

August 5, 1997

**MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL**

1. **CALL TO ORDER**

The Torrance City Council convened in an adjourned regular session at 5:30 p.m. on Tuesday, August 5, 1997, 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.

*

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(b), and 54956.9(c), the Council recessed into a closed session to confer on matters listed on the meeting agenda.

At 7:00 p.m. the Council returned to the Council Chambers. The Council took no formal action on any matter heard in closed session, and the regular meeting reconvened in regular agenda order.

*

2. **FLAG SALUTE/ INVOCATION**

The Pledge of Allegiance was led by Ray Frew, President of the Torrance Area Chamber of Commerce.

City Clerk Herbers gave the invocation for the meeting.

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

MOTION: Councilman Lee moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilwoman Cribbs, and, there being no objection, it was so ordered by Mayor Hardison.

MOTION: Councilman Lee moved that, after the City Clerk has read aloud the number and title to any resolution or ordinance on the meeting agenda, the further

reading thereof shall be waived, reserving and guaranteeing to each Council member the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilwoman Cribbs, and, there being no objection, it was so ordered by Mayor Hardison.

4. **WITHDRAWN/DEFERRED ITEMS**

None.

5. **COUNCIL MEETINGS AND ANNOUNCEMENTS**

Ad Hoc Economic Development Committee

Tuesday, August 12, 1997, 5:30 p.m.

Third Floor Assembly Room

Subject: South Bay Science Center Proposal

*

Mayor Hardison noted supplemental material available in connection with Agenda Item No. 14a (Public Hearing on the Proposed Citywide Street Lighting and Street Landscaping District); indicated that representatives from Willdan Associates would be counting ballots throughout the meeting until the conclusion of the public hearing on the matter; and announced that anyone who would like to cast a ballot and has not done so can receive a blank ballot, and that anyone who has already cast a ballot and would like to change his or her vote may also receive a new ballot and make that change.

*

6. **COMMUNITY MATTERS**

6a. **INTRODUCTION OF KASHIWA EXCHANGE STUDENTS AND ADULT LEADER**

Ms. Hazel Taniguchi, President of the Torrance Sister City Association, introduced Kashiwa students, Akiko Goto, Mayuna Kato, Yukiko Muraiso, Kazumi Nishitani, Takayuki Okawara, Takeshi Shinno, Meiko Suzuki, Miho Yashima, and their adult leader, Ritsuko Araki, who are visiting Torrance as part of this year's student exchange program. The students briefly spoke of their first impressions of Torrance and their plans for the three-week visit.

6b. **PROCLAMATION RE "KIWANIS CLUB OF TORRANCE DAY"**

Mayor Hardison presented a proclamation to Mr. Tony Goorchenko, Incoming President of the Torrance Kiwanis, declaring Saturday, August 9, 1997, as "Kiwanis Club of Torrance Day" in appreciation of their charitable commitment to the community.

6c. **ACCEPTANCE OF KIWANIS CLUB OF TORRANCE DONATION**

Mr. Tony Goorchenko, Incoming President of the Torrance Kiwanis, presented a check for \$3,000 to Mayor Hardison for the Cultural Arts Center.

6d. **RESOLUTION NO. 97-110 HONORING SHOSUKE KAWAI**

RESOLUTION NO. 97-110

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TORRANCE HONORING SHOSUKE KAWAI FOR HIS
CONTRIBUTIONS TO THE CITY OF TORRANCE AND
UPON HIS RETIREMENT FROM EPSON AMERICA, INC.**

MOTION: Councilman Nakano moved for the adoption of Resolution No. 97-110. The motion was seconded by Councilman Walker and passed by unanimous roll call vote.

Mayor Hardison presented the resolution to Mr. Shosuke Kawai in recognition of his efforts to fund the Japanese Garden at the Cultural Arts Center. Mr. Kawai expressed his gratitude for the friendship and support of Torrance residents.

6e. **TORRANCE AREA CHAMBER OF COMMERCE QUARTERLY REPORT**

Mr. Ray Frew, President of the Torrance Area Chamber of Commerce, presented the Chamber's quarterly report in a slide presentation, highlighting last year's accomplishments and outlining his goals for the coming year, including increasing membership and revenues and heightening the visibility and credibility of the Chamber.

7. **CONSENT CALENDAR**

7a. **APPROVAL OF MINUTES - JULY 1 AND JULY 8, 1997**

7b. **AWARD OF CONTRACT FOR WATER MAIN REPLACEMENT 1997-98**

Recommendation

It is the recommendation of the Engineering Director that the City Council:
(1) accept the bid and award a contract to Kana Pipeline, Inc., in the amount of \$799,113;
(2) reject all other bids; and
(3) authorize the Mayor to execute and the City Clerk to attest to the contract on behalf of the City for Water Main Replacement in various locations of the north area of Torrance.

7c. **APPROPRIATIONS FOR CONTRACTOR'S CHARGES RE SENIOR RIDE PROGRAM**

Recommendation

It is the recommendation of the Fleet Services Director that the City Council appropriate an additional \$42,751.65 in FY 1996-97 and \$84,200 in FY 1997-98 for Contractor's charges to the Senior Ride Program.

7d. **PROPOSITION A FUND EXCHANGE AGREEMENT WITH THE CITY OF PALOS VERDES ESTATES**

Recommendation

It is the recommendation of the Finance Director and the Fleet Services Director that the City Council approve an amendment to the original agreement with the City of Palos Verdes for an exchange of \$130,000 in City of Torrance General Funds for \$200,000 in Proposition A Local Return Funds from the City of Palos Verdes Estates.

7e. **PROPOSITION A FUND EXCHANGE AGREEMENT WITH THE CITY OF ROLLING HILLS**

Recommendation

It is the recommendation of the Finance Director and the Fleet Services Director that the City Council approve an amendment to the original agreement with the City of Rolling Hills for an exchange of \$45,500 in City of Torrance General Funds for \$70,000 in Proposition A Local Return Funds from the City of Rolling Hills.

7f. **PURCHASE ORDERS FOR MISCELLANEOUS CLEANING SUPPLIES AND PAPER GOODS**

Recommendation

It is the recommendation of the General Services Director and the Fleet Services Director that the City Council authorize purchase orders for the purchase of the annual requirement for miscellaneous cleaning supplies and paper goods. Ref: Bid #B97-21; Anticipated Expenditure: \$135,647

7g. **EXCHANGE OF ITRONIX LAPTOPS AND PURCHASE OF PANASONIC LAPTOPS**

Recommendation

It is the recommendation of the Acting Chief of Police and the City Manager that the City Council approve the exchange of 20 Itronix laptops and associated software for 20 Panasonic laptops and associated software, and approve the expenditure of \$96,982 for the purchase of 20 additional Panasonic laptops and associated software from the funds that were previously appropriated for the Police Department Mobile Data Computer System.

7h. **AWARD OF CONTRACT AND APPROPRIATION OF FUNDS FOR THE DEMOLITION OF WATER FACILITIES**

Recommendation

It is the recommendation of the Engineering Director that the City Council:
(1) award a contract to Standard Industries in the amount of \$81,825;

- (2) reject all other bids;
- (3) authorize the Mayor to execute and the City Clerk to attest to the contract on behalf of the City; and
- (4) appropriate \$100,000 from the Water Fund Balance for the Demolition of Water Facilities located at 22526 Ocean Avenue and at 1001 Elm Avenue.

7i. **PURCHASE ORDER FOR RETROFITTING AUTOMATED REFUSE TRUCKS**

Recommendation

It is the recommendation of the Street Services Director and the Fleet Services Director that the City Council approve a purchase order with Edge Manufacturing, Inc. in the amount of \$50,292.39 from the Sanitation Services Enterprise Fund to retrofit three (3) existing automated refuse trucks into front-loading recycling trucks.

MOTION: Councilwoman O'Donnell moved for the approval of the Consent Calendar Items 7a through 7i. The motion was seconded by Councilman Walker and passed by unanimous roll call vote.

Councilwoman Cribbs, referring to Item 7g, complimented Acting Chief Herren on the payment schedule.

9. **TRANSPORTATION/PUBLIC WORKS**

9a. **TRANSIT PROGRAM ADDITIONS**

Recommendation

It is the recommendation of the Fleet Services Director that the City Council authorize the inclusion of two program additions to the Transit Division operating budget by appropriating monies as follows:

- (1) \$203,200 in FY 1997-98 operating funds to finance Phase 1 of a Transit Employee Training Program; \$101,600 in FY 1998-99 to finance Phase 2 of this program; and
- (2) \$15,000 in FY 1997-98 transit operating funds to finance the annual cost of membership in the American Public Transit Association (APTA).

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

13. **ADMINISTRATIVE MATTERS**

13a. **PROPOSED OPPOSITION TO AB 673**

Recommendation

It is the recommendation of the City Manager that the City Council:

- (1) review the analysis of proposed legislation AB673 "Public employees mediation and fact finding";
- (2) concur with the staff's recommendation to oppose the bill; and
- (3) direct staff to forward to the State Legislature a letter of opposition.

MOTION: Councilman Walker moved to concur with the staff recommendation. The motion was seconded by Councilman Lee and passed by majority roll call vote with Councilman Nakano dissenting.

13b. **ADOPTION OF ORDINANCE RE CAMPAIGN CONTRIBUTIONS**

Recommendation

It is the recommendation of the City Manager that the City Council adopt an ordinance repealing Chapter 7, Division 1, of the Torrance Municipal Code relating to campaign contribution limits and adding a new Chapter 7, Division 1 relating to voluntary expenditure ceilings.

Assistant to the City Manager Sunshine advised that this ordinance aligns the City with current state legislation authorized by the passage of Proposition 208. In response to Mayor Hardison, City Attorney Fellows indicated that he would have information available at the next City Council meeting to establish the number of residents as required by this ordinance.

Mr. Arthur Plourde, 2217 W. 169th Place, congratulated the Council for enacting this type of ordinance, expressing his opinion that too much money is being spent on political campaigns.

ORDINANCE NO. 3437

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
TORRANCE REPEALING CHAPTER 7 OF DIVISION 1 OF THE
TORRANCE MUNICIPAL CODE RELATING TO CAMPAIGN
CONTRIBUTION LIMITS AND ADDING A NEW CHAPTER 7 OF
DIVISION 1 RELATING TO VOLUNTARY EXPENDITURE CEILINGS**

MOTION: Councilman Nakano moved for the adoption of Ordinance No. 3437. The motion was seconded by Councilman Walker and passed by unanimous roll call vote.

13c. **“CONCERT IN THE PARK” WAIVER OF FEES**

Recommendation

It is the recommendation of the City Manager that the City Council approve the waiver of fees estimated at \$1,500 for services and equipment to be furnished by the Parks and Recreation Department and the Cultural Arts Center to the Torrance Symphony Association as support for the annual “Concert in the Park.”

Mr. Owen Griffith, first vice-president of the Torrance Symphony Association, invited everyone to attend the 4th annual “Concert in the Park” at Wilson Park on August 17 at 4 p.m., noting that it is a free concert and features both show tunes and classical music.

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

14. **HEARINGS**

14a. **PUBLIC HEARING RE PROPOSED STREET LIGHTING AND STREET LANDSCAPING DISTRICT**

Recommendation

It is the recommendation of the Planning Director that the City Council take the following actions:

- (1) hold the Public Hearing on the proposed Street Lighting and Street Landscaping District 1997-98;
- (2) receive the final ballot count and certify the results of the balloting by resolution; and
- (3) should the assessment pass, approve the District formation and final budget by resolution.

Mayor Hardison noted that this was the time, date and place for a public hearing on the proposed Street Lighting and Street Landscaping District 1997-98. Proof of publication, as provided by the City Clerk, was received and ordered filed.

Mayor Hardison again noted supplemental material available on this item; announced that the tabulation of ballots would be ongoing during the hearing with the final results announced at the end of the hearing; and indicated that anyone who would like to cast a ballot and has not done so may receive a ballot, and that anyone who has already cast a ballot and would like to change his or her vote may receive a ballot and make that change.

In response to Mayor Hardison, City Clerk Herbers confirmed that over 20,000 ballots had already been returned. Mayor Hardison noted that pre-tabulation of these ballots had begun so that the final vote count would be completed by the close of the Public Hearing.

Transportation Planner Buchman explained that the City was required to conduct this election under the dictates of Proposition 218; that ballots were weighted according to the amount of the assessment and a majority vote of property owners was needed for approval; and noted with pleasure the return rate of ballots was over 50 percent. Ms.

Buchman indicated that pertinent material was available for review by interested parties, and that she was available to answer questions and provide back-up data, if needed.

City Attorney Fellows advised that all items of general application that were raised at the Public Meeting on July 29, 1997 had been answered, and that only a few questions on specific parcels needing further research remained to be resolved.

Mayor Hardison invited public input on this matter.

Mr. Irvin Grant, 602 California Avenue, Santa Monica, objected to the methodology used by Willdan Associates to determine trip generation rates, disputing the 4:1 ratio for non-residential to residential land uses; stated that the assessments are neither cost-based nor parcel-based as required by Proposition 218; and suggested that the Council delay action on this matter for one week to examine discrepancies between the assessment rates and the material on which Willdan based them.

Mr. Arthur Plourde, 2217 W. 169th Place, requested information regarding the cost to maintain and operate street lights, noting that according to his figures the amount being proposed for maintenance will result in a surplus. He outlined his plan for dividing the residential and industrial areas of the City into quadrants as a more equitable means of apportioning the cost of street lighting and requested that the voting period be extended to allow for consideration of his proposal.

Mr. Charles Johnson, 2825 Plaza del Amo, stated that he was being overcharged on two condominiums, located inside a complex and not illuminated by street lights, and expressed his opinion that the assessment was unnecessary since revenue is available from other sources.

Mr. Newton Young, 22637 Hickory Avenue, spoke in opposition to the assessment district because it has no expiration date and can only be modified by the initiative process or litigation. He asked that a five-year "sunset provision" be added to allow property owners to retain control over this assessment.

MOTION: Councilman Lee moved to close the public input portion of the Public Hearing. The motion was seconded by Councilwoman O'Donnell and passed by unanimous roll call vote.

City Attorney Fellows objected to Mr. Grant's characterization of what Proposition 218 requires; explained that both the cost-based and parcel-based requirements had clearly been met; and expressed confidence that, despite the lack of judicial interpretation, the City had complied with all legal provisions of Proposition 218. Responding to Mr. Plourde's suggestion, Mr. Fellows pointed out the impossibility of dividing the City into equal quadrants and the myriad of rates that would result depending on the size of the divisions. Mr. Fellows indicated that Mr. Johnson was one of the individuals who had submitted questions at the last meeting regarding specific properties that required further research. With respect to Mr. Young's concern, Mr. Fellows advised that this assessment is not being taken out of the property owners' control since this item is an annual levy and will be back before the Council at a meeting with public notice every year; stated that if the Council wishes to raise the amount in excess of the cost of living, it must be approved by ballot; and noted that the Council's ultimate responsibility is to the people they represent.

Mayor Hardison announced the last call for submittal of ballots.

MOTION: With no one else wishing to be heard Councilman Lee moved to close the Public Hearing. The motion was seconded by Councilwoman Cribbs and passed by majority roll call vote.

City Clerk Herbers announced the results of the tabulation of ballots:

Total number of ballots voted:	20,0005			
Number of parcels voting YES:	13,823	Assessment	\$518,664.40	65.5%
Number of parcels voting NO:	6,182	Assessment	\$272,856.26	34.5%

MOTION: Councilman Lee moved to approve the formation of the Citywide Street Lighting and Street Landscaping District 1997-98. The motion was seconded by Councilwoman Cribbs and passed by unanimous roll call vote.

RESOLUTION NO. 97-111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE CALIFORNIA, RECITING THE FACT OF THE SPECIAL BALLOTING THAT WAS HELD FOR 45 DAYS AND ENDS ON AUGUST 5, 1997, AND DECLARING THE RESULT

MOTION: Councilman Nakano moved for the adoption of Resolution No. 97-111. The motion was seconded by Councilman Walker and passed by unanimous roll call vote.

MOTION: Councilman Walker moved to direct the City Clerk to fill in the blanks in Section 1,2 and 3 of Resolution No. 97-111 in a manner consistent with the above announced results of the balloting. The motion was seconded by Councilman Nakano and passed by unanimous roll call vote.

RESOLUTION NO. 97-112

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ORDERING THE FORMATION OF THE CITYWIDE STREET LIGHTING AND STREET LANDSCAPING DISTRICT, CONFIRMING A DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 1997-98, AND ORDERING THE IMPROVEMENTS PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, AND AS PROVIDED BY ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

MOTION: Councilman Nakano moved for the adoption of Resolution No. 97-112. The motion was seconded by Councilman Walker and passed by unanimous roll call vote.

16. **2ND READING ORDINANCES**

16a. **SECOND AND FINAL READING OF ORDINANCE NO. 3436**

ORDINANCE NO. 3436

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN VACANT PROPERTY LOCATED ON THE EAST SIDE OF DENNY ROAD, NORTH OF DALEMEAD STREET FROM C-2 (GENERAL COMMERCIAL) TO R-3 (MULTI-FAMILY RESIDENTIAL)

ZON 97-0002: DAVID BOYD (FOR PACIFICA VERDE ESTATES)

MOTION: Councilman Nakano moved for the approval of Ordinance No. 3436, second and final reading. The motion was seconded by Councilman Walker and passed by unanimous roll call vote.

18. **ADDENDUM MATTERS**

None.

*

At 8:44 p.m. the City Council met as the Redevelopment Agency of the City of Torrance. The Redevelopment Agency meeting was adjourned at 8:45 p.m. and the regular Council agenda was resumed.

*

19. **ORAL COMMUNICATIONS**

19a. Mayor Hardison thanked staff for their efforts in the new process of Proposition 218 balloting.

20. **EXECUTIVE SESSION**

See page no. 1.

21. **ADJOURNMENT**

At 8:47 p.m. the meeting was adjourned to Tuesday, August 19, 1997, 5:30 p.m. to conduct an Executive Session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.