

**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 6:05 P.M. on Tuesday, February 24, 1998, in the City Council chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Cribbs, Lee, Messerlian, Nakano, O'Donnell, Walker and Mayor Hardison.

Absent: None.

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

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Agenda Item No. 12a was considered out of order at this time.

12a. **APPEAL RE BUS OPERATOR RICHARD ELMANKABADI**

Recommendation

That the City Council conduct the appeal hearing.

Mayor Hardison read aloud from a script (of record) explaining the procedures for the appeal of Bus Operator Elmankabadi. She noted a request by the appellant's representative, Ms. Julia Mass, to present new evidence during this hearing.

On behalf of the appellant, Ms. Julia Mass provided background information on Bus Operator Elmankabadi's appeal of the Civil Service Commission's decision to sustain his dismissal from the position of Bus Operator in the Transit Division of the Fleet Services Department. Ms. Mass explained that substantial evidence, consisting of a Magnetic Resonance Image (MRI) taken in November 1997 of Mr. Elmankabadi's physical injuries from a bus accident in November 1996, came to light subsequent to the Civil Service Commission's consideration of this matter. She, therefore, requested that this case be re-opened.

For the City, Assistant City Attorney Pohl discussed the time line relative to the evidence presented by Ms. Mass (of record, as contained in the series of documents submitted to the Council by the appellant). Contrary to information provided by Ms. Mass, Assistant City Attorney Pohl advised the Council that the MRI referenced during this discussion by Ms. Mass and the surveillance tapes of the appellant were reviewed by the doctor prior to the Civil Service Commission's consideration of this

matter and that the doctor's report relevant to the appellant's November 6, 1997 examination was undated. He contended that there is no nexus between the bus accident in which the appellant was involved and the doctor's report and that the evidence presented by the appellant during this hearing clearly fails the test of information unavailable to the appellant at the time of the Civil Service Commission hearing.

In response to questions from the Council, Assistant City Attorney Pohl verified that the surveillance tape of the appellant was provided to the appellant's attorney (and not the doctor) by the City.

Answering inquiries from the Council, Ms. Mass stated the following: that she had no knowledge as to how the doctor obtained a copy of the surveillance tape of the appellant and that the law firm for whom she works did not provide the tape to the doctor; that she could not remember if the appellant told her he was seeing another doctor; and that the appellant did not tell her he had an MRI. Ms. Mass clarified that she was not requesting a new hearing, but would like the Civil Service Commission to reconsider the case in light of the new evidence.

Mayor Hardison asked the Council to consider whether there was new and substantial evidence which, with the use of due diligence, could not reasonably be expected to have been presented during the previous Civil Service Commission hearing on this matter.

Councilmember Walker requested clarification concerning "due diligence." He indicated that he would have no problem sending this matter back to the Civil Service Commission for review.

Attorney Terence Boga, counsel for the City, advised that the City Code does not specify on whom due diligence is expected to be on the part of and that, in this instance, the burden of due diligence is on the appellant to present the evidence.

Councilmember Cribbs explained her viewpoint that this matter should not be returned for further review by the Civil Service Commission; that the City cannot help it if the many parties involved did not communicate; and that the information provided by the appellant should not be considered as new evidence. She favored consideration of the appeal at this time.

Councilmember Lee and Mayor Hardison voiced their agreement with Councilmember Cribbs' viewpoint that the appeal should be considered at this time.

MOTION: Councilmember Cribbs moved to deny the request that the appeal of Bus Operator Richard Elmankabadi be returned to the Civil Service Commission for consideration of new evidence and to approve the Council proceeding with Bus Operator Elmankabadi's appeal hearing at this time. The motion was seconded by Councilmember Lee and passed by a 6-1 majority roll call vote, with Councilmember Walker dissenting.

Mayor Hardison read aloud from a script (of record) outlining the procedures for conducting this hearing.

Ms. Mass discussed the appellant's exceptions to the Civil Service Commission's findings and the Conclusions of Law (of record). She advised that, generally, the exceptions to the Conclusions of Law have to do with the Civil Service Commission not making sufficient findings of intent; that, in order for the Civil Service Commission to have justly found that the appellant was guilty of misconduct, they should have found that he intended to mislead his doctors and his work restrictions, etc.; and that, given the nature of the case and the appellant's record of service to the City of Torrance, his alleged intent to defraud the City seems central to the issues.

Addressing the Conclusions of Law, Ms. Mass reviewed relevant information previously provided to the Civil Service Commission by Dr. Oakey and Dr. Miller. She maintained that the doctors were misinformed by the City's investigator and, therefore, the Civil Service Commission considered erroneous information. Ms. Mass asked the Council to consider that, one year after the accident, the appellant was injured and in pain and continues to have physical signs of injury; that he was not taking advantage of the City; and that the appellant's physical therapist advised him to exercise and the appellant thought that working on his house was not outside his work restrictions.

Assistant City Attorney Pohl advised the Council that the Civil Service Commission considered much conflicting evidence in making their determination. He presented input on the force of the accident in which the appellant was involved and outlined the appellant's efforts to find a doctor to collaborate with him. Assistant City Attorney Pohl maintained that there was substantial evidence showing this was a clear case of an employee abusing the workers' compensation system and that there was clearly evidence to establish the appellant's intent.

Ms. Mass rebutted information presented by Assistant City Attorney Pohl. She addressed the time frame relative to the appellant's return to work after the accident; the doctors' release of the appellant so he could return to work; and the force of the accident in which the appellant was involved.

Assistant City Attorney Pohl pointed out that the Civil Service Commission made unanimous findings in support of the dismissal imposed by the City Manager and that the record of the Civil Service Commission hearing on this matter is what should be considered by the City Council. He reiterated that the appellant was clearly abusing the workers' compensation system and that the record in this regard was substantial. Clarification concerning the force of the accident in which the appellant was involved was provided by Assistant City Attorney Pohl and he urged the Council to uphold the Civil Service Commission's determination.

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At 7:00 P.M., the Council recessed into closed session to deliberate Bus Operator Elmankabadi's appeal of the Civil Service Commission's decision sustaining his dismissal.

The Council returned to open session at 7:20 P.M. Mayor Hardison announced that, during closed session, the Council unanimously voted to uphold the decision of the Civil Service Commission sustaining the dismissal of Bus Operator Elmankabadi.

There was a brief recess prior to the commencement of the regular City Council meeting.

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At 7:25 P.M., the City Council convened in a regular session with all members present.

2. **FLAG SALUTE/INVOCATION**

Mr. Harry McVeigh, Mobil Oil Corporation, led the Pledge of Allegiance.

City Clerk Herbers gave the invocation for the meeting.

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Mayor Hardison asked that the meeting be adjourned in memory of Mr. George Ogawa, Torrance resident and supporter of the Torrance Sister City program.

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

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

MOTION: Councilmember 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 Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember Cribbs and, there being no objection, it was so ordered by Mayor Hardison.

4. **WITHDRAWN/DEFERRED ITEMS**

City Manager Jackson announced the withdrawal of a portion of Agenda Item No. 7a (minutes of January 27, 1998) and the continuance of Agenda Item No. 14a (Appeal Re MOD 97-0011: Artesia/Verdugo L.P. [Dan Chandler]).

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Finance and Governmental Operations Committee

Tuesday, March 24, 1998, 5:30 P.M.

West Annex Commission Room

Mid-Year Budget Review

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City Clerk Herbers noted that today was the deadline for the absentee voter application period. She encouraged everyone to vote on Tuesday, March 3, 1998, and invited the public to come down to City Hall to watch the election proceedings.

Following a comment from the Council, Fire Chief Adams confirmed that the Torrance Fire Department is not currently conducting a telephone campaign for El Nino relief. He asked those having information on who might be doing so to contact the Fire Department. Chief Adams invited interested parties to the Fire Fighter Association's annual spaghetti dinner on Saturday, February 28, 1998, 4:30 to 8:00 P.M., Torrance Recreation Center.

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6. **COMMUNITY MATTERS**

6a. **RESOLUTION RE RALPH J. ISHMAEL**

City Clerk Herbers read aloud the title of Resolution No. 98-15.

MOTION: Councilmember Nakano moved for the adoption of Resolution No. 98-15. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

RESOLUTION NO. 98-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING RALPH J. ISHMAEL FOR HIS DEDICATION, PROFESSIONALISM AND CONTRIBUTIONS TO THE CITY OF TORRANCE

The Council presented Mr. Ishmael with a proclamation in honor of his dedication, professionalism and contributions to the City of Torrance over the last 17 years. Mr. Ishmael thanked the City and introduced his family members present.

Mr. Ishmael's outstanding service was commended by City Manager Jackson.

6b. **PRIVATE INDUSTRY COUNCIL APPOINTMENTS**

Recommendation

The Policy Board recommends that the City Council appoint and officially swear in one appointment to the Carson/Lomita/Torrance Private Industry Council (C/L/T PIC).

MOTION: Councilmember Cribbs moved to approve the recommendation of the Policy Board to appoint/swear in Mr. Stephen Roush to the Carson/Lomita/Torrance Private Industry Council. The motion was seconded by Councilmember Lee and passed by unanimous roll call vote.

Mr. Roush was sworn in by City Clerk Herbers.

7. **CONSENT CALENDAR**

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7a. **APPROVAL OF MINUTES - JANUARY 27, 1998 AND FEBRUARY 3, 1998**

The approval of the minutes of January 27, 1998 was continued.

7b. **MOBIL OIL DONATION RE 1998 GREEN TEAM SUMMER YOUTH PROGRAM**

Considered later in the meeting.

7c. **PURCHASE ORDER RE CHEVROLET TAHOES WITH POLICE PACKAGE**

Recommendation

The Fleet Services Director and the Police Chief recommend that the City Council authorize a purchase order be issued for an anticipated amount not to exceed \$337,384.65 to Wondries Chevrolet, Alhambra, CA, for the purchase of twelve (12) Chevrolet Tahoes.

7d. **VEHICLE PURCHASE ORDERS WITH STATE OF CALIFORNIA**

Recommendation

A recommendation of the Fleet Services Director that the City Council authorize purchase orders for the purchase of twelve (12) sedans, four (4) vans, two (2) pickup trucks and one (1) cab and chassis as a cooperative purchase with the State of California in the amount of \$337,389.35 including sales tax and \$3,111 as a service charge to use their contracts.

7e. **PURCHASE ORDER RE DIAL-A-LIFT VANS**

Recommendation

The Fleet Services Director recommends that the City Council authorize a purchase order through the State of California in the amount of \$201,530.24 (includes sales tax and State service charge) for the purchase of four vans that will be used in daily service for the City Dial-A-Lift program for the disabled.

7f. **SUPPORT OF LIBRARY SESQUICENTENNIAL PROGRAMMING**

Recommendation

The City Librarian recommends that the City Council accept and appropriate grant funds in the amount of \$500.00 to support participation in "Gold Rush: A Literary Exploration," California Sesquicentennial Reading and Discussion groups.

7g. **PURCHASE ORDER RE SURFACE MOUNT VEHICLE LIFT**

Recommendation

The Fleet Services Director recommends that the City Council authorize a purchase order to be issued for an anticipated amount not to exceed \$74,672 to CGS Western Power & Equipment for the purchase, delivery and installation of an Advantage Surface Mount Lift.

7h. **REVISION RE CITY OF TORRANCE CONFLICT OF INTEREST CODE**

Recommendation

Recommendation of the City Clerk that City Council adopt the revision of positions and categories for filing Statements of Economic Interest (Exhibit B) according to the City of Torrance Conflict of Interest Code.

7i. **PURCHASE ORDER RE VOICE MAIL SYSTEM**

Recommendation

The Chief of Police and the Information Systems Director recommend that the City Council authorize the issue of a purchase order to NEC BCS (West), Inc. of Culver City, California, for the purchase of one Centigram 120S, Series 6.1 Voice Mail System, in the amount of \$87,000.

MOTION: Councilmember O'Donnell moved for the approval of the Consent Calendar, with the exception of the minutes of January 27, 1998 (portion of Item No. 7a, continued) and Item No. 7b (Mobil Oil Donation Re 1998 Green Team Summer Youth Program, considered below). The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

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Agenda Item No. 7b was considered at this time.

7b. **MOBIL OIL DONATION RE 1998 GREEN TEAM SUMMER YOUTH PROGRAM**

Recommendation

The City Manager recommends that the City Council accept a donation of \$100,000 from Mobil Oil Corporation and appropriate the funds for the 1998 Mobil Green Team Summer Youth Employment Program.

MOTION: Councilmember Lee moved to accept a donation of \$100,000 from Mobil Oil Corporation and to appropriate the funds for the 1998 Mobil Green Team Summer Youth Employment Program.

Mr. Harry McVeigh, Mobil Oil Corporation Regional Manager, 2300 Maple Avenue, presented the City with a \$100,000 check to fund the 1998 Mobil Green Team Summer Youth Program. He emphasized the importance of the Program and thanked the City for its support in helping young people become productive adults.

12. **PERSONNEL MATTERS**

12a. **APPEAL RE BUS OPERATOR RICHARD ELMANKABADI**

Considered earlier in the meeting (see page no. 1).

13. **ADMINISTRATIVE MATTERS**

13a. **RESOLUTIONS RE MARCH 3, 1998 ELECTION**

Recommendation

It is recommended that Council concur with the City Clerk and adopt the enabling resolutions 1) establishing polling places and election officials; and 2) ordering the canvass. The City Clerk further recommends the Council adopt the procedure for determining a tie vote, if any, by lot as provided for under Section 15651(b) of the Election Code. However, if the Council chooses to determine the outcome of a tie vote by special run-off election, then a resolution must be adopted.

Mayor Hardison recalled that, during the past two elections, the City used the procedure for determining a tie vote by lot.

The Council agreed that the procedure for determining a tie vote by lot, as utilized in the past two elections, should be used in the event of a tie vote during the March 3, 1998 election.

City Clerk Herbers read aloud the title of Resolution No. 98-16.

MOTION: Councilmember Nakano moved for the adoption of Resolution No. 98-16. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

RESOLUTION NO. 98-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, ESTABLISHING VOTING PRECINCTS AND POLLING PLACES, APPOINTING PRECINCT BOARD MEMBERS FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, MARCH 3, 1998, CALLED BY RESOLUTION 97-137 OF THE CITY COUNCIL

City Clerk Herbers read aloud the title of Resolution No. 98-17.

MOTION: Councilmember Nakano moved for the adoption of Resolution No. 98-17. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

RESOLUTION NO. 98-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, ORDERING THE CANVASS OF

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THE GENERAL MUNICIPAL ELECTION, TO BE HELD
TUESDAY, MARCH 3, 1998, BE MADE BY THE CITY CLERK
OF THE CITY OF TORRANCE

MOTION: Councilmember Cribbs moved that a tie vote during the March 3, 1998 election be handled by lot. The motion was seconded by Councilmember Messerlian and passed by unanimous roll call vote.

13b. **COUNTY POLICY RE SUBSIDIZING OF RESIDENT FEES ETC.**

Recommendation

The Parks and Recreation Director recommends that the City Council oppose the proposed County policy which would prohibit the City from continuing its policy of subsidizing resident fees and giving priority to residents in reserving park facilities at parks improved with Proposition A funding.

Parks and Recreation Director Barnett provided clarification regarding this issue.

Mayor Hardison related her frustration with the time frame of this matter in that the County apparently has a pattern of waiting until the last minute to notify cities about matters such as this. She voiced her concurrence with the staff recommendation to oppose the proposed County policy.

MOTION: Councilmember Walker moved to concur with the staff recommendation. The motion was seconded by Councilmember O'Donnell and ultimately passed by unanimous roll call vote.

Discussion of this subject prior to roll call vote included Councilmember Walker echoing the comments made by Mayor Hardison with regard to the time frame of this matter. He related his displeasure with the possibility of the County telling the City how to handle park programs/reservations, etc., and suggested that the City contact the County Supervisors and that, should nothing be accomplished at that level, the City contact the court to protect the integrity of the City's system.

Councilmember Nakano pointed out that, in terms of revenue for transportation, the majority of funds come from the cities and that this is a good example of taxation without representation. He noted the inequity of from where the financial resources are coming.

Answering questions from the Council, Parks and Recreation Director Barnett presented a brief explanation on staff's anticipation of how much the City would be affected by such a prohibition. He supplied input on other South Bay cities' outlook in this area.

City Manager Jackson mentioned the other important factor of residents having priority in the use of the facilities.

Councilmember Messerlian expressed his feeling that, should this be approved, it would be a further usurping of local control and he suggested that a letter be sent to the County Supervisors relating the City's opposition to the proposed policy. He suggested that, as the largest city in the South Bay, Torrance organize opposition to this proposal.

Councilmember Nakano recommended that this issue be brought up for discussion at an upcoming meeting on youth employment before the Los Angeles County Division of the Youth of California Cities.

Mayor Hardison related her agreement with Councilmember Nakano's recommendation. She indicated that she will introduce this topic for discussion at an upcoming Council on Governments' (COG) meeting.

Parks and Recreation Director Barnett advised the Council of staff's understanding that Supervisor Knabe supports the City's position.

The motion was passed by unanimous roll call vote.

13c. **REAFFIRMATION OF CITY POSITION RE SPLIT OF 310 AREA CODE**

Recommendation

A recommendation of the City Manager and the Information Systems Director that the City Council take a position regarding the new proposed alternatives for the 310 area code split.

Mayor Hardison noted the supplemental information pertaining to this item (of record) distributed at the meeting.

In response to a question from the Council, City Manager Jackson provided background information on the somewhat late distribution of the supplemental material noted above by Mayor Hardison.

Management Assistant Lopez gave a brief presentation on this item. She related the City of Hawthorne's willingness to join Torrance in going before the California Public Utilities Commission.

Mayor Hardison observed that, should the recommendation to encourage local legislators to introduce legislation that will address the proliferation of area code splits within Southern California not be approved, this topic is bound to reappear in the future. She voiced her hope that the Council will not support splitting up the area codes in the region and Mayor Hardison called attention to the need for Torrance to help other cities which would be affected.

Councilmember Walker recalled that the City was previously put through an exercise similar to this. He commented on the mass confusion created by split area codes and on the issue of fairness relative to this issue. He related his strong opposition to an overlay and supported the City's acceptance of Plan 1a, with the

addition of a modification providing more fairness to the Cities of Hawthorne and Inglewood. Councilmember Walker suggested that Torrance contact the California Public Utilities Commission and other cities by telephone to discuss this topic.

Councilmember Lee noted that businesses which add telephone lines from time could be adversely affected by split area codes. He voiced his objection to an overlay.

Mayor Hardison related her understanding that, should an overlay be approved, those adding additional telephone lines would not end up with different area codes.

MOTION: Councilmember Walker moved that the City support Plan 1a with modifications regarding the boundaries of Hawthorne and Inglewood and that the City make an effort to discuss the fairness of determining the area codes with the California Public Utilities Commission. The motion was seconded by Councilmember O'Donnell and a substitute motion was ultimately offered.

Clarification regarding Plan 1a was provided by City Manager Jackson. He indicated that, at this time, there are no time constraints pertaining to this matter and suggested that staff provide a pertinent resolution for the Council's consideration at a future meeting.

Explaining her support of the motion, Councilmember O'Donnell called attention to the importance of keeping the areas around Torrance as contiguous as possible under one area code, even if it changes.

Mayor Hardison explained her desire that the motion not refer to Plan 1a, that it be more general.

Councilmember Cribbs suggested that the motion be structured to reflect the City's preference for the 310 area code; however, in the event the California Public Utilities Commission determines it would be appropriate to assign a new area code, the areas around Torrance be under the same one.

MOTION: Councilmember Walker offered a substitute motion as follows:

- o That the City of Torrance wishes to maintain the 310 area code and keep the South Bay cities under the same area code, with the Cities of Hawthorne and Inglewood as the northern boundaries and no overlay district; and
- o That, should the 310 area code not be retained, a method to fairly arrive at the actual location of the 310 area code shall be determined.

The substitute motion was seconded by Councilmember O'Donnell and passed by unanimous roll call vote.

City Manager Jackson noted the need to explore a long-term solution to this problem in the future.

13d. **CABLE TELEVISION FRANCHISE EXTENSION**

Recommendation

A recommendation of the City Manager for the City Council to adopt the resolution granting a thirty-day extension of the cable television franchise through March 31, 1998.

Cable Television Administrator Smith advised that staff does not anticipate that this will probably not be the last extension the City will request.

City Clerk Herbers read aloud the title of Resolution No. 98-18.

MOTION: Councilmember Nakano moved for the adoption of Resolution No. 98-18. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

RESOLUTION NO. 98-18

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

13e. **RESOLUTIONS RE UNREPRESENTED EMPLOYEES**

Recommendation

A recommendation of the City Manager and the Human Resources Director that the City Council adopt two separate resolutions for unrepresented employees. In addition, it is recommended that a resolution be adopted to be forwarded to PERS for contracting coverage under the Public Employees' Medical and Hospital Care Act (PEMHCA) for unrepresented employees receiving those benefits.

City Clerk Herbers read aloud the title of Resolution No. 98-20.

MOTION: Councilmember Nakano moved for the adoption of Resolution No. 98-20. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

RESOLUTION NO. 98-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE SETTING FORTH THE HOURS, WAGES AND
WORKING CONDITIONS FOR THE UNREPRESENTED

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EMPLOYEES GROUP II FOR THE PERIOD STARTING
FEBRUARY 24, 1998

City Clerk Herbers read aloud the title of Resolution No. 98-19.

MOTION: Councilmember Nakano moved for the adoption of Resolution No. 98-19. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

RESOLUTION NO. 98-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE SETTING FORTH THE HOURS, WAGES AND
WORKING CONDITIONS FOR THE UNREPRESENTED
EMPLOYEES GROUP I FOR THE PERIOD STARTING
FEBRUARY 24, 1998

City Clerk Herbers read aloud the title of Resolution No. 98-21.

MOTION: Councilmember Nakano moved for the adoption of Resolution No. 98-21. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

RESOLUTION NO. 98-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE ELECTING TO BE SUBJECT TO PUBLIC
EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT ONLY
WITH RESPECT TO MEMBERS OF A SPECIFIC EMPLOYEE
ORGANIZATION AND FIXING THE EMPLOYER'S CONTRIBUTION
AT AN AMOUNT AT OR GREATER THAN THAT PRESCRIBED BY
SECTION 22825 OF THE GOVERNMENT CODE

13f. **GRANT APPLICATION AND APPROPRIATION OF FUNDS**

Recommendation

A recommendation of the City Manager that the City Council approve the following:

1. Approval of application for South Coast Air Quality Management District (SCAQMD) granting funding for electric charging station and lease of electric vehicle;
2. Appropriation of \$8,000 in AB2766 subvention funds for the installation of one public access inductive electric charger station at Torrance City Hall; and

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3. Appropriation of \$29,000 in AB2766 subvention funds for the lease of one GM electric light duty truck.

Upon a request from the Council, Assistant to the City Manager Keene outlined information in the staff report.

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

14. **HEARINGS**

14a. **APPEAL RE MOD 97-0011: ARTESIA/VERDUGO L.P. (DAN CHANDLER)**

Even though this item was continued (see page 5, Withdrawn/Deferred Items), Councilmember Cribbs requested future input on other items of concern to the neighborhood relevant to this use.

16. **SECOND READING ORDINANCES**

16a. **SECOND AND FINAL READING OF ORDINANCE NO. 3448**

City Clerk Herbers read aloud the title of Ordinance No. 3448.

MOTION: Councilmember Nakano moved for the adoption of Ordinance No. 3448, second and final reading. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

ORDINANCE NO. 3448

AN AMENDED AND RESTATED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE GRANTING TO SHELL CALIFORNIA PIPELINE COMPANY, AN AFFILIATE OF SHELL PIPELINE CORPORATION, A WHOLLY OWNED SUBSIDIARY OF SHELL OIL COMPANY, A DELAWARE CORPORATION, AN AMENDED AND RESTATED FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A PIPELINE FOR THE TRANSPORTATION OF HYDROCARBON SUBSTANCES IN THE CITY OF TORRANCE

16b. **SECOND AND FINAL READING OF ORDINANCE NO. 3447**

City Clerk Herbers read aloud the title of Ordinance No. 3447.

MOTION: Councilmember Nakano moved for the adoption of Ordinance No. 3447. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

ORDINANCE NO. 3447

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, GRANTING TO METRICOM, INC., A NONEXCLUSIVE FRANCHISE IN THE CITY'S STREETS AND RIGHTS OF WAY FOR THE PURPOSE OF MOUNTING, INSTALLING, OPERATING, REPAIRING AND MAINTAINING A MICROCELLULAR DIGITAL NETWORK RADIO SYSTEM IN ORDER TO PROVIDE RICOCHET (TM) WIRELESS DATA COMMUNICATION SERVICES

18. **ADDENDUM MATTERS**

See page no. 17 for information on an addendum matter before the Council this evening.

19. **ORAL COMMUNICATIONS**

19a. Updated information regarding problems experienced in the neighborhood near Amie Sump during recent El Nino storms was provided by City Manager Jackson.

Mayor Hardison asked if the pumps currently being used at Amie Sump to reduce water caused by El Nino storms will be kept there over the long term.

City Manager Jackson advised that, should there be a dry period for a somewhat long time, some of the pipes might be removed and that steps to alleviate various drainage problems in that neighborhood will be taken.

19b. Councilmember Cribbs urged residents to vote on Tuesday, March 3, 1998.

19c. Councilmember Cribbs highly commended the superb athletic efforts of Olympic Silver Medalist Michelle Kwan, Torrance resident. She mentioned the recent television program on Mr. Louie Zamperini and asked staff to obtain copies of the program for placement at various locations throughout the City, including the City archives.

Mayor Hardison noted the City's receipt of a number of telephone calls regarding the accomplishment of Ms. Kwan. She affirmed that the City will recognize Ms. Kwan as her schedule allows.

19d. Following a request from Councilmember Messerlian, City Manager Jackson verified that staff will look into the idea of installing a cross walk and/or a sign advising drivers that school children are present on Newton Street near Richardson School.

19e. Councilmember Nakano congratulated West High School students on their academic decathlon championship.

City Manager Jackson affirmed that the City will recognize this accomplishment after the State academic decathlon championship.

19f. Councilmember Walker voiced his appreciation of the recent television program on Louie Zamperini, an amazing individual with an amazing ability for life.

19g. Councilmember Walker apologized for his inability to attend a recent Riviera Homeowners' Association candidate forum.

19h. Referring to a memorandum distributed to the Councilmembers regarding the 1997 BJ Block Grant, Mayor Hardison suggested that the 1996 Advisory Board which previously made recommendations to the Council continue serving in this capacity. She asked her fellow Councilmembers to contact her with their recommendations.

19i. Ms. Rosie Ha, attending West High School and serving on the Torrance Youth Council, notified the Council that the other West High School Youth Council representative, Ann Tsai, is on the winning honors academic decathlon team which won first place and that West High School student Zach Fornaca, who received a perfect score on the Scholastic Aptitude Test (SAT), is on the West High School scholastic academic decathlon team.

20. **EXECUTIVE SESSION**

Mayor Hardison read aloud a script (of record) for adding an addendum item to the meeting agenda. She advised that, subsequent to the posting of the meeting agenda, the City Attorney received a settlement proposal from the plaintiff in Stendal vs. City of Torrance lawsuit, Los Angeles County Superior Court Case No. BC 174275, and that it is necessary for the Council to take immediate action and provide direction on this proposal because of proceedings in the case which are scheduled to occur before the next Council meeting.

MOTION: Councilmember Lee moved that, because of proceedings in the case which are scheduled to occur before the next Council meeting, it is necessary for the Council to take immediate action/provide direction on the settlement proposal from the plaintiff in Stendal vs. City of Torrance lawsuit, Los Angeles County Superior Court Case No. BC 174275. The motion was seconded by Councilmember Cribbs and passed by unanimous roll call vote.

Pursuant to Government Code Section 54957.6, 54957.9(c) and 54956.8, at 9:05 P.M., the Council entered into a closed session to discuss the addendum matter of the settlement proposal from the plaintiff in Stendal vs. City of Torrance lawsuit, Los Angeles County Superior Court Case No. BC 174275, as well as the items listed on the meeting agenda.

At 10:25 P.M., the Council returned to open session. Mayor Hardison announced that no formal action was taken in closed session.

21. **ADJOURNMENT**

At 10:26 P.M., the meeting was adjourned to Tuesday, March 3, 1998, 7:00 P.M.

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***Adjourned in Memory of
Mr. George Ogawa***

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City Council
February 24, 1998