

July 11, 2000

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

1. CALL TO ORDER

The Torrance City Council convened in a regular meeting at 5:34 p.m. on Tuesday, July 11, 2000, in the 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, Assistant City Attorney Pohl, City Clerk Herbers and other staff representatives.

16. EXECUTIVE SESSION

The Council recessed to closed session to confer with the City Manager and the City Attorney on the agenda matters listed under items 16.a) Conference with Labor Negotiator; 16.b) Conference with Legal Counsel – Existing Litigation; and 16.c) Real Property - Conference with Real Property Negotiator pursuant to California Government Code Sections 54957.6, 54956.9 (a), and 54956.8.

The City Council reconvened at 7:34 p.m. with Deputy City Clerk Robinson replacing City Clerk Herbers for the meeting.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Boy Scout Troop #310, Bruce Maass, Scoutmaster.

The invocation was given by David Lau, Bread of Life World Mission.

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 Nowatka and voice vote reflected unanimous approval.

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 Nowatka and voice vote reflected unanimous approval.

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Hardison asked that the meeting be adjourned in the memory of retired Parks and Recreation employee, Roy Lee.

Councilmember Cribbs announced a Citizen Development and Enrichment Committee meeting on Wednesday, July 26 at 5:30 p.m. in the Third Floor Assembly Room regarding the Madrona Marsh Nature Center.

Councilmember Cribbs announced a meeting on July 21 at 9:30 a.m. at the Police Department for a review of the 2000 Armed Forces Day Parade.

6. COMMUNITY MATTERS

6a. RESOLUTION NO. 2000-85 RE JANE M. DESMOND

RESOLUTION NO. 2000-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING AND COMMENDING JANE M. DESMOND UPON HER RETIREMENT FROM THE CITY AFTER ELEVEN YEARS OF SERVICE.

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2000-85. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

Mayor Hardison presented the resolution to Jane Desmond and thanked her for her years of service. Street Services Director Bell stated that it had been a privilege to work with Ms. Desmond and she would be missed. Ms. Desmond noted that she had been lucky to do something she loved.

6b. RESOLUTION NO. 2000-88 RE CULTURAL ARTS CENTER NAMING

RESOLUTION NO. 2000-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE NAMING THE CULTURAL ARTS CENTER MEETING HALL IN HONOR OF TOYOTA MOTOR SALES, INC.

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2000-88. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

To be presented at a later date.

6c. PRESENTATION TO KATHRYN JOINER

Presentation of plaque to Kathryn Joiner, Director of Community Service, Torrance Memorial Medical Center, for her service on the PIC Board of Directors from 1995-2000.

Mayor Hardison remarked that she had recruited Ms. Joiner for the Private Industry Council and thanked her for her hard work. Ms. Joiner noted that it had been a privilege and a pleasure to represent the City and added that she appreciated all the help that the staff and PIC had given her.

7. CONSENT CALENDAR

7a. APPROVAL OF MINUTES – JANUARY 25, MAY 23, JUNE 6, 2000 and MAY 16, 2000 BUDGET WORKSHOP

7b. PURCHASE ORDER RE ECLIPS

Recommendation

Recommendation of the City Manager that City Council authorize a purchase order in the amount of \$90,046.68 to Eclips of Hollywood, California, to purchase and install a post production system and a camera dockable VTR. FEAP No. 187 (Facility, Equipment and Automation Action Plan).

7c. PURCHASE ORDER RE HOFFMAN VIDEO

Recommendation

Recommendation of the City Manager that City Council:

- 1) Authorize a purchase order in the amount of \$61,360.59 to Hoffman Video of Burbank, California, to purchase a television graphics workstation; and
- 2) Appropriate additional funding in the amount of \$37,360.59 for a total expenditure of \$61,360.59.

FEAP No. 107 (Facility, Equipment and Automation Action Plan).

7d. REVISED FUNDING SOURCES FOR RESIDENTIAL CURB, GUTTER AND SIDEWALK REPLACEMENT PROGRAM

Recommendation

Recommendation of the Engineering Director that City Council approve revising the funding sources for the Residential Curb, Gutter and Sidewalk Replacement Program I-1 to expend additional Transportation Development Act, Article 3 (TDA-3) funds as needed to prevent lapsing of funds.

7e. **PURCHASE ORDER RE JCI JONES CHEMICALS, INC.**

Recommendation

Recommendation of the Engineering Director that City Council authorize a purchase order to JCI Jones Chemicals, Inc. of Torrance, CA in the amount of \$77,533.50 to furnish and deliver the City's annual requirement for sodium hypochlorite solution (12%) on an annual "as needed basis" effective July 14, 2000 through June 30, 2001.

7f. **PURCHASE ORDER RE KIMBALL MIDWEST**

Recommendation

Recommendation of the General Services Director that City Council authorize an annual purchase order to be issued to Kimball Midwest of Columbus, OH in the amount of \$60,000 for the purchase of automotive hardware and fasteners for various City vehicles.

7g. **CONTRACT RE WCM & ASSOCIATES**

Recommendation

Recommendation of the General Services Director that City Council authorize a contract to WCM & Associates of San Bernardino, CA for an amount not to exceed \$78,000 to replace the cooling coils and perform associated work on two air handling units serving the City Hall.
FEAP Nos. 30 & 31 (Facility, Equipment and Automation Action Plan).

7h. **AMENDMENT TO CONTRACT WITH LETNER ROOFING**

Recommendation

Recommendation of the General Services Director that City Council approve an amendment to the Letner Roofing contract in the amount of \$23,861 for additional costs incurred during the re-roofing of the Police Department, El Retiro Library and portions of the West Wing of City Hall.

7i. **APPROPRIATION OF PARKS AND RECREATION FUNDS TO CULTURAL ARTS DIVISION OPERATING BUDGET**

Recommendation

Recommendation of the Parks and Recreation Director that City Council approve the appropriation of \$3,000 from the Parks and Recreation Enterprise Fund donation account to the Cultural Services Division operating budget, for awards to student winners in the 36th Congressional High School Art Competition held May 6-27, 2000 at the Joslyn Fine Art Gallery.

7j. **PURCHASE ORDER RE ECONOLITE CONTROL PRODUCTS**

Recommendation

Recommendation of the Street Services Director that City Council authorize a purchase order be issued to Econolite Control Products of Anaheim, California, in the anticipated amount of \$85,000 plus a 5% contingency of \$4,250 for a total of

\$89,250 for the sole source purchase of traffic control equipment and signal hardware on an “as needed basis.”

7k. SETTING OF PUBLIC HEARING RE PROPOSED 195th STREET UNDERGROUND UTILITY DISTRICT 16

Recommendation

Recommendation of the Underground Utility Committee that City Council set a Public Hearing for August 22, 2000 at 7:00 p.m. regarding the proposed 195th Street Underground Utility District (UUD No. 16).

7l. SETTING OF PUBLIC HEARING RE MODIFICATION OF UNDERGROUND UTILITY DISTRICT NO. 14 (HAWTHORNE BOULEVARD)

Recommendation

Recommendation of the Underground Utility Committee that City Council set August 1, 2000 at 7:00 p.m. as the date for a Public Hearing for a proposed modification of existing Underground Utility District (UUD No. 14) on Hawthorne Boulevard and direct the City Clerk to notify all property owners affected by UUD No.14.

7m. AUTHORIZATION TO CONTINUE HARBOR ONE-STOP CAREER CENTER SERVICES

Recommendation

Recommendation of the Human Resources Director that City Council authorize the continuation of Harbor One-Stop Career Center Services pending the execution of the 2000-2001 Workforce Investment Act (WIA) agreement with the City of Los Angeles.

MOTION: Councilmember Walker moved for the approval of the Consent Calendar as written. The motion was seconded by Councilmember Messerlian and passed by unanimous roll call vote with Councilmembers Scotto, Nowatka and Witkowsky abstaining from approval of the January 25, 2000 minutes.

9. PLANNING AND ECONOMIC DEVELOPMENT

9a. ORDINANCE NO. 3483 RE PROPERTY MAINTENANCE AND NUISANCE ABATEMENT

Recommendation of the Torrance Environmental Quality Commission and the Building and Safety Director that City Council adopt an ordinance amending the Torrance Municipal Code relating to property maintenance and nuisance abatement; and further recommend approval of a summary of the ordinance to be published in lieu of the entire ordinance.

Environmental Services Administrator Cessna noted that the ordinance was largely a reorganization of the existing document and highlighted new provisions including those under Property Maintenance – fences, overgrown vegetation, commercial signage and lighting and violations of CUPs or other entitlements. Vehicle maintenance provisions were for storage of camper or cargo shells, repair or dismantling

of vehicles and utility hookups for trailers or other vehicles. The manner of nuisance designation was changed to add discretion and give more latitude on enforcement of infractions. The provisions provide for criminal or civil penalties for violations giving prosecutorial discretion and allowed for both criminal and civil penalties.

She further noted that a new section was included pertaining to the maintenance of vacant buildings and lots asking for a Property Maintenance Plan with standards of approval. That plan must include the name and contact numbers for the owners and property managers, delineate a schedule and plan of action for repairs and maintenance, with a long-term plan for the use of the property or the lot. The effect on adjacent property and financial condition of the owner are taken into consideration and, if after a year they follow through on the property maintenance plan, they can be removed from the list.

In response to an inquiry from Councilmember Walker about the cost of enforcement, Environmental Services Administrator Cessna stated that a survey would be made and problems handled as they came up. City Manager Jackson explained that the previous weed abatement program had been phased out and he noted that property owners would be put on notice if weeds became a fire hazard, but that the City is not as aggressive as it used to be.

In response to concerns raised by Councilmember Walker, Environmental Services Administrator Cessna clarified that staffing was not available to take care of weeds unless they were extreme. She further stated that most businesses are diligent about repairing holes left by replaced signs, but some are not which is why that provision was included

Councilmember Walker noted that he had been opposed to the concept of the ordinance in the past but felt that the proposed document came as close as possible to what would solve the community problems. He added that he was not uncomfortable voting for it, but stated that it should be revisited if parts of it were not working. Councilmember Walker also noted some confusing verbiage about parking campers.

She commended staff for their hard work on the ordinance and observed that it had been reviewed by realtors, the Chamber of Commerce and the Environmental Quality Commission. She added that the ordinance appeared to be something everyone would be able to use in the future and that the City would also be able to use discretion for the elderly and homeowners who were unable to take care of their property and who needed assistance.

Councilmember Nowatka thanked Environmental Services Administrator Cessna for her hard work and remarked that the basic philosophy was voluntary compliance with prosecution as a last resort.

In response to comments from Councilmember Nowatka, Environmental Services Administrator Cessna stated that, technically, a car in the driveway would be in violation of the ordinance, but that they would not enforce it unless there were neighbor complaints, at which point there would have to be an agreement between the neighbors.

In response to an inquiry from Councilmember Nowatka, Environmental Services Administrator Cessna noted that the maintenance plans would be based on those from

Pasadena. Property owners would need to come up with a reasonable plan to take care of their lot, including a timeframe. The City would then approve it if it looked reasonable or make changes as necessary, and if the owner felt the plan was unreasonable they could take it to the Environmental Quality Commission.

Councilmember Messerlian commented that the purpose of the ordinance was to pull together different sections of the code and it was not intended for the majority of property owners who maintain their properties. He noted that there were already enforcement tools at staff's disposal to go after the recalcitrant and most egregious offenders who, if they are allowed to persist, cause the neighborhood to decline.

In response to an inquiry from Councilmember Messerlian, Environmental Services Administrator Cessna clarified that the City would do what they could to enforce the ordinance, and Assistant City Attorney Pohl added that they wanted to rely on the discretion of the enforcement officer.

In response to an inquiry from Councilmember Scotto, Environmental Services Administrator Cessna explained that anyone could file a complaint and could either do so anonymously or, if they chose to disclose their name, they would be informed that their name would be available to the property owner under the Public Records Act. She also clarified for Councilmember Scotto conditions for parking of recreational vehicles.

Councilmember Witkowsky congratulated Environmental Services Administrator Cessna and staff on creating a tool for residents. She observed that the ordinance was a chance to put some teeth into constituent complaints and asked if it was possible to put an outlined version of the ordinance in the Parks and Recreation magazine. City Manager Jackson agreed to check into that as well as the suggestion from Councilmember Messerlian that the ordinance summary be published on the website.

Mayor Hardison noted that though Councilmembers had expressed concerns that the ordinance might be abused when it was originally formulated, it had worked well and in fact, some residents felt that the process had tried so hard to be fair that it moved too slowly. She added that even as an owner of an RV, she had no problem with the restrictions which try to prevent people from permanently parking on grass.

Mayor Hardison expressed concerns about people who were unable to afford to make the changes and noted that there were excellent service organizations in the community looking for projects.

In response to an inquiry from Mayor Hardison, City Manager Jackson noted that fees would correspond with the actual cost of the action being taken and added that subsidies could be made available for individuals in certain cases.

Mayor Hardison commented that concerns raised when the original laundry list was presented to the Council seemed to have been taken into consideration, and though she continues to get letters about other issues, the ordinance was a good first step and the other issues could be addressed in the future.

Councilmember Walker expressed concerns that the ordinance be used for the betterment of the community and reservations about it setting neighbor upon neighbor and forcing the City into a situation which should not be a governmental concern.

Mayor Hardison countered that the ordinance provided leeway for the City to use discretion in enforcement

ORDINANCE NO. 3483

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING ARTICLE 32 OF CHAPTER 2 AND ARTICLE 35 OF CHAPTER 2 OF DIVISION 9 OF THE TORRANCE MUNICIPAL CODE RELATING TO PROPERTY MAINTENANCE AND NUISANCE ABATEMENT AND ADDING ARTICLE 38 TO DIVISION 9 OF THE TORRANCE MUNICIPAL CODE.

MOTION: Councilmember Messerlian moved for the adoption of Ordinance No. 3483. The motion was seconded by Councilmember Cribbs and passed by unanimous roll call vote.

MOTION: Councilmember Cribbs moved to publish a summary of the ordinance. Councilmember Messerlian seconded the motion and a roll call vote reflected unanimous approval.

11. ADMINISTRATIVE MATTERS

11a. APPROVAL OF FISCAL YEAR 2000-2001 WORKPLAN

Recommendation of the Airport Commission that City Council review and approve the proposed workplan for fiscal year 2000-2001.

Building and Safety Manager Isomoto reported that they had held a series of workshops to put together a workplan for fiscal year 2000-2001 under the guidance of the Airport Commission Chair, David Ouwerkerk.

David Ouwerkerk thanked the Mayor, Council and staff for their support, understanding and assistance in putting together the workplan to make the Airport Commission more valuable as an advisory body to the City Council. He summarized the plan, asked the City Council for approval and invited everyone to attend the Torrance Air Fair on July 15 - 16.

Mayor Hardison expressed her appreciation for his efforts, noting that they would not be at this stage of the workplan without his leadership and the willingness of commissioners to look at their focus and direction with new eyes. She commended the commissioners for going through the painful but valuable process.

In response to an inquiry from Councilmember Scotto regarding limits at the airport, Assistant City Manager Giordano noted that the commission was working from the Airport Master Plan Goals, which were previously formulated.

Councilmember Messerlian expressed appreciation to Mayor Hardison who made the workplan possible.

MOTION: Councilmember Messerlian moved to approve a workplan which denoted areas of responsibility – Hangar Leasing Policies, Evaluation of Noise Legislation, Review of the Airport Disaster Plan and Community Outreach and Education as well as review of Airfield Special Events, Capital Projects, Airport Aeronautical Fund Budget, Curfew Policies, Aeronautical Development Plan and Aeronautical Land Use Leases. Councilmember Cribbs seconded the motion and a roll call vote was unanimous.

11b. SALES TAX SHARING AGREEMENT

Recommendation of the City Manager that City Council:

- 1) Approve and offer a sales tax sharing agreement to the City of Hermosa Beach for the relocation of the South Bay BMW (formerly Vasek Polak) in accordance with Government Code Section 53084; and
- 2) Set September 5, 2000 for a Public Hearing in accordance with Government Code Section 53084 for the purpose of approving the financial assistance package for the relocation of the South Bay BMW dealership; and
- 3) Concur in the market analysis required under Section 53084 of the Government Code.

In response to a request from Mayor Hardison, Assistant City Manager Sunshine agreed to change the date of the public hearing to September 12, 2000.

Assistant to the City Manager Sunshine reported that in March, 2000 staff presented parameters for relocating the BMW dealership to the City of Torrance and explained that cities which offer financial incentives either directly to a business or through a developer must also offer an incentive to the city the business is leaving. He asked the City Council to approve the agreement and send the item to the City of Hermosa Beach which then has 30 days to respond.

Assistant City Manager Sunshine noted that the lease figures were in draft form only and that until the entire process had been completed, none of the documents would be legal. He further indicated that the planning issues would still have to go through the normal City processes once the City of Hermosa Beach had finalized all approvals including acceptance.

Councilmember Messerlian noted that this was only the financial package and the dealership itself would have to go before the Planning Commission and possibly before the City Council.

MOTION: Councilmember Walker moved to concur with the staff recommendation, amending the hearing date to September 12, 2000. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

11c. EXTENSION OF NEGOTIATING PERIOD WITH TORRANCE FLITE PARK

Recommendation of the Land Management Team that City Council extend the negotiating period with Torrance Flite Park, LLC for the development of certain

parcels at Zamperini Field/Torrance Municipal Airport based on the proposal received as solicited through RFP 99-01 for an additional 45 day period.

Assistant City Manager Sunshine noted that they had hoped to be further along in the process, but that the additional 45 days would allow them to ascertain whether the project could go forward.

Mayor Hardison expressed concerns that the matter had gone on for some time, and stated that though she would support the extension, she would not be inclined to extend it further as the process was beginning to tie up the property.

MOTION: Councilmember Messerlian moved to concur with the Land Management Team recommendation. Councilmember Walker seconded the motion and a roll call vote reflected unanimous approval.

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The Torrance Redevelopment Agency met from 8:44 p.m. to 8:45 p.m.

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15. ORAL COMMUNICATIONS

15a. City Manager Jackson thanked staff for their efforts at the 4th of July event.

15b. Fire Chief Bongard reported that the Department of Justice lawsuit settlement check for \$1.8 million was received and Mayor Hardison noted that an announcement would be in the paper on July 12.

15c. Councilmember Nowatka encouraged attendance at the Torrance Air Fair on July 15 and 16 and at the Cultural Arts Center presentation of Jesus Christ Superstar in August.

At 8:49 p.m. the City Council recessed to closed session to continue deliberation on matters listed in the Executive Session.

16. EXECUTIVE SESSION

No formal action was taken on any matter considered in closed session.

17. ADJOURNMENT

At 9:51 p.m., the meeting was adjourned to Tuesday, July 18, 2000 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 Roy Lee ****