

April 18, 2000

**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 5:32 p.m. on Tuesday, April 18, 2000, in City Council Chambers at Torrance City Hall.

**ROLL CALL**

Present: Councilmembers Cribbs, Messerlian, Nowatka, Scotto, Walker Witkowsky and Mayor Hardison.

Absent: None.

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

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Agenda Item Agenda Item 16 was considered out of order at this time.

**16. EXECUTIVE SESSION**

At 5:32 p.m., pursuant to Government Code Sections 54957.6, 54956.9(a) and 54956.8, the Council recessed into a closed session to discuss matters listed on the meeting agenda. Councilmember Scotto announced that he would be abstaining from consideration of Item 16c as the property was within 300 feet of his business.

The Council reconvened in Council Chambers at 7:09 p.m. No formal action was taken on any matter considered in closed session.

**2. FLAG SALUTE/INVOCATION**

The Pledge of Allegiance was led by Youth Council member Rosie Haq.

City Clerk Herbers gave the invocation for the meeting.

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

**MOTION:** Councilmember Cribbs 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 Messerlian and, there being no objection, it was so ordered by Mayor Hardison.

**MOTION:** Councilmember Cribbs 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 Messerlian and, there being no objection, it was so ordered by Mayor Hardison.

4. **WITHDRAWN OR DEFERRED ITEMS**

None.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Mayor Hardison asked that the meeting be adjourned in memory of Ben Cesca, father of City employee Maria Cesca.

City Clerk Herbers invited the public to view the works of Torrance Artist Guild member Betty Kohler as the Art on View artist of the month.

Mayor Hardison announced a computer and electronic recycling event to be held in conjunction with Earth Day on Saturday, April 22, from 9 a.m. to 3:00 p.m. at the Torrance City Hall east parking lot. Contact Street Services at 781-6900 for more information.

7. **CONSENT CALENDAR**

7a. **APPROVAL OF MINUTES – FEBRUARY 22, 2000**

7b. **EMPLOYMENT AND TRAINING AGREEMENT AMENDMENTS**

**Recommendation**

Recommendation of the Human Resources Director that City Council execute amendments to agreements for employment and training workshop services with JagTag Enterprises (C99-142) and Liz Mohler and Associates (C99-143) that adds \$80,000 to each agreement and extends the contract terms through June 30, 2001.

7c. **PURCHASE ORDERS RE ANNUAL REQUIREMENT OF SPORTS EQUIPMENT**

**Recommendation**

Recommendation of Parks and Recreation Director that City Council authorize purchase orders be awarded to various vendors for the purchase of the City's annual requirement of sports equipment. Total purchase order expenditure not to exceed \$70,808.

7d. **AGREEMENT FOR REPAIR OF BUS TRANSMISSIONS**

**Recommendation**

Recommendation of the Transit Director that City Council approve and authorize the Mayor to execute and City Clerk to attest to a one-year agreement with S & J Chevrolet to repair and rebuild the Allison transmissions of the Torrance Transit buses for an annual cost not to exceed \$120,000.

**7e. CONTRACT RE CITY YARD SECURITY**

**Recommendation**

Recommendation of the General Services Director that City Council award a contract to Wells Fargo Guard Services for a 4-month period at a cost not to exceed \$28,000.

**7f. PROFESSIONAL SERVICES AGREEMENT RE GEOTECHNICAL SERVICES**

**Recommendation**

Recommendation of the Engineering Director that City Council:

- 1) Approve a Professional Services Agreement with Geo-Environmental, Inc., in an amount not to exceed \$140,000 for Geotechnical and Geological engineering support, construction observation and testing, and field investigations for Fiscal Year 1999-2000 Capital Improvement Projects; and
- 2) Authorize the Mayor to execute and City Clerk to attest said Agreement.

**7g. PURCHASE ORDERS RE ANNUAL REQUIREMENT FOR T-SHIRTS, SWEATSHIRTS AND JACKETS**

**Recommendation**

Recommendation of the Finance Director and the Parks and Recreation Director that City Council authorize purchase orders be issued for an annual anticipated amount not to exceed \$105,000 for use by the Parks & Recreation Department, to Robinhood Enterprises, Torrance, CA, and another purchase order to the same vendor for an amount not to exceed \$23,500 for use by other departments (city-wide) for the purchase of t-shirts, sweatshirts, jackets, etc.

**7h. FY99-00 FTA URBANIZED FORMULA PROGRAM GRANT APPLICATION**

**Recommendation**

Recommendation of the Transit Director that City Council approve and authorize the City Manager to apply for and the Transit Department to submit an on-line application for an amount not to exceed \$2,493,000 in Federal Transit Administration (FTA) Urbanized Area Formula Program Funds to assist in financing bus replacements.

**7i. AWARD OF BID AND APPROPRIATION OF FUNDING FOR KATY GIESSERT CIVIC CENTER LIBRARY**

**Recommendation**

Recommendation of the City Librarian that City Council concur in awarding a bid to TriSpan, Inc., for the construction of the Katy Geissert Civic Center Library basement in the amount of \$763,000; appropriate \$226,000 from the Public Library Fund; and accept and appropriate \$50,000 from the Friends of the Library for this project.

Mayor Hardison accepted a check from Theresa Covey, representing the Friends of the Library, and expressed her appreciation for their continued support of the City's libraries.

7j. **CONSULTING SERVICES AGREEMENT RE STREET LIGHTING ASSESSMENT DISTRICT (LD2000-01)**

Considered separately, see below.

**MOTION:** Councilmember Walker moved for the approval of Consent Calendar Items 7a through 7i. The motion was seconded by Councilmember Cribbs and passed by unanimous roll call vote, with Councilmembers Nowatka, Scotto and Witkowsky abstaining on Item 7a.

Consent Calendar Item 7j was considered separately at this time.

7j. **CONSULTING SERVICES AGREEMENT RE STREET LIGHTING ASSESSMENT DISTRICT (LD2000-01)**

**Recommendation**

Recommendation of the Planning Director that City Council approve the expenditure of \$55,000 and execute a Consulting Services Agreement with David Taussig & Associates, Inc., to prepare and administer the Street Lighting Assessment District (LD 2000-01).

Planning Director Gibson briefly outlined the scope of the services to be performed by David Taussig & Associates, Inc. (DTA) according the terms of the agreement.

Mr. Newton Young, 22637 Hickory Avenue, voiced his objection to the “hold harmless” clause in the agreement which states that the City agrees to defend and hold harmless the consultant from any and all claims arising out of or related to the definition or interpretation of “special benefit” as used in the Right to Vote on Taxes Act (Proposition 218). He related his understanding that DTA was the same engineering firm that established an earlier Street Lighting Assessment District based on property frontage which was overturned after being challenged legally and urged the Council not to approve the agreement.

City Attorney Fellows noted that there have been numerous legal actions involving Proposition 218 and related issues and explained that the City did not believe it was appropriate to hold DTA responsible for subsequent court rulings that do not involve the actual mechanical calculation of assessments. He offered clarification that DTA was not the firm that prepared the Street Lighting Assessment District that was challenged.

Mr. G. Rick Marshall, 2065 W. 235<sup>th</sup> Street, commented on a petition he had recently submitted regarding the repeal of the Street Lighting District, which failed to qualify for placement on the ballot, and asked the Council to consider using the money that would be spent on this contract to fund a special election to determine if voters want this assessment to continue in its present form.

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

8. **COMMUNITY SERVICES**

8a. **PROPOSAL RE SKATEBOARD PARK AND BATTING CAGES AT WILSON PARK**

**Recommendation**

Recommendation of the Parks and Recreation Commission and the Parks and Recreation Director that City Council approve a proposal from the Torrance Skate Association to build, operate and maintain a skateboard park on the pavilion at Charles Wilson Park at no cost to the City; and that the concept of including batting cages as part of the project be deferred until the skateboard park is operational, and after a study has been undertaken to determine the cumulative impacts of existing improvements and programs on parking and circulation at Wilson Park.

Parks and Recreation Director Barnett presented the staff report (per written material of record).

Councilmember Messerlian related his pleasure that the skateboard park was finally becoming a reality; expressed confidence in Torrance Skate Association's (TSA) ability to run a successful operation; and offered the following motion:

**MOTION:** Councilmember Messerlian moved to concur with the staff recommendation. The motion was seconded by Councilmember Cribbs, and discussion continued.

Councilmember Witkowsky commended TSA for their efforts to provide a safe, well-designed place for children to skateboard, stating that she thought it would be a wonderful addition to the City.

Councilmember Scotto indicated that he was strongly in favor of this proposal.

Mr. Tom Peffer, President of TSA, thanked the Council for giving him the opportunity to put together this proposal and introduced members of the design team who were present in the audience.

Noting that she had first approached Mr. Peffer about a skateboard park a couple of years ago, Mayor Hardison commended him for the team he assembled and the proposal brought forward. Voicing support for the staff recommendation, she proposed deferring consideration of the batting cages until the skateboard park has been operational for six months to ensure that no parking problems have developed.

Councilmember Nowatka pointed out that the skateboard park and the batting cages represent a combined benefit of \$500,000 to the City, being funded by TSA at no cost to the City, and questioned whether some savings in construction costs could be realized if both facilities were built at the same time. Mr. Peffer indicated that although TSA would love to build both facilities at the same time, they understood the concerns about parking and were willing to wait six months to build the batting cages.

Paul Seo, Chair of the Youth Council, and members Charles Leone and Rosie Haq voiced support for the proposal. Mayor Hardison asked if the Youth Council would

be willing to host a meeting to inform young people in the community about the plans for the skateboard park, and Mr. Seo indicated that they would be pleased to do so.

Councilmember Nowatka stated that he did not believe that nine batting cages would have a significant impact on parking at Wilson Park and saw no need to wait six months to build them. He offered the following substitute motion:

**MOTION:** Councilmember Nowatka moved to approve the proposal of Torrance Skate Association to build, operate and maintain a skateboard park and batting cages at Wilson Park at no cost to the City. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

Mayor Hardison commented that she would have preferred to defer consideration of the batting cages for six months because of parking concerns but that there was no way she would vote against this proposal.

**11. ADMINISTRATIVE MATTERS**

**11a. SELECTION OF CITY COUNCIL STANDING COMMITTEE CHAIRS AND MEMBERS**

**Recommendation**

Recommendation of City Manager that the City Council select the Council standing committee chairs and members.

Councilmembers chose committees according to their seniority on the Council as follows:

<b>COMMITTEE</b>	<b>CHAIR</b>	<b>MEMBERS</b>
Community Planning and Design	Walker	1) Messerlian 2) Nowatka
Public Safety	Witkowsky	1) Nowatka 2) Cribbs
Transportation	Scotto	1) Witkowsky 2) Messerlian
Citizen Development and Enrichment	Cribbs	1) Scotto 2) Walker
Finance and Governmental Operations	Messerlian	1) Cribbs 2) Walker
Employee Relations	Nowatka	1) Scotto 2) Witkowsky

Mayor Hardison noted that additional committee assignments and appointments would be made within the next few weeks.

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The Council met as the Redevelopment Agency from 8:02 p.m. to 8:05 p.m.

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**15. ORAL COMMUNICATIONS**

Fire Chief Bongard announced that the Fire Recruit Graduation would be held on Thursday, April 20, 2000, at 3:00 p.m. at the Cultural Arts Center Meeting Hall.

Councilmember Messerlian congratulated Torrance Sister City Association for a successful Bunka Sai event over the weekend.

In response to Mayor Hardison's inquiry, Fire Chief Bongard reported that a team had recently presented the Torrance Community Safety Program at a national conference in St. Louis and that the presentation was well received and would be repeated on the West Coast.

Mr. Rick Marshall, 2065 W. 235<sup>th</sup> Street, congratulated new members of the Council.

Mr. Marshall asked for additional information regarding the formation of the Street Lighting District (Agenda Item 7j) and requested that the City Council hold a special election for his proposed initiative on the repeal of the Street Lighting District.

Councilmember Nowatka commended both the Fire and Police Departments for their response to a criminal activity on the previous Friday.

**16. EXECUTIVE SESSION**

Considered earlier in the meeting, see page 1.

**17. ADJOURNMENT**

At 8:11 p.m., the meeting was adjourned to Tuesday, April 25, 2000, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in Council Chambers.

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***Adjourned in Memory of  
Ben Cesca***