

I N D E X

Torrance City Council - January 31, 1989

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Marlene Lewis  
Minute Secretary

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Marlene Lewis  
Minute Secretary

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MINUTES OF A REGULAR MEETING  
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES

1. ROLL CALL:

The Torrance City Council convened in a regular session at 5:41 p.m. on Tuesday, January 31, 1989, in the Council Chambers at Torrance City Hall, 3031 Torrance Boulevard.

2. ROLL CALL:

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

Absent: None.

Also Present: City Manager Jackson, City Attorney Nelson, City Clerk Bramhall, and Staff Representatives.

3. FLAG SALUTE/INVOCATION:

Ms. Jane Hasselbach, Senior Planning Associate for the City of Torrance, led in the salute to the Flag.

The invocation for the meeting was provided by Reverend Tom Rothhaar, Walteria Methodist Church.

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

MOTION: Councilman Applegate moved to approve the minutes of the January 3, 1989 City Council meeting, as presented. His motion, seconded by Councilwoman Hardison, carried by unanimous roll call vote.

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MOTION: Councilman Applegate moved that after the City Clerk has assigned a number and read title to any resolution or ordinance on the agenda for this meeting, the further reading thereof be waived, reserving and guaranteeing to each Council member the right to demand the reading of any such resolution or ordinance in regular order. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable.

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. This motion, seconded by Councilwoman Hardison, carried unanimously by roll call vote.

6. WITHDRAWN OR DEFERRED ITEMS:

None announced.

7. COUNCIL COMMITTEE MEETINGS:

Finance and Governmental Operations Committee  
Met this date regarding participation in the  
Miss Torrance Pageant -- report forthcoming.

Tuesday, February 21, 1989, 4:30 p.m.  
Subject: Midyear Review of Capital Budget

Ad Hoc Armed Forces Day Committee  
Tuesday, February 7, 1989, 4:30 p.m.  
Subject: Armed Forces Day Parade -- Publicity  
and Community Involvement

8. COMMUNITY MATTERS:

8a. PRESENTATION OF SERVICE AWARDS:

Awards presented by the Mayor in honor of their years of dedicated service to the City were accepted with expressed gratitude by the following employees:

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Twenty Years of Service

Rocco Doty, Fleet Services Manager

Fifteen Years of Service

Robert Denti, Services Officer

Jane Hasselbach, Senior Planning Associate

Ten Years of Service

Ralph Rogers, Bus Operator

8b. PRESENTATION BY 100TH/442ND VETERANS ASSOCIATION:

Messrs. Ben Tagami, president and Sam Fujikawa of the 100th/442nd Veterans Association of Southern California (World War II Japanese American officers and troops) commended the City for hosting the Armed Forces Day Parade annually and for having faith in and supporting all of its citizens regardless of race, color, or creed. A resolution was presented to the Mayor and Councilmembers acknowledging the many deeds extended the Japanese American community by the City and expressing appreciation to the City Council for its support.

8c. PROCLAMATION RE "NATIONAL COLLEGIATE DRUG AWARENESS WEEK":

February 6 to February 12, 1989 was proclaimed "National Collegiate Drug Awareness Week" by Mayor Geissert, who commended California State University at Dominguez Hills for the development of Project Serenity (a program for the distribution of drug and alcohol abuse information) and for its participation in National Drug Awareness Week.

This proclamation was accepted with expressed appreciation by Ms. Carmen Buford, director of Student Programs and project director for the center.

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9. LIBRARY/PARKS AND RECREATION MATTERS:

9a. ACCEPTANCE AND APPROPRIATION OF MURL AWARD:

Recommendation:

The City Librarian recommends the City Council accept and appropriate the \$10,365 MURL (Major Urban Resources Library) award for the purchase of materials in the Library Department's Regional Area Collection Plan, and that these funds be deposited in a special account to accomplish this purpose.

MOTION: Councilman Wirth moved to concur with the City Librarian's recommendation. His motion, seconded by Councilwoman Hardison, carried by unanimous roll call vote.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. NOTICE OF COMPLETION - CONSTRUCTION OF STORM DRAIN IN 175TH STREET AND 175TH PLACE AT PRAIRIE AVENUE (B88-27):

At the Mayor's request, City Clerk Bramhall assigned a number and read title to:

RESOLUTION NO. 89-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA ACCEPTING THE WORK FOR THE CONSTRUCTION OF STORM DRAIN IN 175TH STREET AND 175TH PLACE AT PRAIRIE AVENUE (C-2933)

MOTION: Councilman Nakano moved to adopt Resolution No. 89-21. Councilwoman Hardison seconded his motion and roll call vote was unanimously favorable.

10b. 1988-89 PROPOSITION A DISCRETIONARY GRANT FUNDS:

City Clerk Bramhall read number and title to:

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RESOLUTION NO. 89-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE LOS ANGELES COUNTY TRANSPORTATION COMMISSION FOR RECEIPT OF FY 1988-89 PROPOSITION A DISCRETIONARY GRANT FUNDS

MOTION: Councilman Nakano moved to adopt Resolution No. 89-22. His motion was seconded by Councilwoman Hardison.

Invited by the Mayor to speak on the issue, Director of Transportation Horkay briefly commented on the amount of Proposition A Discretionary Grant funds staff has brought into the City over the years.

Roll call vote on the motion was unanimously favorable.

- 10c. COUNCIL AWARD OF CONTRACT - To retrofit thirty (30) Torrance Transit buses with Emco-Wheaton Posi-Lock refueling hardware as a "cooperative" purchase with Orange County Transit District.

Reference: Orange County Transit District  
Bid No. IFB 88-54-209

Expenditure: \$26,454.59

Funding: Transportation Development Act (TDA)  
Article 4 Capital Monies

Recommendation:

The Directors of General Services and Fleet Services and the Transit Manager recommend the Council approve Torrance's participation with the Orange County Transit District (O.C.T.D.) in the purchase of this refueling equipment, and award a contract to the low bidder in the O.C.T.D.'s bid process, the Fleet Fueling Systems Company of Mentor, Ohio, in the total amount of \$26,454.59, including tax.

MOTION: Councilman Wirth moved to concur with the staff recommendation on Agenda Item No. 10c. The motion was seconded by Councilwoman Hardison and carried by unanimous roll call vote.

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10d. REQUEST TO OPERATE BANNER TOWING BUSINESS:

Recommendation:

The Department of Transportation and the Airport Commission recommend that the request (by Mario J. Lopez, dba Star Ads, Inc.) to operate a banner towing business at Torrance Municipal Airport be approved.

Airport Manager Cagaanan reviewed background information as set forth in the agenda material (of record) and commented that Mr. Lopez currently operates out of Long Beach and has a much quieter aircraft than the one flown by the banner-towing operator who canceled his agreement with the City.

In response to earlier direction from the Council requesting that minimum use criteria be established for banner towing operations in the City, Airport Manager Cagaanan advised Councilwoman Hardison that a 1-1/2 year survey of revenues derived from banner towing operations was initiated, the results of which will be utilized to develop such criteria.

Mr. Jim Stavoe, 4122 Highland Avenue, Manhattan Beach, explained that he has a vested interest in Pacific Drifters Corporation, another banner towing operation, on behalf of which his brother (Doug Stavoe) previously appeared before Council. Deeming banner towing slots "a valuable commodity," Mr. Stavoe suggested the City consider alternative methods of awarding these contracts, such as a bid process, which would best serve the City from the standpoint of opportunities for increased revenue.

It was also Mr. Stavoe's recommendation that the City address the number of banner towing operations (vs. operators, which the City limits to three) and find an equitable way to distribute these opportunities among the people interested in participating. That these views in no way reflected upon the application of Mr. Lopez, which he supported, was clarified by this speaker.

Airport Manager Cagaanan noted that banner towing and other service businesses at the Airport will be part of future discussions before the Airport Commission and City Council and he assured the Mayor that Mr. Stavoe would be notified of these meetings.

MOTION: Councilman Wirth, seconded by Councilman Mock, moved to concur with the staff recommendation for Agenda Item 10d. Roll call vote was unanimously favorable.

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13. ENVIRONMENTAL/BUILDING AND SAFETY MATTERS:

13a. REINTRODUCTION OF ORDINANCE 3252 (ANIMAL CONTROL REGULATIONS):

Building and Safety Director Grippo explained that the wrong ordinance was inadvertently brought before Council at the last meeting resulting in the need for Ordinance 3252 to be reintroduced to provide certain technical and clarifying changes.

After a brief discussion during which Mr. Grippo responded to inquiries, City Clerk Bramhall was asked by the Mayor to read number and title to:

SECOND FIRST READING

ORDINANCE NO. 3252

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING ARTICLE 1 OF CHAPTER 1 OF DIVISION 4, AND ENACTING A NEW ARTICLE 1 OF CHAPTER 1 OF DIVISION 4 OF THE TORRANCE MUNICIPAL CODE; AMENDING SECTIONS 41.8.1, 41.8.2, AND 41.8.3; ADDING NEW ARTICLES 10 AND 11 TO CHAPTER 1, DIVISION 4, AND REPEALING SECTION 45.6.26, AND ARTICLE 25 OF CHAPTER 2 OF DIVISION 9 OF THE TORRANCE MUNICIPAL CODE, ALL DEALING WITH THE KEEPING OF ANIMALS WITHIN THE CITY

MOTION: Councilman Nakano moved to approve Ordinance No. 3252 at its (second) first reading. The motion, seconded by Councilwoman Hardison, carried by majority roll call vote with Councilman Mock dissenting.

15. HEARINGS:

15a. D 88-38, ELDON JONES:

Mayor Geissert announced that this was the time and the place for Council consideration of an appeal by the applicant of a Planning Commission denial of a request for a three-lot subdivision of property located in the R-1 zone at 2306-2310 235th Street and 2307 235th Place, D 88-38: Eldon Jones.

The proof of publication provided by the City Clerk's office was received and filed without comment.

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Background to the request (per the staff report of record) was presented by Principal Planner Gibson, who related the recommendation of the Planning Commission and the Planning Department for denial of the appeal and denial of the project.

Responding to inquiries posed by Councilwoman Hardison, Principal Planner Gibson advised that in denying this request the Planning Commission expressed concerns regarding the size of house which might be constructed on a lot of less than the 6,000 square foot minimum Code provision. He further explained that the Commission was looking for some type of zoning technique that would allow them to review the size of a structure that may be constructed on newly created substandard lots, which the Code does not provide except in overlay areas.

City Attorney Nelson reviewed possible options for gaining such control.

Noting that she has had concerns in this regard for some time, particularly related to the Southeast Torrance and WALTERIA areas, Councilwoman Hardison suggested the Council look for a mechanism by which this issue and also flag lots of less than 6,000 square feet could be addressed on a City-wide basis.

It was suggested by Councilman Applegate that the Council consider some means whereby a lot that is substandard by 10 percent or less of the required 6,000 square feet would be allowed to be processed without a Precise Plan of Development, while those that exceeded 10 percent of the standard would be required to go through the whole Precise Plan process at one time. Mr. Applegate pointed out that the City would still have controls on the development of lots that are substandard by 10 percent or less when a Precise Plan is submitted.

The proponent or his representative were invited by the Mayor to speak.

Representing Mr. Eldon Jones, Mr. Massey Anjomshoaa of Dalcin Cummins Associates, 17625 Crenshaw Boulevard, Suite 300, deemed this as a unique situation in that their petition would reduce density in the area through the removal of two 4-unit apartments that would be replaced with single family homes in keeping with the desires of the neighborhood.

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Parcel 3 having been technically declared a legal lot by the City, Mr. Anjomshoaa submitted that it would not be feasible to sell the remaining parcel of approximately 10,000 square feet as one lot in the area in question. Dividing the remaining lot seemed the only practical alternative, in his opinion.

In substantiation of his position, Mr. Anjomshoaa related:

- That the lot in question meets all requirements except size.
- That the Building and Safety Department would have control over the size of building that could be built on the resultant lots. (See Councilwoman Hardison's rebuttal, below.)
- That according to the Planning Department, most of the lots in the subject area are substandard, measuring between 5,300 and 5,800 square feet in size.
- That the Planning Commission did not have a problem with the lot sizes, but rather was looking for a mechanism to control the size of the building that would be placed on the lots.

Requesting approval of this division of lot, Mr. Anjomshoaa advised of the property owner's desire to proceed with construction of his own single family house on one of the two new lots.

Equally as concerned about the prospect of a 10,000 square foot lot and the type of home it would support, which would be totally incompatible with the rest of the neighborhood in her opinion, it was Councilwoman Hardison's express hope some mechanism could be found for dividing the parcel into two lots.

While acknowledging that the current R-1 building standards only allow for a 50 percent footprint, Ms. Hardison pointed out that this does not take into account the possibility of a second story. Therefore, she clarified that the City did not have a Code mechanism to control the size of home that might be built.

At this time Mr. Anjomshoaa indicated the property owner would be willing to limit the house size on each of the lots to a maximum of 2,500 square feet by voluntarily recording a covenant and agreement that would be included in the title report on the property.

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That Mr. Anjomshoaa's proposal would be legally enforceable was questioned by the City Attorney. He indicated, in response to Councilwoman Hardison's query, that he could research the matter and return with an answer within a short time.

It was suggested by Mayor Geissert that other mechanisms for limiting the size of houses on substandard lots be researched as well.

MOTION: Councilman Applegate moved to continue Item No. 15a (D 88-38: Eldon Jones) for two weeks to the February 14, 1988 meeting. The motion was seconded by Councilman Walker.

In making this motion, Councilman Applegate noted that members of Council had spoken to the neighbors and ascertained that it was their desire to have what is there now removed and to bring the neighborhood into conformance. Mayor Geissert clarified that the Council's concern also involved the issue of precedent.

Roll call vote on the above motion was unanimously favorable.

17. ADMINISTRATIVE MATTERS:

17a. APPROPRIATION FOR OUTSIDE LEGAL COUNSEL RELATED TO PERSONNEL MATTERS:

City Clerk Bramhall read number and title to:

RESOLUTION NO. 89-23

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE APPROVING AN ADDITIONAL  
APPROPRIATION TO A CONTRACT WITH THE LAW  
FIRM OF LIEBERT, CASSIDY AND FRIERSON

MOTION: Councilman Nakano moved to adopt Resolution No. 89-23. Seconded by Councilman Mock, his motion carried by unanimous roll call vote.

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17b. RENEWAL OF TELEPHONE SYSTEM MAINTENANCE AGREEMENT:

Recommendation:

It is the recommendation of the Information Systems Department that Council authorize the renewal of the agreement with API Telephone Systems to provide the City with a technician, on site, 40 hours per week, furnish all parts and materials necessary to maintain the existing telephone system and related equipment at an annual cost of \$78,624. The period of this agreement is not to exceed one year.

MOTION: Councilman Wirth moved to concur with the staff recommendation on agenda Item 17b. The motion was seconded by Councilwoman Hardison and unanimously approved by roll call vote.

17c. SIGN REQUIREMENTS FOR ENGLISH LANGUAGE TEXT AND ADDRESSES:

City Attorney Nelson provided clarification as to the intent of the ordinance.

At the Mayor's request, City Clerk Bramhall read number and title to:

ORDINANCE NO. 3253

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 88.7.12 OF THE TORRANCE MUNICIPAL CODE DEALING WITH THE USE OF ENGLISH LANGUAGE, OR ROMAN LETTERS AND ARABIC NUMERALS ON SIGNS

MOTION: Councilman Nakano, seconded by Councilman Mock, moved to approve Ordinance No. 3253 at its first reading. Roll call vote on the motion was unanimously favorable.

Councilman Nakano stressed that this amendment to the Sign Ordinance would ensure that signs will be both visible and readable for public safety personnel in the event of an emergency.

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17d. TRANSFER OF COMMUNICATIONS DIVISION TO INFORMATION SYSTEMS:

Councilwoman Hardison, as Chairperson of the Employee Relations Committee, reported that the Committee reviewed the report and recommendations and concurred with the following.

Recommendation:

It is the recommendation of the Employee Relations Committee of the City Council that the Council as a whole concur in the following:

1. Accept the Richter Report on Communications and review certain of its recommendations six months after the establishment of the Communications Division in the Information Systems Department.
2. Immediately rebudget the Communications program and the personnel related thereto from the Transportation Department, consolidate Communications with the existing telephone program, and create a Communications Division in the Information Systems Department.
3. Restructure the Information Systems Department so that all Data Processing operations are under the direction of the Information Systems Supervisor.
4. Add a new position of Communications Administrator to manage the Communications Division, the cost for the remainder of the year to come from salary savings.

MOTION: Councilman Applegate moved to concur with the recommendation (above) on agenda Item 17d. His motion, seconded by Councilman Mock, carried by unanimous roll call vote.

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Items 17e and 17f were considered simultaneously at the Mayor's request . . .

17e. HYDROFLUORIC ACID INITIATIVE;

NOTE: On December 15, 1988, Councilman Dan Walker filed with the City Clerk a Notice of Intent to Circulate Petition for adoption through the initiative process a proposed ordinance limiting the amount of Hydrofluoric Acid in the City.

Recommendation:

It is the recommendation of the City Manager that Council take the following action with regard to the Initiative limiting HF use in the City:

1. Direct the City Manager to explore the preparation of a fiscal impact report on the Initiative.
2. Direct the City Attorney to prepare an alternative ordinance regarding the storage of HF and/or acutely hazardous chemicals.
3. Direct the City Attorney to fully analyze the Initiative.
4. Direct the City Manager to follow up on other options pertaining to the Initiative.

17f. PLAN TO ADDRESS HEALTH AND SAFETY ISSUES RE MOBIL OIL:

Recommendation:

It is the City Manager's recommendation that Council:

- Concur in the approach regarding "Acutely Hazardous Materials" and direct the City Manager and City Attorney to return with proposed regulations.

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- Concur in the approach regarding building regulations and direct the City Manager and City Attorney to return with an amendment to the City's Building Code.
- Concur in the approach regarding the licensing of refineries and direct the City Manager and City Attorney to return with the ordinance.

Relative to the Initiative and some of the legal issues raised, Mayor Geissert related her preference for obtaining a determination from the court at this time by way of filing a Declaratory Relief Action and posing the question to the court of whether or not the use of HF or other acutely hazardous chemicals at the Mobil Oil Refinery constitutes a public nuisance.

City Attorney Nelson confirmed that such action would be possible. It was his recommendation that the City explore the use of a Declaratory Relief Action; and, if the court should determine there is a public nuisance through the use of HF or any other activities related to the refinery and HF, seek to obtain an injunction that would modify these activities and make them safe.

In conjunction with the matter at hand, Councilman Walker advised of amendments he made to the HF Initiative after he reviewed the report on the Mobil Oil Refinery safety problems with former City Attorney Remelmeyer and the City's consultant, retired Judge Ralph Nutter. Per Mr. Walker, the amendments would allow the City Council flexibility to impose more rigid standards without going through the initiative process and provide for the removal of unnecessary, redundant language. In order to properly amend the Initiative, Mr. Walker announced that it would be refiled.

Councilman Walker said he concurred with the proposals set forth in Items 17e and 17f with the exception of recommendation No. 2, Item 17e, which would direct the City Attorney to prepare an alternative to his ordinance. Relative to No. 1, Item 17e, it was Councilman Walker's expressed hope that staff could execute a fiscal impact report without involving an outside consultant.

Referring to agenda Item 17e, page 3, No. 5, "Viability of the Initiative," Councilman Walker observed that Mr. Wyman Robb (Mobil Oil Manager) is quoted as saying "it would likely take four or five years to convert the Mobil Refinery from HF to Sulfuric Acid . . . ." Contrarily, Mr. Walker recalled that in conversation with Mr. Robb the figure "two years" was quoted by him.

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While he was appreciative of modifications made by Mr. Walker, Councilman Wirth said he still had concerns about the Initiative and therefore wanted to move forward on the recommendations by staff.

It was Councilman Wirth's opinion that the Risk Management and Prevention Program would be beneficial in terms of an alternate ordinance and it was his expressed desire to see what the RMPP would provide before pursuing other options.

Supportive of the Mayor's suggestion for a court determination, Councilman Wirth said he preferred this method of dealing with the HF problem in preference to a political approach.

Councilman Applegate stated his opinion that Mr. Walker had placed the Council at a disadvantage in that the City would now have to take action without steadfastly gathering information as recommended by the City Attorney, former City Attorney and legal consultants.

Councilman Applegate called upon Mr. Walker to withdraw his Initiative, at least until such time as the City is able to obtain a decision by the court in conjunction with filing a Declaratory Relief Action, which the City Attorney had confirmed would be based on scientific data.

Councilwoman Hardison observed that she, too, wanted things done the right way, but also as quickly as possible. Concurring with all of the mechanisms addressed in Item 17f, Ms. Hardison commended the writer of that material.

An excerpt from staff material was quoted by Councilwoman Hardison to indicate her position and her understanding of the direction taken by the bulk of the Council:

The City Council has been willing to respond to these questions, but cautious to implementing solutions with insufficient data rather than take quick actions which might not solve the problem. The Council has sought to specifically define the issues and develop a plan of attack.

Ms. Hardison indicated it was her desire to continue in this direction.

Councilwoman Hardison also quoted a comment made by former City Attorney Remelmeyer regarding the risk of City liability from Councilman Walker's Initiative, as set forth in supplemen-

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tary information he distributed to Council. In conjunction with this comment, she felt the Council needed to look at the Initiative, the fiscal impacts of it, and at what the liability costs could be.

Responding to inquiries by Councilwoman Hardison, City Attorney Nelson recommended the Declaratory Relief Action be limited at the outset to the dangers posed by the use of HF at the Mobil Refinery at this time, but at the same time recognizing that it could be expanded if a bigger problem were to surface. He estimated such action would take approximately one year and confirmed that this route would relieve the City from some liability.

With this clarification, Councilwoman Hardison said she favored looking to the courts for some answers on the HF problem.

Councilman Nakano addressed some of weaknesses of the Initiative as set forth by former City Attorney Remelmeyer in his report on the HF Initiative, noting that:

1. The Initiative addresses the storage and not the use of HF.
2. The Initiative bears only HF and not the gas or liquid form, HF gas being equally or more dangerous than HF.
3. The Initiative does not address the transportation of the acid to the refinery.

If the refinery were to be precluded from storing HF, Councilman Nakano felt there was a possibility the chemical might be transported on a daily basis.

Councilman Nakano indicated his discontent with the Initiative filed by Councilman Walker and voiced his strong support for conducting scientific studies as a basis for determination.

It was Councilman Mock's opinion that the Council had acted deliberately and correctly in trying to get as much information as possible about a complex problem and he said he favored staff's approach, such as the Risk Management and Prevention Program.

Regarding the Initiative, Mr. Mock said he would have preferred that it had been brought before the Council for discussion and action before it was filed.

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In favor of the Mayor's suggestion for a Declaratory Relief Action, Councilman Mock stated his understanding from discussions with the City Attorney and Judge Nutter that this action would not involve areas that would be a pre-emption of other agencies, an important factor to him. It was his opinion the focus should be on what authority the City might have to declare this use a public nuisance.

Councilman Walker addressed some of the concerns voiced regarding his Initiative, advising:

- That transportation matters were not addressed because it was found that jurisdiction in such matters falls beyond the scope of local government.
- That HF storage, and not usage, was addressed for deliberate safety reasons.
- That the issue of HF in gas form would be addressed in amendments to the Initiative.

Mayor Geissert stated her understanding that none of the other Councilmembers were aware of the approach Mr. Walker was taking. It was the Mayor's expressed hope that this issue could be dealt with responsibly, without an expensive special election process and without other implications.

Mayor Geissert invited members of the audience to speak, to which there was no response.

Following discussion and expanded clarification by staff, Councilman Wirth offered the following motion

MOTION: Councilman Wirth moved to concur with the City Manager's recommendations No. 1 (Direct the preparation of fiscal impact report), No. 3 (analyze Initiative) and No. 4 (other options), and to direct that an expanded fiscal impact report be implemented in conjunction with Recommendation No. 1.

Defining the scope of the fiscal impact report, Councilman Wirth indicated the report should include: the cost of administering the ordinance once it is adopted; costs upon industry; the possibility of industry being damaged in their ability to operate; the legal costs that might be related to effectively administering the ordinance itself; the costs involved in defending the initiative; and possible damages the City might suffer.

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The motion was seconded by Councilman Walker.

City Manager Jackson confirmed that each of these items would be further defined and returned for separate action.

There being some confusion re Recommendation No. 4 (other options) and what it might involve, Councilman Wirth amended his motion as follows.

AMENDED MOTION: Councilman Wirth moved to approve Nos. 1 and 3 of the City Manager's recommendations, with an expanded fiscal impact report to be provided in conjunction with recommendation No. 1, as defined. Councilman Walker, who seconded the original motion, agreed to this amendment.

Further clarifying his amended motion for the benefit of Councilwoman Hardison, Councilman Wirth confirmed his intent that recommendation No. 3 would encompass Option 4 (a study of companies impacted by the Initiative), Option 5 (a determination regarding the viability of the Initiative), and Option 6 (a determination regarding the possibility of an HF user circumventing the Initiative), as set forth in agenda Item 17e.

The motion on the floor carried by unanimous roll call vote.

Clarification regarding the proposed Declaratory Relief Action was provided by City Attorney Nelson.

MOTION: Councilman Applegate moved to ask the City Attorney to seek Declaratory Relief on whether or not the use of HF at the Mobil Oil Refinery constitutes a public nuisance and on the Initiative that is going to be amended and proposed as it pertains to the issue. The motion was seconded by Councilman Wirth.

Mayor Geissert asked that staff proceed with all due haste, in response to which City Attorney Nelson indicated the process would be initiated immediately.

Roll call vote on Mr. Applegate's motion was unanimously favorable.

City Manager Jackson requested and received clarification from the Council that the direction intended by the motions did not include the preparation of an environmental impact report or a determination regarding the effect on the General Plan.

Discussion returned to Item 17f.

Having earlier expressed her concurrence with the staff recommendations, Ms. Hardison offered the following motion.

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MOTION: Councilwoman Hardison moved to concur with the recommendations (of the City Manager) on page 6 of agenda Item 17f (to concur on the approach regarding "Acutely Hazardous Materials" and direct the City Manager and City Attorney to return with proposed regulations; to concur in the approach regarding building regulations and direct the City Manager and City Attorney to return with an amendment to the City's Building Code; and to concur in the approach regarding the licensing of refineries and direct the City Manager and City Attorney to return with the ordinance).

Councilman Wirth seconded the motion, and roll call vote was unanimously favorable.

20. CONSENT CALENDAR:

20a. REDUCTION OF SUBDIVISION BONDS - TRACT NOS. 43319, 43326, AND 44299:

Subdivider: Torrance Investment Company/Watt Homes  
 Engineer: E. L. Pearson  
 Location: Between Monterey Street and Sepulveda Boulevard  
 Between Madrona Avenue and Crenshaw Boulevard  
 Lots: Tract No. 43319 - 7 lots  
 Tract No. 43326 - 9 lots  
 Tract No. 44299 - 6 lots

Recommendation:

The Engineering Department recommends that the subject bonds, as itemized in the supplemental material, be reduced as indicated:

<u>BOND TYPE</u>	<u>BOND NO.</u>	<u>CURRENT BOND AMOUNT</u>	<u>PROPOSED REDUCTION TO:</u>
<u>TRACT NO. 43319 - American Casualty Co.</u>			
PERFORMANCE	5230557 (S.D.)	\$1,540,000.00	\$500,000.00
PAYMENT	5230557	770,000.00	250,000.00
INSPECTION	5620562	32,800.00	12,000.00

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TRACT NO. 43326 - American Casualty Co.

PERFORMANCE	5620565	\$ 575,000.00	\$185,000.00
	(STREET)		
PAYMENT	5620565	287,500.00	92,500.00
INSPECTION	5620569	13,500.00	5,600.00

TRACT NO. 44299 - Transamerica Insurance Company

PERFORMANCE	5240-96-56	\$ 306,000.00	\$ 92,000.00
PAYMENT	5240-96-56	153,000.00	46,000.00
INSPECTION	5240-96-57	12,000.00	3,300.00
DESIGN	5240-96-66	20,000.00	- 0 -

TOTAL \$3,709,800.00 \$1,186,400.00

Councilman Applegate announced that he would abstain from consideration of agenda Item 17a.

MOTION: Councilman Wirth moved to approve Consent Calendar Item 20a. His motion was seconded by Councilwoman Hardison and roll call vote reflected majority approval with Councilman Applegate's abstention.

It was clarified by Councilmembers Hardison and Wirth that the above action was taken on the list of bonds set forth in supplementary agenda material.

20b. AWARD OF CONTRACT - For the purchase of fifteen (15) new budgeted-replacement Police black and white 1989 sedans utilizing a cooperative purchase agreement with Los Angeles County

Reference: Los Angeles County Bid No. Q-585

Expenditure: \$223,047.74, including tax

Recommendation:

The Purchasing Division recommends that Council approve of Torrance's continuing "cooperative" participation in the Los Angeles County police vehicle consortium and authorize the award of a contract to the low bidder of the Los Angeles County Bid No. Q-585, Maurice J. Sopp and Son dealership of Huntington Park, California, in the total amount of \$223,047.74, including tax.

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20c. AWARD OF CONTRACT: Re: Purchase of Additional  
Computer Disk Drive for Police Department

Reference: Bid No. B88-63

Expenditure: \$16,454.25

Recommendation:

It is recommended by General Services that Council authorize the award of a contract to the Hamilton/Avnet Computer Company of Gardena, California, for the purchase and installation of a DEC RA82-AA disk drive in the total bid amount of \$15,450.00, plus tax (or \$16,454.25 total), as required by the Police Department.

MOTION: Councilman Applegate moved to approve Consent Calendar Item Nos. 20b and 20c. The motion was seconded by Councilman Mock and carried by unanimous roll call vote.

\* \* \*

At 7:58 p.m., Councilman Applegate moved to adjourn as the City Council and convene as the Redevelopment Agency of the City of Torrance. This motion was seconded by Councilman Mock and approved by unanimous roll call vote.

The City Council reconvened and resumed regular Council agenda order upon the conclusion of Redevelopment Agency business at 7:59 p.m.

\* \* \*

22. ORAL COMMUNICATIONS:

22a. Councilwoman Hardison expressed her appreciation to Cable TV Administrator Warren Carter and to Paragon Cable for their quick response time in conjunction with the improved scrambling of Channel 49, which she considered to be much more effective. Ms. Hardison noted that she continues to receive letters of concern regarding Channel 49 and is directing the writers to convey their displeasure to Paragon Cable.

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22b. Based on public input she received subsequent to the Town Hall meeting, Councilwoman Hardison recommended that if the call-in program is used in the future, information be made available for people to respond to; such as, an overview, slides, or other material that could be seen or picked up at City Hall ahead of time.

22c. For the benefit of Councilman Nakano, Cable TV Administrator Carter confirmed that Prime Ticket would be available February 1, 1989, on Cable Channel 12.

22d. Councilman Walker stated that with a population of 140,000 people, the City did not get one telephone call during its recent phone-in program in conjunction with the Town Hall meeting related to the City budget.

22e. Councilman Walker expressed appreciation for the opportunity of working with Councilwoman Hardison and Mayor Geissert.

22f. Having read an article about this being the "information age" Councilman Wirth took this opportunity to compliment the City Manager's staff for putting forth agenda items that are understandable and asked that this commendation be relayed to staff and department heads.

23. EXECUTIVE SESSION:

23a. EXECUTIVE SESSION MATTERS:

The following announcement was made by Mayor Geissert at this time:

The City Council will now recess to closed session to confer with the City Manager and/or the City Attorney on the following subjects:

- Salaries, salary schedules and compensation for certain unrepresented employees and represented employee groups as well as certain other personnel matters;
- Potential litigation with Mobil Oil Corporation concerning the Torrance Refinery.

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- Current litigation entitled City of Redondo Beach vs. City of Torrance, Los Angeles Superior Court Case No. SWC 94037; and
- Current litigation entitled City of Torrance vs. Walter J. Egan, Los Angeles Superior Court Case No. C 694935.

Authority to hold an executive session for these purposes is contained in Government Code Sections 54957 and 54957.6 (a); 54956.9 (b) (1) and 54956.9 (c); and 54956.9 (a).

At 8:05 p.m., the Mayor called a brief recess to be followed immediately by an executive session for the purposes noted above. There was no action taken when the Council reconvened at 8:52 p.m.

24. ADJOURNMENT:

MOTION: Councilman Applegate moved to adjourn the meeting at 8:53 p.m. to February 7, 1989, at 5:30 p.m. Councilwoman Hardison seconded the motion; and, hearing no objections, it was so ordered by Mayor Geissert.

\* \* \*

  
 Mayor of the City of Torrance

  
 Clerk of the City of Torrance

Marlene Lewis  
 January 31, 1989

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