

I N D E X

Torrance City Council - February 11, 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, February 11, 1992, at 7:05 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

Boy Scout Troop #310 - Michael St. Vincent, Scoutmaster, led the salute to the flag.

INVOCATION

The invocation for the meeting was provided by Fire Chief Scott Adams.

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 WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS

Finance and Governmental Operations Committee

February 25, 1992, 5:30 p.m.

Subject: Mid Year Budget Review.

6. COMMUNITY MATTERS

6a. PRESENTATION OF COMMUNITY SERVICE AWARDS

Mayor Geissert presented community service awards to the following recently retired Commissioners.

Gerald Alter	-	Water Commission
Peter Barrera	-	Torrance Environmental Quality and Energy Conservation Commission
George Brewster	-	Planning Commission
Helen Brock	-	Parks and Recreation Commission
Eleanor Brogdon	-	Water Commission
Dick Cahill	-	Civil Service Commission
Joseph Martinez	-	Traffic Commission [unable to be present at this meeting]
Jack Messerlian	-	Planning Commission
John Nushy	-	Human Resources Commission
Suzan Van Pelt	-	Cable TV Advisory Board.

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7. CONSENT CALENDAR

7a. APPROVAL OF MINUTES - January 21, 1992.

NOTE: Page 13, Agenda Item 19e, of the January 21 minutes should correctly indicate Assembly, rather than Congressional boundaries.

7b. INSTALLATION OF NEW RADIO EQUIPMENT

RECOMMENDATION:

It is the recommendation of the Water Department that the City Council authorize an appropriation of \$110,000 from the Water Revenue Bond Fund to cover the Water Department's share of the new radio system.

7c. COUNCIL AWARD OF CONTRACT - Re: Renewal of the annual contract for the rental of City work uniforms with pricing, terms, and conditions to remain unchanged from the previous year.

Anticipated Expenditure: \$64,877.00.

RECOMMENDATION:

The Purchasing Division recommends that your Honorable Body authorize the renewal of the City's existing contract with Aratex Services, Inc., of Paramount, CA, in the anticipated amount of \$64,877.00, for the rental of work uniforms for another year, with pricing, terms, and conditions to remain unchanged from the previous year.

7d. APPROVAL OF LICENSE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON FOR POST SUBSTATION SITE

RECOMMENDATION:

It is the recommendation of the Parks and Recreation Director that your Honorable Body approve the License Agreement with a fee of \$1,450 and authorize the Mayor to execute and the City Clerk to attest the Agreement on behalf of the City.

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7e. ACCEPTANCE OF THE TORRANCE CULTURAL ARTS CENTER AND
RELEASE OF PAYMENT RETENTION TO MORAN CONSTRUCTION

RECOMMENDATION:

It is the recommendation of the City Manager that the City Council accept the completion of the Torrance Cultural Arts Center, appropriate the remaining \$584,504 [per supplemental material of record] in the Cultural Arts Center reserve fund for final construction costs and authorize the release of the \$679,426 retention payment to Moran Construction Co.

Councilman Applegate expressed his opinion that an unsafe condition exists because of the steep slope of the aisles in the James Armstrong Theatre with apparent problems particularly in exiting from the seating rows onto the aisles. Staff provided input on the subject, following which Mr. Applegate requested that the architect be put on notice regarding his concerns.

Councilwoman Hardison requested a written report on the expenditure of Cultural Arts Center funds.

MOTION: Councilman Applegate moved to concur with Agenda Items 7a through 7e, inclusive [including correction to the minutes of January 21, as noted]. His motion, seconded by Councilman Mock, carried by unanimous roll call vote.

9. TRANSPORTATION/PUBLIC WORKS MATTERS

9a. PROPOSED METROPOLITAN WATER DISTRICT [MWD] WHOLESALE
WATER RATES - FISCAL 1992-93

STAFF RECOMMENDATION:

It is the recommendation of the Water Department that the City Council conditionally support Metropolitan's latest wholesale water rate proposal in accordance with Option 3 [summarized as follows]...

3. Conditionally support Metropolitan's current rate
adjustment proposal.

While the proposed \$61 per acre foot [af] adjustment in wholesale rates for fiscal 1992-93 is substantial, implementation of the increase may avoid the necessity of a much larger adjustment next year.

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Support of the proposed adjustment in Metropolitan's wholesale water rates should be conditional based on the commitment of the District to undertake the following measures:

- o Implement an ongoing and comprehensive evaluation of operating and capital expenditures.
- o Permanently eliminate the practice of implementing pay-as-you-go funded capital improvements.
- o Implement aggressive budget review procedures and establish the Special Budget Committee as a permanent feature of the oversight process.
- o Investigate contracting out of various activities to achieve internal economies.
- o Evaluate the potential for developing additional sources of firm revenue to balance out fluctuations in water sales revenue. Specifically, assess the feasibility of implementing buy-in charges for developing areas with the District.
- o Defer lower priority capital improvement projects.
- o Roll back a portion of the wholesale rate adjustment if water revenues improve significantly during the year.

WATER COMMISSION ACTION:

Although no formal action was taken, it was the consensus of the Water Commission that Metropolitan's latest proposal calling for a \$61 per af adjustment in wholesale rates is the best available option under the present circumstances.

CITY MANAGER'S NOTE:

The City Manager is opposed to a rate increase at this time. It seems inappropriate to raise rates at a time when water customers have made significant progress in water conservation.

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It is believed that the Metropolitan Water District has made some efforts to constrain internal expenditures. However, the City has not yet seen an analysis of MWD's internal expenditures. With that in mind, the City Manager favors waiting for the MWD analysis of internal financial constraints prior to considering any rate increase.

City Engineer Burtt provided the staff report on this agenda item noting that, in addition to City staff, Mr. Marv Brewer, Metropolitan Water District Director, and Mr. Chris Portner, Financial Services Manager for the Metropolitan Water District [MWD], were present to respond to questions.

Mr. Chris Portner, Manager of Financial Services for MWD, provided a brief history of Metropolitan Water budgetary reductions and related the rationale behind the proposed rate increase.

City Manager Jackson responded to Council inquiries as did Finance Director Giordano-Specht regarding the City Manager's position, concerns, and the need for further elaboration relative to Metropolitan's long-range budget plans, specifics regarding cutbacks, etc.

Councilwoman Hardison expressed her dissatisfaction with the fact that, although citizens substantially reduced the amount of water used at Metropolitan's request, they are now to be charged more for less water usage and are, in effect, being penalized for conserving.

Audience input was invited.

Ms. Kay White, 645 Via los Miradores, speaking on behalf of the Water Commission, affirmed the Commission's support of the Department's recommendation.

Ms. Dianne Martin, 18202 Purche Avenue, expressed her opinion that the proposed increase in water rates is unjustified and is particularly unfair to those who have diligently tried to conserve.

Councilman Mock noted his opinion that although there have been significant capital project cutbacks, Metropolitan is "still not living within the means of their budget." He then offered the following...

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MOTION: Councilman Mock moved to concur with the City Manager's recommendation to oppose the proposed MWD rate increase. His motion was seconded by Councilman Nakano.

Councilman Applegate recalled a meeting of the Council Finance and Governmental Operations Committee at which Metropolitan Water District Director Brewer provided input as to the fiscal responsibilities and capabilities of MWD. Mr. Applegate noted that significant salary increases were regularly taking place at Metropolitan, and, in his opinion, the City Manager's recommendation is appropriate.

Concerns about past actions of MWD were expressed by Councilman Wirth, who agreed with Mrs. Hardison's comments regarding the impact of the rate increase on citizens who have made every effort to conserve water.

Roll call vote on the above motion proved unanimously favorable.

13. ADMINISTRATIVE MATTERS

13a. UTILIZATION OF PERS CONTRIBUTIONS BY CITY

RECOMMENDATION:

The decision as to whether or not to create an impound fund for the funds that the City would ordinarily pay to PERS is an administrative decision that the Council should consider in conjunction with the City Manager and the City Finance Director. It is not recommended that the City file a separate lawsuit at this time, since the only feasible one would be duplicative of the one filed by the various employee organizations. The Council may wish to provide a letter of support which could possibly be used to indicate to the court that their action has municipal support.

City Attorney Nelson provided a brief overview of this item [per agenda material of record], noting that this matter was introduced to Council under Oral Communications at the Council meeting of February 4th.

Mr. Charles Oates, representing the Torrance Retired Police Officers Association, reiterated his request of February 4th [see Page 14, Item 19g, of those minutes] that the City Council communicate with the Public Employees Retirement System [PERS] opposing the abridgment of the City's contract with PERS.

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Councilman Walker noted that, at his request, a draft of a proposed letter to PERS had been presented by Mr. Oates for consideration and his own modification of that letter was now in the hands of Council, the City Manager and City Attorney. Responding to a question by Councilman Walker, City Attorney Nelson offered his opinion that the statements contained in the letter are legally correct.

MOTION: Councilman Walker moved that the letter currently before Council be forwarded through FAX to PERS explaining the City's position. His motion was seconded by Councilman Wirth.

Mayor Geissert expressed a resentment at not having received this draft letter until the inception of this meeting and being asked for a decision at this time.

A lengthy discussion developed as to the accuracy of all statements set forth in the letter and the appropriateness of the action. The need for review of the document for accuracy was stressed particularly by Councilmembers Applegate and Hardison.

Audience comments were invited.

Mr. Mack Oetting, retired Fire Fighter, 37780 Bearing Circle, Temecula Valley, urged the City to set up an impound account for the specific purpose of accommodating set-aside funds.

Stating that he represented several hundred retired public employees in the area, Mr. Dick Cahill, 1004 Sierra Place, voiced concerns regarding decreased payments to certain retirees.

Mr. Rick Bongard, 1701 Crenshaw, President of the Torrance Fire Fighters Association, requested and received clarification from the City Manager as to possible budgetary impacts and suggested the possibility of enhancing income for medical insurance for retirees by utilizing the interest from the set-aside funds. The Mayor stated that this possibility could be considered.

The last audience speaker was Ms. Edna Goodrow, 1731 Iris, an employee of the Torrance School District, who noted that school employees are also affected by the problem with PERS.

Councilman Walker AMENDED HIS MOTION to note that the fourth paragraph of the letter under consideration should be revised to read: "The City of Torrance will set aside an amount

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equal to its contribution to PERS. To do otherwise would fiscally jeopardize the City and put the City in violation of its collective bargaining obligations [rather than contracts]...." Acceptance was indicated by Councilman Wirth, seconder of the motion.

As discussion continued, Councilman Applegate strongly recommended that the core dollars set aside by the City be frozen and not utilized until there is a resolution to the matter.

Mayor Geissert requested that the City Attorney review the letter prior to its distribution. City Attorney Nelson suggested that all parties be copied.

Mr. Mack Oetting requested that a copy of the letter be sent to each employee organization in the City. City Manager Jackson concurred.

Roll call vote on the amended motion was unanimously favorable.

* * *

At 9:00 p.m., Mayor Geissert called a recess. The Council reconvened at 9:28 p.m.

* * *

13b. DELEGATION OF INVESTMENT AUTHORITY TO CITY TREASURER

Councilman Applegate noted that this matter was placed on the Council agenda at his request because of information that came to light within the past week regarding the health of the City Treasurer and his expected absence from the City for an unspecified period of time.

Mr. Applegate expressed his desire that the matter be discussed and, if deemed appropriate, official Council action be taken in order to establish any assistance and support which might be needed by members of staff in the Treasurer's absence.

It was pointed out by City Manager Jackson that the consulting effort coming forward shortly would be the first step in implementing the checks and balances recently approved by Council.

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During the ensuing discussion the on-going cooperative efforts of the City's Finance Director and Deputy City Treasurer were acknowledged. City Attorney Nelson advised that, rather than formal Council action at this stage, it would be appropriate to recognize that any required expenditures of monies in the programs established would require Council approval.

Provisions established by resolutions adopted at the February 4, 1992, Council meeting were enumerated by Mayor Geissert and no further formal action was taken at this time.

14. HEARINGS

14a. ZC 91-5, GPA 91-4: CITY OF TORRANCE

Mayor Geissert announced that this was the time and place for a public hearing on City Council consideration of a Zone Change from R-2 (two-family residential) and C-1 (retail commercial) to PU (public use) and a General Plan amendment from low-medium density residential to public/quasi-public open space on property located at 1701 Crenshaw Boulevard. ZC 91-5, GPA 91-4 (EA 91-13): CITY OF TORRANCE.

Proof of publication furnished by the City Clerk was filed without comment.

During the staff presentation on this agenda item, Senior Principal Planner Gibson advised that the Planning Commission and the Planning Department recommend approval of the request.

In response to Councilman Wirth, Mr. Gibson offered his opinion that the preliminary plan for this property would meet the concerns of neighborhood residents relative to noise, access, and landscaping.

Councilman Applegate advised of his understanding that area residents would like an insert in the wrought iron gate in order to screen the parking lot from their view. Mr. Gibson indicated staff's concurrence with the request.

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

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RESOLUTION NO. 92-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING THE LAND USE ELEMENT OF THE GENERAL PLAN, AS ADOPTED AUGUST 29, 1974, BY RESOLUTION 74-194, TO REVISE THE DESIGNATION OF THAT CERTAIN PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CRENSHAW BOULEVARD AND CARSON STREET THROUGH TO DATE AVENUE FROM THAT OF LOW-MEDIUM DENSITY RESIDENTIAL TO PUBLIC/ QUASI-PUBLIC OPEN SPACE
GPA 91-4: CITY OF TORRANCE

MOTION: Councilman Nakano moved to adopt Resolution No. 92-30. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

ORDINANCE NO. 3345

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN PROPERTY SOUTH OF CARSON STREET BETWEEN CRENSHAW BOULEVARD AND DATE AVENUE FROM C-1 (RETAIL COMMERCIAL) AND R-2 (TWO-FAMILY RESIDENTIAL) TO PU (PUBLIC USE)
ZC 91-5: CITY OF TORRANCE

MOTION: Councilman Nakano moved to approve Ordinance No. 3345 at its first reading. His motion, seconded by Councilwoman Hardison, carried by unanimous roll call vote.

14b. RESIDENTIAL CURBSIDE RECYCLING PROGRAM

Mayor Geissert announced that this was the time and place for a public hearing on the City's residential curbside recycling program.

Proof of publication was filed without comment.

Staff presentation was provided by the City's Recycling Coordinator, Arlene Barco, and the following was noted...

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RECOMMENDATION:

It is the recommendation of the City Manager and the Street Services Director that the City Council:

1. Conduct a public hearing for review and approval of a residential recycling fee of an additional \$1.50 per month to offset the cost of the recycling program;
2. Approve the addition of five refuse truck operators and two refuse workers to the Street Services Department 1991-92 budget for implementation of the recycling program;
3. Direct staff to return with enabling resolutions during the budget process.

Public input was invited by the Mayor.

Mr. Edward Price, 4214 West 176th Street. objected to the City's collection of recyclable materials which, heretofore he was able to utilize to raise funds for non-profit entities. He further objected to the proposed \$1.50 fee increase.

Ms. Barco, Recycling Coordinator for the City, explained that curbside recycling, while encouraged, is not a mandatory program and citizens would not be expected to forego their practice of participating in various private recycling activities.

Opposition to an increase in fees was also voiced by Mr. Alfredo Correa, 5126 Newton Street, who also urged the City to revert some of the recycling funds into youth programs.

Mr. Pat Brady, 3235 West 188th Street, objected to the fee increase, as did Ms. Dottie Covington, 23235 Doris Way.

Mr. Marvin Miller, 1815 Andreo Avenue, described problems inherent in alley trash pickup wherein 300-gallon trash cans are utilized. He requested that the City consider allowing those residents to utilize single-family containers, rather than the larger, shared containers. Mr. Miller also opposed the fee increase.

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

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MOTION: Councilman Applegate moved to concur with the staff recommendation on Agenda Item 14b. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

* * *

At 10:50 p.m., the City Council recessed and reconvened as the Redevelopment Agency of the City of Torrance. The meeting of the Redevelopment Agency was adjourned at 10:51 p.m.

* * *

19. ORAL COMMUNICATIONS

19a. Street Maintenance Superintendent Garcia reported on the impact of the recent storms.

19b. Councilwoman Hardison noted a recently-proposed change in Supervisorial boundaries which would divide the City into two separate districts. Mrs. Hardison requested that the Council reiterate its previous position that the City be maintained as a single district. There were no objections and it was so ordered.

19c. Councilman Mock inquired regarding the City's tree trimming program in the Riviera section of Torrance. Street Superintendent Garcia provided the desired information.

19d. Councilman Mock reiterated his request at an earlier Council meeting for procedural guidelines in terms of future Councilmanic requests for agenda items. City Manager and City Attorney offices are preparing same.

19e. Councilman Mock requested that the City Attorney return with an agenda item concerning accessibility of absentee ballot applications to City Council candidates.

Councilman Applegate expressed his concern regarding possible safety implications involving the release of this information.

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19f. Councilman Nakano expressed appreciation for the City Attorney's written response to his recent inquiry regarding parental liability for graffiti clean-up costs.

19g. Councilman Nakano requested that staff provide a discussion paper relating to Proposition 84, which concerns low interest rate loans for rental housing construction.

19h. Councilman Nakano requested that provisions be made in the budget process to accommodate all young people desiring to participate in the City's youth basketball program.

19i. Councilman Walker requested that the City investigate the possibility of annexing the Alondra Park and Golf Course, as well as El Camino College. Mr. Walker suggested this as a means of bringing effective law enforcement to that problem area, and formally requested a study be implemented.

19j. Councilman Wirth suggested that the City's views regarding transit issues be communicated directly to the State Legislature, possibly along with the views of other Charter cities that share like concerns.

19k. Mayor Geissert added her concurrence to Councilman Mock's request that a policy be adopted for placing matters on the Council agenda. [See Page 13, Item 19d.]

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 employee groups as well as certain other personnel matters.

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- 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 Tom Eric Bowlin, et al. vs. Anthony Peter Cordato and the City of Torrance, Los Angeles Superior Court Case No. SWC 110221.

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

At 11:15 p.m., the City Council recessed to executive session, returning at 11:40 p.m. No action was taken as a result of the executive session.

21. ADJOURNMENT

At 11:40 p.m., this meeting of the City Council was formally adjourned to Tuesday, February 18, 1992, 5:30 p.m.

#


 Mayor of the City of Torrance


 Clerk of the City of Torrance

Peggy Laverty
 Minute Secretary

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