

May 5, 1998

**MINUTES OF A REGULAR MEETING  
OF THE TORRANCE CITY COUNCIL**

1. **CALL TO ORDER**

The Torrance City Council convened in a regular session at 5:30 p.m. on Tuesday, May 5, 1998, in the City Council Chambers at Torrance City Hall.

**ROLL CALL**

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

Absent: None.

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 5:30 p.m., pursuant to California Government Code Sections 54957.6, 54956.9(a), 54956.9(c) and 54956.8 the Council recessed into a closed session to confer on matters listed on the meeting agenda.

At 7:20 p.m., the Council returned to Council Chambers.

City Attorney Fellows announced that during executive session he had asked the Council to authorize the City of Torrance to join as a Friend of the Court in briefs being filed on behalf of cities in two cases. The first case, Kobzoff v. Harbor/UCLA Medical Center, SC Case No. S066874, 59 Cal.App. 4th 219, is a review of a California Court Of Appeal decision to clarify the legislative intent behind a California Code of Civil Procedure Section 1038 which allows cities to recover attorneys fees in frivolous lawsuits brought against cities. The second case, San Bernardino Public Employees Assn. v. City of Fontana, SBSC Case No. SCV 36883, regarding a decision in the California Court of Appeal, Fourth Appellate District, Division Two Case No. E210207, raises significant issues on the ability of public agencies to engage in collective bargaining agreements pursuant to the Meyers-Millias-Brown Act. Mr. Fellows advised that the Council, by a 7-0 decision, voted to authorize the filing of the Amicus briefs.

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2. **FLAG SALUTE/ INVOCATION**

The Pledge of Allegiance was led by North High School Army JROTC, Sgt. John Tucker, Commanding.

City Clerk Herbers gave the invocation for the meeting.

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

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

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

4. **WITHDRAWN/DEFERRED ITEMS**

City Manager Jackson announced the withdrawal of Agenda Item No. 13e (Budget Modifications Re Fire Department and City Management Department).

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

**Fire Department Open House**

Saturday, May 9, 1998, 10:00 a.m. - 4:00 p.m.

Wilson Park and Fire Stations

Demonstrations at 11:00 a.m. and 2:00 p.m. - Wilson Park

**Citizen Development & Enrichment Committee**

Wednesday, May 13, 1998, 5:30 p.m.

Third Floor Assembly Room

Subject: Approval of Nature Center Exhibit Design and Fabrication Firm

**39th Annual Armed Forces Day Parade**

May 16, 1998, 2:00 p.m.

Crenshaw and Torrance Boulevards

May 16 & 17 - Displays and Events at Del Amo Fashion Center and Zamperini Field

**City Yard Open House - Public Works Week**

Saturday, May 30, 1998, 10:00 a.m. - 2:00 p.m.

20500 Madrona Avenue

**Finance and Governmental Operations Committee**

Tuesday, June 2, 1998, 5:30 p.m.

Council Chambers

Subject: 3rd Quarter Budget Review/Council Seniority Issues

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Mayor Hardison noted supplemental material available at the meeting on Agenda Item 8a ("Adopt-A-Park" and City Beautification Program).

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6. **COMMUNITY MATTERS**

6a. **PROCLAMATION RE “HIRE A VETERAN WEEK”**

Mayor Hardison presented a proclamation declaring the week of May 3 through May 9, 1998, as “Hire a Veteran Week” in the City of Torrance to Agnes Dodd, Manager, Torrance and Carson Job Service, Employment Development Department. On behalf of the Employment Development Department and the One-Stop Career Center, Ms. Dodd expressed her appreciation for the Council’s support of efforts to provide employment for men and women who have served in the military.

6b. **PROCLAMATION RE “LETTER CARRIER FOOD DRIVE DAY”**

Mayor Hardison presented a proclamation declaring Saturday, May 9, 1998 as “Letter Carrier Food Drive Day” in the City of Torrance to Tom Jono, Postmaster and Dave George, Manager, Customer Service, Torrance Post Office; Kimberly Ingram, Food Drive Coordinator, National Association of Letter Carriers; Armando Olivas, Director, AFLCIO; and Peggy Robinson, AFLCIO Labor Community Services. Mr. Jono invited residents to participate in the 6th Annual Food Drive, the largest one-day food drive in the country, by placing non-perishable food items by their mailboxes on Saturday, May 9, 1998. Ms. Ingram thanked Mayor Hardison for collecting and sorting food at last year’s drive, and City staff, especially Diane Aquino; Dow Chemical; Del Amo Fashion Center; Southwood Homeowners Association and the Daily Breeze for their assistance in publicizing this year’s event. Ms. Robinson commended Torrance postal workers and letter carriers for collecting and distributing over 41,000 pounds of food last year.

6c. **PROCLAMATION RE “OLDER AMERICANS MONTH”**

Mayor Hardison presented a proclamation declaring the month of May, 1998 as “Older Americans Month” in the City of Torrance to Muriel Brandt, Chair, Commission on Aging. Ms. Brandt expressed her appreciation for the recreational and other facilities the City makes available for older residents.

6d. **RECOGNITION OF WEST HIGH SCHOOL ACADEMIC DECATHLON TEAM**

Mayor Hardison congratulated the West High School Decathlon Team for placing first in Los Angeles County and fifth in the State competition, and presented Certificates of Commendation to George Floratos, coach, and team members Andrew Kim, Hayley Lam, Ann Tsai, Zachary Fornaca, Matthew Wilson, Wendy Wong, Nicole Edson, Joony Oh, and John Tchoi. Mr. Floratos explained the different events at the decathlon competition, noted team members’ accomplishments, and introduced his wife, Gudelian Floratos, assistant coach, and West High School Principal Alexis Sheehy. Ms. Sheehy noted with pleasure that Mr. Floratos has been selected as the 1997-98 “Teacher of the Year” for the Torrance School District.

7. **CONSENT CALENDAR**

7a. **1998 SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAM**

**Recommendation**

The Carson/Lomita/Torrance Private Industry Council and the Human Resources Director of the City of Torrance recommend that City Council:

- (1) Accept the 1998 Summer Youth Employment and Training Program Title II-B funding of \$603,062;
- (2) Appropriate these monies to the Employment and Training Division budget;
- (3) Authorize the execution of JTPA Agreements with the Los Angeles Unified School District for \$290,333 and Southern California Regional Occupational Center for \$193,555.

7b. **TORRANCE YOUTH COUNCIL DONATION**

**Recommendation**

The Torrance Youth Council recommends that City Council approve a \$3,750 donation from the Torrance Youth Council Donation Fund in the following amounts:

- (1) \$2,000 to the Volunteer Center;
- (2) \$1,000 to the Torrance Coordinating Council; and
- (3) \$750 to the Torrance Symphony Association.

7c. **STATEMENT OF INVESTMENT ACTIVITY FOR MARCH 1998**

**Recommendation**

The City Treasurer recommends that City Council accept and file the statement of investment activity for the month of March 1998.

7d. **CONTRACT RE BENSTEAD PLUNGE IMPROVEMENTS**

**Recommendation**

The General Services Director recommends that City Council award a contract to California Commercial Pools, Inc. in the amount of \$152,000 plus a 10% contingency for a total of \$167,200 to replace the filtration system and water heater at the Benstead Plunge; and to appropriate \$78,000 from Proposition A funding to partially fund the contract amount and contingency. (\$89,200 has already been appropriated in the Capital Improvement Funds.)

7e. **AMENDMENT TO AGREEMENT RE PRAIRIE AVENUE IMPROVEMENTS**

**Recommendation**

The Engineering Director recommends that City Council approve an amendment to Agreement No. C96-097 in the amount of \$60,026 with Parsons Brinckerhoff Quade & Douglas, Inc., for professional services in conjunction with the design of Prairie Avenue improvements from south of 190th Street to Redondo Beach Boulevard.

7f. **AMENDMENT TO CONSTRUCTION MANAGEMENT CONTRACT RE 190TH STREET/CRENSHAW BOULEVARD PROJECT**

**Recommendation**

The Engineering Director recommends that City Council approve an amendment to Contract No. C96-096 with Transtech Engineers, Inc. for additional construction management and engineering services, not to exceed \$57,700 for the 190th Street/Crenshaw Boulevard Project. [Fed. No. STPL-5249 (003)]

**MOTION:** Councilwoman O'Donnell moved for the approval of the Consent Calendar as written. The motion was seconded by Councilman Walker and passed by unanimous roll call vote.

Referring to Item 7b, Councilwoman O'Donnell commended the Torrance Youth Council for their generous donations to the Torrance Coordinating Council, the Volunteer Center, and the Torrance Symphony Association.

8. **LIBRARY/PARKS & RECREATION**

8a. **ADOPT-A-PARK AND CITY BEAUTIFICATION PROGRAM**

**Recommendation**

The Parks and Recreation Commission and the Director of Parks and Recreation recommend that City Council approve the proposed Adopt-A-Park and City Beautification Program.

Parks and Recreation Director Barnett reported that staff and the Open Space Committee of the Parks and Recreation Commission worked together over an extended period of time to formulate the proposed program to provide opportunities for community groups, businesses and individuals to contribute to the City's beautification efforts, and emphasized that the program is intended to augment current landscape operations and will not result in the elimination of funded positions.

In response to Mayor Hardison's inquiry, Mr. Barnett stated that brochures describing the program will be available in four to six weeks, and that he will report back to the Council in six months on the program's progress.

Councilwoman O'Donnell questioned whether specific plans have been devised, designating areas needing planting, weeding, etc. to guide people wishing to participate, and whether materials and tools will be provided by the City. She pointed out that some senior citizens might enjoy gardening, yet not have the resources to purchase supplies.

Mr. Barnett advised that City staff will work with interested parties to design a plan tailored to their particular interests, and that participants would be encouraged to provide their own materials, but provisions could be made for those who are unable to do so.

Ms. Janet Payne, Chair of the Open Space Committee, stated that the proposed program is deliberately broad in scope to allow participants creative input because experience has shown that residents can come up with excellent ideas.

Mr. Barnett commended Parks Services Administrator Mike Wilson, along with Parks and Recreation Commissioners Janet Payne, Judy Gibson, Marla Shwartz, Dean Mayeda and former Commissioner John McGee, for their efforts in developing this program.

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

13. **ADMINISTRATIVE MATTERS**

13a. **190TH STREET STREETScape PROJECT**

**Recommendation**

The Streetscape Team recommends that City Council conceptually approve the design and utilization of \$100,000 for the beautification of City-owned backup parkways located on the south side of 190th Street from Inglewood Avenue to Fisk Lane.

Assistant to the City Manager Sunshine advised that this is the first in a series of improvement projects for City right-of-ways throughout the City; that the project is a team effort of several Departments, including Building & Safety, Planning, Parks and Recreation, Engineering, and the City Manager's Office; and that construction is scheduled to begin in January of 1999 to avoid the holiday traffic period.

In response to Mayor Hardison's inquiry, Mr. Sunshine reported that other City right-of-ways identified in the Proposed Program Addition (Attachment 2, of record) will be addressed in the upcoming five-year capital improvements action plan, and that the 190th Street project was given high priority as it is an entranceway to the City.

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

13b. **ESTOPPEL CERTIFICATE FOR TORRANCE HANGAR DEVELOPMENT CO.**

**Recommendation**

The Land Management Team recommends that City Council authorize the Mayor and City Clerk to execute and attest to an Estoppel Certificate for Torrance Hangar Development Co., LLC, located next to and affiliated with Great American Aircraft Maintenance Co. Inc. (Great American)

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

13c. **1998-99 LEGISLATIVE POLICIES AND GOALS**

**Recommendation**

The Ad Hoc Legislative Committee recommends that City Council adopt the 1998-99 Legislative Policies and Goals.

Mayor Hardison stated that this item was discussed at last week's City Council meeting and was brought back to Council for formal action.

**MOTION:** Councilman Messerlian moved to concur with the Committee recommendation. The motion was seconded by Councilwoman Cribbs and passed by unanimous roll call vote.

13d. **TAXICAB LICENSE MORATORIUM**

**Recommendation**

The City Attorney recommends that City Council adopt a resolution declaring a moratorium on the issuance of additional licenses to operate taxicabs in the City of Torrance. The resolution would establish a moratorium for a period of up to twelve months, until proposed revisions to the City's taxicab ordinances have been reviewed and adopted by the City Council.

City Attorney Fellows explained the two-step licensing procedure currently in effect, and advised that the moratorium was recommended so the City can establish performance and evaluation standards for taxicab companies; decide whether existing operators would be subject to the new ordinance or allowed to work under the old one; and to determine how many cabs are operating in the City. He noted that although a moratorium of up to one year was being requested to allow for any contingencies, the revision of the ordinance was not expected to take that long.

Councilwoman O'Donnell voiced her opinion that the City should verify that taxicabs operating in the City have adequate insurance at all times, that drivers should be properly licensed, fingerprinted and checked for criminal records, and that an effort should be made to determine whether or not there is a need for more taxicab companies in the City.

Agreeing that certain minimum standards need to be met for licensing, Councilman Lee expressed his reluctance to interfere with free enterprise, and suggested that the marketplace should be allowed to determine who operates in the City and what fares are charged.

Councilman Walker commented that he believed the moratorium was a reasonable request, and cautioned members of the audience wishing to address the Council to confine their remarks to the issue at hand.

Councilman Nakano stated that because most people do not use taxicabs on a regular basis, competition is not as effective as in other situations, and that a minimum standard of quality of service should be maintained.

Responding to Mayor Hardison's inquiry, Mr. Fellows explained that the proposed revised ordinance would be brought to the Council for review and public comment, and at that time it would be determined whether alternatives should be brought forward. Mayor Hardison suggested that it might be helpful if the revisions were first reviewed by the Council's Transportation Committee before presentation to the full Council.

Mr. Neil Evans, 13351-D Riverside Drive, Sherman Oaks, attorney for Independent Taxi Company, advised that the company has already been approved for licensing by the License Review Board and is awaiting a hearing before the City Council. He voiced his opinion that there is no way at present to determine the number of cabs operating in the City and modifying the ordinance will not solve the problem; that the burden of proof rests on both City staff and the applicants to address the issue of public convenience and necessity; and that the Council under the existing ordinance already has broad powers to establish rules and regulations, and making the ordinance more specific could limit the Council's flexibility on licensing matters

Mr. Andrew Craig, Director of Public Relations for Independent Taxi Company, stated that his company is already licensed to operate in several municipalities and subject to the most stringent controls in the history of cab companies; that the issue of performance standards can be

addressed administratively within the framework of the existing ordinance; and that if his company is approved, he will stipulate to regulations in the revised ordinance. He added that if the moratorium is enacted, it will negatively impact residents because his company will offer programs not currently available, such as a DUI prevention program, reduced senior citizen fares, and flat-rates to LAX.

Mr. Gil Archuletta, United Independent Taxi Drivers Inc., 355 S. Grand, Los Angeles, reported that his company had submitted an application in good faith, is scheduled for a License Review Board hearing on May 12, 1998, and should be allowed to complete the licensing process. He expressed his concern that because government moves slowly, the moratorium may last the entire 12 months; agreed to abide by any regulations enacted in the future; and commented on the merits of competition.

Councilman Messerlian requested clarification of the proposed moratorium's affect on pending applications.

City Attorney Fellows advised that the current ordinance does not provide sufficient information for the City Council to determine whether the public convenience and necessity would be satisfied by granting the requested licenses, and it is unclear as to who has the burden of proof. He expressed concerns that the approval or denial of any application at this time could leave the City vulnerable to litigation.

Mr. Siroos Muatazedi, AM/PM Taxi and Torrance Yellow Cab, 9832 Flower Street, Bellflower, stated that his company is currently licensed to provide service in the City and has provided good service for the past 12 years; spoke in support of the moratorium; voiced his opinion that there is no need for additional cab companies to be licensed, and questioned the sudden interest of several taxicab companies to operate in the City.

Ms. Karen Clark, 400 N. Camden, Beverly Hills, attorney for All Yellow Taxi, Inc., stated that the company has completed the first half of the licensing process under the current ordinances and, therefore, should be governed by them and not be subject to additional rules and regulations imposed by revised ordinances. Noting her familiarity with Torrance's Municipal Code, she agreed that revision is necessary, particularly with regard to insurance regulations; and pointed out that All Yellow Taxi, as well as the other companies with pending applications, are regulated by the Department of Transportation.

Ms. Ann M. King, 2440 W. 233rd Street, related her opposition to the moratorium, and stated that because of communication problems, the needs of the Korean and Japanese community are not being met by the two taxicab companies currently licensed in the City, and that All Yellow Taxi, Inc., if approved, could fill this void.

Mr. Michael Collins, South Bay Yellow Cab Co-op, currently licensed in Torrance, commented that while he does not object to competition, he fears that if taxicab companies are licensed indiscriminately and allowed to proliferate, drivers may resort to predatory practices to compensate for fewer customers.

Mr. Timothy Chang, 516 N. Citrus Avenue, Los Angeles, related his understanding that All Yellow Taxi, Inc. had been approved and began operating in Torrance in February of 1998, contrary to written material of record, and that approval was revoked on April 20, 1998 without justification. He voiced his opinion that the proposed moratorium only protects the currently



licensed cab companies, and will cause hardship for his friend, Mr. Alan Koo, the president of All Yellow Taxi, Inc., and deprive the Asian community of desperately needed services.

Mr. Tae Kang, 17782 Palo Verde Avenue, Cerritos, a local pastor, reported that transportation is a major problem for the elderly members of his congregation, and that, in his view, there is definitely a need for additional taxi service in the City. Acknowledging safety and traffic problems that might result from having too many taxicabs on the streets, he stated that the positive benefits of special programs that new companies are offering would outweigh the problems.

Mr. Hideo Ohta, 907 S. Acacia Avenue, commented of the difficulties facing small taxicab companies and requested that All Yellow Taxi, Inc. be given an opportunity to operate in Torrance.

Councilman Walker thanked members of the audience for pointing out a need of which he was unaware. He noted that the increase in the number of applications for licenses correlates directly to the Council's request for revisions to the ordinances governing the industry, and reiterated his support for the proposed moratorium.

Councilwoman O'Donnell stated that the number of taxis on the streets is a minor concern compared to other safety considerations, such as the qualifications and criminal records of drivers, proper maintenance of vehicles, and the confirmation of adequate insurance, and that the moratorium is necessary to make certain that these issues are appropriately addressed.

Councilman Messerlian agreed that a moratorium is necessary and would allow time to research and compare ordinances in other cities. Stating that he empathized with taxicab companies with pending applications, he recommended a 45-day moratorium instead of the 12 months proposed by the City Attorney.

Councilman Lee requested clarification of insurance statutes governing liability coverage for taxicabs; noted his concurrence with Councilman Messerlian's and Councilwoman's O'Donnell's comments; and stated that he was not against regulation for safety reasons, but was against restricting competition, and that as a general rule the marketplace is the best arbiter in determining the quality of service.

A brief discussion ensued regarding the length of the moratorium, and it was the consensus of Council members and City Attorney Fellows that six months would be appropriate, and if additional time is needed, the request will be brought back to City Council. City Attorney Fellows recommended that Section 2 of Resolution No. 98-52 be amended to read, "...for a period of six months from the date of adoption..."

#### **RESOLUTION NO. 98-52**

#### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, ESTABLISHING A MORATORIUM ON TAXICAB PERMITS ISSUED PURSUANT TO CHAPTER 6 OF DIVISION 3 OF THE TORRANCE MUNICIPAL CODE**

**MOTION:** Councilman Nakano moved for the adoption of Resolution No. 98-52 as amended. The motion was seconded by Councilman Walker and passed by unanimous roll call vote.

Mayor Hardison voiced her support for the moratorium, noting that she doubted that the full six months would be needed; and stated that she would entertain a motion from the Council to send this matter to the Transportation Committee.

**MOTION:** Councilman Lee moved to send the proposed revision of the taxicab ordinances to the Transportation Committee for review prior to presentation before the full City Council. The motion was seconded by Councilman Nakano and passed by unanimous roll call vote.

13. **BUDGET MODIFICATIONS**

Withdrawn (see page 2).

18. **ADDENDUM MATTERS**

None.

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At 9:39 p.m. the Council met as the Torrance Redevelopment Agency. At 9:40 p.m. the Redevelopment Agency meeting was adjourned, and the Council agenda was resumed in regular order.

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19. **ORAL COMMUNICATIONS**

19a. City Clerk Herbers invited the public to visit the City Clerk's office to see watercolors by Leah Mansfield, the "Art on View" display for May.

19b. Mayor Hardison reported that the first "Art at the Beach" program at Miramar Park was successful and will continue on the first weekend of every month through December, from 10:00 a.m. to 4:00 p.m., weather permitting.

19c. Councilwoman O'Donnell announced that Hazel Taniguchi, President of the Torrance Sister City Association, was named "Woman of the Year" for the 53rd Assembly District.

20. **EXECUTIVE SESSION**

Considered earlier in the meeting (see page 1). No other formal action was taken on matters heard in closed session.

21. **ADJOURNMENT**

At 9:41 p.m., the meeting was formally adjourned to Tuesday, May 12, 1998, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in Council Chambers.