

October 17, 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, October 17, 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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**16. EXECUTIVE SESSION**

At 5:32 p.m., pursuant to Government Code Sections 54957.6 and 54956.8, the Council recessed into a closed session to discuss matters listed on the meeting agenda.

The Council reconvened in Council Chambers at 7:21 p.m., absent Councilmember Messerlian who left City Hall at 6:43 p.m.

**2. FLAG SALUTE/INVOCATION**

The Pledge of Allegiance was led by Janet Payne, former Parks and Recreation Commissioner.

Father Alfredo Hernandez, Nativity Catholic Church, 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 Nowatka and, there being no objection, it was so ordered by Mayor Hardison (absent Councilmember Messerlian).

**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, there being no objection, it was so ordered by Mayor Hardison (absent Councilmember Messerlian).

**4. WITHDRAWN OR DEFERRED ITEMS**

None. City Manager Jackson noted that there was a request for a continuance of Item 13a, Appeal of American Taxi's Service Operator's Permit.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

None.

**6. COMMUNITY MATTERS**

**6a. PROCLAMATION RE "RETIRED TEACHERS WEEK"**

Mayor Hardison presented a proclamation declaring the week of October 15 through October 21, 2000, as "Retired Teachers Week" in the City of Torrance to Judith McCoy, President; Mary Miller; Bob Brigham; Virginia Rustinius; Paula DiFiore; and Jo Ray, all members of the California Retired Teachers Association, South Bay Chapter. Ms. McCoy commented on the many charitable and community activities in which retired teachers participate, noting that Mayor Hardison is also a former teacher and a member of the association.

**6b. PROCLAMATION RE "RED RIBBON WEEK"**

Mayor Hardison presented a proclamation declaring the week of October 22 through October 28, 2000, as "Red Ribbon Week" in the City of Torrance to Andrea Perez, 3<sup>rd</sup> Vice President, Director of Health, Torrance Council of PTAs, and Kristine Kiesling, Community Services Officer, Torrance Police Department. Officer Kiesling discussed the history of Red Ribbon Week and its goal of stopping drug abuse and maintaining the health and safety of young people. Ms. Perez urged everyone to participate by displaying and wearing red ribbons.

**6c. RECOGNITION OF BEAUTIFICATION PROGRAM "PROPERTY OF THE YEAR" WINNERS**

Environmental Services Administrator Cessna reported that the Beautification Program was instituted in September 1999 to support the Strategic Plan priority, Appearance, Character and Quality of the Community. Using slides of the properties to illustrate, Chairman Ray Uchima and Commissioner Ted Lieu, of the Environmental Quality Commission, presented the Property of the Year awards as follows: The Beggs Home, accepted by Denise Beggs; The Lord Home, accepted by Jason Lord; Anza Avenue Baptist Church, accepted by Pastor Timothy Dane; Best Plaza, accepted by Steven Breskin; and American Honda, accepted by Tony Piazza. Mr. Dave Parker of Pelican Products was not present.

**7. CONSENT CALENDAR**

City Manager Jackson noted supplemental material on Items 7g and 7k.

**7a. APPROVAL OF MINUTES – SEPTEMBER 19, 2000**

**7b. AMENDMENT OF CONSULTING SERVICES AGREEMENT C97-140**

**Recommendation**

Recommendation of the Engineering Director that City Council:

- 1) Approve an amendment to consulting services agreement (C97-140) with Kennedy/Jenks Consultants, for the development and equipping of Well No. 8, extending the term of the agreement to November 30, 2000; and
- 2) Authorize the payment the payment of \$5,262.06 in outstanding invoices.

**7c. CHANGE ORDERS RE FUEILING OF CITY VEHICLES**

**Recommendation**

Recommendation of the General Services Director that City Council approve change orders to the existing purchase orders with Parks Mobil and Pars Union 76 for off-site fueling of gasoline vehicles to increase Parks Mobil purchase order by \$80,000, and to increase Pars Union 76 purchase order by \$20,000, extending both through January 31, 2001.

**7d. CULTURAL ARTS COMMISSION 1999/2000 ANNUAL REPORT**

**Recommendation**

Recommendation of Cultural Services Administrator and Cultural Arts Commission that City Council accept and file the Cultural Arts Commission 1999/2000 Annual Report.

**7e. ESTABLISHMENT OF BJA BLOCK GRANT LOCAL ADVISORY BOARD**

**Recommendation**

Recommendation of the Chief of Police and City Manager that City Council act as follows:

- 1) Appoint the individuals to the BJA Grant Local Advisory Board;
- 2) Identify Board duties; and
- 3) Establish a sunset for the Board's authority to meet.

By combined motion (see page 5), appointed Lieutenant David W. Smith, Torrance Police Department; Robert Acciani, Chief Deputy City Attorney, City of Torrance; Darrell Mahood, District Administrator S/W Superior Court; Pat Kromka, Torrance Unified School District; and Peter Warner, Salvation Army. Duties are to receive input from staff as to proposed uses for the grant funds and make non-binding recommendations regarding the use of grant funds. Advisory Board is authorized to meet up to three times. The Board will exist for a period of 60 calendar days, if additional time is needed, City Council may delay the sunset of the Board.

**7f. CONTRACT RE MISCELLANEOUS PAINTING SERVICES**

Recommendation of the General Services Director that City Council approve an amendment to extend the Mason Brothers Painting contract (C2000-150) for miscellaneous painting services on an "as requested basis" from October 31, 2000 to June 30, 2001.

7g. **POLICIES RE ESTABLISHMENT OF RESIDENTIAL UNDERGROUND UTILITY ASSESSMENT DISTRICTS**

Considered separately, see page 5-6.

7h. **CHANGE ORDER RE ADDITIONAL STREETS IN THE PUBLIC WORKS AGREEMENT FOR 1998-99 CURB, GUTTER AND SIDEWALK PROGRAM**

**Recommendation**

Recommendation of the Engineering Director that City Council:

- 1) Approve a change order in the amount of \$47,650.87 to include the following streets in public works agreement (C2000-054) with Excel Paving Company for the 1998-99 Curb, Gutter and Sidewalk Replacement Program (I-1);
  - a) Darien Street - Darien Place to Inglewood Avenue
  - b) Darien Place - Darien Street to Deelane Place
  - c) Deelane Place - Darien Place to Inglewood Avenue
- 2) Approve an amendment to the consulting services agreement (C99-120) with Case Land Surveying, Inc., in the amount of \$4,400 for additional survey services for this project;
- 3) Authorize staff to execute said change order; and
- 4) Authorize the Mayor to execute and City Clerk to attest to said amendment.

7i. **APPROVAL OF CONTRACT RE ARTS/ SPECIAL EVENTS CONSULTANT**

**Recommendation**

Recommendation of the Parks and Recreation Director that City Council approve a contract with John Powers, Consultant, in an amount not to exceed \$50,000 for the following services:

- 1) \$20,000 for Multidisciplinary Programs;
- 2) \$10,000 for Wild Wednesdays; and
- 5) \$20,000 for Special Projects.

7j. **EXTENSION OF COMMENT PERIOD RE LAX MASTER PLAN**

**Recommendation**

Recommendation of the City Manager that City Council request the Los Angeles World Airports (LAWA) Board of Commissioners extend the period of public review for the Los Angeles International Airport (LAX) Master Plan Environmental Impact Report (EIR) from 30 to 180 days.

7k. **QUITCLAIM DEED RE TRANSFER OF EASEMENT AT 2780 LOMITA BLVD.**

**Recommendation**

Recommendation of the City Manager that City Council approve the submittal of Quitclaim Deed:

- 1) Authorizing the transfer of an easement regarding the property at 2780 Lomita to the Salvation Army; and
- 2) Further authorize the Mayor to execute and the City Clerk to attest to that Quitclaim Deed.

**7l. CONTRACT FOR REPAIR OF UNDERGROUND FUELING TANK SYSTEMS**

**Recommendation**

Recommendation of the General Services Director that City Council authorize a contract in an amount not to exceed \$216,200 (including a 5% contingency) with Moine Bros. of Wilmington, CA for repair of underground fueling tank systems at the City Services and Transit Facilities.

**7m. CONSULTING SERVICES AGREEMENT RE OCEAN AVENUE REHABILITATION**

**Recommendation**

Recommendation of the Engineering Director that City Council:

- 1) Approve a consulting services agreement in the amount of \$215,028 with Berryman & Henigar to provide design services and construction management and inspection services for the Ocean Avenue Rehabilitation project (I-8); and
- 2) Authorize the Mayor to execute and City Clerk to attest to said amendment.

**7n. SUBMITTAL OF COMMENTS TO FAA RE NOISE ABATEMENT POLICY**

**Recommendation**

Recommendation of the City Manager that City Council authorize the Mayor to write a letter commenting on the City's concern regarding the Federal Aviation Administration (FAA) Noise Abatement Policy.

**7o. CHANGE ORDER RE ON-SITE MOBILE FUELING OF DIESEL VEHICLES**

**Recommendation**

Recommendation of the General Services Director that City Council approve a third change order to the existing purchase order with Cardlock Fuels for on-site mobile fueling of diesel vehicles for the period September 1, 2000 through January 31, 2001 in an amount not to exceed \$125,000.

**MOTION:** Councilmember Walker moved for the approval of the Consent Calendar, excluding Item 7g (considered separately). The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmember Messerlian).

Consent Calendar Item 7g was considered out of order at this time.

**7g. POLICIES RE ESTABLISHMENT OF RESIDENTIAL UNDERGROUND UTILITIES ASSESSMENT DISTRICTS**

**Recommendation**

Recommendation of the Engineering Director that City Council approve five (5) policies related to the establishment of residential Underground Utility Assessment Districts:

- 1) When establishing a Residential Underground Utility Assessment District that requires the City to advance funds for establishment of the District, a petition showing at least 60% support of the benefiting property owners shall be required. City-owned property will not be counted;
- 2) The City will permit the use of long-term bond funding using Assessment District Bond Funding (Municipal Improvement Act of 1913 and Improvement Bond Act of 1915) for each District and provide on-going administration;
- 3) All costs for the establishment and administration of a District, including interest on advanced funds, shall be borne by the benefiting property owners. Should the District not be established, the City shall fund the costs advanced for the project;
- 4) The underground will be completed by contracts administered by the respective utility companies; and
- 6) Individual homeowners shall be responsible for the on-site service conversion of their overhead utilities.

Councilmember Cribbs commented that she was pleased that residents in a number of areas in the City were considering undergrounding their utilities and that she wanted to make sure that when property owners sign a petition in support of undergrounding, they understand that an assessment will be included on their property tax bills to pay for the cost of the improvements. She noted that there seemed to be some confusion regarding who will pay for preliminary studies.

City Manager Jackson advised that staff was recommending that the City advance the funds for the preparation of undergrounding plans and cost estimates, which would then be included in assessment district expenses and apportioned among property owners if the district is established.

In response to Mayor Hardison's inquiry, Engineering Director Burt reported that there was currently no time frame for this process as residents were just beginning to canvass their neighborhoods to determine if there is enough interest to merit the circulation of a formal petition and that it was staff's intention to have policies in place before petitions are received. He indicated that the minimum size for districts has not yet been determined, noting that there are cost advantages associated with larger districts.

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

## **8. COMMUNITY SERVICES**

### **8a. APPOINTMENT OF 2000-2001 YOUTH COUNCIL**

#### **Recommendation**

Recommendation of the Parks and Recreation Director that City Council confirm the appointments of thirteen members to the 2000-2001 Torrance Youth Council and have them officially sworn in.

**MOTION:** Councilmember Walker moved to approve the appointment of Lindsey Adams, South High; Russell Akiyama, Bishop Montgomery; Brittany Brown, South High; Anthony Buncio, West High; Tiffany Dohzen, California Academy Math & Science (At Large); Justin Han, California Academy Math & Science; Rosie Haq, El Camino College; Annie Ishihara, North High; Eunice Kang, California Academy Math & Science; Gloria Kim, California Academy Math & Science (At Large); Henry Ong, North High; Tina Vu, Bishop Montgomery; absent Terry Yen, West High. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmember Messerlian).

Parks and Recreation Director Barnett thanked the members of the Selection Committee: Community Services Commissioner Clark Adams, Parks and Recreation Commissioner Marla Shwartz; Recreation Supervisor Deborah Reed; and former Youth Council members, Justin Han and Eunice Kang.

Councilmember Nowatka noted the absence of a representative from Torrance High. Parks and Recreation Director Barnett advised that no applications were received from Torrance High and that staff was still trying to fill those positions.

City Clerk Herbers administered the oath of office to all present.

**11. ADMINISTRATIVE MATTERS**

**11a. REFURBISHMENT OF TORRANCE HIGH SCHOOL GYM FLOOR AND APPROVAL OF TUSD USE OF CITY FACILITIES**

**Recommendation**

Recommendation of the City Council Committee on Citizen Development and Enrichment that City Council:

- 1) Approve the expenditure of \$9,648 from the Parks and Recreation Facilities/Open Space Preservation and Rehabilitation funds for refurbishing of the gym floor at Torrance High School; and
- 2) Approve the request of the Torrance Unified School District for use of the City's Sports Center and a room at Greenwood Park.

**MOTION:** Councilmember Cribbs moved to concur with the Committee's recommendation. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote (absent Councilmember Messerlian).

Mayor Hardison requested that staff monitor the situation to make sure that City of Torrance teams are not displaced by allowing the Torrance Unified School District to use these facilities.

**11c. NOVEMBER 7<sup>TH</sup> BALLOT MEASURES**

**Recommendation**

Recommendation of the City Council Ad Hoc Legislative Committee that City Council as a whole review the eight initiatives on the November 7, 2000 ballot and support the Committee's majority position on these matters:

- 1) That a meeting of the Ad Hoc Legislative Committee be set to review the criteria the City should take in formulating a position on pending legislation or other state or county ballot; and
- 2) That the City Council as a whole take a position on County Measure A on the November 7 ballot regarding the expansion of the Board of Supervisors.

Assistant to the City Manager Keane reported that the Ad Hoc Legislative Committee had met on October 3, 2000, to review upcoming statewide ballot measures; outlined the criteria that was applied to determine whether the City should support, oppose or take a neutral position; and provided an overview of the Committee's recommendations.

**MOTION:** Mayor Hardison moved to concur with the Committee recommendation – **Neutral** on Propositions 33 (Legislature participation in PERs) and 34 (Campaign contributions and spending limits); **Support** Propositions 32 (Veteran's Bond Act), 35 (Public Works projects- use of private contractors) and 39 (School facilities, 55% local vote – neutral Nowatka); and **Oppose** Propositions 36 (Drugs. Probation and treatment program), 37 (Fees. Vote requirements. Taxes) and 38 (School vouchers, –neutral Nowatka). The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote (absent Councilmember Messerlian).

Ms. Keane noted that Committee members had expressed an interest in reexamining the criteria used in formulating positions on pending legislation and state/county ballot measures; and it was the consensus of the Council to allow the Ad Hoc Committee to review the criteria.

Ms. Keane reported that the Committee had requested information about Los Angeles County Measure A (Charter Amendment to increase the number of the County Supervisors from five to nine); noted that an analysis of the measure was included in the supplemental material; and briefly outlined the arguments for and against it.

Commenting on Measure A, Councilmember Walker recalled a study done at Princeton many years ago that concluded that anything over a seven-member body was ineffectual in working through problems.

**MOTION:** Councilmember Scotto moved that the City Council take a position opposing LA County Measure A. The motion was seconded by Councilmember Walker and passed as reflected in the following roll call vote:

AYES:	Councilmembers Cribbs, Scotto and Walker
NOES:	Councilmember Nowatka
ABSTAIN:	Councilmember Witkowsky and Mayor Hardison
ABSENT:	Councilmember Messerlian

**11c. MEMORANDA OF UNDERSTANDING RE TPSA, ENGINEERS AND TFEA**

**Recommendation**

Recommendation of the City Manager that City Council adopt the following Memoranda of Understanding modifying wages, hours and working conditions as noted:



- 1) Torrance Professional and Supervisory Association (TPSA) effective October 8, 2000 through June 30, 2003;
- 2) Engineers, effective October 8, 2000 through June 30, 2003; and
- 3) Torrance Fiscal Employees Association (TFEA), effective October 8, 2000, through June 30, 2003.

**RESOLUTION NO. 2000-128**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH THE HOURS, WAGES AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE PROFESSIONAL AND SUPERVISORY ASSOCIATION**

**MOTION:** Councilmember Scotto moved for the adoption of Resolution No. 2000-128. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote (absent Councilmember Messerlian).

**RESOLUTION NO. 2000-129**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH THE HOURS, WAGES AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE ENGINEERS**

**MOTION:** Councilmember Scotto moved for the adoption of Resolution No. 2000-129. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote (absent Councilmember Messerlian).

**RESOLUTION NO. 2000-130**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH THE HOURS, WAGES AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE FISCAL EMPLOYEES ASSOCIATION**

**MOTION:** Councilmember Scotto moved for the adoption of Resolution No. 2000-130. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmember Messerlian).

**12. APPEALS**

**12a. APPEAL RE AMERICAN TAXI'S SERVICE OPERATOR'S PERMIT**

**Recommendation**

Recommendation of the License Review Board that City Council hear the appeal continued from September 19, 2000 of the License Review Board's approval of a taxicab service operator's permit for American Taxi, and affirm the decision of the Board.

Mr. Rob Katherman, counsel for the appellant, United Independent Taxi Drivers, Inc., requested that this item be continued to November 14, 2000; noted that he had contacted counsel for American Taxi who indicated that his client was agreeable to the continuance; and explained that all parties are currently dealing with a major re-franchising in the City of Los Angeles.

**MOTION:** Councilmember Scotto moved to continue this appeal to November 14, 2000. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote (absent Councilmember Messerlian).

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The Council met as the Redevelopment Agency from 8:29 p.m. to 8:30 p.m.

**15. ORAL COMMUNICATIONS**

City Treasurer Linda Barnett introduced Deputy City Treasurer Dana Cortez.

Police Chief Herren announced the Safety Fair to be held on Saturday, October 21 from 10:00 a.m. to 5:00 p.m. at Del Amo Fashion Center, Mall Entrance 11.

Police Chief Herren reported that a Child Safety seat check had been conducted at Toys R Us earlier in the day and commented on the importance of such checks. He also noted that the Torrance Police Department has seats available for loan to the public.

City Clerk Herbers announced that grandchild Kyle Christopher Herbers was born on October 12 at 9 lb. 10 oz. & 21½ inches to parents Mark & Deja.

Councilmember Nowatka noted that his grandchild actually weighed in at 9lb. 12oz.

Councilmember Scotto announced successful sold out events, the Capitol Steps and the children's Peanut Series, sponsored by the Torrance Cultural Arts Center Foundation over the weekend.

**16. EXECUTIVE SESSION**

At 8:38 p.m., the Council recessed to closed session to continue consideration of items listed on the meeting agenda. The Council reconvened in open session at 10:03 p.m. No formal action was taken on any matter considered in closed session.

**17. ADJOURNMENT**

At 10:03 p.m., the meeting was adjourned to Tuesday, October 24, 2000, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

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Mayor of the City of Torrance

ATTEST:

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City Clerk of the City of Torrance