

September 16, 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 5:40 p.m. on Tuesday, September 16, 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: Attorney Fellows, City Manager Jackson
Assistant to the City Manager Sunshine
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**

Mayor Hardison announced that subsequent to the posting of the agenda issues have arisen regarding pending litigation in the cases entitled Ortiz v. Martin Dempsey, et al., CV 96-4256 LGB and Price v. City of Torrance et al., CV 94-6506 JSL, which resulted from court proceedings in both these matters that occurred on September 15, 1997. The City Attorney requested that the City Council discuss this in closed session, as authorized by Section 54956.9(a) of the California Government Code.

Also subsequent to the posting of the agenda the City Manager and the City Attorney had discussions with various parties regarding certain real property located at 1266 Sartori Avenue. As a result of these discussions, the City Manager requested that the Redevelopment Agency add a closed session item to discuss the price and terms of payment for purchase of the property at 1266 Sartori Avenue. Negotiations would be between representatives of the National Council on Alcoholism and Drug Dependency. Discussion in closed session is authorized by California Government Code Section 54956.8. In order to take action on a matter which is not on the agenda, the California Government Code requires a determination by a two-thirds vote of the Council/Agency that the need to take action arose subsequent to the posting of the agenda.

MOTION: Councilman Messerlian moved to add the above urgency items to the agenda. The motion was seconded by Councilman Nakano and passed by unanimous roll call vote.

At 5:43 p.m., the Agency/Council recessed into a closed session, returning to open session in the Council Chambers at 6:20 p.m. for consideration of a Position Paper

of the South Bay Cities Council Of Governments (SBCCOG) requesting support for the SBCCOG's priorities and implementation of an administrative structure.

Principal Planner Bluman and Transportation Planner Buchman gave a presentation outlining SBCCOG's Position Paper (per written material of record). Further action was taken on this matter later in the meeting. See Agenda Item No. 17a (South Bay Cities Council of Government's Position Paper) page 3.

The Council recessed at 7:12 p.m. and reconvened in the Council Chambers at 7:24 p.m. in regular agenda order.

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2. **FLAG SALUTE/ INVOCATION**

The Pledge of Allegiance was led by Helen Doyle, Northwest Homeowners Association.

Pastor Darrell Rose of Abundant Life Church of God gave the invocation for the meeting.

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Mayor Hardison noted the passing of retired Captain John W. Maestri, who served with the Torrance Police Department from 1946 to 1975, and requested that the meeting be adjourned in his memory.

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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 COMMITTEE MEETINGS AND ANNOUNCEMENTS**

County of L.A. Department of Public Works Hazardous Waste Round-up

Saturday, September 20, 1997, 9:00 a.m. to 3:00 p.m.

Hughes Aircraft, 3100 W. Lomita Boulevard, Torrance

Dispose of paints, batteries, pesticides, medicines, etc. at no charge

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Mayor Hardison noted supplemental written material of record available at the meeting regarding Agenda Item 13c (Reclassification of Positions at the Torrance Cultural Arts Center), Agenda Item 13e (Award of Contract to Van Lingen Towing), and Redevelopment Agency Agenda Item 5a (Special Development Permit 97-08 - NCADD).

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6. **COMMUNITY MATTERS**

6a. **RESOLUTION 97-129 COMMEMORATING TORRANCE UNIFIED SCHOOL DISTRICT'S 50TH ANNIVERSARY**

RESOLUTION NO. 97-129

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE COMMENDING AND CONGRATULATING THE
TORRANCE UNIFIED SCHOOL DISTRICT UPON THE
CELEBRATION OF ITS 50TH ANNIVERSARY**

MOTION: Councilman Nakano moved for the adoption of Resolution No. 97-129. The motion was seconded by Councilman Walker and passed by unanimous roll call vote.

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Item No. 17a was heard out of order at this time.

17a. **SOUTH BAY CITIES COUNCIL OF GOVERNMENT'S POSITION PAPER**

Recommendation

It is the recommendation of the City Manager and the Planning Director that City Council:

- (1) review and comment on SBCCOG's Position Paper;
- (2) concur with recommendation to create and fill full-time COG administrator position;
- (3) concur with phasing in additional staffing when necessary;
- (4) concur that funds would need to be secured to cover these administrative costs; and,
- (5) support the SBCCOG Board in implementing actions to carry out the COG's priorities and work program.

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

7. **CONSENT CALENDAR**

7a. **APPROVAL OF MINUTES - AUGUST 26, 1997**

MOTION: Councilwoman O'Donnell moved for the approval of the August 26, 1997 minutes as written. The motion was seconded by Councilman Walker and passed by unanimous roll call vote, with Councilwoman Cribbs abstaining due to her absence from the August 26th meeting.

9. **TRANSPORTATION/PUBLIC WORKS**

9a. **CONTRACT RE CONSTRUCTION OF IRRIGATION LINES ON HAWTHORNE BOULEVARD**

Recommendation

It is the recommendation of the Planning Director and City Manager that City Council authorize the increase of an existing contract with Albert Grover and Associates by an amount of \$25,000 to cover the cost of construction and contract administration for landscape irrigation lines on Hawthorne Boulevard between Torrance and Sepulveda Boulevards pursuant to Section 22.3.18 - Special Opportunity Purchases of the Torrance Municipal Code.

Principal Planner Bluman advised that this contract is for construction of irrigation lines running from the parkway to the median on Hawthorne Boulevard to provide water for future landscaping.

In response to Councilman Messerlian, Transportation Planner Buchman provided information about Caltrans work being done on Hawthorne Boulevard and noted that the work is scheduled to be completed in November.

13. **ADMINISTRATIVE MATTERS**

13a. **RESOLUTION RE ENGINEERS' MOU**

Recommendation

It is the recommendation of the City Manager that City Council adopt a resolution modifying the Engineers' MOU adding a premium for one Associate Engineer in the Project Design and Administration Division.

RESOLUTION NO. 97-128

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE AMENDING RESOLUTION 97-105 GOVERNING
EMPLOYEES REPRESENTED BY THE ENGINEERS**

MOTION: Councilman Nakano moved for the adoption of Resolution No. 97-128. The motion was seconded by Councilman Walker and passed by unanimous roll call vote.

13b. **RESOLUTION RE PAY RANGES FOR UNREPRESENTED EMPLOYEES**

Recommendation

It is the recommendation of the City Manager that City Council adopt a resolution modifying certain pay ranges and language for Unrepresented Employees.

RESOLUTION NO. 97-130

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH THE HOURS, WAGES AND WORKING CONDITIONS FOR THE UNREPRESENTED EMPLOYEES FOR THE PERIOD STARTING SEPTEMBER 14, 1997

MOTION: Councilman Nakano moved for the adoption of Resolution No. 97-130. The motion was seconded by Councilman Walker and passed by unanimous roll call vote.

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Item No. 13d was considered out of order at this time.

13d. **RESOLUTION RE CERTAIN MANAGEMENT EMPLOYEES**

RESOLUTION NO. 97-131

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 97-103 GOVERNING EMPLOYMENT COMPENSATION FOR CERTAIN MANAGEMENT EMPLOYEES

MOTION: Councilman Nakano moved for the adoption of Resolution No. 97-131. The motion was seconded by Councilman Walker and passed by unanimous roll call vote.

13c. **TORRANCE CULTURAL ARTS CENTER RECLASSIFICATION OF POSITIONS**

Recommendation

It is the recommendation of the General Services Director that City Council concur with the reclassification of positions at the Torrance Cultural Arts Center and authorize the distribution of funds in the amount of \$20,000 to the Torrance Cultural Arts Center Foundation for their use to retain a performing arts consultant.

In response to Councilman Messerlian, City Manager Jackson provided clarification regarding the responsibilities of the newly-created position of Center Manager and stated that the scope of this position is much broader than the Theater Manager position that was eliminated some time ago.

Noting the successful collaboration of the City and Torrance Air Fair Association (TAF), Councilman Lee recommended that a contract be negotiated between the Torrance Cultural Arts Center Foundation (TCACF) and the City defining the expectations and obligations of both parties.

Councilwoman O'Donnell concurred with Councilman Lee's suggestion and offered the title "Center Administrator" as a more descriptive alternative to "Center Manager."

In response to Councilwoman Cribbs, City Manager Jackson confirmed that the \$20,000 extended to TCACF for their use to retain a Performing Arts Consultant is expected to be an ongoing yearly expenditure. Councilwoman Cribbs voiced support for a contract delineating the relationship between TCACF and the City and stated that rather than focusing on the title, an explicit job description is needed for the Center Manager position so that his/her responsibilities are clear to everyone involved.

Mayor Hardison noted that TCACF members also believe a written agreement with the City would be helpful and offered to facilitate a meeting of the staff of the Cultural Arts Center and TCACF to outline expectations, procedures, and responsibilities.

MOTION: Councilman Lee moved to concur with the staff recommendation with the added condition that Mayor Hardison facilitate a meeting with the Torrance Cultural Arts Center Foundation for the purpose of defining roles and expectations of both parties culminating in a contract as they see fit. The motion was seconded by Councilwoman O'Donnell and passed by unanimous roll call vote.

13d. **RESOLUTION RE CERTAIN MANAGEMENT EMPLOYEES**

Considered earlier, see page 5.

13e. **CONTRACT RE VAN LINGEN TOWING**

Recommendation

It is the recommendation of the Chief of Police that City Council award a contract to Van Lingen Body Shop Inc., dba Van Lingen Towing, to furnish vehicle towing and storage services for City of Torrance Police Department on an "as needed" basis.

City Manager's Note

Rather than use one exclusive vendor, the City Manager believes citizens could be served by utilizing the two referenced vendors on an "as needed," rotating basis. Through a computer data base, the departments should be able to provide real time responses to client inquiries. A copy of the RFP will be forwarded on 9-15-97 as a supplemental.

Councilwoman Cribbs questioned whether the City receives money from the sale of impounded vehicles, and Police Chief Herren advised that the previous contract had not allowed for that, but under the new contract the City will receive money from lien sales, although the expected revenues have not been projected. Councilwoman Cribbs observed that she does not understand why it is necessary for the City to be involved in awarding this type of contract.

Councilman Walker commended Chief Herren's insightful report (written material of record) and requested clarification of the length of the contract.

City Manager Jackson briefly outlined the system the California Highway Patrol (CHP) uses, employing a list of tow truck operators without awarding exclusive contracts, and suggested that a similar system might be workable thereby avoiding the contract process.

Councilwoman O'Donnell pointed out that, according to the report, shared towing services are inefficient and result in frequent disputes; stated that since the CHP operates statewide their experience can't be compared to a local police department; and voiced support for the Police Department's recommendation.

Referring to recent deliberations related to the awarding of a similar contract, Mayor Hardison expressed regret that the list concept hadn't been explored further and that the Council must again evaluate competing companies and award a contract.

Councilman Walker commented that since this is a three-year contract with a one-year option the Council will not have to deal with this issue again for quite a while and noted that Van Lingen Towing has served the City for many years with no problems.

MOTION: Councilman Walker moved to concur with the Chief of Police's recommendation. The motion was seconded by Councilwoman O'Donnell and passed by unanimous roll call vote, with Mayor Hardison abstaining.

14. **HEARINGS**

14a. **BUREAU OF JUSTICE ASSISTANCE (BJA) BLOCK GRANT**

Recommendation

It is a recommendation of the Chief of Police that City Council complete the following actions to satisfy the special conditions of the block grant;

- (1) review the meeting minutes and recommendation of the Local Agency Board; and
- (2) open a public hearing for comment regarding the proposed uses of block grant funds in relation to the City budget.

Police Chief Herren advised that the Block Grant Local Advisory Board had met and non-binding recommendations were made on uses of grant monies for the Council's consideration.

In response to Mayor Hardison, Chief Herren explained that a list of projects was presented for the Board's review and the Board concurred with the staff's recommendations. Mayor Hardison stated that she would have liked more information on why these particular projects were chosen and commented that she had hoped to see programs with greater community visibility.

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

MOTION: Councilwoman O'Donnell moved to concur with the staff's recommendations regarding the uses of block grant funds. The motion was seconded by Councilman Lee and passed by unanimous roll call vote.

17. **MATTERS NOT OTHERWISE CLASSIFIED**

17a. **SOUTH BAY CITIES COUNCIL ON GOVERNMENT'S POSITION PAPER**

Considered earlier, see page 3.

18. **ADDENDUM MATTERS**

None.

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At 8:04 p.m., the Council reconvened as the Torrance Redevelopment Agency. The Redevelopment Agency meeting was adjourned at 9:02 p.m. and the regular Council agenda was resumed.

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19. **ORAL COMMUNICATIONS**

19a. City Manager Jackson stated that Assistant City Manager Giordano will be on a leave of absence for several weeks due to the recent birth of her baby daughter.

19b. City Clerk Herbers announced that there will be a Torrance Unified School District election on Tuesday, November 4, 1997; provided registration information, noting that October 6 is the last day to register for the November election; and advised that the L.A. County Registrar's Office is looking for people to work precincts for that election. For information call the City Clerk's Office.

20. **EXECUTIVE SESSION**

At 9:05 p.m., pursuant to California Government Code Section 54957.6 the Council recessed into a closed session to confer on matters listed on the meeting agenda.

Councilwoman O'Donnell left Council Chambers at 9:05 p.m.

The Council returned to Chambers at 10:25 p.m. No formal action was taken on any matter heard in closed session.

21. **ADJOURNMENT**

At 10:25 p.m., the meeting was adjourned to Tuesday September 23, 1997 at 6:00 p.m. to conduct a hearing on the appeal by Robert Shoemaker of the Civil Service Commission decision sustaining his discharge from the position of Bus Operator in the Transit Division; with the regular meeting commencing at 7:00 p.m.

***** Adjourned in Memory of Retired Police Captain John W. Maestri *****