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Torrance City Council - January 28, 1992

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Peggy Laverty
Minute Secretary

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MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES

1. CALL TO ORDER

The Torrance City Council convened in a regular meeting on Tuesday, January 28, 1992, at 7:00 p.m., in the Council Chambers at Torrance City Hall.

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.

2. FLAG SALUTE

The salute to the flag was led by Battalion Chief Lester Rogers.

INVOCATION

The invocation for the meeting was provided by Reverend George Johnson, Cathedral of Life Church.

3. MOTION RE FURTHER READING

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-

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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.

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.

4. WITHDRAWN OR DEFERRED ITEMS

Agenda Item 14b, CUP 89-83, MOD 91-1, FRED ARKENBERG - withdrawn from agenda at this time, per staff request [See Page 10].

5. COUNCIL COMMITTEE MEETINGS

None.

6. COMMUNITY MATTERS

6a. SERVICE AWARD PRESENTATION TO BATTALION CHIEF ROGERS

Mayor Geissert presented a watch to Battalion Chief Lester G. Rogers in recognition of his twenty-five years of service to the City of Torrance.

There was grateful acceptance by Battalion Chief Rogers.

7. CONSENT CALENDAR

7a. APPROVAL OF MINUTES - January 7, 1992.

7b. SUBJECT: RELEASE OF BOND - TRACT NO. 45463
SUBDIVIDER: ARTHUR VALDEZ
ENGINEER: LANCO ENGINEERING
LOCATION: BOUNDED BY HAWTHORNE BLVD., LOMITA BLVD., OCEAN AVENUE AND 230TH STREET (MEADOW PARK SCHOOL SITE)
NUMBER OF LOTS: 54.

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RECOMMENDATION:

The Engineering Department recommends release of subdivision bonds for Tract 45463.

7c. NORTH TORRANCE RELIEF DRAIN, UNITS 3 & 4 -
APPROPRIATION FOR ROADWAY REHABILITATION UPGRADE

RECOMMENDATION:

The Engineering Department recommends that your Honorable Body: (1) Authorize the City Engineer to issue a Purchase Order to Los Angeles County Department of Public Works (LACDPW) for roadway reconstruction in Hickman Avenue west of Prairie Avenue, Bailey Drive from Hickman Avenue to 180th Street and 180th Street from Bailey Drive through Amie Avenue in conjunction with the subject project; and (2) Appropriate \$60,000 from unallocated Gas Tax Funds to finance this work.

7d. REQUEST FOR COUNCIL REJECTION OF BIDS - To provide
One (1) Video Graphics/Animation Workstation and
Alphanumeric Display for Citicable 22
Ref: Bid No. B91-52.

RECOMMENDATION:

The Purchasing Division and Cable TV recommend that your Honorable Body reject the bid received for one (1) video graphics/animation workstation and alphanumeric display for Citicable 22.

7e. CITY COUNCIL DARK NIGHTS - MARCH 3 AND 31, 1992

RECOMMENDATION:

The City Manager recommends that the City Council designate March 3, 1992 and March 31, 1992 as Council dark nights.

MOTION: Councilman Applegate moved to approve Agenda Items 7a through 7e, inclusive. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable [Councilman Walker ABSTAINED on Agenda Item 7b].

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8. LIBRARY/PARKS AND RECREATION MATTERS

8a. 1992 NON PROFIT SOCIAL SERVICES AGENCIES GRANT PROGRAM

HUMAN RESOURCES COMMISSION RECOMMENDATION:

The Human Resources Commission recommends that funding under the 1992 Non-Profit Social Services Agencies Grant Program be awarded to:

Community Center Rape Hotline	\$ 2,000.00
Community Helpline	1,000.00
Exchange Club for Prevention of Child Abuse	3,000.00
Gratitude Retreat Foundation	1,883.33
Retired Senior Volunteer Program	1,883.33
Salvation Army/His House	2,000.00
South Bay Children's Health Center	1,883.34
The Job Center	<u>1,350.00</u>
	\$15,000.00

PARKS AND RECREATION DEPARTMENT RECOMMENDATION:

The Parks and Recreation Department is recommending that your Honorable Body fund:

Community Center Rape Hotline	\$ 2,000.00
Community Helpline Inc.	1,000.00
Exchange Club for Prevention of Child Abuse	3,000.00
The Job Center	1,350.00
Salvation Army/His House	2,000.00
Torrance YWCA	2,150.00
Volunteer Center	2,000.00
Wellness Community	<u>1,500.00</u>
	\$15,000.00

Staff presentation was provided by Parks and Recreation Director Barnett; rationale for the Human Resources Commission recommendation was set forth by Ms. Jackie LaBouff, Commission Chairman.

At this time Councilman Nakano requested direction from the City Attorney as to his participation in the decision-making process on this agenda item inasmuch as he is a member of the Advisory Board of the Salvation Army. City Attorney Nelson advised that it would be proper for Mr. Nakano to participate inasmuch as his status is that of an unpaid officer on a voluntary, non-profit charitable organization.

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Mr. Bill Blischke, member of the Supervisory Committee of RSVP [Retired Senior Volunteer Program], urged Council concurrence with the Human Resources Commission recommendation which includes a grant award to that organization.

MOTION: Councilman Mock moved to accept the above recommendation of the Human Resources Commission. His motion was seconded by Councilman Applegate and roll call vote was unanimously favorable.

13. ADMINISTRATIVE MATTERS

13a. STRUCTURING OF REVIEW PROCEDURE FOR CITY INVESTMENTS

RECOMMENDATION:

Recommendations by the City Manager, City Attorney and City Treasurer to restructure the procedure of investing City funds to establish certain review elements including:

- a. A pre-investment process that would have the components of a recommended strategy by the City Treasurer, an independent recommendation of an investment team, and final approval of the overall strategy by City Council action;
- b. A monthly analysis and investment report submitted by the City Treasurer to the investment team for review;
- c. An in-depth quarterly review of the City's investments by the City Treasurer to the Council Finance Committee;
- d. Approval of contracts by the City Council for the use of any outside broker, advisor or trustee;
- e. The adoption by Council of a specific investment policy with particular guidelines and parameters.

An overview of agenda material of record supporting the above recommendation was provided by Assistant to the City Manager, Kathy Keane.

Ms. Keane also highlighted the report [of record] prepared by the City's auditors, Deloitte & Touche, making note of the following recommendations.

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- Implementation of a strong pro-active strategy and a system of checks and balances including staff, Council and City Treasurer involvement.
- Formation of an independent advisory committee.
- Review by City staff independent of the Treasurer's office in order to provide internal controls over the investment function.
- Establishment of the additional position of an investment officer.
- Development of formalized training for newly-elected Councilmembers, City Treasurer, and Treasurer's staff.

Throughout the lengthy discussion which followed, City Treasurer Rupert responded to numerous Council questions and provided information regarding the City Treasurer's operation as presently constituted.

The Council ultimately agreed that the matter should be considered further at a workshop session.

It was suggested by City Manager Jackson that representatives of Deloitte & Touche be invited to attend the workshop session in order to explain various aspects of the auditor's report. Mr. Jackson also indicated that his office would supply an analysis and comparison of the staff/auditor's reports for consideration by the Council.

Councilman Applegate requested that the various options available to the Council also be presented for consideration at the workshop in order that all alternatives might be addressed.

A brief discussion ensued regarding the question of whether the City Treasurer's position should be an appointed or elected one. It was Councilman Wirth's desire that this subject be considered during public hearings prior to a decision regarding placing the question of a Charter change on the November ballot.

As Council discussion continued, concerns regarding the City's financial contractual procedure were expressed by the Mayor. City Treasurer Rupert indicated that he would provide, at the workshop session, a report on contracts established in the Treasurer's office.

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Mayor Geissert invited public input.

Mr. Burton Fletcher, 21707 Hawthorne Boulevard, Suite 204, submitted the following documents to be made part of the official record on this agenda item...

- o Letter dated January 28, 1992, to the Mayor and Council -- subject: SUGGESTIONS CONCERNING PROPOSAL SUBMITTED BY MESSRS. JACKSON, NELSON AND RUPERT.
- o Letter dated January 21, 1992, to City Manager LeRoy Jackson -- subject: REQUEST FOR CLARIFICATION RE MR. RUPERT'S AUTHORITY AND COUNCIL AUTHORITY, AND CITY MANAGER RESPONSIBILITY.

Mr. Fletcher addressed points brought out in his letter of January 28, and requested a review of these comments by the Council. Councilmen Walker and Mock responded to certain of Mr. Fletcher's concerns, as did City Manager Jackson.

Mr. Ronald Ellis, 880 West First Street, Suite 313, Los Angeles, submitted a memorandum dated January 28, 1992, relative to the "Investment Review Board" proposed by the City Treasurer. Mr. Ellis spoke in opposition to the Board, as presently conceived, and shared his thoughts as to appropriate restructuring of the City Treasurer's function.

Mr. Joe Arciuch, 23521 Kathryn Avenue, spoke in favor of an appointed, rather than elected, City Treasurer; supported the concept of checks and balances; and recommended that 50% of the review board be comprised of citizens of the community with the remaining 50%, City staff. Mr. Arciuch requested that he be allowed to review the City's audits -- City Manager Jackson to comply with this request.

Ms. Eileen Hawkins, 1303 Date Avenue, recommended that private citizens be utilized in an advisory capacity and indicated her interest in a breakdown of attorneys' fees being paid by the City in an attempt to recover the \$6.1 million, as well as certain Redevelopment-related costs.

MOTION: Councilman Walker moved to schedule a workshop session on the subject matter for February 4, 1992, 5:30 p.m. His motion was seconded by Councilman Mock. There were no objections and it was so ordered.

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After further discussion, the following motion was offered but later withdrawn [see below].

MOTION: Councilman Nakano moved that the Council accept the draft document in concept for restructuring of the City's investment policy. The motion was seconded by Councilman Mock.

A SUBSTITUTE MOTION was offered by Councilman Walker to restructure the procedure of investing the City funds and establish certain elements and criteria throughout the February 4, 1992, workshop session. This motion was seconded by Councilwoman Hardison.

At this point Councilman Nakano withdrew the above MAIN MOTION and roll call vote on the motion remaining on the floor proved unanimously favorable.

* * *

At 9:20 p.m., Mayor Geissert called a recess. The Council reconvened at 9:53 p.m.

* * *

13b. INVESTMENT REPORTS - SEPTEMBER, OCTOBER, NOVEMBER 1991

RECOMMENDATION:

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

City Treasurer Rupert provided an overview of this agenda item and responded to related questions posed by individual members of Council.

In response to a request from Councilman Mock, City Treasurer Rupert agreed to provide the Council with a memorandum dealing with the nature of the American Insured Mortgages investment and the insurance behind that investment. Mr. Rupert further indicated, in response to a statement from the Mayor, that he would provide documentation relative to the Integrated Resources/American Insured Mortgages insurance.

Public comments were invited. There was no response.

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MOTION: Councilman Walker moved to receive and file the subject agenda item. His motion was seconded by Councilman Wirth and carried without objection.

14. HEARINGS

14a. HOUSEHOLD HAZARDOUS WASTE ELEMENT OF THE AB 939 PLAN

Mayor Geissert announced that this was the time and place for a public hearing on the Household Hazardous Waste Element of the AB 939 plan.

Proof of publication was filed without comment.

The City's Recycling Coordinator, Arlene Barco, provided the staff report per agenda material of record and noted the following...

RECOMMENDATION:

It is the recommendation of the City Manager that the City Council conduct a public hearing to gain input on the AB 939 Household Hazardous Waste Element (HHWE) preliminary draft. It is further recommended that input received be incorporated into a final draft which will be presented in a second public hearing on March 24, 1992, where Council will formally adopt the HHWE.

Ms. Barco noted that Mr. George Wentz of Charles Abbott Associates, Inc., the consulting firm preparing the City's Household Hazardous Waste Element was present to answer questions.

Councilwoman Hardison offered the following comments and suggestions regarding the HHWE preliminary draft...

- Distributing information re household hazardous waste through residents' waste bill [Page 26 of the draft report] is very important.
- Reference to a speakers bureau [Page 27] might be enhanced by suggesting utilization of an existing City Commission.
- City of Torrance should be considered as a definite trailer site.
- A more detailed breakout of the \$11,450 in program costs should be provided.

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Councilman Mock inquired regarding the possible location of a mobile collection site on the Mobil Oil Refinery property. Ms. Barco advised of on-going discussions with Mobil.

President of the Torrance League of Women Voters, Ms. Sara Horne, advised of information provided on Cable TV Channel 59 relative to cleaning up toxics in businesses. She further advised of a tape dealing with cleaning up toxics in the home which is available through the League.

Mr. Jack Kay, 5024 Reese Road, urged that citizens be encouraged to reduce their use of all waste materials to the maximum extent possible. Mr. Kay also suggested the possibility of levying a surcharge on hazardous household items. Ms. Barco related the current status of proposed legislation dealing with this subject.

There being no one else who wished to speak, Councilman Applegate moved to close the hearing. His motion was seconded by Councilman Walker and roll call vote was unanimously favorable.

MOTION: Councilman Applegate moved to continue Agenda Item 14a to Tuesday, March 24, 1992, 7:00 p.m. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

14b. CUP 89-83, MOD 91-1: FRED ARKENBERG

Mayor Geissert announced that this was the time and place for the continued public hearing of City Council consideration of an appeal by the applicant of a Planning Commission decision denying modification to a Conditional Use Permit to allow the construction and operation of a 9,200 square foot emergency medical facility in a previously approved retail center located in the C-3 zone at the northeast corner of Crenshaw and Sepulveda Boulevards. CUP 89-83, MOD 91-1, (EA 89-20): FRED ARKENBERG.

Proof of publication was filed without comment.

Planning Director Ferren affirmed staff's request that this agenda item be held indefinitely.

Councilman Walker SO MOVED. His motion was seconded by Councilman Wirth and carried without objection [Councilman Applegate abstained].

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* * *

At 10:31 p.m., the City Council recessed and reconvened as the Redevelopment Agency. The meeting of the Redevelopment Agency was adjourned at 10:33 p.m.

* * *

19. ORAL COMMUNICATIONS

19a. City Attorney Nelson advised, in response to Councilman Applegate, that he will provide the Council with a report concerning charges having to do with Mr. Steven Wymer.

19b. Councilwoman Hardison congratulated Councilman Nakano on his success in pursuing the realignment of State Assembly boundaries, which has precluded the City of Torrance from being split into more than one District.

19c. Councilwoman Hardison reported her attendance, on a personal level, at a recent Fine Arts/Parks and Recreation Commission meeting wherein the subject of establishing a non-profit fund raising foundation for the Cultural Arts Center was discussed.

Mayor Geissert commended the Commissions for their efforts in this regard and suggested that the City Attorney's office become involved in an advisory capacity at the early organizational meetings on this subject.

19d. Councilman Mock requested that the City Attorney's office monitor ordinances adopted by other cities relative to preventing gangs from utilizing public parks. Mr. Mock requested a report as to the constitutionality of such an ordinance and the possibility of its adoption in the City of Torrance.

19e. Councilman Nakano expressed appreciation to Councilwoman Hardison for her recognition and commendation regarding his efforts in the realignment of Assembly District boundaries. [See Agenda Item 19b above].

Councilmen Walker, Wirth and Mayor Geissert also expressed their appreciation to Councilman Nakano for his efforts in this regard.

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19f. Ms. Sara Horne, President of the Torrance League of Women Voters, requested that the Council appoint a citizens committee to review the City Charter.

19g. Mr. Ron Ellis [candidate for City Council], 880 West First Street, Suite 313, Los Angeles, registered his objection to a directive from the City Clerk which would require non-incumbent City Council candidates to hire a bonded copying service to obtain copies of requested documentation.

City Clerk Bramhall described a problem which had developed in his office because of an extensive volume of copying requested by one Council candidate.

19h. Mr. Mike Botello [candidate for City Council], 4718 Newton Street, urged full availability of requested material to all candidates.

Following Council discussion, Mayor Geissert suggested the hiring of temporary personnel in the City Clerk's office in order to fill large volume requests from candidates.

Councilwoman Hardison requested information as to the types and numbers of requests being received. City Manager Jackson will follow through with an analysis and report.

19i. Mr. Burton Fletcher [candidate for City Council], 21707 Hawthorne Boulevard, Suite 204, expressed concern regarding the lack of confidentiality surrounding certain of his requests for material from the City Clerk's office. Mr. Fletcher was informed of the City's policy in this regard by members of Council.

20. EXECUTIVE SESSION

20a. 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

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employee groups as well as certain other personnel matters.

- Litigation entitled Securities and Exchange Commission vs. Institutional Treasury Management, Inc., United States District Court, Central District of California Civil Action Case No. 91-6715RG (Ex) .
- Pending litigation entitled Socorro Lopez vs. Los Angeles County Flood Control District and City of Torrance, Los Angeles Superior Court Case No. SWC 10334.
- Pending litigation entitled McGrew Construction Co., et al. vs. City of Torrance, et al., Los Angeles Superior Court Case No. SWC 112528.
- Pending litigation entitled Margaret Ann Rexroad vs. City of Torrance, et al., Los Angeles Superior Court Case No. 83577.

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

At 11:30 p.m., the City Council recessed to executive session, returning at 11:50 p.m. There was no action as a result of the executive session.

21. ADJOURNMENT

At 11:50 p.m., this meeting was formally adjourned to Tuesday, February 4, 1992, 5:30 p.m. [a workshop on structuring of the City's investment policy to be held at 5:30 p.m., followed by regular Council business].

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Mayor of the City of Torrance


Clerk of the City of Torrance
Peggy Laverty
Minute Secretary

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