility requirements for those affected residents. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2002-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE RESCINDING THE EMERGENCY RULES AND REGULATIONS ENACTED BY THE DIRECTOR OF EMERGENCY SERVICES ON AUGUST 13, 2002, AS A RESULT OF THE DISASTER IN THE 20900 BLOCK OF TOMLEE AVENUE, RATIFICATION AND CONFIRMATION OF EMERGENCY ORDER NO. 2 AND RATIFICATION AND CONFIRMATION OF EMERGENCY ORDER NO. 3.

MOTION: Councilmember Scotto moved to adopt Resolution No. 2002-99 as amended. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

12. HEARINGS

12a. RESOLUTION NO. 2002-101 RE 2360 SEPULVEDA BOULEVARD

Recommendation of the Planning Commission and the Planning Director that City Council deny the appeal and adopt a Resolution approving a Conditional Use Permit (CUP02-00009) to allow the construction of a three-story hotel on property located in the C-3 zone at 2360 Sepulveda Boulevard. CUP02-00009: HUAMIN CHANG/NITIN PATEL

Item 12a was withdrawn.

12b. RESOLUTION NO. 2002-100 RE CONGESTION MANAGEMENT PROGRAM

Recommendation of the Planning Director that City Council:

- 1) Conduct a public hearing as required by the Congestion Management Program of the Los Angeles County Metropolitan Transportation Authority;
- 2) Adopt a Resolution to self-certify that the City of Torrance is in conformance with local Congestion Management Program (CMP) requirements; and,
- 3) Direct staff to submit the CMP Local Implementation Report (LIR) as required by the Los Angeles County Metropolitan Transportation Authority.

Mayor Walker opened the public hearing at 7:39 p.m. and no speakers came forward.

MOTION: At 7:40 p.m. Councilmember Scotto moved to close the public hearing. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2002-100

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL IMPLEMENTATION REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089.

MOTION: Councilmember Scotto moved to adopt Resolution No. 2002-100. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

MOTION: Councilmember Nowatka moved to direct staff to submit the CMP Local Implementation Report (LIR) as required by the Los Angeles County Metropolitan Transportation Authority. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

12c. ORDINANCE NO. 3519 RE ABANDONED WELL SITE NO. 5

Recommendation of the Planning Commission and the Planning Director that City Council approve a zone change from R-1 to PU for the property formally known as Abandoned Oil Well Site No. 5 (APN: 7518-017-018) located east of Wayne Avenue and surrounded by the Henrietta Sump to the north, south and east. ZON02-00002: CITY OF TORRANCE

Mayor Walker opened the public hearing at 7:42 p.m. and no speakers came forward.

MOTION: At 7:43 p.m. Councilmember McIntyre moved to close the public hearing. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

MOTION: Councilmember Scotto moved to approve a zone change from R-1 to PU for the property formally known as Abandoned Oil Well Site No. 5 (APN: 7518-017-018) located east of Wayne Avenue and surrounded by the Henrietta Sump to the north, south and east. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

ORDINANCE NO. 3519

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN PROPERTY FORMALLY KNOWN AS ABANDONED WELL SITE NO. 5 (APN:7518-017-018) LOCATED SOUTH OF LOT 413 OF TRACT NO. 2228, WITHIN THE HENRIETTA SUMP, FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO PU (PUBLIC USE) ZONE02-00002 – CITY OF TORRANCE

MOTION: Councilmember Scotto moved to adopt Ordinance No. 3519. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

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The Torrance Redevelopment Agency convened for a closed session at 6:00 p.m., and was in recess from 7:00 p.m. to 7:45 p.m. The Redevelopment Agency adjourned at 7:47 p.m. to Tuesday, September 10, 2002 at 5:30 p.m. for an Executive Session with regular business scheduled at 7:00 p.m.

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16. ORAL COMMUNICATIONS

16a. City Attorney Fellows reported action taken in closed session authorized under GC§54956.9(c) that the City Council met in closed session under GC§54957.1(a)(2) regarding an appeal in the case of David Levy and Beth Levy vs. City of Santa Monica, LASC Case No. SC063147 (Agenda Item 17 a 1).

He stated that in this case, the Levy's claim that the Santa Monica City Council's interaction with City staff in referring a resident's code violation complaint for a staff investigation is prohibited by a non-interference provision of Santa Monica's charter. Torrance has a non-interference charter provision virtually identical Santa Monica. Santa Monica claims that Council may interact, not only with its constituents but also with staff as long as the Council does not order or direct any action. He announced that the City Council authorized by a unanimous 7-0 vote that the City Attorney join as an Amicus in support of the City of Santa Monica.

16b. Councilmember Lieu commented that he was pleased to attend a recent Homeland Security Forum and looked forward to seeing more in the future.

16c. Councilmember Mauno noted he was pleased to attend the Torrance Symphony concert dedicated to the Torrance Police and Fire departments.

16d. Councilmember Mauno enjoyed seeing two local chefs at a cook off challenge with Iron Chef Morimoto.

16e. Councilmember McIntyre thanked the City of Torrance on behalf of the Torrance Symphony board for sponsoring the concert honoring the Fire and Police departments and thanked Jack Kell and Irene Griffith for going above and beyond the call of duty.

16f. Councilmember Nowatka congratulated Mayor Walker on the cook-off.

16g. Councilmember Nowatka echoed Councilmember Scotto's earlier invitation and encouraged everyone to attend the Patriot Day Ceremony on Wednesday September 11th at 10:00 a.m. in front of City Hall and also invited attendance at a Salvation Army prayer service that day at noon

16h. Councilmember Scotto stated that he had been pleased to represent Mayor Walker at a Tea Master ceremony and dinner.

16i. Councilmember Scotto announced a lecture presentation by the Torrance Police Department geared toward children and their parents entitled "Stranger Danger" and a safety lecture for females. Anyone interested in setting up a group lecture can contact Kristine Kiesling at (310) 618-6392.

16j. Councilmember Witkowsky enjoyed attending the Aquacade and encouraged everyone to attend next year.

16k. Councilmember Witkowsky commented on the Torrance Sister City Association Sayonara Banquet for the Kashiwa exchange students and stated that she looked forward to visiting Kashiwa with the Torrance Sister City Association for the 30th anniversary.

16l. Councilmember Witkowsky reported receiving many calls about the Downtown Street Faire from residents and merchants and she expressed hope that middle ground could be reached. City Manager Jackson suggested that organizers contact the License Review Board for a hearing.

16m. Mayor Walker commented on his and former Councilman Bill Applegate's gastronomic experiences during the cook off with Iron Chef Morimoto.

16n. Jeff Jackson, Cardiff by the Sea, an attorney representing Joy Spa, stated that his request for an appeal hearing on the matter of the revocation of its business license had been deemed as untimely filed by the City Clerk and requested that the City Council hear the appeal citing TMC sections 11.5.1 and 11.6.1.

16o. City Attorney Fellows advised the City Council that there was sufficient ambiguity between the Municipal Code and the long-standing practice of the City Clerk's office that they could take action under the Council Rules to direct staff to place the item on a future agenda should they choose to do so.

16p. Councilmember Scotto moved with a second by Councilmember Witkowsky, to have staff place the appeal on a future agenda and directed the City Clerk to bring back an item to amend TMC Section 11.5.1 to remove ambiguities. A roll call vote reflected approval with Councilmember Nowatka dissenting.

16q. Steve Draisler, Executive Director of Lawndale Chamber of Commerce, requested a temporary use permit to conduct a used car carnival and was advised to contact the Planning Department.

16r. Albert Roman, Palos Verdes Peninsula, speaking on behalf of Falun Gong, an exercise in meditation which he and his fellow practitioners practice in Wilson Park.

16s. Yun Nie reported that over 100 million people in the world practice Falun Gong.

17. EXECUTIVE SESSION

Considered earlier in the meeting.

18. ADJOURNMENT

At 8:19 p.m., the meeting was adjourned to Tuesday, September 10, 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. Tuesday, September 3, 2002 will be a Council dark night.

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers
City Clerk of the City of Torrance

Approved on September 24, 2002