

I N D E X

Torrance City Council - October 23, 1990

<u>SUBJECT</u>	<u>PAGE</u>
<u>OPENING CEREMONIES</u>	
1. Call to Order	1
2. Roll Call	1
3. Flag Salute/Invocation	1
4. Approval of Minutes/Motion re Further Reading	1,2
5. Motion re Posting of Agenda	2
6. Withdrawn or Deferred Items	2
7. Council Committee Meetings	2
<u>8. COMMUNITY MATTERS</u>	
8a. Resolution of Commendation - Guttenfelder	2
8b. Commission Appointment - TEQECC	3
<u>10. TRANSPORTATION/PUBLIC WORKS MATTERS</u>	
10a. Right-of-Way Acquisition/Approval of Payment - Carson Street	3
<u>12. PLANNING AND ZONING MATTERS</u>	
12a. Annual Contributions - Section 8 Housing Voucher Program	3-4
12b. Amendment No. 1 - Torrance Industrial Redevelopment Plan	4-17
<u>15. HEARINGS</u>	
15a. Appeal re Adoption of Amendment No. 1 to Industrial Redevelopment Plan	4-17
<u>17. ADMINISTRATIVE MATTERS</u>	
17a. Changes in Measure of Inflation to Consumer Price Index	17-18
17b. Consent Decree - People v. Mobil	19
17c. Consulting Contract - Calculation of Non-Residential Assessed Valuation Increase	19
<u>20. CONSENT CALENDAR</u>	
20a. Award of Contract - crushed rock and sand	19-20
20b. Award of Contract - transit buses	20
<u>22. ORAL COMMUNICATIONS</u>	
22a. Councilman Applegate re graffiti	20
22b. Councilwoman Hardison re appreciation to military personnel	20
22c. Councilman Nakano re League Committee stand on AB 4242	20
22d. Councilman Walker re Cable broadcast	21
22e. Councilman Wirth re League conference	21
22f. Mayor Geissert re Councilman Walker's reappointment to Water Quality Control Board	21
22g. Mayor Geissert re R-1/R-2 development problems	21
<u>23. EXECUTIVE SESSION</u>	
23a. Executive Session Matters	21-22
<u>24. ADJOURNMENT</u>	
Adjournment was at 9:12 p.m.	22

Peggy Laverty
Minute Secretary

City Council
October 23, 1990

October 23, 1990

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, October 23, 1990, at 7:02 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

Mr. Larry Gitschier led in the salute to the flag.

The invocation for the meeting was provided by Ms. Janet Lovelady of the Christian Science First Church.

4. APPROVAL OF MINUTES/MOTION RE FURTHER READING

MOTION: Councilman Applegate moved to approve the minutes of the City Council meeting of September 25, 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 thereof be waived, reserving and guaranteeing to each Council-

City Council
October 23, 1990

member 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

Finance and Governmental Operations Committee
October 29, 1990, 5:00 p.m.
Subject: Council Agenda Formatting.

November 13, 1990, 5:30 p.m.
Subject: First Quarter Budget Review.

Public Safety Committee
October 30, 1990, 5:00 p.m.
Subject: Data Processing.

8. COMMUNITY MATTERS

8a. RESOLUTION OF COMMENDATION

RESOLUTION NO. 90-211

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE HONORING HARVEL AND
MARGARET GUTTENFELDER FOR THEIR LONG TIME
COMMITMENT TO THE TORRANCE COMMUNITY

MOTION: Councilman Nakano moved to adopt Resolution No. 90-211. His motion was seconded by Councilman Walker and roll call vote was unanimously favorable.

City Council
October 23, 1990

8b. COMMISSION APPOINTMENT

Following introductions and interviews of applicants, the Council appointed Mr. Peter Barrera to fill the current vacancy on the Environmental Quality and Energy Conservation Commission.

Mr. Barrera was duly sworn by City Clerk Bramhall, and congratulations were extended by the Mayor and Council.

10. TRANSPORTATION/PUBLIC WORKS MATTERS

10a. RIGHT-OF-WAY ACQUISITION AND APPROVAL OF CLAIM FOR PAYMENT

RESOLUTION NO. 90-212

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING PAYMENT FOR STREET EASEMENTS ON CARSON STREET BETWEEN MADRONA AVENUE AND CRENSHAW BOULEVARD AND AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO ACCEPT AND EXECUTE THE RIGHT-OF-WAY AGREEMENT WITH BONALIN MCDERMID THROUGH HER CO-CONSERVATORS LESLY ETZEL AND BLANCHE SINTON

MOTION: Councilman Nakano moved to adopt Resolution No. 90-212. This motion, seconded by Councilman Walker, carried by unanimous roll call vote.

12. PLANNING AND ZONING MATTERS

12a. ANNUAL CONTRIBUTIONS CONTRACT NO. SF-549 (V) FOR CONTRACT AUTHORITY UNDER THE SECTION 8 EXISTING HOUSING VOUCHER PROGRAM

RESOLUTION NO. 90-213

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING AMENDED EXHIBIT II TO PART I OF THE SECTION 8 EXISTING HOUSING VOUCHER PROGRAM CONSOLIDATED ANNUAL CONTRIBUTIONS CONTRACT NO. SF-549 (V) AND AUTHORIZING EXECUTION THEREOF

City Council
October 23, 1990

MOTION: Councilman Nakano moved for the adoption of Resolution No. 90-213. His motion, seconded by Councilman Walker, carried by unanimous roll call vote.

* * *

At 7:16 p.m., the City Council met in joint session with the Redevelopment Agency of the City of Torrance.

That portion of the Redevelopment Agency minutes which encompasses the jointly considered City Council items of this date is reflected below.

Mayor/Chairwoman Geissert announced that the Agency/Council would consider the following matters concurrently at this time...

City Council Agenda Items --

- 12. PLANNING AND ZONING MATTERS
- 12b. CONTINUED DECISION OF THE CITY COUNCIL on the Proposed Amendment No. 1 to the Torrance Industrial Redevelopment Plan and Related Resolutions

- 15. HEARINGS
- 15a. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARING to Consider an Appeal of an Environmental Review Board Decision that Neither the Adoption of the Amendment No. 1 to the Industrial Redevelopment Plan nor the Existence of Hazardous Substances Discovered Subsequent to Original Environmental Assessment Require a Subsequent Environmental Impact Report (EIR) or any Supplement or Addendum thereto.
EA 82-18: REDEVELOPMENT AGENCY OF THE CITY OF TORRANCE

Redevelopment Agency Agenda Items --

- 4. COMMUNICATIONS AND OTHER BUSINESS
- 4a. CONTINUED DECISION OF THE REDEVELOPMENT AGENCY on the Proposed Amendment No. 1 to the Torrance Industrial Redevelopment Plan and Related Resolutions

City Council
October 23, 1990

5. HEARINGS

- 5a. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARING to Consider an Appeal of an Environmental Review Board Decision that Neither the Adoption of the amendment No. 1 to the Industrial Redevelopment Plan nor the Existence of Hazardous Substances Discovered Subsequent to Original Environmental Assessment Require a Subsequent Environmental Impact Report (EIR) or any Supplement or Addendum thereto.
EA 82-18: REDEVELOPMENT AGENCY OF THE CITY OF TORRANCE

Mayor/Chairwoman Geissert read the following statement into the record.

This is a joint meeting of the City Council of the City of Torrance and the Redevelopment Agency of the City of Torrance.

The purpose of this meeting is to conduct a joint public hearing to consider and act upon two appeals, filed by the County of Los Angeles and Mr. Walter J. Egan, of the City of Torrance Environmental Review Board's decision determining that neither the adoption of the proposed Amendment No. 1 to the Redevelopment Plan for the Torrance Industrial Redevelopment Project nor the discovery of hazardous substances subsequent to the original environmental assessment of said Plan require a subsequent environmental impact report or any supplement or addendum to the environmental impact report for the Industrial Redevelopment Project.

City Manager/Executive Director Jackson entered the following documents into the record of this joint public hearing.

- Exhibit "1" Affidavit of publication of notice of joint public hearing on the appeals has been published.
- Exhibit "2" Certificate of mailing notice of joint public hearing on the appeals.
- Exhibit "3" Certificate of mailing notice of joint public hearing on the appeals to the governing body of each of the taxing agencies.

City Council
October 23, 1990

Exhibit "4" The County of Los Angeles' appeal to Environmental Review Board decision dated October 3, 1990 and Mr. Walter J. Egan's appeal of decision of Environmental Review Board dated October 4, 1990.

There being no objections, Mayor/Chairwoman Geissert directed that these documents be made a part of the record.

* * *

Councilman/Agency Member Walker announced that, because of his service on the Regional Water Quality Control Board and the relationship between that Board and hazardous substances, he would abstain from consideration of Items 12b and 15a [also 17a to be heard later in the City Council meeting].

Councilman/Agency Member Nakano advised that he had had a financial interest in a limited partnership on a piece of property in the Industrial Redevelopment Area and, although that interest was divested as of January 2, he is required to abstain from this matter for one year. Mr. Nakano announced that, upon the advice of the City Attorney, he will be abstaining on Council Items 12b and 15a, as well as Redevelopment Agency Items 4a, 4b and 5a.

Messrs. Walker and Nakano departed from the Council Chambers at this time.

* * *

Mayor/Chairwoman Geissert opened the public hearing, noting that the staff presentation would be made by the Executive Director of the Redevelopment Agency of the City of Torrance, Mr. LeRoy Jackson and Special Counsel to the Redevelopment Agency of the City of Torrance, Ms. Marcia Scully.

After specifying the manner in which members of the public should address the forum, Mayor/Chairwoman Geissert set forth the order of procedure for the subject joint public hearing.

Special Counsel Marcia Scully spoke substantially as follows:

City Council
October 23, 1990

In connection with the adoption of the original Redevelopment Plan for the Torrance Industrial Redevelopment Project, a final Environmental Impact Report was prepared with Environmental Report 82-18. This report was certified by the Redevelopment Agency and the City Council in 1983.

On September 19, 1990, the Environmental Review Board of the City of Torrance held a public hearing to consider whether the adoption of the proposed Amendment No. 1 to the Redevelopment Plan or the discovery of hazardous substances within the Project Area required additional environmental review under applicable state law.

The Environmental Review Board determined that no such additional environmental review was required. Following the decision of the Environmental Review Board, appeals were filed by Mr. Egan and the County of Los Angeles. Pursuant to the Municipal Code of the City of Torrance such appeals must be heard by the City Council at a public hearing.

Because the Redevelopment Agency will also be making recommendations to the Council regarding the environmental review of the proposed amendment, it was determined that a joint public hearing should be held to consider the appeal so that the Redevelopment Agency would, prior to making its recommendations to the Council, have the benefit of receiving and considering any and all evidence that will be presented at the public hearing.

Although two appeals have been filed, because they appealed the same action and raise essentially the same issues, they have been consolidated into a single item for purposes of the public hearing and for Council consideration this evening.

At Mayor/Chairwoman Geissert's request, City Manager/Executive Director Jackson introduced Ms. Jane Hasselbach and announced that she would briefly summarize the content of the Agency Staff Report Regarding the Appeals. Mr. Jackson noted that her testimony would also supplement the facts contained in the Staff Report and would be considered as part of the Staff Report [Exhibit "5"].

Ms. Hasselbach reported substantially as follows:

City Council
October 23, 1990

The Staff Report presented to the Environmental Review Board on September 19, 1990, presented information to the Board which concluded that the proposed amendment is financial in nature and would provide the necessary means to carry out the project as originally proposed.

No changes are proposed in terms of activities, land uses or boundaries. None of the threshold criteria of Section 15162, which would require an additional Environmental Impact Report, have been met. No subsequent changes are proposed in the project involving impacts not previously considered. Any individual remediation not specifically contemplated will be the subject of separate additional review.

As mentioned by Miss Scully, the issues contained in the two appeals are substantially the same. Staff has identified eight minor areas which will be briefly identified and responded to. They are more fully described in written material of record.

1. Failure to notice.

Typical notification procedures were followed including newspaper publication and mailing of 856 notices within the project area and the surrounding 300 feet.

2. Allegations that the EIR is stale.

The three factors that determine whether an EIR is still valid are: 1) substantial changes in the project; 2) substantial changes with respect to circumstances under which the project is being undertaken; and 3) new information -- not the passage of time. Therefore, the original EIR is still valid.

3. Contention that substantial evidence exists in the record requiring a new EIR.

Since there are no changes proposed for project boundaries or the scope of the project, a subsequent EIR is not required. The Environmental Review Board decision confirmed this.

City Council
October 23, 1990

4. Requirement for a Negative Declaration.

The original EIR adequately addressed the implementation of the project scope and its boundaries. Since no changes are proposed in either, additional assessments including an initial assessment or a Negative Declaration is not required.

5. Lack of adequate information about the scope of the amendment.

This item pertains to prior litigation and is, therefore, inappropriate relative to environmental issues.

6. Sufficiency of the EIR in 1983.

The time period for any challenges to the adequacy of the EIR originally adopted in 1983 has long since passed.

All issues raised in the two appeals, whether enumerated here or not, have been previously assessed. The material provided to the Environmental Review Board [upon which they based their decision] is presented to Council tonight.

Mayor/Chairwoman Geissert invited questions by members of the Council or Agency. None were forthcoming.

There being no objection, Mrs. Geissert directed that the Staff Report be made part of the record along with the testimony just received.

In response to a question by Mrs. Geissert, City Clerk Bramhall advised that there have been no written comments received on the appeals. There was also no written comment or objection submitted at this time.

Mayor/Chairwoman Geissert invited statements or testimony from those present in favor of granting the appeals.

City Council
October 23, 1990

Mr. Kurt Bridgman, 300 South Grand Avenue, Suite 1500, Los Angeles, representing Walter J. Egan, noted that their appeal states fully the grounds on which they feel the Board was in error by saying that a Negative Declaration or something less is required for this proposed amendment.

Mr. Bridgman maintained that, due to the fact that hazardous waste is involved, and the 1983 EIR did not contemplate the substantial nature of the hazardous waste to be removed, that the previous EIR was not sufficient, nor is it applicable to the instant situation where this new information has been found.

It was contended by this speaker that, because the amendment intends to take care of this hazardous waste problem by elongating the period of redevelopment, it is clear that this was for the removal of the hazardous waste problem -- a problem much more significant in nature than contemplated by the original EIR. A supplemental EIR or an EIR should be required, per Mr. Bridgman.

Ms. Hasselbach responded essentially as follows.

In the original EIR the issue of remediation of environmental problems was discussed. If it had been necessary to do anything more than was originally contemplated, it would have been done under the auspices of state agencies which have been subject to CEQA -- therefore, they would still be considered covered under the CEQA legislation.

Mayor/Chairwoman Geissert invited testimony from those present in favor of denying the appeals or from anyone else in the audience who might desire to make a statement or present testimony concerning the appeals. There was no response.

Councilman/Agency member Applegate moved to close the public hearing. The motion, seconded by Councilman/Agency member Mock, carried by unanimous roll call vote [Messrs. Nakano and Walker abstained].

Mayor/Chairwoman Geissert stated as follows:

On August 28, 1990, the City Council and the Redevelopment Agency held a joint public hearing to consider and act upon the proposed Amendment No. 1 to the Redevelopment Plan for the Torrance Industrial Redevelopment

City Council
October 23, 1990

Project. The public hearing was closed and no further testimony will be taken on this matter.

Ms. Scully, Special Counsel to the Redevelopment Agency then outlined for the City Council and the Redevelopment Agency the items relative to Amendment No. 1 which are under consideration this evening.

Ms. Scully's remarks are set forth substantially as follows.

At the joint public hearing of August 28th, which related to the proposed amendment, the Council and the Agency received and considered evidence and testimony for and against the proposed Amendment No. 1 to the Redevelopment Plan for the Torrance Industrial Redevelopment Project. In connection therewith, the Council and the Agency received various oral presentations and written objections with respect to the proposed Amendment No. 1.

Prior to taking a final action to approve the proposed Amendment, the City Council is required by the California Community Redevelopment Law to prepare and adopt written responses to any objections to the proposed amendment received as a part of the public hearing. At the close of the hearing on August 28, the Council directed staff to assist it in reviewing and preparing responses to the written objections.

Some of the written objections received by the Council questioned the appropriateness of the environmental review undertaken in connection with the amendment. At the request of staff, acting under the direction of the Council, the September 19, 1990, meeting of the Environmental Review Board was held to determine the appropriateness of the environmental review, and the Review Board determined that no additional environmental review was necessary. The public hearing which was just closed was to review the appeals to that decision by the Environmental Review Board.

In the event the Council determines to grant the appeals, no further Council action can be taken this evening on the proposed amendment because granting either or both of the appeals would constitute a determination by the City Council that additional environmental review is necessary prior to making a decision on the Plan amendment.

City Council
October 23, 1990

If the appeals are denied by the Council, the Agency and Council may move forward with the adoption of the proposed amendment this evening.

In addition to undertaking inquiry as to the environmental matters, the staff has investigated the other written objections which were filed at the August hearing relative to the proposed amendment and prepared written responses. The written responses have been submitted to the Agency and Council for review.

Tonight the Redevelopment Agency will make recommendations to the Council with respect to the appeals and to the matters before you pertaining to the adoption of the proposed amendment. The City Council will then be requested to act first upon the appeal and if the appeals are denied the Council will then be asked to act upon various resolutions and an ordinance pertaining to the adoption of the proposed Amendment No. 1.

A brief summary of the major objections received regarding adoption of the proposed Amendment No. 1 and staff's recommendations regarding the objections and proposed responses to them was provided by Senior Principal Planner Mike Bihn of the Redevelopment Agency, as follows.

Written objections were received from two parties: Walter Egan and Los Angeles County. Since a number of the objections overlapped, they have been grouped together into seven categories.

The first two categories deal with the Environmental Impact Report and environmental review procedures and have already been addressed by Ms. Hasselbach.

The third category of objection stipulates that adoption of the proposed amendment is a breach of contract. Staff has consulted with legal counsel and has been advised that the provisions of the contract regarding future action by the Agency are not enforceable and, therefore, no breach of contract has occurred. This rationale is more fully described in the written responses.

The fourth objection says that the Project Area is not blighted. The determination of blight was made at the time that the existing plan was adopted and the statute of limitations for challenging that determination has long passed.

City Council
October 23, 1990

The fifth objection argues that the County will experience a significant financial burden from the adoption of the proposed amendment. This contradicts the County's opinion that insufficient information was provided for the County to make such a determination. The County was provided with over five volumes of information as requested and, after two years of discussion with the County, even more information was provided. Included in this material are projections of tax revenues that would flow to the County in excess of the tax revenue generated without the proposed amendment. Therefore, staff concludes that there will be no significant financial burden on the County.

The sixth category states that the proposed amendment violates the purposes of the Community Redevelopment Law and provides no public benefit. The amendment is being proposed to provide the Agency with the necessary time and financial capability to complete the program of redevelopment which was authorized by the Plan. The time for challenging the validity of public purpose in the Plan has long since expired. Further, substantial benefits to the public have resulted from implementation of the Plan to date. These benefits are described in detail in the Written Responses to Objections and in the attachments to your item.

Finally, Mr. Egan claims that since the project is over budget it should be abandoned. The benefits of the work completed to date have resulted in both financial and physical benefits which have exceeded original estimates. If additional financial capacity is not provided, the Agency will not be able to complete the elimination of blight and the physical and financial transformation of the remainder of the Project Area.

In addition, Mr. Egan comments on prior and pending litigation. It is not appropriate to respond to this issue at this time.

At the request of Chairwoman Geissert, Agency Clerk Bramhall assigned numbers and read titles to the following resolutions.

City Council
October 23, 1990

RESOLUTION NO. RA 90-7

RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF TORRANCE RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENIAL OF APPEALS OF ENVIRONMENTAL REVIEW BOARD DECISION AND FINDING THAT NO ADDITIONAL ENVIRONMENTAL REVIEW IS REQUIRED IN CONNECTION WITH THE APPROVAL AND ADOPTION OF THE PROPOSED AMENDMENT NO. 1 TO THE REDEVELOPMENT PLAN FOR THE TORRANCE INDUSTRIAL REDEVELOPMENT PROJECT

MOTION: Mr. Applegate moved to adopt Resolution No. RA 90-7. His motion was seconded by Mr. Mock and roll call vote was unanimously favorable [Messrs. Nakano and Walker abstained].

RESOLUTION NO. RA 90-8

RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF TORRANCE RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, FOR ITS ADOPTION CERTAIN FINDINGS IN RESPONSE TO WRITTEN OBJECTIONS TO THE ADOPTION OF PROPOSED AMENDMENT NO. 1 TO THE REDEVELOPMENT PLAN FOR THE TORRANCE INDUSTRIAL REDEVELOPMENT PROJECT

MOTION: Mr. Applegate moved for the adoption of Resolution No. RA 90-8. The motion was seconded by Mr. Mock and roll call vote was unanimously favorable [Messrs. Nakano and Walker abstained].

RESOLUTION NO. RA 90-9

RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF TORRANCE, CALIFORNIA, FINDING THAT THE USE OF TAXES ALLOCATED FROM THE TORRANCE INDUSTRIAL REDEVELOPMENT PROJECT FOR THE PURPOSE OF IMPROVING AND INCREASING THE COMMUNITY'S SUPPLY OF LOW- AND MODERATE-INCOME HOUSING OUTSIDE THE PROJECT AREA WILL BE OF BENEFIT TO THE PROJECT

MOTION: Mr. Applegate moved to adopt Resolution No. RA 90-9. His motion, seconded by Mrs. Hardison, carried by unanimous roll call vote [Messrs. Nakano and Walker abstained].

City Council
October 23, 1990

RESOLUTION NO. RA 90-10

RESOLUTION OF THE TORRANCE REDEVELOPMENT
AGENCY APPROVING THE PROPOSED AMENDMENT
NO. 1 TO THE REDEVELOPMENT PLAN FOR THE
TORRANCE INDUSTRIAL REDEVELOPMENT PROJECT

MOTION: Mr. Applegate moved for adoption of Resolution No. RA 90-10. This motion, seconded by Mrs. Hardison, carried by unanimous roll call vote [Messrs. Nakano and Walker abstained].

Mayor Geissert directed that City Council action be taken on the following matters...

RESOLUTION NO. 90-214

RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TORRANCE, CALIFORNIA, DENYING APPEALS OF
ENVIRONMENTAL REVIEW BOARD DECISION AND
FINDING THAT NO ADDITIONAL ENVIRONMENTAL
REVIEW IS REQUIRED IN CONNECTION WITH THE
APPROVAL AND ADOPTION OF THE PROPOSED
AMENDMENT NO. 1 TO THE REDEVELOPMENT PLAN
FOR THE TORRANCE INDUSTRIAL REDEVELOPMENT
PROJECT

MOTION: Councilman Applegate moved to adopt Resolution No. 90-214. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable [Councilmembers Nakano and Walker abstained].

RESOLUTION NO. 90-215

RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TORRANCE, CALIFORNIA, ADOPTING CERTAIN
FINDINGS IN RESPONSE TO WRITTEN OBJECTIONS
TO THE ADOPTION OF PROPOSED AMENDMENT NO. 1
TO THE REDEVELOPMENT PLAN FOR THE TORRANCE
INDUSTRIAL REDEVELOPMENT PROJECT

MOTION: Councilman Applegate moved for the adoption of Resolution No. 90-215. The motion, seconded by Councilman Mock, carried by unanimous roll call vote [Councilmen Nakano and Walker abstained].

City Council
October 23, 1990

Taken out of sequence...

RESOLUTION NO. 90-217

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, FINDING THAT THE USE OF TAXES ALLOCATED FROM THE TORRANCE INDUSTRIAL REDEVELOPMENT PROJECT FOR THE PURPOSE OF IMPROVING AND INCREASING THE COMMUNITY'S SUPPLY OF LOW- AND MODERATE- HOUSING OUTSIDE THE PROJECT AREA WILL BE OF BENEFIT TO THE PROJECT

MOTION: Councilman Applegate moved to adopt Resolution No. 90-217. This motion was seconded by Councilman Mock and roll call vote proved unanimously favorable [Councilmen Nakano and Walker abstained].

RESOLUTION NO. 90-216

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DETERMINING THAT A PROJECT AREA COMMITTEE SHALL NOT BE FORMED IN CONNECTION WITH THE PROPOSED AMENDMENT NO. 1 TO THE REDEVELOPMENT PLAN FOR THE TORRANCE INDUSTRIAL REDEVELOPMENT PROJECT

* * *

At this time [7:45 p.m.], Mayor Geissert declared a recess for the purpose of clarifying resolution numbers and titles. The Council reconvened at 7:52 p.m., whereupon a discussion was held concerning resolution numbers and titles, with action ultimately taken as reflected below.

MOTION: Councilman Applegate moved to overrule the oral objections and to adopt Resolution No. 90-216. This motion, seconded by Councilman Mock, carried by unanimous roll call vote [Councilmen Nakano and Walker abstained].

ORDINANCE NO. 3312

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING ORDINANCE NO. 3063, APPROVING AND ADOPTING THE PROPOSED AMENDMENT NO. 1 TO THE REDEVELOPMENT PLAN FOR THE TORRANCE INDUSTRIAL REDEVELOPMENT PROJECT

City Council
October 23, 1990

MOTION: Councilman Applegate moved to approve Ordinance No. 3312 at its first reading. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable [Councilmen Nakano and Walker abstained].

* * *

Mr. Nakano returned to Council Chambers at this time. [Mr. Walker did NOT return until after consideration of City Council Agenda Item 17a, per his announcement on Page 6 of these minutes].

* * *

At 7:59 p.m., this meeting of the Redevelopment Agency was formally adjourned. The City Council remained in session and returned to its regular agenda order.

* * *

17. ADMINISTRATIVE MATTERS

17a. CHANGES IN THE MEASURE OF INFLATION FROM THE PRODUCER PRICE INDEX (PPI) TO THE CONSUMER PRICE INDEX (CPI)

RECOMMENDATION

It is recommended that your Honorable Body adopt the ordinances which will change the method of measuring inflation from the Producer Price Index to the Consumer Price Index for the:

- 1) Business License Tax,
- 2) Commercial Office Tax,
- 3) Mining Operations Tax: Earth, Sand and Gravel,
- 4) Swap Meet Tax,
- 5) Oil Severance Tax.

ORDINANCE NO. 3313

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTIONS 31.2.16, 31.2.17, 35.7.3 AND 35.8.4, RELATED TO THE USE OF THE CONSUMER PRICE INDEX

City Council
October 23, 1990

MOTION: Councilman Nakano moved to approve Ordinance No. 3313 at its first reading. His motion, seconded by Councilman Mock, carried by way of the following roll call vote.

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

NOES: Councilman Applegate

ABSTAIN: Councilman Walker.

ORDINANCE NO. 3314

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF TORRANCE AMENDING SECTION 228.2.1,
RELATED TO THE USE OF THE CONSUMER PRICE
INDEX

MOTION: Councilman Nakano moved to approve Ordinance No. 3314 at its first reading. This motion was seconded by Councilwoman Hardison and carried by the following roll call vote.

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

NOES: Councilman Applegate.

ABSTAIN: Councilman Walker.

* * *

Councilman Walker, who, for reasons of abstention, had been absent from the Council Chambers since the early part of the joint Council/Redevelopment meeting this date, returned to Chambers at this time.

* * *

Councilman Walker announced that he had abstained from consideration and voting on Agenda Item 17a, above, because he has been employed for some 20 years by one of the businesses that will be affected by this item.

City Council
October 23, 1990

17b. CONSENT DECREE - PEOPLE V. MOBIL

RECOMMENDATION:

It is recommended that your Honorable Body approve the Consent Decree [attached to agenda item] and authorize the City Manager and City Attorney to execute it for filing with the Superior Court in People v. Mobil, Case No. C719953.

Mayor Geissert extended congratulations to City Attorney Nelson, City Manager Jackson, Fire Chief Adams and to the legal consultants and City staff who were involved in the subject case.

MOTION: Councilman Applegate moved to concur with the City Attorney's recommendation on Agenda Item 17b. His motion, seconded by Councilman Nakano, carried by unanimous roll call vote.

17c. CONSULTING CONTRACT - CALCULATION OF NON-RESIDENTIAL ASSESSED VALUATION INCREASE FOR GANN APPROPRIATION LIMITED CALCULATION WITH APPROPRIATION

RECOMMENDATION:

The Finance Department recommends approval of a contract with McClelland Coren for City services in an amount not to exceed \$10,000, and approval of an appropriation from the Reserve for Contingencies of \$10,000.

MOTION: Councilman Wirth moved to concur with the above stated staff recommendation, including the appropriation. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

20. CONSENT CALENDAR

- 20a. COUNCIL AWARD OF ANNUAL CONTRACT - To Furnish the City's requirements of crushed rock and washed plaster sand
Ref: Bid No. B90-45
Expenditure: \$33,306.00 (including sales tax).

City Council
October 23, 1990

RECOMMENDATION:

The Purchasing Division and the Street Department recommend that your Honorable Body award an annual contract to Livingston Graham, Irwindale, California, the lowest responsible bidder, in the total amount of \$33,306.00.

- 20b. COUNCIL AWARD OF CONTRACT - Re: Purchase of Two (2) 40' Transit Buses as a "cooperative purchase" with the San Diego Transit Corporation
Ref: San Diego Transit Corporation RFP #90017
Expenditure: \$432,284.00.

RECOMMENDATION:

The Purchasing Division and the Transportation Department request that your Honorable Body award a contract to the Gillig Corporation, Hayward, California, for the "cooperative purchase" with San Diego Transit Corporation of two buses in the total amount of \$432,284.00.

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

22. ORAL COMMUNICATIONS

22a. Councilman Applegate addressed on-going concerns regarding the current graffiti issue and suggested the possibility of a court referral program as one means of mitigating the problem. City Manager's office to follow through.

22b. Councilwoman Hardison requested that staff investigate a manner in which the City might communicate an expression of support to military personnel now serving in Saudi, Arabia.

22c. Councilman Nakano reported on recent action of the General Resolutions Committee of the League of California Cities in opposition to AB 4242 [legislation regarding a regional form of government].

City Council
October 23, 1990

22d. Councilman Walker strongly condemned the recent broadcast on Torrance Cable Public Access Channel of a talk show produced by Tom Metzger. Mr. Walker stated that this program attacked certain races and he urged that the City "fight...to keep that off the air."

Mayor Geissert deemed the program "totally offensive" and requested that the City Attorney provide the Council with a legal opinion with regard to handling of the matter.

22e. Councilman Wirth reported briefly on the recent League of California Cities conference.

22f. Mayor Geissert congratulated Councilman Walker on his reappointment to the Regional Water Quality Control Board.

22g. Mayor Geissert requested that Planning staff consider the problem of R-2 development backing up to R-1; the pronounced impact resulting from recycling of the R-2 parcels to a more intense usage; setback considerations; etc. Planning staff to follow through.

23. EXECUTIVE SESSION

23a. EXECUTIVE SESSION MATTERS

Mayor Geissert read the following statement into the record.

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; and pending litigation;
- Pending litigation entitled People of the State of California vs. Mobil Oil Corporation, et al. Los Angeles Superior Court Case No. C 719953; and
- Leasing of City owned property on 190th Street and Hawthorne Boulevard to Gannett Outdoor of Southern California for signage and landscaping improvements.

City Council
October 23, 1990

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

At 8:25 p.m., the City Council recessed to executive session, returning at 9:12 p.m.

24. ADJOURNMENT

At 9:12 p.m., this meeting of the City Council was formally adjourned to Tuesday, October 30, 1990, 5:30 p.m.

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Mayor of the City of Torrance



Clerk of the City of Torrance

Peggy Laverty
Minute Secretary

City Council
October 23, 1990