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Torrance City Council - September 13, 1994

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MINUTES OF A REGULAR MEETING OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES

1. CALL TO ORDER

The Torrance City Council convened in a regular meeting on Tuesday, September 13, 1994, at 7:05 P.M., in the Council Chambers of 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 staff representatives.

2 . FLAG SALUTE/INVOCATION

The Flag salute was led by Boy Scout Troop 310, Scoutmaster Michael Koppel.

Reverend Koju Terada, Gardena Buddhist Church, led the invocation for the meeting.

3 : MOTION RE POSTING OF AGENDA/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. This motion was seconded by Councilwoman Cribbs and it was so ordered by Mayor Hardison.

MOTION: Councilman Lee moved that after the City Clerk has read number and title to any resolution or ordinance on the agenda for this meeting, the further reading thereof be waived, reserving and guaranteeing to each Council member the right to

demand the reading of any such resolution or ordinance in regular order. This motion was seconded by Councilwoman Cribbs and it was so ordered by Mayor Hardison.

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS

<u>Finance and Governmental Operations Committee</u>
Campaign Finance Reform
Met this date

Ad Hoc Armed Forces Day Committee Review of Cost Efficiencies September 19, 5:00 P.M. 3rd Floor Assembly Room

Transportation Committee
Review of Senior Ride Taxi Program
September 27, 6:00 P.M.
3rd Floor Assembly Room

Citizen Development and Enrichment Committee
Update on Youth Services Task Force
September 28, 5:30 P.M.
3rd Floor Assembly Room

6. COMMUNITY MATTERS

6a. PROCLAMATION expressing appreciation to Hughes Electron Dynamics Division for hosting its third consecutive Household Hazardous Waste Roundup on September 10, 1994.

So proclaimed by Mayor Hardison and accepted with appreciation by Mr. Bill Heidtman, Head of Environmental Engineering Section, Hughes Electron Dynamics Division.

7. CONSENT CALENDAR

7a. <u>APPROVAL OF MINUTES</u> - August 16, 1994.

7b. AWARD OF PURCHASE ORDERS TO FURNISH ANNUAL REQUIREMENT FOR MISCELLANEOUS PHOTOGRAPHIC SUPPLIES

RECOMMENDATION

It is recommended by the General Services Director that the City Council award purchase orders to the lowest responsible bidders listed on the agenda Item, to furnish the City's annual requirements of miscellaneous photographic supplies. [Bid No. B94-32, Anticipated Expenditure - \$69,593.54, including sales tax.]

7c. <u>AUTHORIZATION OF PURCHASE ORDER FOR THE RENTAL AND EXCHANGE OF ROLL-OFF BINS</u>

RECOMMENDATION

It is recommended by the General Services Director, the Street Services Director and the Acting Director of Parks and Recreation that the City Council authorize a purchase order to Western Waste Industries, *Torrance*, CA, for a not-to-exceed amount of \$46,600 for the rental and exchange of roll-off bins. [Bid No. B94-36.]

7d. 1995 EARTHQUAKE PREPAREDNESS FAIR

RECOMMENDATION

It is recommended by the Chief of Police and the Disaster Council that the City Council concur with the following:

- o That the second annual Earthquake Preparedness Fair be held on April 29, 1995 from 10:00 A.M. to 3:00 P.M. at the Recreation and Cultural Arts Centers; and
- o That an event budget of \$4,500 for the 1995 Fair (with \$2,500 of the necessary funding to be drawn from the Disaster Council budget) be approved as included in the FY 1994-95 budget.

7e. REAPPROPRIATION OF GIFT FROM THE FRIENDS OF THE TORRANCE PUBLIC LIBRARY

RECOMMENDATION

It, is recommended by the City Librarian that the City Council reappropriate \$900 from a \$13,883.52 gift from the Friends of the Torrance Public Library, to be used for the purchase of CD-ROM software.

7f. LIBRARY COMMISSION ANNUAL REPORT

RECOMMENDATION

It is recommended by the City Librarian that the City Council accept the Library Commission Annual Report for July 1993 - June 1994.

7g. WATER COMMISSION ANNUAL REPORT

RECOMMENDATION

It is recommended by the City Engineer and the Water Commission that the City Council accept the Water Commission Annual Report for July 1993 - June 1994.

7h. BANYAN VINES SOFTWARE MAINTENANCE

RECOMMENDATION

It is recommended by the Information Systems Director that the City Council approve the contract with TCE Technology Group as the sole source vendor for Banyan Vines software maintenance in an amount not-to-exceed \$30,377.

7i. <u>DONATION FROM THE TORRANCE YOUTH COUNCIL TO THE</u> TORRANCE ROSE FLOAT ASSOCIATION

RECOMMENDATION

It is recommended by the Torrance Youth Council that the City Council approve a \$5,000 donation from the Torrance Youth Council Donation Fund to the Torrance Rose Float Association, and authorize the staff liaison to issue a warrant on the Youth Council's behalf.

7j. GRANT AWARD TO TORRANCE SISTER CITY ASSOCIATION FOR FY 1994-95

RECOMMENDATION

It, is recommended by the Parks and Recreation Director that the City Council fund the Torrance Sister City Association for specified services to the community for FY 1994-95. The budgeted grant appropriation for the Association's services for the year is \$1,500.

MOTION: Councilwoman O'Donnell moved to concur with Consent Calendar Items 7a through 7j. Councilman Messerlian seconded the motion which carried with unanimous approval following roll call vote. (Councilman Nakano abstained from Item 7a.)

Mayor Hardison expressed her appreciation for the annual reports from the Library and Water Commissions (Items 7f and 7g, respectively.) She also expressed her gratitude for the donation from the Youth Council to the Rose Float Association (Item 7i.)

8. LIBRARY/PARKS AND RECREATION MATTERS

8a. <u>FUTURE DISPOSITION OF THE WESTON HOUSE AND</u> RED CAR

RECOMMENDATION

It is recommended by the Parks and Recreation Director that the City Council review the options and concur with staff for future disposition of the Weston House and Red Car, as follows:

- 1. Save the Red Car for restoration and relocation by the Torrance Historical Society after completion of the Wilson Park Master Plan.
- 2. Defer the demolition and disposal of the Weston House until early 1995 to provide an opportunity for a private group to come forward with a plan for relocation and restoration. If no plan is presented to the Council prior to the end of the calendar year, proceed with demolition and disposal.

Staff presentation was provided by Parks and Recreation Director Barnett.

Representatives of the Torrance Historical Society addressed the historical value of the Red Car and the Weston House to the community.

Ms. Cecilia Laxton, 4809 Paseo de la Tortugas, noted the support developing in the community with respect to preservation of the Weston House and provided related details, including various concepts to restore and preserve both the Weston House and the Red Car.

Ms. Linda Jensen, 1175 W. 204th Street, discussed her extensive experience in historical home restoration, noting that the Weston House is in relatively good condition.

Mr. Richard Meyer, Chairman of the Red Car Preservation Project, 15710 Condon Avenue, discussed progress made thus far in the restoration of the Red Car.

Council members generally praised the efforts of those associated with the preservation of the heritage of Torrance.

Capturing the sentiment of his colleagues, Councilman Walker offered the following:

MOTION: Councilman Walker moved to concur with the recommendation of the Parks and Recreation Director, modified as follows:

- 1. Save the Red Car for restoration and relocation by the Torrance Historical Society after completion of the Wilson Park Master
- 2. Defer the demolition and disposal of the Weston House to provide an opportunity for a private group to come forward with a plan for relocation and restoration.

Councilwoman O'Donnell seconded the motion, which was ultimately superseded by the substitute motion shown below.

During continuing discussion, and in response to Mayor Hardison, the Parks and Recreation Director affirmed that the Wilson Park Master Plan update will address the location of both the Weston House and the Red Car to determine if there is space available at the Park. He added that all interested parties and groups will be invited to participate in the Wilson Park Master Plan update process. Councilman Lee echoed Mayor Hardison's concern about the importance of establishing locations for these historical items.

Councilwoman Cribbs suggested that deadlines be included in the above motion to ensure that the location issue is being appropriately addressed without further undue delay. Councilman Lee voiced his concurrence with the concept of establishing deadlines. The following was then offered:

<u>SUBSTITUTE MOTION</u>: Councilwoman Cribbs moved to concur with the recommendation of the Parks and Recreation Director, modified as follows:

- 1. Save the Red Car for restoration and relocation by the Torrance Historical Society after completion of the Wilson Park Master Plan.
- Defer the demolition and disposal of the Weston House to provide an opportunity for a private group to come forward with a plan for relocation and restoration, with a tentative report to be scheduled for July, 1995. Further, direct staff to return to Council with proposed site locations by January, 1995.

Councilman Lee seconded the motion which carried with unanimous approval following roll call vote.

Discussion resumed with City Manager Jackson clarifying that if it were to be determined through the Wilson Park Master Plan process that there is not sufficient space available at Wilson Park, alternative locations would be proposed for consideration.

9. TRANSPORTATION/PUBLIC WORKS MATTERS

9a. ADOPTION OF RECLAIMED WATER ORDINANCE

RECOMMENDATION

It is recommended by the City Engineer and the Water Commission that the City Council adopt the Reclaimed Water Ordinance, adding Article 5 to Chapter 6 of Division 7 of the Torrance Municipal Code related to the distribution and use of reclaimed water in the City of Torrance.

Background information and desired clarification was provided by City Engineer Burtt. Mayor Hardison expressed her appreciation to staff in bringing this matter to fruition and Sr. Administrative Analyst Schaich was commended by Mr. Burtt for his related effort.

ORDINANCE NO. 3392

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING A NEW ARTICLE 5 TO CHAPTER 6 OF DIVISION 7 OF THE TORRANCE MUNICIPAL CODE RELATED TO THE DISTRIBUTION AND USE OF RECLAIMED WATER

MOTION: Councilman Nakano moved for the approval of Ordinance No. 3392 at its first reading. Councilman Walker seconded the motion which proved unanimously favorable following roll call vote.

- 13. <u>ADMINISTRATIVE MATTERS</u>
- 13a. <u>RESOLUTION REGARDING SAFETY MANAGEMENT EMPLOYEES</u>
 Considered following executive session; pg. 15.
- 13b. <u>SUPPLEMENTAL RESOLUTION REGARDING TORRANCE PROFESSIONAL</u>
 AND SUPERVISORY ASSOCIATION [TPSA]

SUPPLEMENTAL #1
RESOLUTION NO. 94-132

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 94-112 SETTING FORTH CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE PROFESSIONAL AND SUPERVISORY ASSOCIATION

MOTION: Councilman Nakano moved to adopt Resolution No. 94-132. The motion was seconded by Councilman Walker and roll call vote proved unanimously favorable.

13c. <u>RESOLUTION REGARDING SAFETY MANAGEMENT EMPLOYEES</u>

Considered following executive session; pg. 15.

14. HEARINGS

14a. CUP 94-0021, PRE 94-0008: McDONALD'S CORPORATION

Mayor Hardison noted that this was the time, date and place for a public hearing on City Council consideration of an appeal of a Planning Commission approval of a Conditional Use Permit and a Precise Plan of Development to allow the construction and operation of a drive-through restaurant on property located in the M1-PP zone at 23601 Crenshaw Boulevard.

CUP 94-0021, PRE 94-0008: McDONALD'S CORPORATION

Proof of publication was received and filed, without comment.

Supplementary material included correspondence received after the staff report for this item was distributed.

Staff presentation was provided by Senior Principal Planner Gibson who noted that the Planning Commission and the Planning Department were recommending denial of the appeal and approval of the project. Mr. Gibson addressed the history to the current design, noting that it differs from the initial design submitted by the applicants.

While responding to numerous Council inquiries, Mr. Gibson defined the rationale for the proposed driveway access on 236th Street [to facilitate cross-access between properties along Crenshaw Boulevard] noting that if Council chose not to have such access in this instance, the plan could be modified to locate the driveway further to the east, towards Crenshaw Boulevard.

Council members debated at length reflecting significant concerns about the access from the northwesterly corner of the site on 236th Street and cross-access to other properties; ingress/egress to the site and potential conflicts with the drive-through operation; on-site circulation patterns; on-site parking; and potential impacts to existing area traffic.

There was an early majority consensus apparent indicating that Council members preferred that the project be self-contained, more in accord with the design originally proposed by McDonald's, with access from Crenshaw Boulevard, eliminating the proposed access on 236th Street.

(<u>Note</u>: Councilwoman O'Donnell was absent from Chambers from 8:33 P.M. to 8:36 P.M.; Councilman Nakano was absent from 8:38 P.M. to 8:40 P.M.)

Noting that she has not yet determined whether this is an appropriate location for a McDonald's restaurant, Mayor Hardison stated that she wants all issues related to traffic safety thoroughly explored with respect to this application. She requested and received from staff a breakdown as to the nature and number of traffic-related accidents in the immediate area over the past five-years.

Councilman Walker objected to the architectural design of the proposed building.

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Mayor Hardison ordered a recess at 8:55 P.M. Council reconvened at 9:10 P.M.

*

Upon reconvening, Mayor Hardison invited audience input.

Representing McDonald's Corporation, Mr. Ron Street, 21300 Victory Boulevard, Suite 800, Woodland Hills, followed to the podium by Mr. Larry Lovelace of the same address, presented specifics about the proposed project. Both representatives indicated a willingness to address the concerns of Council as well as area residents, including the elimination of the northwest access on 236th Street, elimination of the crossaccess, and resolution to problems associated with on-site circulation, parking and ingress/egress.

City Clerk Herbers announced that Council members received a letter from Bruce Short [owner of subject property], dated September 13, 1994, just prior to the start of the meeting.

Mr. Julian Wu, representing the owners of Tower Plaza Office Building, 23545 Crenshaw Boulevard, #201, noted that he was speaking for several tenants of the building who were seated in the audience. While supporting a McDonald's operation at this location, he voiced his strong objection to the proposed access on 236th Street. He was echoed by Mr. Bill Delaney a tenant of the building who expressed concerns that the project as proposed, would create parking problems at the office building.

Several attendees spoke against a McDonald's at this location based upon concerns related to its potential impact to existing traffic problems and associated safety issues, particularly as they relate to children; noise and pollution;

aesthetics; compatibility with the neighborhood; on-site traffic circulation patterns; and increased vehicular activity with alley access and the potential for cut-through traffic. These speakers included:

Ms. Marilyn Purnell, 2426 W. 236th Place Ms. Anita Hall, 2414 E. 236th Place Ms. Theresa Stout, 2462 W. 236th Place [petition included in the record] Ms. Amy Hall, 2414 E. 236th Place Ms. Lorie Cote, 2402 W. 237th Street Ms. Karen Rodriguez, 2409 W. 237th Street

Mr. Keith Gasser, 2451 W. 236th Place

speakers.

Mr. Leonard Kasari, 2450 W. 233rd Street and Mr. Steve Ganalon, 2924 Dalemead Street, lent their support to the McDonald's proposal, each offering comments pertaining to traffic problems already existing in the area which they felt would not be compounded by this project. The fact that McDonald's is willing to address most of the concerns of Council; that the project would be a needed improvement to the site; and that McDonald's has an outstanding reputation as a good corporate member of the community were other issues addressed by these

McDonald's representative Ti Chang, 21300 Victory Boulevard, Suite 800, Woodland Hills, maintained that McDonald's is not a traffic generator, that it relies on attracting existing traffic. He offered a comparison of the proposed project with other McDonald's operations in the City and reiterated comments of his colleagues also noting that it is in the best interests of McDonald's to be a good neighbor. Mr. Lovelace returned to address concerns which had been voiced about overflow parking and stated that the Corporation would not allow its employees to park on any property other than its own.

It was moved by Councilman Lee that the hearing be closed. Councilman Walker seconded the motion and roll call vote proved unanimously favorable.

Councilman Walker started Council discussion by noting that while not happy with the actual aesthetics of the design of the project, he supports the overall development with the modifications agreed to by McDonald's to improve on-site circulation and ingress/egress to the site.

In response to Council inquiries, Senior Principal Planner Gibson discussed various design alternatives.

Mayor Hardison, while acknowledging a burgeoning traffic problem in the immediate area, stated that she felt this project, would not necessarily exacerbate those problems already endured by residents. She suggested that a traffic study needs to be conducted, particularly with respect to eastbound and westbound traffic at the intersection of 235th Street and Crenshaw Boulevard.

Mrs. Hardison stated that she had heard no convincing arguments as to whether this site is actually a good location for a McDonald's restaurant, indicating that she did have some question in this regard.

Councilman Nakano, noting that he had filed the appeal on this project, stated that many of his concerns had been assuaged by McDonald's agreement to the design changes discussed during this hearing. He indicated that he could support the project if it were to be self-contained, with no cross-access to adjacent properties and no access on 236th Street.

Discussion resumed about design modifications, with Senior Principal Planner Gibson addressing various alternatives, including those related to facilitating ingress/egress to the site from Crenshaw Boulevard.

It was ultimately concluded that rather than take action on the project tonight, the matter should be continued for reconsideration, with the modifications discussed during tonight's hearing incorporated in the design. With this in mind, Councilman Messerlian offered the following:

MOTION: Councilman Messerlian moved to continue this matter for two weeks [September 27, 1994, 7:00 P.M.] to consider the project as redesigned. Councilman Lee seconded the motion.

It was emphasized that continuing the matter did not necessarily mean that Council would be granting approval of the project.

Councilwoman O'Donnell, referencing various comments made tonight pertaining to traffic safety issues for children, shared a related experience and stated that because of this relevant issue, she could not support a McDonald's restaurant at this particular location.

Roll call was now taken on the motion for continuance and reflected the approval of all <u>but</u> Councilwoman O'Donnell, who for reasons stated, voted "No."

Mayor Hardison requested that the City work with Howard Wood School to resolve what she has observed as rather serious safety issues regarding traffic and children at that location. Staff concurred with her request.

16. SECOND READING ORDINANCES

16a. ORDINANCE NO. 3401

ORDINANCE NO. 3401

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING A NEW CHAPTER 8 TO DIVISION 2 OF THE TORRANCE MUNICIPAL CODE FOR THE PURPOSE OF ACTIVATING THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF TORRANCE

MOTION: Councilman Nakano moved for the approval of Ordinance No. 3401 at its first reading. Councilman Walker seconded the motion which proved unanimously favorable following roll call vote.

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At 10:15 P.M., the City Council recessed and reconvened as the Redevelopment Agency of the City of Torrance. The meeting of the Redevelopment Agency was adjourned at 10:16 P.M., and City Council business was resumed.

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19. ORAL COMMUNICATIONS

19a. Mayor Hardison announced that Councilmen Lee and Messerlian had been appointed to the Visitors' Bureau Task Force.

19b. Mayor Hardison requested that an agenda item be prepared to appoint Councilman Nakano to the Los Angeles County West Vector Control District Board.

19c. Mayor Hardison urged all citizens to drive carefully, noting the start of the school year.

19d. Mr. Newton Young, 22637 Hickory Avenue, requested that the City investigate the legalities associated with recent action taken by the Torrance Unified School District to exempt certain schools from City zoning ordinances in order to facilitate the use of YMCA Day Care Centers at these schools.

20. EXECUTIVE SESSION

20a. EXECUTIVE SESSION MATTERS

Mayor Hardison read the following statement into the record:

The City Council will now recess to closed session to confer with legal counsel and the City's negotiator, LeRoy J. Jackson, on those agenda matters listed under Agenda Item 20.a.1, Conference with Labor Negotiator. Council will also recess to confer with legal counsel on the agenda matters listed under Agenda Item 20.a.2, Conference with Legal Counsel - Existing Litigation.

A closed session is authorized on these items by California Government Code Sections 54957.6 and 54956.9(a). Further detail on these items is contained in the agenda.

Redevelopment Agency Executive Session

None.

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At 10:25 P.M., following a brief recess, the City Council met in executive session, returning to Chambers at 11:18 P.M. to take action as shown below.

[Note: Councilman Lee abstained from matters
concerning TPOA due to a business relationship
with members of that group.]

Consideration returned to ...

13a. RESOLUTION REGARDING SAFETY MANAGEMENT EMPLOYEES

RESOLUTION NO. 94-129

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE IMPLEMENTING GOVERNMENT CODE SECTION 20023(c)(4) PURSUANT TO SECTION 20615 BY PAYING THE NORMAL MEMBER CONTRIBUTIONS AS EMPLOYER-PAID MEMBER CONTRIBUTIONS AND REPORTING THE SAME PERCENT AS COMPENSATION FOR SAFETY MANAGEMENT EMPLOYEES

MOTION: Councilman Nakano moved to adopt Resolution No. 94-129. The motion was seconded by Councilman Walker and roll call vote proved unanimously favorable.

13c. RESOLUTION REGARDING SAFETY MANAGEMENT EMPLOYEES

RESOLUTION NO. 94-130

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH WAGES, HOURS AND WORKING CONDITIONS FOR SAFETY MANAGEMENT EMPLOYEES AND REPEALING RESOLUTION NO. 93-134

MOTION: Councilman Nakano moved to adopt Resolution No. 94-130. The motion was seconded by Councilman Walker and roll call vote proved unanimously favorable.

21. ADJOURNMENT

At 11:20 P.M., this meeting of the City Council was formally adjourned to September 20, 1994, 5:30 P.M. [meeting to commence with an executive session with regularly scheduled business to commence at 7:00 P.M. or shortly thereafter.]

Dee Hardman
Mayor of the City of Torrance

Clark of the City of Torrance

Valerie Whippie Minute Secretary