

**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, December 17, 2002, in City Council Chambers at Torrance City Hall.

**ROLL CALL**

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

Absent: None.

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

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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 agenda matters listed under 17a) Conference with Labor Negotiator; 17b) Conference with Legal Counsel – Anticipated Litigation, and 17c) Conference with Legal Counsel – Existing Litigation, pursuant to California Government Code Sections 54957.6, 54956.9(c) and 54956.9(a).

The Council reconvened in Council Chambers at 7:00 p.m.

**2. FLAG SALUTE/INVOCATION**

The Pledge of Allegiance was led by Councilmember Mauno.

Major Don Gilger, The Salvation Army, gave the invocation for the meeting.

**3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING**

**MOTION:** Councilmember Lieu 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 Nowatka, and passed by unanimous roll call vote.

**MOTION:** Councilmember Lieu 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 Nowatka and passed by unanimous roll call vote.

**4. WITHDRAWN OR DEFERRED ITEMS**

None.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

City Clerk Herbers announced that applications for appointment to the various commissions were being accepted in the City Clerk's office until January 8, with appointments to be made by the City Council at its meeting of January 14, 2003.

7. **CONSENT CALENDAR**

7a. **APPROVAL OF MINUTES – SEPTEMBER 24 AND OCTOBER 15, 2002**

7b. **PURCHASE ORDER RE LIGHT EMITTING DIODE TRAFFIC SIGNAL MODULES**

**Recommendation**

Recommendation of the **Street Services Director** that City Council:

- 1) Appropriate \$30,694 received from the California Energy Commission Light Emitting Diode (LED) Reimbursement Program into the Traffic Signal Retrofits Project (FEAP 240) for the purchase of additional LED's; and
- 2) Authorize a purchase order to be issued to Dialight Corporation of Manquan, NJ, in the amount of \$30,694, for the purchase of (LED) traffic signal modules for various signalized intersections within the City.

7c. **PURCHASE ORDER RE PRINTING OF 2003 TORRANCE SEASONS PUBLICATION**

**Recommendation**

Recommendation of the **City Manager** that City Council authorize a purchase order be issued for an amount not-to-exceed \$47,353.94, which includes a 10% contingency to allow for extra pages if required, to Southwest Offset Printing Co., Inc., Gardena, CA, to print and deliver the 2003 Torrance Seasons publication. (B2002-45)

7d. **PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT**

**Recommendation**

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

- 1) Appropriate \$25,946.10 from the Parks and Recreation Open Space Fund into the Replacement of Playground Equipment at Torrance Park Project (FEAP 151); and
- 2) Authorize a sole-source purchase order with Miracle Recreation in the amount of \$85,946.10, for the acquisition and installation of playground equipment and rubberized play surfacing at Torrance Park.

7e. **CONTRACT WITH MAIN STREET TOURS RE SENIOR CITIZEN EXCURSIONS**

**Recommendation**

Recommendation of the **Parks and Recreation Director** that City Council approve contracts with Main Street Tours in the amount of \$39,784 and with American Travel Club/Tours in the amount of \$6,192, for a total amount not-to-exceed \$45,976, for Senior Citizens Program excursions planned for the months of January through June, 2003.

7f. **APPROPRIATION OF STATE OF CALIFORNIA LAW ENFORCEMENT TECHNOLOGY GRANT FOR TECHNOLOGY UPGRADES**

**Recommendation**

Recommendation of the **Chief of Police** that City Council appropriate and allocate \$73,424 from the State of California Law Enforcement Technology Grant into Mobile Data Computer Upgrade Phase 1 (FEAP 213) for the purchase of technology upgrades.

7g. **APPROVAL OF FINAL TRACT MAP NO. 53526**

**Recommendation**

Recommendation of the **Engineering Director** that City Council approve Final Tract Map No. 53526, consisting of nine (9) lots with Lot 7 serving as a common area lot for Lots 1 through 6, located on the Western Way cul-de-sac, west of Western Avenue.

7h. **VENDOR CONTRACTS RE ANNUAL REQUIREMENT OF IRRIGATION PVC AND SPRINKLER PARTS**

**Recommendation**

Recommendation of the **General Services Director** that City Council authorize vendor contracts to Marsan Turf of San Dimas, CA in an amount not-to-exceed \$34,000 and Smith Pipe Supply of Santa Monica, CA in an amount not-to-exceed \$1,000 for the purchase of the City's annual requirement of Irrigation PVC and Sprinkler parts on an "as needed basis" (B2002-42). The vendor contracts will be for a 12-month term, beginning December 18, 2002 and ending December 17, 2003.

7i. **AMENDMENT TO SERVICE AGREEMENT WITH L.A. COUNTY DEPARTMENT OF COMMUNITY AND SENIOR SERVICES**

**Recommendation**

Recommendation of the **Human Resources Director** that City Council accept and ratify the administrative changes made to the County of Los Angeles Department of Community and Senior Services (DCSS) Agreement C2002-232.

7j. **APPROPRIATION OF WORKFORCE INVESTMENT FUNDS AND AMENDMENT OF AGREEMENT WITH CITY OF HAWTHORNE**

**Recommendation**

Recommendation of the **Human Resources Director** that City Council:

- 1) Accept and appropriate \$1,401,919 in WIA Rapid Response funds to the Workforce Development Division (WDD) budget; and
- 2) Execute an amendment to agreement C2002-124 with the City of Hawthorne to provide services to dislocated aerospace workers affected by the September 11 disaster. The amendment reduces the amount of funding from \$966,750 to \$407,831 and extends the completion date from December 31, 2002 to June 30, 2003.

7k. **AMENDMENT TO AGREEMENT WITH BURKE, WILLIAMS & SORENSEN FOR LEGAL SERVICES**

**Recommendation**

Recommendation of the **City Attorney** that City Council:

- 1) Approve the first amendment to the agreement with Burke, Williams, & Sorensen in an amount not-to-exceed \$43,365;
- 2) Approve a loan from the General Fund Reserve for Program Contingencies in the amount of \$43,365 with interest to be accrued based on the prevailing rate paid to the City on its investment and to be repaid upon availability of drainage funds; and
- 3) Appropriate the loan of \$43,365 into the National Pollutant Discharge Elimination System (NPDES) Project (FEAP 372) in the Drainage Improvement Fund.

7l. **CONSULTING SERVICES AGREEMENT RE CRENSHAW BOULEVARD REHABILITATION PROJECT T-32**

**Recommendation**

Recommendation of the **Engineering Director** that City Council:

- 1) Approve a consulting services agreement with CALTROP Engineering Corporation in the amount of \$68,636 for inspection and materials testing in conjunction with the Crenshaw Boulevard Rehabilitation Project, Pacific Coast Highway to Skypark Drive, T-32; and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

**7m. CONSULTING SERVICES AGREEMENT RE ANZA AVENUE PROJECT T-29**

**Recommendation**

Recommendation of the **Engineering Director** that City Council:

- 1) Approve a consulting services agreement in the amount of \$19,200 with Labelle-Marvin, Inc. to perform a pavement investigation and analysis in conjunction with the Anza Avenue (Sepulveda Boulevard to Del Amo Boulevard) Project, T-29; and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

**7n. APPROPRIATION OF FUNDS FOR PURCHASE OF DATA NETWORK EQUIPMENT**

**Recommendation**

Recommendation of the **Acting Information Technology Director** that City Council approve the authorization of \$45,500 from Data Communications Replacement Fund and authorize the purchase of a used Cisco Catalyst 6509 Switch for the West Annex building and a used Cisco 3600 Router for City Hall building in the amount not-to-exceed \$45,500 from Network Hardware Resale.

**7o. CONTRACT FOR TEMPORARY BUILDING INSPECTION**

**Recommendation**

Recommendation of the **Building and Safety Director** that City Council approve a consulting services agreement with JAS Pacific, Inc. for building inspection services on a temporary basis for the remainder of Fiscal Year 2002-2003, in the amount of \$90,000.

**MOTION:** Councilmember Nowatka moved for the approval of Consent Calendar Items 7a through 7o. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

**11. ADMINISTRATIVE MATTERS**

**11a. CONTINUATION OF STATE OF LOCAL EMERGENCY RE CAROLWOOD/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.

Building and Safety Director Isomoto reported that the recent storm caused no apparent changes or additional damage to the slope.

**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. SUSPENSION OF SECTION 8 RADIO INTERFERENCE (B) REQUIREMENT UNTIL JANUARY 2003**

**Recommendation**

Recommendation of the **Land Management Team** that City Council suspend SECTION 8 **RADIO INTERFERENCE** (B) of Lease Number C20000-129 requiring an annual meeting to be held in October until January 2003.

Assistant to the City Manager Sunshine reported that the lessee has requested postponement of the annual meeting as they continue negotiations to relocate the tower.

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

**11c. AUTHORIZATION OF EXAMINATION FOR INFORMATION TECHNOLOGY DIRECTOR**

**Recommendation**

Recommendation of the **City Manager, Civil Service Administrator** and the **Civil Service Commission** that City Council authorize an examination to fill the position of Information Technology Director on a promotional basis.

Councilmember Witkowsky asked about the procedure should none of the 6 to 10 qualified City employees apply for this position. Civil Service Administrator Ghio stated that he was confident that there would be at least six applicants for this position and noted that the job announcement would be posted after the first of the year and the eligible list should be ready by the end of February.

**MOTION:** Councilmember Scotto moved to authorize the examination. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

**11d. WAIVER OF PERMIT FEES FOR CAROLWOOD/SINGINGWOOD HILLSIDE REPAIRS**

**Recommendation**

Recommendation of the **Building and Safety Director** that City Council approve a Resolution waiving permit fees for the repair work at the Carolwood/Singingwood hillside slope failure area in exchange for a liability waiver from the property owners.

**RESOLUTION NO. 2002-127**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, WAIVING PERMIT FEES FOR HILLSIDE SLOPE REPAIR WORK IN THE AREA OF CAROLWOOD LANE AND SINGINGWOOD DRIVE

**MOTION:** Councilmember Witkowsky moved for the approval of Resolution No. 2002-127. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

**11e. TORRANCE MUNICIPAL CODE AMENDMENT RE STAFF PROMULGATION OF ELIGIBLE LISTS**

**Recommendation**

Recommendation of the **Civil Service Administrator** and the **Civil Service Commission** that City Council adopt an Ordinance amending Torrance Municipal Code Sections 14.12.10 and 14.16.1 to provide for staff promulgation of eligible lists and amending Section 14.3.2 to insure a choice among five names in appointments to division head positions in the Police or Fire Departments.

**ORDINANCE NO. 3529**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 14.3.2, SECTION 14.12.10 AND SECTION 14.16.1 OF THE TORRANCE MUNICIPAL CODE, RELATING TO CHOICE AMONG FIVE NAMES IN APPOINTMENTS TO DIVISION HEAD POSITIONS IN THE POLICE OR FIRE DEPARTMENTS AND STAFF PROMULGATION OF ELIGIBLE LISTS

**MOTION:** Councilmember Witkowsky moved for the adoption of Ordinance No. 3529. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

**11f. REVISIONS TO CONFLICT OF INTEREST CODE**

**Recommendation**

Recommendation of the **City Clerk** that City Council approve revisions and modifications to the City of Torrance Conflict of Interest Code due to title modifications and reorganizations and to incorporate by reference FPPC Regulation 18730.

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

**11g. AMENDMENT TO LEASE AGREEMENT BETWEEN CITY AND TORRANCE FLITE PARK**

**Recommendation**

Recommendation of the **City Manager** and the **Land Management Team** to:

- 1) Approve the amendment to lease between the City and Torrance Flite Park reducing East Parcel acreage, with a corresponding reduction in minimum basic rent; and
- 2) Concur with proposed terms and conditions to be incorporated in a subsequent amendment to lease with authority to Mayor to sign both documents.

Assistant City Manager Giordano outlined the proposed revisions to the Lease Agreement with Torrance Flite Park (per written material of record).

Mayor Walker thanked Ralph Martin, Managing Member of Torrance Flite Park, for his cooperation.

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

**11h. SETTLEMENT AGREEMENT RE 2829 MARICOPA STREET**

**Recommendation**

Recommendation of the **City Attorney** that City Council:

- 1) Approve the settlement agreement with Harvest Fire Crusade and Media, Inc. and the Statement of Intent with Maricopa Properties, L.P., resolving issues concerning the use of the property located at 2829 Maricopa Street;
- 2) Appropriate and authorize the payment of \$300,000 relocation assistance to Harvest Fire; and
- 3) Authorize the Mayor to execute and the City Clerk to attest to the settlement agreement.

City Attorney Fellows noted supplemental material available at the meeting. He advised that the Settlement Agreement and the Statement of Intent outline the terms of agreement that the Council gave conceptual approval last week, which resolves the dispute involving Harvest Fire's use of the property at 2829 Maricopa Street. He recommended that the Council authorize the Mayor to sign the documents when they have been finalized to his satisfaction.

**MOTION:** Councilmember Scotto moved to concur with the staff recommendation, authorizing the Mayor to sign when all documents have been finalized to the City Attorney's satisfaction. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

**11i. CABLE TELEVISION FRANCHISE EXTENSION**

**Recommendation**

Recommendation of the **City Manager** that City Council to approve a Resolution granting a ninety-day extension of the cable television franchise through March 31, 2003.

**RESOLUTION NO. 2002-128**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE  
APPROVING THE EXTENSION OF THE CABLE TELEVISION FRANCHISE TERM  
PENDING COMPLETION OF NEGOTIATIONS FOR A FRANCHISE RENEWAL

**MOTION:** Councilmember Witkowsky moved for the approval of Resolution No. 2002-128. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

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The Redevelopment Agency met from 7:17 p.m. to 7:22 p.m.

**16. ORAL COMMUNICATIONS**

**16a.** Mayor Walker noted the attendance of the West High School government class.

**16b.** City Manager Jackson expressed holiday wishes to all.

**16c.** City Attorney Fellows reported that City Council in closed session unanimously approved the City Attorney to join in an Amicus Brief: Schifando v. City of Los Angeles, Case No. 97 CAL. APP. 4<sup>TH</sup> 312 (6<sup>TH</sup> DIST. FEB.27, 2002 (REV. GRANTED, (JUL. 10, 2002). He noted that the case deals with issues related to employees exhausting all administrative remedies with the city before they can file a complaint with the Department of Fair Housing and Employment.

**16d.** Councilmember Lieu, as Chair of the City Council Public Safety Committee, asked staff to set up a meeting of the committee, with topics to include feedback on the recent disaster drill and an update on city disaster preparedness.

**16e.** Councilmember Mauno reported that he recently had an opportunity to ride on the Torrance Police Officers Association float and thanked police officers and City employees who donate their time to bring Santa to local children.

16f. Councilmember McIntyre commented that there seemed to be more decorations this year, which has made the holiday season very festive, and thanked everyone for their extra efforts.

16g. Councilmember Nowatka wished everyone a happy and safe holiday season.

16h. Councilmember Scotto echoed Councilmember Nowatka's comments and encouraged people not to drink and drive.

16j. Mayor Walker stated that he found this year to be very rewarding and fulfilling, a culmination of 23 years in public office, and thanked staff, citizens and colleagues.

17. **EXECUTIVE SESSION**

- a. CONFERENCE WITH LABOR NEGOTIATOR  
(California Government Code § 54957.6):  
Agency Negotiator: LeRoy J. Jackson  
Employee Organization/Associations
- b. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
(California Government Code § 54956.9(c):
  - 1. Request for Participation in Amicus Brief: Schifando v. City of Los Angeles  
Case No. 97 CAL. APP. 4<sup>TH</sup> 312 (6<sup>TH</sup> DIST. FEB.27, 2002 (REV. GRANTED,  
(JUL. 10, 2002)
- c. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(California Government Code § 54956.9 (a):
  - 1. Jack McCarter (deceased)/ Irma McCarter v. City of Torrance  
WCAB # MON – unassigned

Considered earlier in the meeting, see page 1. Action on Item 17b (1) reported under Orals 16c. No other formal action was taken on any matter considered in closed session.

18. **ADJOURNMENT**

At 7:30 p.m., the meeting was adjourned to Tuesday, January 7, 2003, for the regular meeting commencing at 6:00 p.m. in the Council Chambers.

**Tuesday, December 24, 2002 and Tuesday, December 31, 2002 will be Council dark nights.**

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 February 11, 2003