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Torrance City Council - April 10, 1990

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The meeting was formally adjourned at 1:45 a.m. to Tuesday, April 17, 1990, 5:30 p.m. [for an executive session] - regular meeting to commence at 7:00 p.m.	25

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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, April 10, 1990, at 7:05 p.m., in the Council Chambers at Torrance City Hall.

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

Boy Scout Troop #310 - Ray Enriquez, Scoutmaster - led the salute to the flag.

The invocation for the meeting was provided by Father John O'Byrne, St. Catherine Laboure Church.

4. APPROVAL OF MINUTES/MOTION RE FURTHER READING

MOTION: Councilman Applegate moved to approve the minutes of the City Council meeting of March 13, 1990, as recorded. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

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

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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 Councilman Mock 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 Councilman Mock, carried unanimously by roll call vote.

6. WITHDRAWN OR DEFERRED ITEMS

None.

7. COUNCIL COMMITTEE MEETINGS

Transportation Committee

Monday, April 23, 1990, 5:00 p.m.

Subject: Taxi-back Operations, etc.

Monday, April 30, 1990, 7:00 p.m.

Subject: Torrance Boulevard Study.

Ad Hoc Armed Forces Day Committee

Councilman Applegate provided an update of the events for this year's Armed Forces Day celebration and announced that Admiral Clyde Robbins of the United States Coast Guard will serve as Grand Marshal for the parade.

8. COMMUNITY MATTERS

8a. SOUTH BAY/TORRANCE ROTARY CLUB DONATION

Mr. Jeff Smith, President of the South Bay/Torrance Rotary Club, accompanied by Mr. Steve Oates, liaison between the South Bay Classics Golf Committee and the South Bay Rotary, and Mr. Yamashida, Chairman of the Japanese Business Association South Bay, presented a check in the amount of \$5,000.00 to the City's Drug Abuse Resistance Education [D.A.R.E.] Program.

There was grateful acceptance by Mayor Geissert and by Police Chief Nash.

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8b. PROCLAMATION naming April 21, 1990, as the 12th Annual Police/Fire Charity Bowl Day in the City of Torrance.

SO PROCLAIMED by Mayor Geissert.

This proclamation was accepted by Mr. Ty Sturgeon, Treasurer of the Exchange Club of Torrance.

8c. PROCLAMATION declaring the week of April 9. through 15, 1990, as Civitan International Awareness Week in the City of Torrance.

SO PROCLAIMED by Mayor Geissert and accepted by Ms. Ella Rose Alexander, President of the Torrance Civitan Club.

8d. CIVIL SERVICE COMMISSION APPOINTMENT

Following interviews of applicants for the vacant seat on the Civil Service Commission, the Council appointed Mr. Jim McEntyre to fill that post. Mr. McEntyre was then duly sworn by City Clerk Bramhall.

9. LIBRARY/PARKS AND RECREATION MATTERS

9a. NOMINATION OF TOM SULLIVAN TO RECEIVE AN AWARD FROM THE CARING INSTITUTE

RECOMMENDATION:

The Parks and Recreation Director and the Human Resources Commission recommend that your Honorable Body nominate Tom Sullivan to receive an award from the Caring Institute.

MOTION: Councilwoman Hardison moved to concur with the above stated recommendation. Her motion, seconded by Councilman Mock, was unanimously approved by roll call vote.

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9b. SELECTION OF ROSE FLOAT DESIGN

RECOMMENDATION:

The Council Ad Hoc Committee for the Rose Float recommends to the City Council approval of the design concept entitled "NATURE'S PLAYGROUND" for the 1991 float in the Pasadena Tournament of Roses Parade, and the selection of C. E. Bent and Sons, Inc. as the float builder.

Ms. Maureen Hendricks, President of the Rose Float Association, presented, on behalf of the Association, a check in the amount of \$1500.00 to the City for use on the City's 1991 float entry. This contribution was accepted by Mayor Geissert with sincere appreciation.

Following a display of the rendering of the proposed float design with verbal input by Mr. Bill Lofthouse of C. E. Bent and Sons, Inc., action was taken as indicated below.

MOTION: Councilman Wirth moved to concur with the Committee recommendation on Agenda Item 9b. His motion, seconded by Councilman Mock, carried by unanimous roll call vote.

10. TRANSPORTATION/PUBLIC WORKS MATTERS

10a. 1990 WEED ABATEMENT PROGRAM

RESOLUTION NO. 90-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING THAT WEEDS AND RUBBISH UPON AND IN FRONT OF CERTAIN PRIVATE PROPERTIES IN THE CITY ARE A SEASONAL AND RECURRENT NUISANCE, AND DECLARING ITS INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF

MOTION: Councilman Nakano moved to adopt Resolution No. 90-56. His motion, seconded by Councilwoman Hardison, carried by unanimous roll call vote.

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10b. FUNDING AGREEMENT FOR LINE #8 EXTENSION

RESOLUTION NO. 90-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE LOS ANGELES COUNTY TRANSPORTATION COMMISSION FOR PROPOSITION A INCENTIVE PROGRAM FUNDING OF THE TORRANCE TRANSIT SYSTEM LINE #8 EXTENSION

MOTION: Councilman Nakano moved to adopt Resolution No. 90-57. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

12. PLANNING AND ZONING MATTERS

12a. DENIAL OF APPEAL - GARLAND DEVELOPMENT INC.

RESOLUTION NO. 90-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE MAKING CERTAIN FINDINGS AND DENYING THE APPEAL, AND DENYING THE PROJECT OF GARLAND DEVELOPMENT AT THE NORTH SIDE OF VIA EL CHICO, APPROXIMATELY 800 FEET WESTERLY OF ITS EASTERLY TERMINUS IN THE HILLSIDE OVERLAY DISTRICT

PP 89-47, D 89-56, W 89-30

MOTION: Councilman Nakano moved to adopt Resolution No. 90-58. The motion, seconded by Councilman Walker, carried by unanimous roll call vote [Councilman Applegate ABSTAINED].

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12b. READOPTION OF RESOLUTION - DOBENS PP 89-19

RESOLUTION NO. 90-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 6, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A FIRST- AND SECOND-STORY ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE  
AT 5622 ANDRUS AVENUE  
PP 89-19: RONDA DOBENS

MOTION: Councilman Nakano moved to adopt Resolution No. 90-59. This motion, seconded by Councilman Mock, carried by unanimous roll call vote.

13. ENVIRONMENTAL/BUILDING AND SAFETY MATTERS

13a. COLLECTION OF DEVELOPER FEES FOR TORRANCE UNIFIED SCHOOL DISTRICT

RECOMMENDATION:

The Director of Building and Safety recommends that the City Council approve the renewal of the agreement with the Torrance Unified School District.

MOTION: Councilman Wirth moved to concur with the above stated recommendation on Agenda Item 13a. His motion, seconded by Councilwoman Hardison, carried by unanimous roll call vote.

14. PERSONNEL MATTERS

14a. TPSA MEMORANDUM OF UNDERSTANDING SUPPLEMENTAL #4

RECOMMENDATION:

It is the recommendation of the City Manager that your Honorable Body adopt the Supplemental Memorandum of Understanding Resolution for the Torrance Professional and Supervisory Association (TPSA) amending the Administrative Secretary/Aide salary grid including new premiums.

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Supplementary material on this agenda item was explained by Assistant to the City Manager Keane, and questions from individual Councilmembers were addressed.

Following a brief discussion, Councilman Nakano indicated his desire to review the survey pertaining to this agenda item at an opportune time. Councilman Mock voiced his desire to consider that survey prior to taking action on this item. City Manager Jackson advised that those results could be made available to Council during the executive session of this date, if desired.

Mr. Mike Grabowski, representing the Torrance City Employees Association, outlined concerns of TCEA regarding the subject proposal and requested assurance of the Council that "all rules and procedures will be followed" in testing for the positions currently under consideration.

For the record, Mr. Grabowski noted that TCEA objects to demonstrated favoritism and unfairness in proposing a reward to one classification for computer efficiency. This speaker stated that it is the position of TCEA that prior to approval of the proposal to upgrade positions, the Council should give careful consideration to the impact on TCEA and its members.

During his response to certain of the concerns voiced, City Manager Jackson stated that the positions will be filled pursuant to Civil Service rules and regulations for competitive, promotional examinations.

In response to a direct question from Councilwoman Hardison, Assistant to the City Manager Keane advised that at present no employees are compensated for computer proficiency. Ms. Keane offered to return with parameters for the test, a request of Councilmembers Hardison and Wirth.

Ms. Barbara Barker, 2321 West 249th Street, Lomita, [Administrative Secretary/Aide in the Parks and Recreation Department] was present to represent TPSA, and to confirm their concurrence with staff's recommendation on this agenda item.

Councilman Mock reiterated his desire to review the survey. Councilwoman Hardison requested information on the matter of computer proficiency as a separate matter.

This item was held at this time with the intention of considering the matter further under executive session this date -- see Page 25, for a statement in this regard.

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15.           HEARINGS

15a.           TT 47671 (EA 89-6): SEQUOIA REAL ESTATE FUND

Mayor Geissert announced that this was the time and place for City Council consideration of an appeal by the applicant of a Planning Commission denial of a Tentative Tract to allow a nine-lot subdivision on property located in the R-1 zone between the Dominguez Channel and 166th Street at Glenburn Avenue and 3215 and 3211 166th Street. TT 47671 (EA 89-6): SEQUOIA REAL ESTATE FUND.

Proof of publication, provided by the City Clerk, was filed without objection.

During his staff presentation on this item Senior Principal Planner Gibson noted that the Planning Commission recommends denial of the appeal and denial of the project; the Planning Department recommends approval of the appeal and approval of the project.

Mr. Steve Facer, 23326 Hawthorne Boulevard, Suite 200, representing Sequoia Real Estate Fund, referenced printouts [of record] which were in the hands of Councilmembers. The following items were also submitted by this speaker with the request that they become part of the official record on this case...

- Letter dated April 4, 1990, from the Office of the Los Angeles County Tax Assessor;
- Security study prepared by Mr. Gerald Hillman [included in agenda packet material];
- Document entitled Neighborhood Opinion Survey, dated April 10, 1990.

Mr. Facer's presentation, supported by slides, covered the following points.

- PROJECT OVERVIEW
- PROJECT ACCESS
- PRIVACY PRESERVATION
- PARKING OVERVIEW
- TRAFFIC STUDY SUMMARY/RESULTS
- SAFETY/SECURITY STUDY RESULTS
- NEIGHBORHOOD OPINION SURVEY RESULTS.

The applicant requested a thorough review by Council and approval of the project.

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Members of the audience who spoke in OPPOSITION to the proposed development are listed below. Many of these speakers indicated concurrence with the ultimate development of the property, but objected to the specific project under consideration.

- Ms. Agnes Achstein, 3219 West 166th Street - Requested, if the project is approved, that her lot (adjacent to the proposed access street) be made a standard corner lot with the additional land as an easement and a hold harmless and indemnification agreement.
- Mr. Michael Sheridan, 3223 West 166th Street - Submitted, for the record, City Engineering Department memorandum dated February 16, 1972, subject: SANITARY SEWER OVERFLOW IN THE VICINITY OF 166TH STREET AND FALDA AVENUE along with supportive photographs.
- Mr. Kenneth Saiki, 3227 West 166th Street.
- Ms. Carolyn Saiki, 3227 West 166th Street.
- Ms. Alice Batory, 3231 West 166th Street.
- Ms. Pat Marini, 3235 West 166th Street.
- Mr. Dale Marini, 3235 West 166th Street.
- Mr. Herb Kaiachi and wife Lisa, 3239 West 166th Street.
- Mr. and Mrs. Rich, [or ritz] 16602 Falda Avenue.
- Ms. Barbara Morgan, 3231 West 166th Street.
- Ms. May Cambra, 16618 Ogram Avenue.
- Ms. Madonna Davenport, 3207 West 166th Street - [letter dated February 6, 1990 directed to Planning Commission submitted for record].

Concerns voiced by these individuals included: adequacy of street width, safety, security, close proximity of street to rear of existing homes, sewer and drainage problems, parking adequacy and enforcement, emergency vehicle access,

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privacy, light, air, aesthetics, size and height of structures proposed, disruption of neighborhood during construction, over building for the area, density, impact represented by planned relocation of the catch basin, etc.

The development of single-family, single-story homes with adequate setbacks was suggested by some speakers, as was the possible consideration of two-story development adjacent to existing apartments rather than the existing single-family homes.

Councilmembers and staff responded to various concerns which were voiced.

Senior Division Engineer Perkins discussed the sewer/drainage problems in the area, noting that there is no problem with the basic sewer capacity, the problem being inherent with the regional system. Mr. Perkins explained that, although heavy rains will likely still be a problem, it would have nothing to do with this project, per se.

The question of emergency vehicular access was addressed by Fire Chief Adams, who stated that the proposed 29-foot street with parking on one side would provide adequate access for all emergency vehicles. Further, Chief Adams advised that the cul-de-sac allows for adequate turn-around space for Fire Department vehicles.

Building and Safety Director Grippo advised that an area of expansive soil would require a preliminary soils investigation with special recommendations by the consultant, said recommendations to be implemented in any design plans prior to the issuance of building permits. Mr. Grippo advised, in response to a specific question by Councilwoman Hardison, that if buried concrete pads were to be discovered, they would have to be removed, and the soil recompact and certified by a soil test laboratory prior to allowing construction on the site.

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Speaking in FAVOR of the proposal were:

- Mr. Clark Minick, 16704 Glenburn Avenue.
- Ms. Claudia Hassle, 4512 Tucan Street - read letters of approval from Grace Elgin, 16615 Falda Avenue and Marisa Garbato, 16714 Faysmith Avenue.

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- Mr. Donald Osmon, 16610 Delia.
- Mr. Rick Andersen, 16603 Falda.
- Ms. Sabina Johnson, 16718 Ermanita.

These speakers recounted as reasons for their approval the quality of the proposed development, absence of increased traffic concerns, enhancement of the neighborhood, improvement of neighborhood security, acceptable setbacks, etc.

\* \* \*

During the extensive audience input on this case, Mayor Geissert called a recess [9:10 p.m. to 9:30 p.m.].

\* \* \*

Mr. Facer returned to suggest the possibility of a two-week continuance in order to allow an opportunity for redesign.

Councilman Applegate moved to close the hearing. His motion was seconded by Councilman Wirth and roll call vote was unanimously favorable.

Council discussion then ensued.

Councilman Walker indicated his personal concurrence with the proponent's suggestion for a continuance, noting his opinion that the development would have to be redesigned for compatibility and so as not to negatively impact the homes on 166th Street, with particular attention to setback. Mr. Walker opined that this would entail removal of one or two of the homes currently proposed.

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Councilman Nakano noted the importance of considering the existing homes that would be directly impacted by this development...eight out of ten of these homes, according to the applicant's own survey, are opposed to the project.

While he did not favor the current plan which located a street immediately behind the rear yards of the homes on 166th Street, Mr. Nakano also stated that the alignment of homes in an

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east-west direction so that the side yards only allow a five-foot setback from the existing rear fences was likewise unacceptable to him.

Inadequate parking compounded by flag lots and the fact that parking is only allowed on one side of the proposed street would dictate the need for a reduction in the number of homes proposed, in Mr. Nakano's opinion.

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Taking note of the problems inherent in this piece of property, Councilman Wirth questioned the owner's right to develop same. Mr. Wirth stated that in order to obtain his approval, any development would have to meet all City standards such as regulation street width with parking on both sides. Further problems with alignment of the proposed entrance to the project and the layout and size of lots would have to be addressed, per Mr. Wirth.

This Councilmember opposed a continuance because, in his opinion, more than a minor modification to the present plans is required.

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In response to a question from Councilman Applegate, City Attorney Nelson advised that the property owner does have rights of development; however, the City controls development standards imposed, such as street width and basics of the development plan.

In weighing all of the testimony on this case, Councilman Applegate suggested that the proposed street is appropriately located adjacent to rear yards of the homes on 166th Street; however, in the interest of privacy, he stressed that the street needs to be farther away than proposed. The elimination of some of the development was also a requirement, per Mr. Applegate, who then offered the following...

MOTION: Councilman Applegate moved to continue TT 47671, Sequoia Real Estate Fund, to May 8, 1990, 7:00 p.m. His motion was seconded by Councilman Walker.

\*

Council input continued.

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Councilwoman Hardison expressed doubt that the subject plan can be redesigned to meet her personal concerns. Standard size streets and fewer lots were desired by this Councilmember, who was of the opinion that the residents of 166th Street would prefer to have homes backing up to their property [rear yards to rear yards] rather than a street as presently conceived.

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Mayor Geissert spoke in opposition to a continuance stating her opinion that "the development is all wrong." Commenting that the applicant undoubtedly knew of the difficulties involved in developing this site, the Mayor inquired regarding the City's obligation with regard to allowing an access street to be installed. City Attorney Nelson pointed out the City's freedom to design streets.

Mayor Geissert advised that she could not support either design option submitted -- the first one with homes adjacent to the homes on 166th Street, or the current design with the street adjacent to the rear yards of those homes.

The motion to continue this case to May 8, FAILED to carry by way of the following roll call vote.

AYES: Councilmembers Applegate, Mock and Walker.

NOES: Councilmembers Hardison, Nakano, Wirth and Mayor Geissert.

MOTION: Councilman Wirth then moved to deny the appeal and deny, without prejudice, TT 47671, SEQUOIA REAL ESTATE FUND. This motion, seconded by Councilwoman Hardison, carried as is shown below.

AYES: Councilmembers Hardison, Mock, Nakano, Wirth and Mayor Geissert.

NOES: Councilmembers Applegate and Walker.

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17. ADMINISTRATIVE MATTERS

17a. CITY COUNCIL RECONSIDERATION OF SIGN CASE APPEAL  
(S87-15) BANK OF AMERICA, 21615 HAWTHORNE BOULEVARD

Councilman Mock advised that he had requested that this item be placed on the agenda in order that the Council might entertain the possible reconsideration of sign case appeal S87-15 - Bank of America, 21615 Hawthorne Boulevard.

City Attorney Nelson pointed out that considerable time has elapsed since the Council heard this case [May 23, 1989], thus, although there is nothing to preclude the Council's ability to rehear the matter, it may be desirable to start the process again at this time.

Mr. William Pokinghorn, 209 22nd Street, Santa Monica, representing the legal department of Bank of America, was present to urge Council reconsideration of the subject sign case.

Councilman Applegate expressed his opinion that a request for reconsideration at this time is untimely. He further noted that, inasmuch as there was thorough review by the Council during its original hearing of the appeal, if there is no change in the application, the Council's decision should stand -- on the other hand, if there is a change in the application, the matter should be return to the Environmental Quality and Energy Conservation Commission. The establishment of an undesirable precedent in terms of timeliness of reconsideration was of concern to Mr. Applegate.

Council discussion resulted in the following action.

MOTION: Councilman Mock moved to reconsider S87-15 at the City Council meeting of May 15, 1990, 5:30 p.m. His motion was seconded by Councilman Walker and carried by unanimous roll call vote with the exception of a negative vote by Councilman Applegate.

17b. PAYROLL MODIFICATIONS TO AUTOMATE BEN-A-FLEX

RECOMMENDATION:

The Information Systems Director recommends that \$3,750.00 be appropriated from the health insurance reserve to implement Ben-A-Flex programming changes to the City's current Payroll System.

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**MOTION:** Councilman Wirth moved to concur with the above stated staff recommendation on Agenda Item 17b. His motion, seconded by Councilwoman Hardison, carried by unanimous roll call vote.

17c. CABLE TELEVISION LEGISLATION

Councilman Wirth announced that he would abstain from consideration of this matter. Explaining his abstention, Mr. Wirth stated that while the matter does not affect his income nor that of his employer [General Telephone] the legislation being considered may represent a long-term potential benefit. Mr. Wirth then departed from the Council Chambers.

Cable Television Administrator Smith provided the staff presentation on this agenda item, expanding on written material of record and noting the following...

RECOMMENDATION:

A recommendation from the Cable Television Administrator that the City Council send letters regarding pending cable television legislation to members of the United States Senate and the House of Representatives.

Following is a summary of the recommended action:

<u>BILL</u>	<u>COMMON NAME</u>	<u>RECOMMENDATION</u>
<b>Senate</b>		
S.168	Programming & Consumer Protection Act	SUPPORT
S.177	Compulsory License Non-Discrimination Act	SUPPORT
S.833	Subscriber Protection Act	SUPPORT
S.834	Competition in CATV Act	SUPPORT
S.905	Consumer Protection Act	SUPPORT
S.1068	Competition Act	OPPOSE
S.1880	Consumer Protection Act 1989	No Comment
<b>House</b>		
H.R.109	Subscriber Protection Act	SUPPORT
H.R.1267	High Def. TV Comp. Act 1989	SUPPORT
H.R.1304	No title	SUPPORT
H.R.1375	Rate Disclosure Act	SUPPORT
H.R.2128	No title	SUPPORT
H.R.2222	Policy Act	SUPPORT
H.R.2363	Consumer Protection Act	SUPPORT
H.R.2437	Competition Act	OPPOSE

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As a point of clarification, Cable Television Administrator Smith advised that the League of California Cities and the National League of Cities support, by way of a policy statement, the limited entry, rather than the complete entry, of telephone companies into the video services business.

Expansion of staff's written material was provided as requested by individual members of Council, following which the Mayor invited comments from the audience.

Mr. Kevin Peterson, South Bay District Manager of GTE California, requested Council support of GTE's national lobbying effort in lifting restrictions which prevent telephone companies from competing in the video services business.

During his lengthy presentation, Mr. Peterson submitted, for the record:

- National League of Cities Policy adopted in Boston, December 1988;
- Los Angeles Times article of October 13, 1989 entitled Plan to Reward Efficient Phone Firms OKd by PUC;
- Brochure entitled GTE and Video Services;
- Letter from GTE California Incorporated signed by K. M. Peterson, District Manager, requesting support of GTE's stand.

Mr. Peterson strongly urged favorable Council consideration.

Council discussion ensued with further clarification of the City's analysis of the situation provided by cognizant members of staff.

During the discussion, Councilman Mock indicated his support of the National League of Cities policy statement of local control over the telephone company entering the cable business. Mr. Mock noted Council support [as was evidenced during the foregoing discussion] of additional competition if it benefited the system, thus concurring with staff's recommendation of opposition to specific Bills until such time as amendments might be forthcoming to provide for more local control.

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MOTION: Councilman Mock moved for concurrence of the National League of Cities policy statement regarding local control, and support of staff's recommendation of support/opposition to present Bills. His motion was seconded by Councilman Nakano.

Mayor Geissert clarified that the above action would be followed by appropriate letters and legislative follow up. She also noted that this action represents a policy statement by the City consistent with the National League of Cities' position, and with opposition to specific Bills unless amended to conform to that policy.

From the audience Mr. Joe Arciuch, 23521 Kathryn Avenue, a member of the Cable Television Advisory Board speaking for himself at this time, recommended that the Council pursue regulation but, at the same time, support competition in the cable field.

Roll call vote on the above motion proved unanimously favorable [Councilman Wirth ABSTAINED].

Councilman Wirth returned to the Council Chambers at this time.

17d. CONTRACT FOR PROFESSIONAL LEGAL SERVICES

RECOMMENDATION:

It is the recommendation of the City Attorney that your Honorable Body approve the agreement with Ralph H. Nutter for defense of the City in the Conrow/Cultural Arts Center case.

MOTION: Councilwoman Hardison moved to concur with the recommendation of the City Attorney on Agenda Item 17d. Her motion was seconded by Councilman Mock.

Prior to roll call vote Councilman Applegate requested a comprehensive report regarding outside legal services and an opportunity to discuss same, possibly during an executive session. There were no objections and it was so ordered.

Roll call vote on the above motion was unanimously favorable.

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17e. AGREEMENT FOR LEGAL SERVICES - PERSONNEL MATTERS

RECOMMENDATION:

It is the recommendation of the City Attorney that your Honorable Body approve the agreement for special counsel legal services in an amount not-to-exceed \$38,500.

MOTION: Councilman Mock moved to concur with the above stated recommendation of the City Attorney. His motion, seconded by Councilman Wirth, carried by unanimous roll call vote.

17f. CAPITAL BUDGET

RECOMMENDATION:

The City Manager and the Finance Director recommend that the following actions be taken:

- o Appropriate \$2,903,801 of 1988-89 carry-over to capital projects as summarized in Appendix A under "General Fund Fiscal Year 1988-89 Carry-over Funding" and as detailed in Appendix B under "Capital Projects to be Funded by City's Capital Improvement Budget";
- o Allocate \$565,554 to funding of a reserve for litigation;
- o Authorize capital financing for equipment purchases in the amount of \$4,186,780 for capital projects listed in Appendix B under "Capital Projects to be Funded by Capital Financing Mechanism";
- o Appropriate \$2,500,000 from the Police Asset Forfeiture Fund;
- o Appropriate \$443,250 from the Parks and Recreation Facilities Fund;
- o Authorize the expenditure of \$71,250 in developer contributions toward the traffic signal at Madrona Marsh;
- o Concur in the utilization of available designated General Fund reserves for the rehabilitation of the Recreation Center, the Joslyn Center and

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related infrastructure improvements; and authorize the utilization as a partial payback from the General Fund to the Parks and Recreation Facilities Fund for monies advanced in fiscal year 1987-88.

This reserve will only be used when it is determined that adequate funds exist for the Cultural Arts Center construction.

- o Authorize capital projects in the Enterprise Funds in the amount of \$850,000 for Airport, \$2,762,952 for Transit, and \$603,000 for Water as detailed in Appendix B;
- o Authorize the expenditure of \$15,000 in Street Lighting Funds for capital improvement project toward the refurbishing of office space in Transportation Department.

CITY MANAGER'S NOTE:

The Information Systems Department will use \$150,000 of the Asset Forfeiture appropriation for the purchase of radios. This amount will be reimbursed when outside funding is approved.

In addition, \$496,000 of the \$2,762,952 for Transit was previously approved at the Council meeting of March 13, 1990.

RECOMMENDATION OF CITY COUNCIL FINANCE COMMITTEE:

That the City Council as a whole adopt the 1990 Capital Budget.

MOTION: Councilman Nakano moved to approve the recommendation of the Finance Committee. The motion, seconded by Councilman Wirth, carried by unanimous roll call vote.

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20. CONSENT CALENDAR

20a. RELEASE OF BONDS - TRACT NO. 38135

SUBDIVIDER: Wesco Homes, Inc.  
ENGINEER: Westland Engineering  
LOCATION: 2760 Gramercy Avenue  
NO. OF LOTS: 1 Lot (7 Unit Condo)

RECOMMENDATION:

The Engineering Department recommends that the subject bonds be released.

20b. TRACT NO. 44560

SUBDIVIDER: Future Estates & Dev.  
LOCATION: B/W Newton St. & Via Valmonte  
West of Hawthorne Blvd.  
NO. OF LOTS: 6

RECOMMENDATION:

That the City Council approve a two-month extension (to June 30, 1990) to allow the completion of public improvements per Subdivision Agreement dated April 20, 1989.

20c. Considered separately - see Page 22.

20d. COUNCIL AUTHORIZATION OF CONTRACT - For the purchase of three (3) GMC 8-Passenger Vans, five (5) pick-up trucks and two (2) one-ton truck chassis, as a cooperative purchase with the State of California. Ref: State Contract #1-90-23-20  
Expenditure: \$132,366.21 (including sales tax)

RECOMMENDATION:

The Purchasing Division and the Fleet Services Division recommend that your Honorable Body allow the City of Torrance to participate in this cooperative purchase and authorize the award of a contract to Reynolds Buick/GMC in the amount of \$44,248.94 (including sales tax) for the three (3) vans and a contract to Truck and Bus Group/SFS (lowest responsible bidders of the State of California bid process) in the amount of \$88,117.27 (including sales tax) for the five (5) pick-up trucks and two (2) one-ton truck chassis.

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20e.

COUNCIL AWARD OF CONTRACT

For Software Maintenance Service for the VAX  
8530 and two VAX 780's  
Anticipated Expenditure: \$26,160.00

RECOMMENDATION:

The Purchasing Division and the Information Systems Department recommend that your Honorable Body authorize the award of contract renewal to Digital Equipment Corporation of Culver City, California, to provide software maintenance and upgrades for the Information Systems Department in the total annual amount of \$26,160.00.

20f.

COUNCIL AUTHORIZATION to exercise contract renewal option provision

Re: Contract for twenty-four hour guard service  
at the City Services Facility  
Ref: Original Bid No. B89-7  
Expenditure: \$68,577.60

RECOMMENDATION:

The Purchasing Division and Street Department recommend that Council authorize the one (1) year renewal of the existing contract with WELLS FARGO GUARD SERVICES of Paramount, California to provide twenty-four hour guard service for the City Services Facility, in the amount of \$68,577.60.

20g.

RENEWAL OF AGREEMENT with Digital Systems, Inc. for Maintenance and Support of Utility Billing System

RECOMMENDATION:

The Water, Finance, Street and Information Systems Department recommend that the City Council authorize the renewal of a purchase order agreement with Digital Systems, Inc. in the estimated amount of \$73,000.

MOTION: Councilman Applegate moved to concur with staff recommendations on Agenda Items 20a, 20b, 20d, 20e, 20f and 20g. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

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Considered Separately...

20c.        RELEASE OF SUBDIVISION GUARANTEE - TRACT NO. 44770  
              SUBDIVIDER:     Storm Industries  
              ENGINEER:        Lanco Engineering  
              LOCATION:        18000 Prairie  
              NO. OF LOTS:    2 Lots (27 Unit Condo)

RECOMMENDATION:

The Engineering Department recommends that the subject certificate of deposit be released.

MOTION: Councilman Wirth moved to concur with the recommendation of the Engineering Department on Agenda Item 20c. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable [Councilman Applegate ABSTAINED].

\* \* \*

At 11:59 p.m., the City Council met in joint session with the Redevelopment Agency of the City of Torrance. At 12:00 Midnight, the regular Council agenda order was resumed, the Council/Agency remaining in joint session for purposes of a joint executive session to be held later in the meeting - see Page 23.

\* \* \*

22.        ORAL COMMUNICATIONS

22a.        Councilman Nakano requested an update on the posting of maps at entrances to gated communities. City Manager's office to follow through.

22b.        Councilman Nakano requested investigation of the apparent use of vacant property on the northeast corner of Sepulveda and Crenshaw Boulevards as a used car lot. City Manager's office will follow up.

22c.        Councilman Walker congratulated the South Coast Air Quality Management District [SCAQMD] for action taken in effectively prohibiting large quantities of hydrofluoric acid from the community.

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22d. Councilman Wirth requested staff investigation of possible alternative Little League field locations.

22e. Councilman Wirth requested that Legal staff review the matter of child care in residential areas.

22f. Mayor Geissert reported on her attendance at the recent SCAQMD meeting and indicated her support of their action.

22g. Mr. Joe Arciuch, 23521 Kathryn Avenue, advised that the City of Torrance is in grave danger of losing its control of the Torrance Airport. Mr. Arciuch read aloud segments of the following correspondence in support of his statement which he submitted for the record.

- o Letter dated April 1, 1990, signed by Barbara Lichman, Airport Working Group of Orange County, Inc.
- o Letter dated April 17, 1990, [unsigned] to Chairman of the State Senate Judiciary Committee opposing SB 2259 and SB 2256.
- o Letter dated January 8, 1990, from National Association of Counties; National League of Cities; National Organization to Insure a Sound-Controlled Environment; U.S. Conference of Mayors -- addressed to Secretary of Transportation, Department of Transportation, Washington, D.C.

22h. Mr. Bob Good, 2445 West 230th Street, requested direction regarding a problem of fencing on a vacant lot owned by him. Director of Building and Safety Grippo was directed by the Mayor to meet with Mr. Good.

23. EXECUTIVE SESSION

23a. EXECUTIVE SESSION MATTERS

The City Council/Redevelopment Agency having remained in joint session [see Page 22] Mayor/Chairwoman Geissert read the following statement into the record.

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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;
- Pending litigation entitled People of the State of California vs. Mobil Oil Corporation, et al., Los Angeles Superior Court Case No. C 719953;
- Property acquisition at 1860 Torrance Boulevard (Shoe Factory) involving Dan Stumpus and Nicholas Peters;
- Current litigation entitled Fred Smith vs. The City of Torrance, Los Angeles Superior Court Case No. C 620563;
- Pending litigation entitled Jerry Conrow, etc. vs. The City of Torrance, et al., SWC 111730;
- Pending litigation entitled Jerry Conrow, etc. vs. The City of Torrance, et al., Los Angeles Superior Court Case No. C 756372;
- Pending litigation affecting both the City and the Redevelopment Agency entitled City of Torrance vs. Walter J. Egan, Los Angeles Superior Court Case No. C 694935; and
- Pending litigation entitled Addie Collins vs. City of Torrance, et al., Los Angeles Superior Court Case No. SWC 97157.
- Lease agreement negotiations with American Real-Corp for Madison Park Development - Instruction to City Representatives.

Authority to hold an executive session for these purposes is contained in Government Code Sections 54957.6 (a); 54956.9 (a) and 54956.8.

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Redevelopment Agency Executive Session

The City Council, acting as the Redevelopment Agency Board, will confer with Agency staff regarding property acquisition at 1860 Torrance Boulevard (Shoe Factory) involving Dan Stumpus and Nicholas Peters.

Authority to hold an executive session for this purpose is contained in Government Code Section 54956.8.

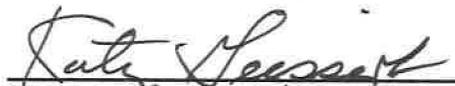
At 12:25 a.m. [Wednesday, April 11, 1990, the City Council/Redevelopment Agency recessed to executive session, returning at 1:45 a.m. No action was required as a result of the executive session.

NOTE: Although it was the intent of the Council to discuss TPSA Memorandum of Understanding - Supplemental #4 during executive session [see Page 7], this was not done and, because of the lateness of the hour, this matter was postponed to a subsequent Council meeting.

24. ADJOURNMENT

At 1:45 a.m., this meeting of the City Council and Redevelopment Agency was formally adjourned to Tuesday, April 17, 1990, 5:30 p.m. It was noted that the City Council will be in executive session at 5:30 p.m.; the regular meeting will commence at 7:00 p.m. on April 17.

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Mayor of the City of Torrance

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

Peggy Laverty  
Minute Secretary

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