

March 18, 1997

**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, March 18, 1997, at 6:04 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.

Considered out of order...

12. PERSONNEL MATTERS

12a. APPEAL OF SUSPENSION -- TIMOTHY MALONE

RECOMMENDATION

Timothy Malone was suspended for misconduct from his position as Bus Operator with the Fleet Services Department. The Civil Service Commission, following a hearing, sustained the charges but mitigated the suspension imposed by a representative of the City Manager. The employee has now appealed that decision to the City Council. The Civil Service Administrator recommends the appeal be heard by the City Council.

Mayor Hardison read into the record:

“This is the time, date and place to hear the appeal by Timothy Malone of the Civil Service Commission decision to sustain his suspension from his position of Bus Operator in the Transit Division of the Fleet Services Department. Who will represent the City?”

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Who will represent the employee tonight?"

Following which Mr. David Larson, Esq., stated that he was present to represent the City.

Because the employee, Mr. Timothy Malone, or a representative of his was not present at this evening's meeting, City Attorney Fellows explained that the City Council is in possession of a full record relating to this case and that they may decide this case on the record at this time.

Mr. David Larson, Esq., provided brief information concerning the suspension of Mr. Malone.

Establishing that all members of the City Council had read all pertinent materials relating to this case, the following motion was put forth:

MOTION: Councilman Lee moved to uphold the Civil Service Commission's ruling. The motion was seconded by Councilwoman Cribbs, and roll call vote reflected unanimous approval.

At 6:15 P.M., Council immediately recessed to commence a closed Executive Session authorized by California Government Code Sections 54957.6, 54956.9(a), 54957, and 54956.8., returning to Chambers at 7:07 P.M. to conduct regularly scheduled City Council business.

Considered out of order...

20. EXECUTIVE SESSION

1. ROLL CALL

Previously taken; see page 1.

2. FLAG SALUTE/INVOCATION

The Flag salute was led by Beach Cities Civil Air Patrol Cadet Squadron No. 107.

College Director Mr. Yohan Kim, Torrance First Presbyterian Church, led the invocation for the meeting.

Mayor Hardison asked that tonight's meeting be adjourned in the memories of Dr. Albert Posner, former employee of the Torrance Unified School District; and Mr. Bill Brugger, Former Fine Arts Commissioner.

3. MOTION RE POSTING OF AGENDA/FURTHER READING

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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; hearing no objection, 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; hearing no objection, it was so ordered by Mayor Hardison.

4. WITHDRAWN OR DEFERRED ITEMS

None.

At this time, Mayor Hardison noted for the audience members that additional Agenda materials may be obtained at the rear of Council Chambers.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Citizen Development and Enrichment Committee

Monday, March 31, 1997 -- 5:30 P.M.

Third Floor Assembly Room

Subject: Wilson Park Gymnasium

6. COMMUNITY MATTERS

6a. AWARD OF EXCELLENCE

In recognition of the strengthening and revitalization of the community by the Downtown Torrance Streetscape Restoration and El Prado Apartments Projects, Principal Planner Bihn, on behalf of the California Redevelopment Association, presented the First Annual Award of Excellence Special Citation to the City of Torrance Redevelopment Agency. At this time a brief video was shown which described the two downtown Torrance projects.

6b. TORRANCE AREA CHAMBER OF COMMERCE QUARTERLY REPORT

With the aid of slides, Mr. Chip Scholz, President of the Torrance Area Chamber of Commerce, provided an overview of the Chamber's activities and second quarterly report.

7. **CONSENT CALENDAR**

7a. **APPROVAL OF MINUTES -- FEBRUARY 11, 1997;
FEBRUARY 18, 1997; AND FEBRUARY 25, 1997**

7b. **TORRANCE YOUTH COUNCIL DONATION**

RECOMMENDATION

The Torrance Youth Council is recommending that City Council approve a \$10,400 donation from the Torrance Youth Council Donation Fund in the following amounts: \$1,200 to the Native American Club of El Camino; \$1,200 to the YMCA California Youth and Government Program; \$5,000 to the City of Torrance Parks and Recreation Department to sponsor a Make*A*Circus Performance; \$1,000 to the Torrance Symphony; and \$2,000 to the Torrance-South Bay YMCA Resident Camp Program.

7c. **MAJOR URBAN RESOURCE LIBRARY GRANT**

RECOMMENDATION

The City Librarian recommends that the City Council accept and appropriate \$16,994 awarded to the Torrance Public Library as a Major Urban Resource Library (MURL) by the California State Library, and that the funds be deposited in a special account to accomplish this purpose.

7d. **FIRE DEPARTMENT PURCHASE OF MEDICAL EQUIPMENT
AND GIFT FROM LITTLE COMPANY OF MARY HOSPITAL**

RECOMMENDATION

The Fire Chief recommends that the City Council authorize:

- 1) the purchase of four (4) LIFEPAK 11 diagnostic cardiac monitors for an amount not to exceed \$48,777.37 from Physio Control Inc., of Redmond, Washington;
- 2) the receipt of four (4) Marquette defibrillator/monitors as a gift from Little Company of Mary Hospital (LCM);
- 3) and authorize the sale of the donated Marquette equipment.

7e. NATURAL GAS FUELING STATION -- TRANSFER OF OWNERSHIP

RECOMMENDATION

The Fleet Services Director recommends that City Council authorize the Mayor and City Clerk to execute the Consent of Assignment Agreement on behalf of the City of Torrance, allowing the transfer of ownership of the natural gas fueling island from the Gas Company to Pickens Fuel Corp.

7f. TORRANCE DIAL-A-LIFT SERVICE CONTRACT

Considered separately; see page 6.

7g. CATCH-A-RIDE PURCHASE ORDER EXTENSION

RECOMMENDATION

The City Manager recommends that City Council approve an extension of the purchase order agreement with Western Motivational Incentives Group, Inc., using Proposition C and AB 2766 funds in the amount of \$60,000, to continue the City's Catch-a-Ride (CAR) program for one year.

7h. CIVIC CENTER LIBRARY SERVICE DESKS REMODEL

RECOMMENDATION

The General Services Director recommends that the City Council accept the low bid of \$88,888 for remodeling of the checkout and Service Desks at Civic Center Library and award a contract to Southwest Industries, Inc.

7i. REQUEST FOR REJECTION OF ASPHALT BIDS

RECOMMENDATION

The General Services Director and the Director of Street Services recommend that the City Council reject the bids received to furnish asphalt plant mix for a (2) two-year period.

Mayor Hardison requested that Agenda Item No. 7f be considered separately.

MOTION: Councilwoman O'Donnell moved to concur with Consent Calendar Item Nos. 7a, b, c, d, e, g, h and i. The motion was seconded by Councilman Walker, and roll call vote reflected unanimous approval.

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Councilwoman O'Donnell expressed her appreciation of the Torrance Youth Council for donating \$10,400 to worthy groups in the community.

Fire Chief Thompson commented on the generous gifts (defibrillator/monitors) that were donated by the Little Company of Mary Hospital, which will be used to enhance the treatment of cardiac patients in the community.

7f. TORRANCE DIAL-A-LIFT SERVICE CONTRACT

RECOMMENDATION

The Fleet Services Director recommends that City Council authorize the Mayor to execute and the City Clerk to attest to the attached contract with DAVE Transportation Services, Inc., for the operation of the Torrance Dial-a-Lift service from April 1, 1997, through June 30, 1998.

Mayor Hardison expressed her pleasure that a computer-assisted scheduling operation will be utilized for the Dial-a-Lift service. Responding to Mayor Hardison's inquiries, Mr. Bruce Sessler, Site Supervisor of Torrance Dial-a-Lift Service, commented on the service's ridership activities and statistics; and stated that the vehicles will be supplied with customer survey cards.

MOTION: Councilwoman O'Donnell moved to concur with Consent Calendar Item No. 7f. This motion was seconded by Councilman Walker; hearing no objection, it was so ordered by Mayor Hardison.

12. PERSONNEL MATTERS

12a. APPEAL OF SUSPENSION -- TIMOTHY MALONE

Previously discussed; see page nos. 1 and 2.

13. ADMINISTRATION MATTERS

13a. PEYTON CRAMER FORD DEALERSHIP LEASE

RECOMMENDATION

The Land Management Team recommends approval of a fourth amendment to the four-party agreement relating to the Peyton Cramer Ford dealership lease at the corner of Pacific Coast Highway and Aero Way and for direction to the Mayor and City Clerk to execute and to attest the document.

MOTION: Councilman Lee moved to concur with the Land Management Team's recommendation. The motion was seconded by Councilwoman Cribbs, and roll call vote reflected unanimous approval.

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**13b. FINANCE AND GOVERNMENTAL OPERATIONS
COMMITTEE MID-YEAR BUDGET REPORT**

RECOMMENDATION

The Finance and Governmental Operations Committee recommends that City Council accept the mid-year budget review and concur with the recommendation to:

- 1) accept and file the mid-year report;
- 2) and concur with recommendations of the City Treasurer for investment of City surplus funds.

MOTION: Councilman Lee moved to accept and file the mid-year report and concur with the recommendation. The motion was seconded by Councilwoman Cribbs, and roll call vote reflected unanimous approval.

13c. CITY OF TORRANCE BIKE DAY/BIKE WEEK

RECOMMENDATION

The Traffic Commission and the Planning Director recommend that the City Council: 1) review the background and analysis regarding the proposed City of Torrance "Bike Day" on Sunday, May 18, 1997, at Columbia Park, including activities associated with "Bike Week," from May 19 through 24, 1997; and 2) concur with Staff recommendation that this event be a City-sponsored program with volunteer assistance and coordination from the Torrance Bicycle Advisory Team (TBAT).

Transportation Planner Buchman highlighted the proposed Bike Day/Bike Week activities.

MOTION: Councilman Messerlian moved to concur with the Traffic Commission and the Planning Director's recommendation. The motion was seconded by Councilwoman Cribbs, and roll call vote reflected unanimous approval.

13d. **TPOA AND TFFA SUPPLEMENTAL NOS. 1 AND 4 MEMORANDUMS OF UNDERSTANDING AND RESOLUTIONS**

RECOMMENDATION

The City Manager recommends that City Council adopt the following two MOU supplementals and two Resolutions:

- 1) TPOA supplemental MOU amending pay grids;
- 2) TFFA supplemental MOU amending pay grids;
- 3) Safety Management Resolution;
- 4) Certain Management Resolution amending the pay grid for the Principal Management Assistant.

Assistant to the City Manager Keane supplied information concerning the supplemental Memorandums of Understanding and the Resolutions for the Torrance Police Officers' Association and the Torrance Fire Fighters' Association.

RESOLUTION NO. 97-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 94-148 SETTING FORTH CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE POLICE OFFICERS' ASSOCIATION, POLICE SAFETY EMPLOYEES

MOTION: Councilman Nakano moved to adopt Resolution No. 97-29. The motion was seconded by Councilman Walker, and roll call vote reflected unanimous approval.

RESOLUTION NO. 97-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 96-70 SETTING FORTH WAGES, HOURS AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE FIRE FIGHTERS' ASSOCIATION

MOTION: Councilman Nakano moved to adopt Resolution No. 97-30. The motion was seconded by Councilman Walker, and roll call vote reflected unanimous approval.

RESOLUTION NO. 97-31

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE AMENDING RESOLUTION NO. 96-80
GOVERNING EMPLOYMENT COMPENSATION FOR
SAFETY MANAGEMENT EMPLOYEES**

MOTION: Councilman Nakano moved to adopt Resolution No. 97-31. The motion was seconded by Councilman Walker, and roll call vote reflected unanimous approval.

RESOLUTION NO. 97-32

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE AMENDING RESOLUTION NO. 96-68
GOVERNING EMPLOYMENT COMPENSATION FOR
CERTAIN MANAGEMENT EMPLOYEES**

MOTION: Councilman Nakano moved to adopt Resolution No. 97-32. The motion was seconded by Councilman Walker, and roll call vote reflected unanimous approval.

13e. RESERVE FOR ANTICIPATED COURT REPORTER COSTS

RECOMMENDATION

The Civil Service Administrator recommends that, due to a greater than average number of hearings, City Council appropriate \$10,000 from the reserve for program contingencies for anticipated court reporter costs at Civil Service Commission disciplinary hearings for the balance of the 1996-1997 fiscal year.

MOTION: Councilman Messerlian moved to concur with Staff's recommendation. The motion was seconded by Councilman Lee, and roll call vote reflected unanimous approval.

13f. BUDGET WORKSHOPS AND HEARINGS SCHEDULE

RECOMMENDATION

The City Manager recommends that the City Council schedule the dates and times for the Budget Workshops and Public Hearings to consider and review the City Manager's proposed 1997-1999 budget.

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The City Council concurred with the following schedule:

Budget Workshop Dates/Times

Wednesday, May 28 -- 5:30 P.M.
Tuesday, June 3 -- 5:30 P.M.
Thursday, June 5 -- 5:30 P.M.

Proposed Public Hearing Dates

(Part of regularly scheduled Council meeting)
Tuesday, June 10
Tuesday, June 17
Tuesday, June 24 (if needed)

13g. ASSEMBLY BILL NOS. 5, 339, 334 AND 923

RECOMMENDATION

The City Manager recommends that the City Council:

1. Review the following analysis of proposed legislation:
 - a) Assembly Bill 5 -- Regulates the placement of juveniles within group homes;
 - b) Assembly Bill 339 -- Repeals the technical error of AB 1191, which resulted in loss of funds to cities;
 - c) Assembly Bill 334 -- Corrects the problem created by AB 1191 and changes the base figure to reflect actual sales tax revenue receipts;
 - d) Assembly Bill 923 -- Repeals the Community Redevelopment law;
2. Concur with Staff's recommendation to support or oppose the proposed Bills;
3. And Direct Staff to forward to the State Legislators letters of support or opposition.

Management Assistant Lopez provided an overview of the proposed Bills; and explained that Staff's recommendation is for City Council to support Assembly Bill Nos. 5, 339, 334 and oppose Assembly Bill No. 923.

MOTION: Councilwoman O'Donnell moved to concur with Staff's recommendation -- supporting Assembly Bill Nos. 5, 339, 334 and opposing Assembly Bill No. 923. The motion was seconded by Councilman Walker, and roll call vote reflected unanimous approval.

13h. ECONOMIC INVESTMENT FUND ASSISTANCE FOR CREATIVE COMPUTERS

RECOMMENDATION

A recommendation of the Economic Investment Team for the City Council to authorize the development and execution of a contract with Creative Computers, Inc., for Economic Investment Fund assistance in the amount of \$225,000 to assist in their relocation costs to a larger facility in the City of Torrance.

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It is further recommended that City Council modify the existing policy for flow-back to the Economic Investment Fund to allow for portions of increased sales tax from assistance projects to be returned to the Fund.

Assistant to the City Manager Sunshine commented on Staff's recommendation to authorize a \$225,000 incentive package to Creative Computers, Inc., which will assist the company in relocating to a facility within the city of Torrance; highlighted the recommendation to modify the existing policy to allow for sales tax flow-back to the Economic Investment Fund; and provided background information with respect to the rapid growth of Creative Computers, Inc., and the problems associated with limited parking facilities.

Mr. Rick Finkbinder commented on the company's desire to relocate to another facility within the city of Torrance.

MOTION: Councilman Lee moved to concur with the Economic Investment Team's recommendation. The motion was seconded by Councilwoman Cribbs, and roll call reflected unanimous approval.

**14a. ZON96-001, CITY OF TORRANCE;
CUP96-0040, DeMIRANDA MANAGEMENT**

RECOMMENDATION

The Planning Commission and the Planning Director recommend that the City Council approve the Zone Change on property located at 2516 to 2528 Torrance Boulevard, and deny the appeal and approve the request for a CUP to allow the operation of a take-out restaurant at 2526 Torrance Boulevard in an existing commercial building, which is located on one of the lots affected by the Zone Change.

**ZON96-0001: CITY OF TORRANCE
CUP96-0040: DeMIRANDA MANAGEMENT (DOUG RIDELL)**

Assuming that the City Council approves this item, Mr. Mike Lambert, DeMiranda Management, questioned whether the timeline for the issuance of permits could be expedited. Staff discussion ensued with respect to expediting this matter.

Councilwoman O'Donnell expressed her concern that the signage should be clearly posted to indicate that parking is available behind the building.

The following two additional conditions were recommended by Staff: No. 8, that signage indicating parking availability behind the building shall be provided; and No. 9, that the trash enclosure shall be provided to the satisfaction of the Planning Department.

MOTION: Councilman Lee moved to close the public hearing. The motion was seconded by Councilwoman Cribbs, and roll call vote reflected unanimous approval.

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RESOLUTION NO. 97-33

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE OPERATION AND TAKE-OUT ONLY RESTAURANT ON PROPERTY LOCATED IN THE R-1 (A REQUEST FOR A ZONE CHANGE TO C-1 IS UNDER CONSIDERATION AT THIS TIME) ZONE AT 2526 TORRANCE BOULEVARD
CUP96-0040: DeMIRANDA MANAGEMENT**

MOTION: Councilman Nakano moved to adopt Resolution No. 97-33, as amended. The motion was seconded by Councilman Walker, and roll call vote reflected unanimous approval.

ORDINANCE NO. 3431

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT 2616 TO 2628 TORRANCE BOULEVARD FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-1 (RETAIL COMMERCIAL)

ZON96-0001: CITY OF TORRANCE

MOTION: Councilman Nakano moved to adopt Ordinance No. 3431. The motion was seconded by Councilman Walker, and roll call vote reflected unanimous approval.

18. ADDENDUM MATTERS

None.

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At 8:16 P.M. the City Council convened as the Redevelopment Agency of the City of Torrance. The meeting of the Redevelopment Agency was adjourned at 8:17 P.M. and consideration of regular Council business was resumed.

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19. ORAL COMMUNICATIONS

19a. General Services Director Tilden, per Councilwoman Cribbs' inquiry, provided input with regard to the problems with the sound system at the Armstrong Theatre and commented on possible solutions to this situation. Councilwoman Cribbs, echoed by Mayor Hardison, requested that Staff prepare a future Council Agenda item concerning possible solutions to this problem.

19b. Having participated in the Opening Day ceremonies, Councilman Lee expressed his pleasure with the new facilities at the Torrance Little League complex; and commended all individuals who contributed their time and labor to this project.

19c. Councilman Messerlian requested that any background analyses concerning various legislative Bills be provided to the Council members.

19d. On behalf of the City Council, Councilman Messerlian congratulated Mayor Hardison on the birth of her first grandchild.

19e. Councilman Messerlian advised that his term as Mayor Pro Tem has come to an end and welcomed Councilwoman O'Donnell as the new Mayor Pro Tem.

19f. Councilman Nakano commented on his attendance at the recent National League of Cities Conference in Washington, D.C., and his participation with the League of California Cities Delegation.

19g. Councilwoman O'Donnell noted her pleasure that recently, the United States Supreme Court upheld a 1994 California State Law prohibiting the display of lewd magazines in coin-operated racks.

19h. Per Councilwoman O'Donnell's suggestion/inquiry, City Librarian Buckley stated that a donor plaque will be displayed in the lobby as part of the remodeling project.

19i. Responding to Councilwoman O'Donnell's question, Staff advised that input will be provided concerning the hazards of using plastic pipes for heating purposes.

19j. Councilwoman O'Donnell announced that on Saturday, an Asian blood donation drive will take place at Yaohan Market.

19k. Mayor Hardison commented on her enjoyable attendance and participation at the Riviera Little League opening day and South Bay Girls' Softball opening day events.

19l. Mayor Hardison advised that the media had recently provided inaccurate information concerning the occurrence of hate crimes in the city of Torrance -- clarifying that the hate crimes happened in the unincorporated County area of Los Angeles and not in the city of Torrance; and advised that she had relayed this miscommunication information to the media agencies.

19m. Mayor Hardison thanked Councilman Messerlian for his service as the Mayor Pro Tem.

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19n. Mayor Hardison expressed her appreciation of Councilwoman Cribbs and Councilman Nakano for their participation in The Mayor's Stride, an event which benefits the blind.

19o. Mayor Hardison proudly announced the arrival of her first grandchild, a girl. Congratulations!

19p. Ms. Pamela Gibson, Torrance, commented on her concerns with respect to the increasing problems with traffic violations in the City.

20. EXECUTIVE SESSION

At 8:52 P.M., Council resumed its closed Executive Session, returning to Chambers at 9:16 P.M.

City Attorney Fellows announced that during this evening's closed Executive Session, City Council unanimously approved that the city of Torrance join in a Friend of the Court Brief on behalf of the city of San Jose, *San Jose Mercury News vs. City of San Jose*, which deals with privacy rights of city employees.

21. ADJOURNMENT

At 9:17 P.M. the meeting was formally adjourned to Tuesday, March 25, 1997, 6:00 P.M., to conduct a personnel hearing, with regular City Council business starting at 7:00 P.M.

**Adjourned in the memories of.....
.....Dr. Albert Posner and Mr. Bill Brugger.**

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