

I N D E X

Torrance City Council - July 14, 1987

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Formal adjournment was at 11:12 p.m.

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Peggy Laverty  
Minute Secretary

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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, July 14, 1987, at 7:02 p.m., in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Hardison, Mock, Nakano, Walker, Wirth and Mayor Geissert. Councilman Applegate arrived at 7:05 p.m.

Absent: None.

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

3. FLAG SALUTE/INVOCATION:

Boy Scout Troop #310 - James Gordon Scoutmaster - led in the salute to the flag.

The invocation for the meeting was provided by Reverend Tony Fasano, Calvary Chapel.

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Councilman Applegate arrived at this point, the hour being 7:05 p.m.

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4. APPROVAL OF MINUTES/MOTION TO WAIVE FURTHER READING:

MOTION: Councilman Wirth moved to approve the City Council minutes of June 16, 1987, as recorded. His motion, seconded by Councilwoman Hardison, carried unanimously by roll call vote.

MOTION: 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, seconded by Councilwoman Hardison, was unanimously approved by roll call vote.

5. MOTION RE POSTING OF AGENDA:

MOTION: Councilman Applegate moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. His motion, seconded by Councilman Mock, carried unanimously by roll call vote.

6. WITHDRAWN OR DEFERRED ITEMS:

None.

7. COUNCIL COMMITTEE MEETINGS:

Citizen Development and Enrichment Committee  
Wednesday, July 15, 4:00 p.m.  
Torrance Unified School District  
Subject: Vine Avenue Street Closure.

8. COMMUNITY MATTERS:

8a. PROCLAMATION COMMEMORATING WALTERIA BRANCH LIBRARY:

SO PROCLAIMED by Mayor Geissert.

Senior Librarian Patrice Pulles was present to accept, with sincere appreciation, the above proclamation congratulating the Walteria Library on fifth years of exemplary service.

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10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. NOTICE OF COMPLETION - ASPHALT PAVING FOR TAXIWAY #5 AT TORRANCE AIRPORT (B87-6).

RECOMMENDATION:

The Transportation and Engineering Departments recommend that the asphalt work completed on Taxiway #5 be accepted and final payment be made to the contractor, Shawnan Corporation.

MOTION: Councilman Nakano moved to concur with staff's recommendation on Agenda Item 10a. His motion, seconded by Councilwoman Hardison, carried unanimously by roll call vote.

15. HEARINGS:

15a. PROPOSED PIT BULL ORDINANCES:

Mayor Geissert announced that this was the time and place for a public hearing on proposed Pit Bull ordinances.

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

During the staff presentation by Environmental Quality Administrator McElroy, the three alternative ordinances presented for Council consideration were analyzed -- a brief synopsis of the content of these ordinances follows.

ORDINANCE "A" - bans the keeping of Pit Bull dogs within Torrance City Limits.

ORDINANCE "B" - allows all Pit Bull dogs currently licensed in Torrance to remain but bans all new Pit Bull dogs from the City.

ORDINANCE "C" - provides for the destruction of dogs (and other animals), regardless of breed, that are found to be dangerous as the result of a hearing and for restrictive confinement of those found to be not dangerous but negligently trained or maintained.

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RECOMMENDATION:

The City Attorney recommends that the City Council adopt one or more of the ordinances. The Director of Building and Safety recommends adoption of Ordinance "C".

Individual Council inquiries and concerns were then addressed by Ms. McElroy and by City Attorney Remelmeyer. Points covered included: the need for accurate records of repeat violations; the requirement for reliable witnesses and effective controls; an appropriate means of determining whether or not an animal is dangerous; the consideration of a propensity to cause injury; etc.

Mayor Geissert invited audience input at this time.

Speakers were --

Mr. Ellis M. Hurn, 2918 Opal Street: Provided information regarding the nature of Pit Bull dogs, noting that he has personally owned three. Mr. Hurn firmly maintained that Pit Bulls will be what they are trained to be -- viciousness should be regulated, but not a specific breed, per this speaker. Concurrence with Ordinance "C" was indicated.

Mr. Mark Ida, 4043 178th Street: Read aloud a prepared statement providing general information on the Pit Bull and related breeds, and offered his opinion that existing laws should be enforced against the problem of dangerous dogs of any breed. The following suggestions were offered by Mr. Ida for consideration.

- Enforce the existing leash laws,
- Prohibit enrolling Pit Bull dogs in attack training,
- Require dog owners to follow certain guidelines, such as perimeter fencing, muzzling of all "risk" breeds, etc.

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Ms. Rene Johnson, President of the Golden State Pit Bull Club, an affiliate of the American Dog Breeders' Association: Pointed out that a particular breed cannot be positively identified without the aid of pedigree papers, and stressed that irresponsible dog owners and trainers should be held accountable for the activities of the animals.

Ms. Johnson offered to work with the City of Torrance in formulating a "vicious dog" ordinance which would apply to all breeds.

Ms. Debra Curtis, 1603 West 223rd Street, a UKC licensed professional judge: Related her firm opinion that the problem is not with a particular breed of dog -- it is with certain of the owners and those owners should be prosecuted, in her opinion.

Ms. Trudy Coburn, 1908 West 231st Street: Deemed, from her personal experience, that a Pit Bull is an intelligent, kind, loving, obedient breed.

Dr. Richard Sullivan, Veterinarian and President of the Southern California Veterinary Medical Association: Read aloud a prepared statement which noted, in part, that the Southern California Veterinary Medical Association believes that no one particular breed of dog should be discriminated against, and it strongly supports and encourages responsible pet ownership and the enforcement of existing regulations and animal control ordinances.

Dr. Sullivan urged more severe penalties to assure that owners of vicious animals are held accountable. He also suggested that the funding of animal control agencies should be adequate to assure public safety and well-being. Support of Ordinance "C" was indicated by this speaker.

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Mr. Michael Martin: Questioned the validity of statistics regarding Pit Bull attacks being used by the City, and urged that an ordinance be adopted that addresses the matter of vicious dogs in general, rather than a specific breed. The problem, in Mr. Martin's opinion, is a misinformed public.

Mr. Martin Milas, President of the Golden State Bull Terrier Club: Provided a historical sketch regarding breeding characteristics of Pit Bull Terriers and similar breeds. This speaker urged that irresponsible dog owners be held accountable, and indicated his preference for Ordinance "C".

Mr. Edward Kaperta, Executive Director of the Los Angeles S.P.C.A.: Spoke in support of Ordinance "C", it being their contention that efforts for control must be directed against irresponsible owners and not against a specific breed of dog.

Mr. Bill Prokopovich, a letter carrier in the Riviera area: Spoke in favor of the Pit Bull breed.

Ms. Loma Davis, representing Mercy Crusade, P.O. Box 3265, 16122 Cantilay(?), Van Nuys: Indicated tentative support of Ordinance "C"; however, pointed out that the ordinance as now written is in conflict with the State Penal Code with reference to restrictive confinement of those found to be not dangerous negligently trained or maintained. Ms. Davis stressed the need for an appeals process, and offered to work with the City in the formulation of appropriate ordinance verbiage.

Ms. Sharon Gregg, representing Animal Alliance, 8660 Lookout Mountain Avenue, Los Angeles: Maintained that the problem lies with the breeders, trainers and owners of dogs, and deemed Ordinance "C" to be the most appropriate of those presented. Irresponsible owners need to be controlled and breeding laws should be updated, per this speaker. Page 2, SECTION

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41.9.6, Subsection 7 of Ordinance "C" regarding exhibition of aggressive or unpredictable characteristics invites a very subjective judgment call, in Ms. Gregg's opinion.

Ms. Margaret Esfahani, 23652 Susana: Related her grave concerns as to the safety of her three children because of two Pit Bulls owned by a neighbor but not confined to that neighbor's property under the provisions of the current leash law. The potential severity of an attack by a Pit Bull was pointed out by this speaker as grave cause for alarm where that breed is concerned.

Mr. Bill Edwards, 1526 Ballou Road, Glendale, a member of the Golden State Bull Terrier Club (secretary of the club and also chairman of their rescue unit): Related difficulties encountered by most members of the public in identifying the Pit Bull Terrier breed. Ordinance "C" was preferred by Mr. Edwards, and owner responsibility was stressed as imperative.

Ms. Claire Miller, 23018 Walnut Street: Advised that she has owned five different breeds of dog -- Pit Bulls more than once, and is of the opinion that they are an intelligent and gentle breed.

Ms. Nona Richardson, 4628 Talisman: Related an incident wherein "hysterical" citizens released her Pit Bull dog from her yard and tortured and beat the animal.

Ms. Pat Gardner, 848 9th Street, Manhattan Beach: Advised of her knowledge that dogs, not necessarily of the Pit Bull breed, are currently being advertised as being bred for fighting purposes in South Central Los Angeles.

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Mr. Cor Van Diepen, 2318 El Dorado: Indicated his favor of Ordinances "A" or "B" banning Pit Bulls from the Torrance City limits. Mr. Van Diepen advised that he had had a dog killed by a Pit Bull and his child threatened by a Pit Bull owner.

Mr. Clay Hartley, 34 Washington Street, Marina Del Rey, representing a Dog Owners' Group (D.O.G): Spoke in favor of Ordinance "C", and urged that the City seek assistance from the various animal agencies and clubs in formulating appropriate restrictive language.

Ms. Ann Adam, 5359 Bindewald Road: Favored Ordinance "C" and invited Council and staff to attend the South Bay Kennel Club Show in the near future.

\* \* \*

There being no one else in the audience who wished to speak on this subject, Councilman Applegate moved to close the hearing. His motion, seconded by Councilman Mock, carried unanimously by roll call vote.

Council discussion then ensued.

Councilman Applegate requested that the City Attorney and Environmental Quality Division staff return to the Council at a later date with a recommendation on more effectively dealing with irresponsible dog owners as a separate matter from the issue before the Council this evening.

City Attorney Remelmeyer concurred, stating however that even if the ordinances are improved insofar as dealing with the owners, that is a criminal statute, and as such is more difficult to deal with. Mr. Remelmeyer advised that a dangerous dog situation could be dealt with through Ordinance "C" in a matter of a few days.

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Mr. Applegate expressed his firm conviction that the problem lies with the irresponsible owners, handlers and breeders and he requested that the matter be returned to Council with recommendations for possible improvements in dealing with the owners themselves.

MOTION: Councilman Applegate moved that Ordinance "C" be adopted with appropriate modification as may be needed to comply with State Codes. His motion was seconded by Councilman Walker.

Prior to roll call vote, individual Councilmembers offered opinions and comments, it being generally conceded that the problem lies with certain owners rather than with an individual breed of dog.

The importance of coordinating information regarding dog biting incidents between various agencies with recordation of reliable statistics was acknowledged by Council/staff. Councilwoman Hardison indicated her interest in receiving a report back in this regard at some time in the future.

Councilman Mock referenced his concerns surrounding the "one free bite" concept and the need to prevent such incidents in the future. In Mr. Mock's opinion Ordinance "C" is in need of language clarification as to the "dangerous dog" classification, and also in terms of "propensity" for biting, etc. The ordinance, Mr. Mock further pointed out, would not prohibit a negligent owner from acquiring another dog after having been previously required by law to get rid of a dog deemed to be dangerous.

Mayor Geissert directed that staff return with additional information as requested. The Mayor indicated her concurrence with her fellow Councilmembers who spoke in favor of prosecuting irresponsible pet owners.

Councilman Applegate's above motion carried by way of the following roll call vote.

AYES:	COUNCILMEMBERS:	Applegate, Hardison, Nakano, Walker, Wirth and Mayor Geissert.
NOES:	COUNCILMEMBERS:	Mock.

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ORDINANCE NO. 3205

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING ARTICLE 9 TO CHAPTER 1 OF DIVISION 4 OF THE TORRANCE MUNICIPAL CODE REGULATING DANGEROUS DOGS AND OTHER ANIMALS; AND AMENDING SECTION 41.1.4 OF THE TORRANCE MUNICIPAL CODE RELATING TO WILD ANIMALS

MOTION: Councilman Nakano moved to approve Ordinance No. 3205 at its first reading. His motion was seconded by Councilman Walker, and carried by way of the following roll call vote:

AYES: COUNCILMEMBERS: Applegate, Hardison, Nakano, Walker, Wirth and Mayor Geissert.

NOES: COUNCILMEMBERS: Mock.

\* \* \*

At 9:05 p.m., Mayor Geissert called a brief recess. The Council returned at 9:22 p.m., to continue with its regular agenda order.

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17. ADMINISTRATIVE MATTERS:

17a. VISITORS BUREAU:

At the request of Mayor Geissert, City Attorney Remel-meyer highlighted the provisions set forth in the Agreement for the Torrance Visitors Bureau (per his written report accompanying this agenda item) and noted the following --

RECOMMENDATION:

The City Attorney recommends that the City Council adopt the resolution approving and authorizing the execution of the Agreement between the City and the Chamber of Commerce for the Visitors Bureau.

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Council discussion was directed specifically to the provisions for Chamber of Commerce appointments to the Bureau's Board of Directors, that section of the Agreement reading in its entirety as follows:

3. Board of Directors of Bureau

- b) The Visitors Bureau Board of Directors shall consist of seven (7) members. The Chairman of the Board shall be an officer of the Chamber designated as Vice President for Visitors Bureau Affairs. The City Council shall appoint three (3) members of the Board. The Chamber Board of Directors shall appoint three (3) members of the Board as follows: (1) Chamber official; (2) hotel representative; and, (3) restaurant representative.

It was Councilman Walker's suggestion that the last sentence of 3.b) be modified to read as follows: "The Chamber Board of Directors shall appoint three (3) members of the Board." (Delete remainder of sentence).

During the ensuing discussion it was recommended by Councilwoman Hardison that a mechanism be instituted to provide for the appointment of alternate members. General concern for the continuity of the Visitors Bureau with regard to the interaction of alternate members was expressed by Councilman Applegate.

The following action was ultimately taken.

MOTION: Councilman Applegate moved for approval of the Visitors Bureau, changing Section 3.b) to eliminate the last sentence, thus allowing the Chamber to appoint open seating -- further, that a provision be added to allow for alternate members. The motion was seconded by Councilman Walker.

At the time of his second, Councilman Walker suggested that adding alternates in the beginning might tend to complicate the issue. Modification of the ordinance as deemed desirable following the proposed one-year initial enactment of the Board was recommended by Mr. Walker.

Councilman Applegate reiterated his recommendation that there be a mechanism in the ordinance to provide for alternates -- specifics in this regard may be established later.

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Mr. John Donald, General Manager of Torrance Marriott, concurred with the proposal to remove the designated seats specified for the Chamber, and also approved of a system to provide for alternates.

Roll call vote on the above motion proved unanimously favorable.

RESOLUTION NO. 87-163

A RESOLUTION OF THE CITY OF TORRANCE  
AUTHORIZING THE EXECUTION OF AN  
AGREEMENT BETWEEN THE CITY AND THE  
TORRANCE CHAMBER OF COMMERCE FOR THE  
ESTABLISHMENT, FUNDING AND OPERATION  
OF THE TORRANCE VISITORS BUREAU

MOTION: Councilman Nakano moved to adopt Resolution No. 87-163. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

City Manager Jackson indicated his office will respond to the need for establishing a process to chose alternate Board members.

17b. CONSENT TO ASSIGNMENT OF GROUND LEASE:

RESOLUTION NO. 87-164

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE CONSENTING TO THE SALE  
AND TRANSFER OF ALL THE SHARES OF CAPITAL  
STOCK FROM LA CASA DE VIDA MANAGEMENT  
CORPORATION TO THE WEST END RACQUET CLUB,  
A CALIFORNIA GENERAL PARTNERSHIP

MOTION: Councilman Nakano moved to adopt Resolution No. 87-164. His motion, seconded by Councilman Applegate, carried unanimously by roll call vote.

17c. EXECUTIVE SESSION:

See Page 16.

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17d. MEMORANDUM OF UNDERSTANDING - TMEO:

RESOLUTION NO. 87-165

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE GOVERNING EMPLOYMENT  
COMPENSATION PROVISIONS FOR EMPLOYEES  
REPRESENTED BY THE TORRANCE MANAGEMENT  
EMPLOYEES ORGANIZATION (TMEO)

MOTION: Councilman Nakano moved to adopt Resolution  
No. 87-165. His motion, seconded by Councilwoman Hardison,  
carried unanimously by roll call vote.

17e. EXECUTIVE RESOLUTIONS:

RESOLUTION NO. 87-166

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE REPEALING RESOLUTION  
NO. 86-174 AND ADOPTING A NEW PROCEDURE  
GOVERNING EMPLOYMENT COMPENSATION FOR  
MANAGEMENT EMPLOYEES

MOTION: Councilman Nakano moved to adopt Resolution  
No. 87-166. His motion was seconded by Councilwoman Hardison,  
and roll call vote was unanimously favorable.

RESOLUTION NO. 87-167

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE REPEALING RESOLUTION  
86-173 AND ADOPTING A NEW COMPENSATION  
PROCEDURE FOR ELECTED OFFICIALS

MOTION: Councilman Nakano moved for the adoption of  
Resolution No. 87-167. This motion was seconded by Councilman  
Walker.

Prior to roll call vote, Councilman Applegate sug-  
gested, as a matter of procedure, that basic deficiencies in the  
City Clerk's salary levels should be resolved by way of a Charter  
Amendment. It was the general concurrence of the Council that a  
Charter Amendment would be accepted procedure at an appropriate  
future time, with adoption of the above resolution the proper ac-  
tion at this time.

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Roll call vote on the above motion proved unanimously favorable.

20. CONSENT CALENDAR:

20a. INVESTMENT REPORT - JANUARY THROUGH MAY, 1987:

RECOMMENDATION OF CITY TREASURER:

It is recommended that the Council receive the investment reports for information only.

20b. COUNCIL AWARD OF CONTRACT: For Annual Requirements of  
Red Highway Safety Flares  
Re: Bid No. B87-46  
Expenditure: \$14,804.99 (Including Tax).

RECOMMENDATION:

The Purchasing Division recommends that your Honorable Body award a contract for the annual supply of twenty minute red highway safety flares to the responsible low bidder, the GLEASON CORPORATION of Milwaukee, WI, in the total amount of \$14,804.99, including tax.

20c. RELEASE OF BONDS - TRACT NO. 43625

SUBDIVIDER: Don Wilson Development  
ENGINEER: Clark Kugler  
LOCATION: 2720, 2726, 2732, 2740 Gramercy  
Avenue  
NO. OF LOTS: 2 (18-unit condominiums)

RECOMMENDATION:

The Engineering Department recommends that the subject bonds be released.

MOTION: Councilman Applegate moved to concur with staff recommendations on Agenda Items 20a, 20b, and 20c. His motion was seconded by Councilwoman Hardison, and roll call vote was unanimously favorable.

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20d.        TRACT NO. 43219  
            Subdivider:        Torrance Business Park  
            Location:         North side of Del Amo Boulevard  
                                        West of Prairie  
            No. of Lots:        11.

RECOMMENDATION:

The Engineering Department recommends that the City Council approve an additional four-month extension (to December 4, 1987) to allow the completion of public improvements per Subdivision Agreement dated August 4, 1986.

MOTION: Councilman Wirth moved to concur with staff recommendation on Agenda Item 20d. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable (Councilman Applegate ABSTAINED).

\* \* \*

At 10:00 p.m., the City Council convened in joint session with the Redevelopment Agency of the City of Torrance. At 10:01 p.m., the Council/Agency remained in joint session for purposes of a joint executive session later in the meeting, but returned to the regular Council order of business.

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22.        ORAL COMMUNICATIONS:

22a.        Councilwoman Hardison praised the City's 1987 Musical presentation of "My Fair Lady."

22b.        Councilman Mock noted his recent attendance at the Independent Cities' Conference and announced that the City of Torrance will host the general membership meeting of the Independent Cities Association in November, 1987.

22c.        Councilman Nakano requested a written report from staff regarding goals and objectives of the Safety Committee; the membership of that organization; past accomplishments; and future aims. City Manager's office to follow through.

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22d. Councilman Nakano requested that the Director of Parks and Recreation provide information relative to an indicated desire of members of the Senior Citizens' Council for access to a system of transportation.

22e. Mayor Geissert commented on the display of blue delphiniums (the official flower of the City of Torrance) at branch libraries throughout the City.

The Council now returned to --

17c. EXECUTIVE SESSION:

The City Council/Redevelopment Agency of the City of Torrance having been in joint session prior to consideration of Council Oral Communications (see Page 15), Mayor/Chairwoman Geissert now read the following statement into the record pertaining to City Council business:

The City Council will now recess to closed session to confer with the City Manager regarding salaries, salary schedules and compensation for certain employee groups. Authority for holding an executive session for this purpose is contained in the provisions of Government Code Section 54957.6(a).

The City Council will also confer with the Council Committee on Executive Salaries regarding salaries, salary schedules and compensation for such unrepresented employees. Authority for holding an executive session for this purpose is contained in the provisions of Government Code Section 54957.6(a).

The City Council will give instructions to the City Manager regarding the possible renegotiation of certain of the lease provisions of city owned property at the corner of Madison Street and Pacific Coast Highway, Francis P. Torino and Robert Cohen, Lessees. Authority for holding an executive session for this purpose is contained in the provisions of Government Code Section 54956.8.

Councilman Applegate announced that he would abstain in the matter of lease renegotiation of the Madison/Pacific Coast Highway property, and would absent himself from the meeting room during the entire discussion of that matter.

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At 10:07 p.m., the City Council/Redevelopment Agency of the City of Torrance recessed to joint executive session, returning at 11:12 p.m., for formal adjournment of both bodies to Tuesday, July 21, 1987, 5:30 p.m.

[No action was required as a result of the executive session].

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Mayor of the City of Torrance

  
\_\_\_\_\_  
Clerk of the City of Torrance

Peggy Laverty  
Minute Secretary

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