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City Council - December 23, 1980

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Ava Cripe
Minute Secretary

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MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCILOPENING CEREMONIES:1. CALL TO ORDER:

The Torrance City Council convened in a Regular Meeting on Tuesday, December 23, 1980, at 7:00 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Brown, Geissert, Rossberg, Walker, Wilson and Mayor Armstrong. Absent: None.

Also present: City Manager Ferraro and Staff representatives.

3. FLAG SALUTE:

City Engineer Weaver led in the salute to the flag.

4. INVOCATION:

The invocation for the meeting was provided by Mr. Carl Marko, First Church of Christ, Scientist.

STANDARD MOTIONS:5. APPROVAL OF MINUTES:

Councilman Applegate moved to approve the minutes of November 25, 1980, as recorded. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

6. MOTION TO WAIVE FURTHER READING:

Councilman Applegate moved that after the City Clerk has assigned a number and read title to any resolution or ordinance on tonight's agenda, the further reading thereof be

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waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

7. COUNCIL COMMITTEE MEETINGS:

None scheduled.

8. COMMUNITY MATTERS:

8a. RECOGNITION OF RETIRING CITY EMPLOYEES:

The valuable contributions to the City by retiring employees Dick Cahill, Bob Ernst, Jess Strover, Don Tandy, Charles Wallace and Bob Yancey were enumerated by Mayor Armstrong, accompanied by plaque presentations, and grateful acceptance by these gentlemen.

9. LIBRARY/PARK AND RECREATION MATTERS:

9a. METROPOLITAN COOPERATIVE LIBRARY SYSTEM ADVISORY BOARD.

RECOMMENDATION OF LIBRARY COMMISSION/LIBRARY STAFF:
That Mr. James Pierson be reappointed to the position of delegate to the Lay Advisory Board of MCLS.

MOTION: Councilman Walker moved to concur with the above stated recommendation. His motion was seconded by Councilman Rossberg; roll call vote was unanimously favorable.

9b. RESOLUTION re: Change of Access Easement for C.B.S. on Columbia Park.

RESOLUTION NO. 80-265

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A GRANT OF EASEMENT FOR ROAD ACCESS TO THE C.B.S. RADIO TRANSMITTER ON COLUMBIA PARK, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID EASEMENT ON BEHALF OF THE CITY

Councilman Walker moved for the adoption of Resolution No. 80-265. His motion, seconded by Councilwoman Geissert, was unanimously approved by roll call vote.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:10a. APPROVAL OF FINAL TRACT NO. 38235 - FAB INDUSTRIES.

RECOMMENDATION OF CITY ENGINEER/PLANNING DIRECTOR:
That Final Tract No. 38235 be approved if all conditions are complied with by December 23, 1980.

MOTION: Councilman Wilson moved to concur with the above stated Staff recommendation. His motion was seconded by Councilman Walker; roll call vote was unanimously favorable.

10b. TORRANCE BUS SHELTER PROGRAM.

Desired clarification was provided by Transportation Administrator Schmidt.

MOTION: Councilman Rossberg moved to disband with the operation that we have now and go out and see if we can get companies to be involved in bidding on this kind of project again (Alternative 2 as recommended by Staff). The motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

10c. RESOLUTION re: Construction of Curb, Gutter, Sidewalks, and Driveways at Various Locations within the City.RESOLUTION NO. 80-266

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DIRECTING THE CITY ENGINEER TO GIVE NOTICE TO THE OWNERS OF THE PROPERTIES AT VARIOUS LOCATIONS PER THE ATTACHED SKETCHES, ENTITLED CHAPTER 27, 1911 ACT 81-1 THROUGH 81-7 TO CONSTRUCT CERTAIN STREET IMPROVEMENTS AND SETTING A TIME AND PLACE OF HEARING THEREON

Councilman Brown moved for the adoption of Resolution No. 80-266. His motion, seconded by Councilman Applegate, was unanimously approved by roll call vote.

14. PERSONNEL MATTERS:14a. EXECUTIVE SESSION.

See Page 10.

14b. Revised Class Specification for Planning Assistant.

WITHDRAWN.

15. HEARINGS:

15a. LOCAL COASTAL PROGRAM.

See Page 7.

15b. CONFLICT OF INTEREST CODE.

See Page 8.

17. ADMINISTRATIVE MATTERS:

17a. FIRST QUARTER REVIEW - 1980-81 Budget.

RECOMMENDATION OF FINANCE COMMITTEE:

After hearing the presentations and comments from City Staff and interested citizens, the Committee approved, two to one, with a Minority Report, a motion to support the Staff's midyear budget review recommendations which follow:

- 1. The appropriation of \$80,500 from the General Fund undesignated balance for maintenance of existing City facilities.
- 2. The following increases in 1980-81 estimated revenues:
 - A. Current secured property taxes \$ 300,000
 - B. Sales and Use taxes 400,000
 - C. Investment earnings 300,000
- 3. The following transfers from the General Fund undesignated balance to specific reserve accounts:
 - A. Self Insurance \$ 198,729
 - B. Housing Program 233,000
 - C. HCD Audit 400,000
 - D. Police Building Rental 200,000
 - E. Contingencies 275,000
 - F. Capital Improvements 593,747

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COUNCILMAN APPLGATE'S MINORITY OPINION:

Although supporting the recommendations for the appropriation and the increases in the revenue estimates, Councilman Applegate did not agree with the need for all of the reserve accounts. He also did not support the Staff conclusion to leave the utility users' tax at the present level. He questioned the City Attorney's opinion that any reduction or change in the tax could constitute the imposition of a "special tax" which would trigger the two-thirds vote requirement per Proposition 13. Also, it is his opinion that the revenue from investment earnings and the sales tax will hold strong and therefore there is no need to hedge on the initial police building lease payment by creating a reserve.

It is the Councilman's recommendation that the utility users' tax be reduced in a manner that will result in \$500,000 less revenue over the balance of the fiscal year, preferably by eliminating the tax on water and on the lifeline portions of other utility use. The reduction in revenue should be offset by lowering the HCD Audit Reserve \$100,000, the Contingency Reserve \$200,000, and by eliminating the \$200,000 Police Building Reserve.

Councilman Wilson reviewed the findings of the Finance Committee, and offered the following:

MOTION: Councilman Wilson moved for approval of the Finance Committee's report and recommendations. His motion was seconded by Councilwoman Geissert.

Councilman Applegate elaborated on his above stated Minority Opinion and made a SUBSTITUTE MOTION: That the Utility Users Tax be reduced on one-half the lifeline portion, resulting in a rebate to the residents of this community of one half million dollars. The substitute motion was seconded by Councilman Rossberg.

Following Council discussion, and input by the City Attorney, formal action was as follows:

The SUBSTITUTE MOTION FAILED TO CARRY, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Rossberg, Walker.
NOES: COUNCILMEMBERS: Brown, Geissert, Wilson;
Mayor Armstrong.

The MAIN MOTION to adopt the Committee report, CARRIED, with roll call vote as follows:

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AYES: COUNCILMEMBERS: Brown, Geissert, Wilson;
Mayor Armstrong.
NOES: COUNCILMEMBERS: Applegate, Rossberg, Walker.

MOTION: Councilman Brown moved to instruct the City Attorney to return to the Council on January 6th with a report and appropriate documents to commence a validation action to determine the extent to which the City may suspend rates on the utility users tax and/or any other particular tax the City has questions about, with a view towards implementing suggestions offered for an equitable reduction of taxes paid. The motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

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At 8:10 P.M. Mayor Armstrong ordered a recess for the purpose of the annual festive occasion enjoyed since 1974 -- fruitcake and punch generously provided by Councilwoman Geissert.

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The Council returned to its agenda at 8:35 P.M.

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17b. POSITION MODIFICATION WITHIN THE STREET DEPARTMENT.

RECOMMENDATION OF STREET MAINTENANCE SUPERINTENDENT:
That the City Council approve the elimination of the Supervisor position; the addition of a Leadman position; and the replacement of one Refuse Worker with one Semi-Skilled Laborer.

MOTION: Councilman Wilson moved to concur with the above stated recommendation of the Street Maintenance Superintendent. The motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

20. CONSENT CALENDAR:

20a. AWARD OF CONTRACT - Re: Purchase of Required Safety Equipment. Expenditure: \$8,130.99

RECOMMENDATION OF FINANCE DIRECTOR/PURCHASING SUPERVISOR/BUYER: That Council approve the emergency purchase of

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subject required safety equipment in order to satisfy the citation from the Mine Safety Appliance Company, manufacturer of this OSHA-approved equipment in the amount of \$8,131.00, including tax.

- 20b. NOTICE OF COMPLETION - Hillside Stabilization and Back-fill of Slope Drain between Bluff Street and Mesa Street (B80-63).

RECOMMENDATION OF CITY ENGINEER:

That the work be accepted and final payment be made to the contractor, HANE CONSTRUCTION COMPANY, INC.

MOTION: Councilman Applegate moved to concur with Staff recommendations on agenda items 20a and 20b. The motion was seconded by Councilman Brown; roll call vote was unanimously favorable.

The Council now returned to:

15. HEARINGS:

- 15a. LOCAL COASTAL PROGRAM.

RECOMMENDATION OF CITY MANAGER:

That the City Council adopt the Local Coastal Program as proposed by Staff, and approve the resolution authorizing submittal of the Local Coastal Program to the Coastal Commission.

Mayor Armstrong announced that this was the time and place for the subject continued public hearing, and inquired if anyone wished to be heard. There was no response.

Councilman Applegate moved that the hearing be closed. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

MOTION: Councilman Applegate moved to concur with the above stated recommendation of the City Manager. His motion, seconded by Councilman Rossberg, was unanimously approved by roll call vote.

At the request of Mayor Armstrong, City Clerk Nelson assigned a number and read title to:

RESOLUTION NO. 80-267

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE CONFIRMING ADOPTION OF THE LOCAL COASTAL PROGRAM AND DIRECTING ITS SUBMITTAL TO THE COASTAL COMMISSION FOR CERTIFICATION

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Councilman Wilson moved for the adoption of Resolution No. 80-267. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

At this time Mr. Jim Kelsey expressed the appreciation of the Riviera Homeowners Association for the outstanding efforts of a dedicated City Staff. The Council concurred in this commendation to Staff.

15b. REVISED CONFLICT OF INTEREST CODE.

RECOMMENDATION OF CITY CLERK/CITY ATTORNEY:

That the City Council approve the revisions to the Conflict of Interest Code as set forth by amendments to the Government Code, and those revisions resulting from certain changes within City departments, boards and Commissions.

An Affidavit of Publication was presented by City Clerk Nelson, and it was ordered filed, there being no objection.

Mayor Armstrong announced that this was the time and place for the subject public hearing, and inquired if anyone wished to be heard. There was no response.

Councilman Applegate moved that the hearing be closed. His motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

MOTION: Councilman Wilson moved to concur with the above stated Staff recommendation. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

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The hour being 8:45 P.M. the Council recessed and reconvened as the Redevelopment Agency, returning to its agenda at 8:46 P.M.

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21. ADDENDUM ITEM:

21a. 90-DAY EXTENSION OF TEMPORARY ADVANCE TO F.A.B. INDUSTRIES.

RECOMMENDATION OF FINANCE DIRECTOR:

That if F.A.B. Industries requests a 90-day extension on their \$900,000 advance relative to the Skypark

Redevelopment Project effective December 28, 1980, favorable consideration be given subject to determination by the City Treasurer of the going rate for such investments on that date.

MOTION: Councilman Brown moved to concur with the above stated Staff recommendation, subject to verification by the City Attorney of the City's authority to charge the proposed rate. The motion was seconded by Councilman Rossberg; roll call vote was unanimously favorable.

22. ORAL COMMUNICATIONS:

22a. City Manager Ferraro extended a fond farewell and good wishes to departing Utah-bound City Engineer Weaver, unanimously concurred in by the Council.

Happy Holiday wishes were likewise expressed by the City Manager, on behalf of the Executive Staff.

22b. Councilman Applegate pointed out the need to reschedule the Ministerial Breakfast, now slated for Inauguration Day.

22c. Councilman Applegate expressed his displeasure with the sheet metal building being erected at Torrance Boulevard and Western Avenue, deeming it a great detriment to the development of the area.

22d. Councilman Brown requested an excused absence from three Council meetings -- January 20th through February 3rd; there were no objections, and it was so ordered.

22e. Councilwoman Geissert congratulated Assistant to the City Manager Roy Payne on his attaining a Masters Degree in Business Administration -- the Council joined in these congratulations.

22f. Councilman Rossberg noted the need for an updated Civic Center Master Plan in view of proposed Joslyn Center expansion, Recreation Center parking facilities, the Plunge, the Police facilities, etc.

22g. Councilman Rossberg commended the fine efforts of Police and Fire personnel in uncovering the recent Cal Stereo fraud.

22h. Councilman Rossberg requested that the Council be informed regarding any developments in the matter of SCAG Section 8 funds.

22i. Councilman Wilson recommended that there be appropriate recognition for employees who make outstanding contributions in their respective positions with the City -- such as in the case of Cal Stereo.

22j. Mayor Armstrong wished all employees a very Merry Christmas and a Happy New Year -- a wish unanimously concurred in by the Council.

14a. EXECUTIVE SESSION:

At 9:10 P.M. the Council recessed for an Executive Session re: hours, wages and working conditions, returning at 9:40 P.M. No action was taken.

The meeting was regularly adjourned at 9:40 P.M.

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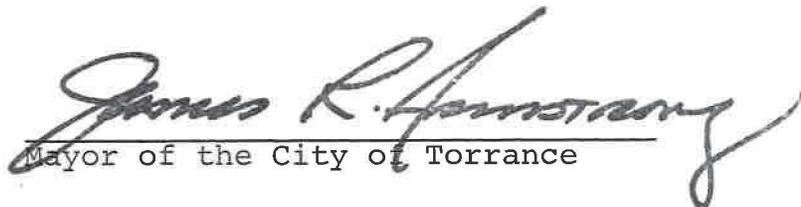
Ava Cripe
Minute Secretary

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Sherie L. Nelson, City Clerk



Mayor of the City of Torrance