

I N D E X

Torrance City Council - January 28, 1986

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Adjournment at 9:27 p.m.

Peggy Laverty
Minute Secretary

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Prepared by Office of City Clerk
DONNA M. BABB, CITY CLERK

January 28, 1986

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, January 28, 1986, at 7:00 p.m., in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Geissert, Mock, Nakano, Walker, Wirth and Mayor Armstrong.

Absent: None.

Also present: City Manager Jackson, City Attorney Remelmeyer, Staff representatives.

3. FLAG SALUTE AND INVOCATION:

Miss Cheryl Feuerstein led in the salute to the flag.

The invocation for the meeting was provided by Pastor Chris Hooker, Calvary Chapel.

STANDARD MOTIONS:

4. APPROVAL OF MINUTES:

Councilman Applegate moved for adoption of the City Council minutes of January 7, 1986, as recorded. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

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1.

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

6. WITHDRAWN OR DEFERRED ITEMS:

Item 15a, PCR 85-8, Rick Leslie, Architect -- To be held until February 11, 1986. (See Page 7).

Item 15b, Earthquake Hazard Ordinance -- To be sent to Committee. (See Page 6).

Item 20a, Release of Bonds for Tract 39796 -- to be held until February 4, 1986. (See Page 6).

7. COUNCIL COMMITTEE MEETINGS:

None scheduled.

* * *

As a point of personal privilege, Mayor Armstrong introduced Ms. Pat Wright, who was in attendance with members of her current Adult Education Citizenship Class. A warm welcome was extended by the Mayor and members of the Council to these prospective new citizens of the United States.

* * *

It was with sadness that Mayor Armstrong announced the passing of Mr. Dean Sears and Mr. Charles Pecora.

The Mayor also acknowledged the tragic events surrounding the launch, this date, of the space shuttle, Challenger.

It was the request of the Mayor that this meeting be adjourned in memory of Messrs. Sears and Pecora, and the crew of the Challenger.

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8. COMMUNITY MATTERS:8a. RECOGNITION OF MEMBERS OF THE CALIFORNIA STATE SELECT SOCCER TEAM:

Mayor Armstrong presented certificates of recognition to players chosen for the California State Select Soccer Team, winner of the National Championship.

8b. COMMENDATION OF C. MARVIN BREWER:

At the request of Mayor Armstrong, City Clerk Babb read title to --

RESOLUTION NO. 86-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE COMMENDING C. MARVIN BREWER FOR HIS OUTSTANDING SERVICE TO THE CITY OF TORRANCE AND THE COMMUNITY AT LARGE

MOTION: Councilwoman Geissert moved for adoption of Resolution No. 86-15. Her motion, seconded by Councilman Nakano, was unanimously approved by roll call vote.

This resolution, presented by Mayor Armstrong, was graciously accepted by Mr. Brewer, the City of Torrance's Director on the Metropolitan Water District of Southern California's Board.

9. LIBRARY/PARKS AND RECREATION MATTERS:9a. DISTRIBUTION OF STATE FUNDS INTENDED UNDER CALIFORNIA EDUCATION CODE 18010:RECOMMENDATION OF LIBRARY COMMISSION:

1. Construct the City's library budget in two major categories: "Foundation Services" and "Major Capital Improvements".

2. Maintain the City's total appropriations of local revenues for both categories taken together at an amount at least equal to that of the previous fiscal year, though preferably with a reasonable growth rate as a demonstration of the City's commitment to quality library services taking into consideration inflation and other economic factors.

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3. Assure that the City's contributions to the "foundation" services are at least 90% of the expenditures budgeted for those services.

4. Establish a separate account for the deposit and holding of State funds received for the library under this legislation to serve as a safeguard against the use of such funds as replacement instead of as a supplement to local library expenditures, since the latter and not the former is the intent and purpose of this law.

City Manager's Note

Pursuant to Council instruction, the City Manager, Finance Director and City Attorney have reviewed the use of monies from SB 358 State Library Fund. The City Manager and Finance Director believe that the Library budgets since 1982-83 have met the requirements of the law.

The City Manager's interpretation of the SB 358 is the following:

- 1. The Bill is to provide monies for library purposes.
- 2. The intent of the Bill is to provide bail out monies to mitigate the impact of Proposition 13.
- 3. The Bill does not mandate any new programs or higher levels of service on any local government.

Both the Finance Director and City Attorney concurred with the analysis. Background memos are attached.

Based on this information, the City Manager believes that the funds received through SB 358 are properly being used for solely library purposes; and recommend no change from current practice.

If Council concurs with the Library Commission's recommendation, it would deviate from the City-wide budget process. The estimated amount in question for 1985-86 is \$69,000. If a reappropriation is required, the funds will need to come from the General Fund Reserve for Contingencies which currently has a balance of \$292,000.

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Finance Department Note:

The Finance Department believes the Library budgets since 1982-83 have met the requirements of the Education Code - that the records do show the proper use of the State funds. The funds have not been used to supplant local funds.

City Librarian Buckley advised that the most recent input from the State indicates that approximately \$40,000 in addition to the funds originally proposed, will be issued to the City of Torrance under the subject program during Fiscal Year 1985/86.

Expanding on the Library Commission's correspondence, of record, Commissioner Robert Alderman advised that the primary concern and intent of the Commission is to assure the best possible use of all funds available through local or state revenues for library purposes. Mr. Alderman stressed that the intent of funds provided under SB 358 is to supplement, not supplant, any monies that might otherwise be budgeted for library use.

The City's past practice in the "commingling" of such funds was explained by Finance Director Dundore, who noted that the budgetary procedure currently employed by the City does not include the placement of these monies in a special fund; however, the capability of establishing a Program or Job number for purposes of internal accountability would, per Mr. Dundore, be acceptable.

Discussion continued relative to the City's budgetary process and practices as related to the subject funds. The establishment of a procedure for internal accountability of these funds was urged by Councilwoman Geissert, with the sources of funding to be identified in the City's budget documents and in the Finance Department's records.

The following action was ultimately taken.

MOTION: Councilman Wirth moved that any additional monies coming forth during Fiscal Year 1985/86 through SB 358, State Library Funds, be set aside in a special Project Account, with recommendations as to the expenditure of these funds to be solicited from the Library Commission, and a running account of the fund status to be maintained.

The motion, seconded by Councilman Walker, carried unanimously by roll call vote.

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Considered next out of order --

15b. EARTHQUAKE HAZARD REDUCTION ORDINANCE:

Mayor Armstrong announced that this was the time and place for the public hearing in the matter of the recommendation of the Building and Safety Director for the adoption of an earthquake hazard reduction ordinance for unreinforced masonry buildings.

Proof of publication was presented by the City Clerk and it was ordered filed, there being no objection.

Mayor Armstrong noted the recommendation that this item be referred to the Community Planning and Design Committee of the City Council. Councilman Walker SO MOVED. His motion was seconded by Councilman Nakano, and carried without objection.

Considered next out of order --

20. CONSENT CALENDAR:

20a. AMERICAN STANDARD BOND RELEASE:

RECOMMENDATION OF ACTING CITY ENGINEER:

It is requested that this item be withdrawn from tonight's agenda, to be brought back before the Council at a later date.

20b. AWARD OF CONTRACT - For the Purchase of three (3) budgeted replacement rubber tired, diesel powered tractors.
REF. BID #B86-11
EXPENDITURE: \$68,403.89

RECOMMENDATION OF GENERAL SERVICES ACTING DIRECTOR:

It is staff's recommendation that Council award a contract to the low bidder, The Case Power & Equipment Company of City of Industry, California, in the total amount of \$68,403.89 for the purchase of three (3) required replacement tractors.

MOTION: Councilman Applegate moved to concur with the recommendation to withdraw Agenda Item 20a, and to concur with staff's recommendation as stated regarding Agenda Item 20b. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

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Considered next out of order --

15a. PCR 85-8, RICK LESLIE, ARCHITECT:

Mayor Armstrong announced this as the time and place for Council consideration of an appeal of a Planning Commission Review to allow the construction of a commercial building in the C-2 zone at the northeast corner of Anza Avenue and Del Amo Boulevard. PCR 85-8, RICK LESLIE, ARCHITECT.

Proof of publication was provided by the City Clerk and it was ordered filed without objection.

Correspondence from the architect requesting postponement to allow presentation of the design of a kiosk together with the main building, was noted by Mayor Armstrong. The Mayor pointed out that the kiosk was not part of the design as presented to the Planning Commission and requested that staff investigate the possibility that the entire matter should be reconsidered by the Commission.

MOTION: Councilman Walker moved to hold Agenda Item 15a, to February 11, 1986, a 7:00 p.m. meeting. His motion was seconded by Councilwoman Geissert, and carried without objection.

The regular Agenda Order was then resumed, with consideration of:

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. PROPOSED VACATION OF THE NORTHERLY 39' OF PLAZA DEL AMO BETWEEN WESTERN AVENUE AND ABALONE:

At the request of Mayor Armstrong, City Clerk Babb read title to --

RESOLUTION NO. 86-16

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE ORDERING THE SUMMARY
VACATION OF THE NORTHERLY 39 FEET OF
PLAZA DEL AMO NEAR WESTERN AVE.

MOTION: Councilman Nakano moved for the adoption of Resolution No. 86-16. His motion, seconded by Councilman Walker, was unanimously approved by roll call vote.

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10b. SPEED LIMIT CHANGES ON CITY STREETS:

At Mayor Armstrong's request, the City Clerk read title to the following --

ORDINANCE NO. 3162

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTIONS 61.10.3, 61.10.4, AND 61.10.5 OF THE TORRANCE MUNICIPAL CODE RELATED TO POSTED SPEED LIMITS WITHIN THE CITY

MOTION: Councilwoman Geissert moved for the approval of Ordinance No. 3162, at its first reading. Her motion, seconded by Councilman Walker, was unanimously approved by roll call vote.

City Attorney Remelmeyer pointed out that page 60, of the staff material on this item should correctly read: "Torrance Boulevard between the westerly and easterly City limits" -- rather than "Torrance Boulevard between Hawthorne Boulevard and westerly City limits." Mr. Remelmeyer advised that the Ordinance is correctly written.

10c. AWARD OF CONTRACT for Modification of WALTERIA Pump Station:

RECOMMENDATION:

It is the combined recommendation of the Water Department and the Water Commission that City Council authorize:

- (1) Award of the construction contract for the WALTERIA Pump Station modification to Wolder Engineering, for \$162,733.
- (2) Appropriation of additional \$70,000 from the Water Revenue Fund to cover project costs.

MOTION: Councilwoman Geissert moved to concur with the above stated staff/Water Commission recommendation along with the stated appropriation. Her motion was seconded by Councilman Mock, and roll call vote was unanimously favorable.

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14. PERSONNEL MATTERS:14a. CITY ENGINEER EXAMINATION:RECOMMENDATION OF PERSONNEL MANAGER/CIVIL SERVICE ADMINISTRATOR:

It is recommended that your Honorable Body approve the revised class specification for City Engineer; approve the ordering of the examination on an open competitive basis; and approve the allocation of \$4000 from the General Fund Reserve for Contingencies to cover the examination expenses.

MOTION: Councilwoman Geissert moved to concur with the above stated staff recommendation, with the recommended allocation. Her motion, seconded by Councilman Walker, carried unanimously by roll call vote.

15. HEARINGS:15a. PCR 85-8, RICK LESLIE, ARCHITECT:

Held to February 11, 1986 - see Page 7.

15b. EARTHQUAKE HAZARD REDUCTION ORDINANCE:

Referred to Committee - see Page 6.

17. ADMINISTRATIVE MATTERS:17a. POLLING PLACES AND ELECTION OFFICIALS:

At the Mayor's request, City Clerk Babb read title to --

RESOLUTION NO. 86-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, ESTABLISHING VOTING PRECINCTS AND POLLING PLACES, APPOINTING PRECINCT BOARD MEMBERS AND FIXING COMPENSATION FOR THE GENERAL MUNICIPAL ELECTION OF THE CITY ON TUESDAY, MARCH 4, 1986, CALLED BY RESOLUTION NO. 85-305 OF THE CITY COUNCIL

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 86-17. Her motion was seconded by Councilman Nakano, and roll call vote was unanimously favorable.

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Mayor Armstrong requested that the possibility of providing handicapped access at more polling places than presently so served, be investigated. City Clerk to follow through.

RESOLUTION NO. 86-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, ORDERING THE CANVASS OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON THE 4TH DAY OF MARCH, 1986, TO BE MADE BY THE CITY CLERK OF THE CITY OF TORRANCE

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 86-18. Her motion, seconded by Councilman Nakano, carried unanimously by roll call vote.

RESOLUTION NO. 86-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, PROVIDING FOR THE CONDUCT OF A SPECIAL RUNOFF ELECTION FOR ELECTIVE OFFICES IN THE EVENT OF A TIE VOTE AT THE 1986 GENERAL MUNICIPAL ELECTION

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 86-19. This motion was seconded by Councilman Nakano, and roll call vote was unanimously favorable.

17b. EXECUTIVE SESSION:

See Pages 12 and 13.

18. SECOND READING ORDINANCES:

18a. ORDINANCE NO. 3159:

City Clerk Babb read title to --

ORDINANCE NO. 3159

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE GRANTING TO RODNEY A. PANTAGES dba SHASTA PAN OIL COMPANY A FRANCHISE TO BUILD, OPERATE AND MAINTAIN A CERTAIN PIPELINE AND APPURTENANCES FOR THE TRANSPORTATION OF HYDROCARBON SUBSTANCES IN THE CITY OF TORRANCE

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MOTION: Councilwoman Geissert moved for the adoption of Ordinance No. 3159, at its second and final reading. Her motion was seconded by Councilman Wirth, and roll call vote was unanimously favorable.

* * *

At 8:05 p.m., the City Council convened in Joint Session with the Redevelopment Agency of the City of Torrance, returning to the Council agenda at 8:06 p.m., but remaining in Joint Session for purposes of a Joint Executive Session held later in the meeting (see Page 12).

* * *

22. ORAL COMMUNICATIONS:

22a. City Manager Jackson announced the appointment of Mr. Bill White to the position of General Services Director of the City of Torrance.

22b. It was City Attorney Remelmeyer's request that Council approve an amendment to the previously approved license and indemnity agreement with the Honda Accura dealership, which would allow that dealership to go ahead with fine grading of the building pad prior to consumation of the lease, and also to provide for any slight amendments deemed necessary by the City Manager and City Attorney.

Councilman Applegate MOVED to concur with the above stated recommendation of the City Attorney. His motion was seconded by Councilman Walker, and there being no objection, it was so ordered.

22c. Councilman Applegate suggested that the facilities of Cable TV be utilized to bring the "large item pickup" activity to the attention of citizens.

22d. Mr. Don Patcheak of the Southwood Homeowners Association was welcomed back by Councilman Applegate following a brief absence.

22e. Councilwoman Geissert requested that staff evaluate possible Cable TV exposure of United Way Agencies. City Manager's office will follow through and report back.

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22f. Councilwoman Geissert requested staff response regarding the expressed interest of the Red Cross in becoming a formal part of the Torrance Disaster Council structure.

* * *

The Council now returned to --

17b. EXECUTIVE SESSION:

The City Council/Redevelopment Agency having remained in Joint Session (see Page 11), Mayor/Chairman Armstrong read the following statement into the record.

The City Council will now recess to closed session for the purposes of conferring with the City Attorney regarding the following:

1. Pending litigation entitled City of Torrance vs. Torrance Investment Company, et al, Los Angeles Superior Court Case No. C577962, held pursuant to the provisions of Government Code Section 54956.9(a).
2. Possible litigation involving the City and Group W concerning the transfer of the Cable TV franchise by Group W held pursuant to the provisions of Government Code Section 54956.9(a).

The City Council, acting as the Redevelopment Agency, will also recess to closed session for the purpose of conferring with the Agency's legal counsel concerning the following:

Pending litigation concerning eminent domain proceedings of 25 acres of land situated north of Torrance Boulevard and east of Van Ness Avenue (Redevelopment Agency of the City of Torrance vs. M & W Properties, Superior Court Case Number C544900). The authority for holding this closed session is contained in Government Code Section 54956.9(a).

The City Council will also recess to closed session to confer with the City Manager regarding salaries, salary schedules and compensation of certain employee groups. This closed session is being held pursuant to the authority of Government Code Section 54957.6.

At 8:16 p.m., the City Council/Redevelopment Agency of the City of Torrance recessed, convening in Joint Executive Session at 8:30 p.m.

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NOTE: Councilman Applegate abstained from consideration of the matter involving the Torrance Investment Company (Item 1 above) and absented himself from the meeting room during that discussion.

The Council/Agency returned at 9:25 p.m. to take the following action.

With regard to the pending litigation entitled City of Torrance vs. Torrance Investment Company, City Attorney Remelmeyer requested that the Council adopt a motion authorizing the City Attorney to inform the Court at the hearing on the Preliminary Injunction application, that if the Court grants the city possession of the Madrona Marsh, the City will agree to indemnify Santa Fe and TIC and any other owners of the property against any liability that may result from the City's possession of the property, including any third party liability, except that liability resulting from actions of Santa Fe or TIC or any other owners of the property.

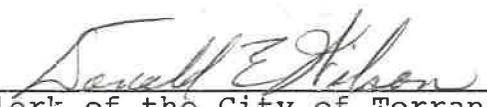
Councilwoman Geissert SO MOVED. Her motion was seconded by Councilman Mock, and roll call vote was unanimously favorable, with Councilman Applegate ABSTAINING.

At 9:27 p.m., the City Council/Redevelopment Agency formally adjourned to February 4, 1986, at 5:30 p.m.

Adjournment was dedicated to the memories of Mr. Dean Sears, Mr. Charles Pecora, and the crew of the Challenger space shuttle.

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 Mayor of the City of Torrance


 Clerk of the City of Torrance

Peggy Laverty
 Minute Secretary

City Council
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