

January 6, 1998

**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 5:34 p.m. on Tuesday, January 6, 1998, in the City Council Chambers at Torrance City Hall.

**ROLL CALL**

Present: Council members Cribbs, Lee, Messerlian, Nakano, Walker, and Mayor Hardison.

Absent: Councilwoman O'Donnell.

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

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At this time Agenda Item No. 20 was considered out of order.

20. **EXECUTIVE SESSION**

At 5:35 p.m., pursuant to California Government Code Sections 54957.6, 54956.9(a), 54956.9(b)(1)(B) and 54956.8, the Council recessed into a closed session to confer on matters listed under on the meeting agenda under 20 Executive Session and 18 Addendum Matters 2b and 4c.

At 7:25 p.m., the Council returned to Council Chambers and the meeting reconvened in regular agenda order.

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2. **FLAG SALUTE/ INVOCATION**

The Pledge of Allegiance was led by Mr. Deane Haddon, Chairman of the Water Commission.

Pastor John Gross of Ascension Lutheran Church gave the invocation for the meeting.

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Mayor Hardison noted the passing of Matthew Thornton, son of City employees Mike and Lisa Wilson, and Etta Morgan, a member of the Senior Citizens Council (now the Commission on Aging) from 1975 through 1992, and requested the meeting be adjourned in their memory.

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

**MOTION:** Councilman Lee 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 Councilwoman Cribbs, and, there being no objection, it was so ordered by Mayor Hardison (absent Councilwoman O'Donnell).

**MOTION:** Councilman Lee 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 Council member the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilwoman Cribbs, and, there being no objection, it was so ordered by Mayor Hardison (absent Councilwoman O'Donnell).

4. **WITHDRAWN/DEFERRED ITEMS**

City Manager Jackson announced that Item 11a (Modified Resolution of Approval for a Precise Plan) was being withdrawn and deferred to the January 13, 1998 Council meeting, and stated that he had received a written request to defer Item 13b (Requests for Proposals (RFPs) for Utility Billing, Meter Reading, and Meter Maintenance) for two weeks from the Employee Coalition (AFSCME, Engineers and TPSA).

Noting that she would be absent from the January 20 City Council meeting, Mayor Hardison expressed her desire to be present during consideration of this item. She requested that additional criteria be forwarded to Council as soon as possible.

Mr. Deane Haddon, Chairman of the Water Commission, requested that a representative from the Commission be included on the rating committee for the RFPs for utility billing, meter reading, and meter maintenance services because of this issue's vital importance to the City employees and residents.

Mr. Alan Lee, President of AFSCME, stated that his organization would require a minimum of two weeks to review the information.

**MOTION:** Councilman Lee moved to defer consideration of Item 13b (Requests for Proposals for Utility Billing, Meter Reading, and Meter Maintenance) to January 27, 1998. The motion was seconded by Councilman Messerlian and passed by unanimous roll call vote (absent Councilwoman O'Donnell).

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

**Citizen Development and Enrichment Committee**

Wednesday, January 14, 1998, 5:00 p.m.

Third Floor Assembly Room

Subject: Joint Meeting with Torrance Unified School District

**Redevelopment Agency Workshop**

Tuesday, January 13, 1998, 5:30 p.m.

City Council Chambers

Subject: Selection of Developer for 1830-60 Torrance Boulevard

**Redevelopment Agency Workshop**

Tuesday, January 27, 1998, 5:30 p.m.

City Council Chambers

Subject: Future Vision for Downtown Torrance

Councilman Nakano announced that the Citizen Development & Enrichment Committee will be scheduling a meeting to discuss the selection of a developer for the Nature Center at the Madrona Marsh.

City Clerk Herbers announced that Commission applications will be accepted in the City Clerk's Office until January 6, 1998, with appointments to be made at the Council meeting of January 13, 1998.

City Clerk Herbers invited the public to view watercolors by Linda Thompson of the Torrance Artists Guild on display in the City Clerk's Office during the month of January.

7. **CONSENT CALENDAR**

7a. **APPROVAL OF MINUTES - NOVEMBER 25, 1997**

7b. **CONTRACT TO LEASE SPACE ON RADIO NETWORK CONTROLLER**

**Recommendation**

The Chief of Police recommends that City Council approve the contract between the City of Torrance and the City of Inglewood for the Police Department Mobile Data Computer System and authorize first year payment in the amount of \$42,000 for leasing space on the City of Inglewood Radio Network Controller.

7c. **ANALYSIS OF TORRANCE TRANSIT SYSTEM**

**Recommendation**

The Fleet Services Director recommends that City Council authorize the Mayor execute and the City Clerk attest to an agreement with Weslin Consulting Services, Inc. to conduct a line-by-line analysis of the Torrance Transit System for the anticipated cost of \$57,950 (plus a 10% contingency allowance) and appropriate a like amount in Proposition A Discretionary funds in the FY98 Transit operating budget.

Councilman Lee moved for the approval of the Consent Calendar as written. The motion was seconded by Councilwoman Cribbs and passed by unanimous roll call vote (absent Councilwoman O'Donnell).

11. **PLANNING & ZONING MATTERS**

11a. **MODIFIED RESOLUTION OF APPROVAL FOR A PRECISE PLAN**

Withdrawn and deferred to January 13, 1998 (see page 2).

13. **ADMINISTRATIVE MATTERS**

13a. **ASSIGNMENT OF PENINSULA PONTIAC LEASE**

**Recommendation**

The Land Management Team and the City Manager recommend that City Council approve a lease assignment from Peninsula Pontiac, Inc., to Peninsula Buick Pontiac GMC, Inc.

**MOTION:** Councilman Lee moved to concur with the staff recommendation. The motion was seconded by Councilwoman Cribbs and passed by unanimous roll call vote (absent Councilwoman O'Donnell).

13b. **REQUESTS FOR PROPOSALS FOR UTILITY BILLING, METER READING AND METER MAINTENANCE**

Withdrawn and deferred to January 27, 1998 (see page 2).

13c. **CONTRACT WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG)**

**Recommendation**

The Planning Department recommends that City Council authorize the execution of a contract with the Southern California Association of Governments to oversee the update of the Regional Transportation Plan on behalf of the South Bay Cities Council of Governments. It is further recommended that the City Council accept the amount of \$25,000 from the Southern California Association of Governments and allocate the fund for staffing and overseeing the project.

**MOTION:** Councilman Messerlian moved to concur with the staff recommendation. The motion was seconded by Councilman Lee and passed by unanimous roll call vote (absent Councilwoman O'Donnell).

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At 7:43 p.m., the City Council met as the Torrance Redevelopment Agency. The Redevelopment Agency meeting was adjourned at 7:44 p.m. and the regular Council agenda was resumed.

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18. **ADDENDUM MATTERS**

18a. **Added to Agenda Item 20 - Executive Session**

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(California Government Code 54956.9(a):
  - b. Price v. City of Torrance  
USDC Case No. 97-56580

City Attorney Fellows announced that the status of the impending appeal of the case of Price v. the City of Torrance had been discussed in closed session earlier in the

meeting and the discussion was being continued in a public forum. He requested that the City Council provide direction in this matter.

Senior Deputy City Attorney Acciani provided a brief synopsis of the civil case involving Torrance Police Officers D'Anjou and Kramer that resulted in a verdict against the officers for compensatory and punitive damages; stated that in this case there was no evidence of racial bias or selective enforcement presented; and cited several examples of jury misconduct and judicial bias that occurred during the trial. He stated that the City Attorney was recommending that City Council approve the posting of a bond in the amount of approximately \$495,687 (including punitive and compensatory damages, attorneys fees, accrued interest, and plaintiff's costs), guaranteeing the payment of the judgment in the event that the trial court is not reversed, so that the appeal can proceed.

**MOTION:** Councilwoman Cribbs moved that City Council adopt the findings that the judgments against Officers D'Anjou and Kramer were based on acts that were done within the course and scope of their employment as police officers with the City of Torrance; that at the time of the alleged acts that resulted in the verdict against them, these officers were acting in good faith without actual malice and in the apparent best interest of the City of Torrance; and that the posting of the appeal bond guaranteeing payment of the judgment in the event the trial court is not reversed is in the best interest of the City of Torrance. The motion was seconded by Councilman Messerlian and passed by unanimous roll call vote (absent Councilwoman O'Donnell).

**MOTION:** Councilwoman Cribbs moved that City Council, based on the above findings, approve the posting of a bond in the approximate amount of \$495,687. The motion was seconded by Councilman Lee and passed by unanimous roll call vote (absent Councilwoman O'Donnell).

19. **ORAL COMMUNICATIONS**

19a. Councilman Lee wished everyone a Happy New Year.

19b. Mayor Hardison extended best wishes for a great '98.

19c. Mayor Hardison acknowledged the attendance of government students from Torrance High School.

19d. Mr. Tom Penland, 317 Avenida Atezada, voiced his displeasure over some of the recent changes in the cable TV lineup.

19e. Cable Television Administrator Smith explained that the recent deletions and additions of channels were based on a survey conducted by Time Warner Communications and that the City has no control over Time Warner's choice of commercial programming.

**EXECUTIVE SESSION**

Considered out of order (see pages 1, 4-5).

21. **ADJOURNMENT**

At 8:08 p.m., the City Council adjourned to Tuesday, January 13, 1998 at 5:30 p.m. for a Redevelopment Agency Workshop with the regular meeting commencing at 7:00 p.m. in Council Chambers.

***\*\*Adjourned in Memory of Etta Morgan and Matthew Thornton\*\****