

February 1, 2005

**MINUTES OF AN ADJOURNED REGULAR  
MEETING OF THE TORRANCE CITY COUNCIL**

**1. CALL TO ORDER**

The Torrance City Council convened in an adjourned regular session at 6:02 p.m. on Tuesday, February 1, 2005 in City Council Chambers at Torrance City Hall.

**ROLL CALL**

Present: Councilmembers Lieu, Mauno, McIntyre, Nowatka, Scotto, Witkowsky and Mayor Walker.

Absent: None.

Also Present: City Manager Jackson, City Attorney Fellows  
City Clerk Herbers, and other staff representatives.

**2. FLAG SALUTE/INVOCATION**

The Pledge of Allegiance was led by Councilmember McIntyre.

Councilmember Scotto gave the non-sectarian invocation for the meeting.

**3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING**

**MOTION:** Councilmember Lieu moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Witkowsky, and passed by unanimous roll call vote.

**MOTION:** Councilmember Lieu moved that after the City Clerk has read aloud the number and title to any resolution or ordinance on the meeting agenda, the further reading thereof shall be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember Mauno and passed by unanimous roll call vote.

**4. WITHDRAWN OR DEFERRED ITEMS**

None.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Councilmember Scotto announced a meeting of the Finance and Governmental Operations Committee on Tuesday, March 8, at 4:30 p.m. in the City Council Chambers to discuss the mid-year budget.

Fire Chief Bongard reminded everyone that ExxonMobil would be conducting their monthly test of the siren and community alert system Wednesday, February 2, at 11:30 a.m.

Councilmember Witkowsky reported that the Community Planning and Design Committee held a meeting on January 27, 2005 to discuss the Historic Preservation Overlay Zone (HPOZ) and the Mills Act; that approximately 250 people have provided input on the historic preservation issue over the course of 4 meetings; and that an action item will be considered at the committee's next meeting

Mayor Walker announced that the Jared Sidney Torrance Award will be awarded posthumously to Ron Littlefair with presentation information coming forward at a later date.

6. **COMMUNITY MATTERS**

6A. **RESOLUTION NO. 2005-07 RE GERALD R. STROUSE**

**RESOLUTION NO. 2005-07**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING GERALD R. STROUSE UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-ONE YEARS OF SERVICE

**MOTION:** Councilmember McIntyre moved for the adoption of Resolution No. 2005-07. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

Mayor Walker presented the framed resolution to Gerald Strouse, who accepted with appreciation.

Fire Chief Bongard commended Captain Strouse for his 31 years of dedicated service on the Fire Department, noting that he served as paramedic coordinator for the past 4 years.

6B. **PROCLAMATION RE “ GO RED FOR WOMEN DAY”**

Mayor Walker presented a proclamation to Dr. William Averill, President of L.A. County Division of the American Heart Association, declaring February 4, 2005 as **Go Red for Women Day** in the City of Torrance and encouraging all citizens in the community to wear **RED** on February 4<sup>th</sup> in support of all women – family, friends, and neighbors – who have suffered from heart disease or stroke.

6C. **RECOGNITION OF POLICE CHIEF HERREN AS OUTGOING PRESIDENT OF LOS ANGELES COUNTY POLICE CHIEFS’ ASSOCIATION**

David Singer, Whittier Chief of Police, on behalf of the Los Angeles County Police Chiefs’ Association, presented Torrance Police Chief James Herren with a plaque, thanking him for serving as the organization’s president in 2004 and commending him for doing an outstanding job.

Los Angeles District Attorney Steve Cooley presented a proclamation to Chief Herren expressing appreciation for his leadership and accomplishments during his term as president.

Los Angeles County Sheriff Lee Baca presented Chief Herren with a commendation on behalf of the Los Angeles County Sheriff’s Department.

7. **CONSENT CALENDAR**

7A. **APPROVAL OF MINUTES – December 7, 2004**

7B. **PURCHASE ORDER RE UNINTERRUPTIBLE POWER SUPPLY**

**Recommendation**

Recommendation of the **Information Technology Director** that City Council authorize a purchase order be issued for \$44,484.69, to MSN Communications of Redondo Beach, CA to furnish and install an uninterruptible power supply. (B2005-01)

**7C. TORRANCE YOUTH COUNCIL 2003-2004 ANNUAL REPORT**

**Recommendation**

Recommendation of the **Community Services Director** and the **Youth Council** that City Council accept and file the Torrance Youth Council 2003-2004 Annual Report.

Considered separately, see page 4.

**7D. CONSIDERATION FOR COUNCIL DARK NIGHT ON MARCH 15, 2005**

**Recommendation**

Recommendation of the **City Manager** that City Council consider Tuesday, March 15, 2005 as a City Council dark night so Council members can participate in the National League of Cities Annual Congressional City Conference in Washington, DC.

**7E. MAINTENANCE SERVICE AGREEMENT WITH CISCO SYSTEMS FOR DATA NETWORK DEVICES**

**Recommendation**

Recommendation of the **Information Technology Director** that City Council approve the award of a service agreement to Cisco Systems in the amount of \$33,716 to provide data network equipment maintenance services.

**7F. MODIFICATION OF CONTRACT #C2004-185 WITH GARTNER CONSULTING**

**Recommendation**

Recommendation of the **Chief of Police** and the **Fire Chief** that City Council approve a modification to the existing contract with Gartner Consulting (C2004-185) to search for Computer Aided Dispatch, Records Management System, and Mobile Data Computer modules for both the Police and Fire Departments in the amount of \$29,880 for a total expenditure of \$169,080.

**MOTION:** Councilmember Scotto moved for the approval of Consent Calendar Items 7A, 7B, 7D, 7E and 7F. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

Consent Calendar Item 7C was considered at this time.

**7C. TORRANCE YOUTH COUNCIL 2003-2004 ANNUAL REPORT**

**Recommendation**

Recommendation of the **Community Services Director** and the **Youth Council** that City Council accept and file the Torrance Youth Council 2003-2004 Annual Report.

Councilmember Witkowsky stated that she asked for separate consideration of this item because she wanted to call attention to the Youth Council's extraordinary accomplishments. She noted that Youth Council members participate in a variety of fundraisers to help support the ATTIC teen center and assist at community events, including the Harvest Health Fair and the Turkey Trot Fun Run.

**MOTION:** Councilmember Witkowsky moved to concur with the staff recommendation. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

**11. ADMINISTRATIVE MATTERS**

**11A. AMENDED LEASE FOR CITY-OWNED PROPERTY AT 2800 SKYPARK**

**Recommendation**

Recommendation of the **Land Management Team** that City Council authorize the Mayor to execute and the City Clerk to attest to:

- 1) A Resolution determining that certain City-owned property is not required for city purposes and that leasing the property is in the public interest;
- 2) An Amended and Restated Lease (“Lease”), by and between the CITY OF TORRANCE, a municipal corporation, as Lessor, hereinafter referred to as the “City”, and SOUTH END RACQUET AND HEALTH CLUB, INC., a California corporation, as Lessee, hereinafter referred to as “Lessee” for City-owned property located at 2800 Skypark, Torrance; and
- 3) A Memorandum of Lease between the City of Torrance, a municipal corporation (Lessor) and South End Racquet and Health Club, Inc., a California corporation (Lessee).

Land Management Team Chair Sunshine briefly reviewed the proposed changes to the lease with South End Racquet and Health Club, Inc. for City-owned property at 2800 Skypark.

**MOTION:** Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

**RESOLUTION NO. 2005-08**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DETERMINING THAT CERTAIN CITY-OWNED PROPERTY IS NOT REQUIRED FOR CITY PURPOSES AND THAT LEASING THE PROPERTY IS IN THE PUBLIC INTEREST

**MOTION:** Councilmember McIntyre moved for the adoption of Resolution No. 2005-08. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

**11B. OPTION TO PURCHASE TORRANCE UNIFIED SCHOOL DISTRICT LAND FOR ROADWAY IMPROVEMENTS**

**Recommendation**

Recommendation of the **City Manager** that City Council consider financial assistance to the Torrance Unified School District by implementing the following:

- 1) A one-time use of funds (\$3,000,000) provided through the creation of a capital roadway project as shown in the companion item – Capital Budget;
- 2) Direct the City Manager to explore the mechanism to achieve this assistance through the acquiring of right-of-way for the future extension of the Jefferson/Plaza del Amo street project (short-term as an option agreement) with a partial out clause available to the District; and
- 3) The City and TUSD continue to explore ways of achieving joint efficiencies and savings between the two agencies.

City Manager Jackson noted that the City Council requested that staff explore ways of providing financial assistance to the Torrance Unified School District to mitigate the impact of its budget shortfall. He explained that while monies are not available in the City’s operational budget, \$3 million has been identified in the existing 5-year capital budget that could be diverted for this purpose. He advised that as the funds identified are

restricted and can only be used in very specific ways, staff has devised a methodology for swapping them for unrestricted funds by de-funding two projects (190<sup>th</sup> Street resurfacing and Torrance Boulevard realignment). He reported that these funds would be used to acquire an option to purchase school district land, which would allow for the future extension of Jefferson/Plaza del Amo, and that he was recommending a two-year period for the option agreement. He noted that the details would have to be worked out with TUSD and that the funds would be held in a budget reserve to be used to pay fees, taxes and services the school district incurs with the City.

Mayor Walker related his preference for a three-year term for the option agreement.

Councilmember Witkowsky suggested the possibility of going forward with the purchase of the land. City Manager Jackson explained that there is a lengthy process the school district must go through before selling land; that the land has not been appraised and no price has been defined; and that it may be more advantageous for the school district to receive the funds by means other than the outright sale of the property.

Councilmember Lieu indicated that he would support a longer term for the option agreement because he would like to give the school district as much time as possible to work out its financial difficulties.

A brief discussion ensued regarding the timeframe for the agreement. City Manager Jackson noted that the City has an interest in extending Jefferson/Plaza del Amo due to the development in this area and suggested setting five years as the outside limit, with a provision that would allow the City to move forward with the street earlier if funding opportunities come through.

Mayor Walker stated that he thought it was important that some of the people who participated in the initial decision are still on the Council when the agreement comes to an end, therefore, he would not recommend going beyond 4 or 5 years.

In response to Councilmember Nowatka's inquiry, City Manager Jackson estimated that it would take 30-60 days to reach an agreement with the school district.

Councilmember Nowatka expressed reservations about the proposal to defer two major capital improvement projects to place \$3 million in escrow for use by the school district. He noted that \$3 million will not cure the school district's financial problems and the City could be placing itself in a position where these funds cannot be recovered. He stated that he did not want to be labeled as "anti-children," however, his first responsibility is to the taxpayers of Torrance.

Councilmember Scotto emphasized that the City has been interested in this property for a long time and the possibility of acquiring it was discussed prior to the school district's financial problems. He noted that the \$3 million will not be paid in a lump sum, but will be drawn down over a period of years.

Finance Director Tsao estimated that the school district typically pays the City \$400,000 to \$500,000 a year and City Manager Jackson reported that the amount could increase to \$1-1.2 million a year.

Mayor Walker voiced support for the proposal, which he views as an investment in the community's children. Noting that the school district is facing major financial problems, he pointed out that should the district choose not to sell the property, it would still have had the use of the money interest free for the term of the agreement.

In response to Councilmember Mauno's inquiry, City Manager Jackson confirmed that should the Council concur with the recommendation, staff would return with the specific details of the agreement and either side may decide not to go forward with it.

Commissioner Lieu asked about the savings to the school district in terms of interest, and Finance Director Tsao estimated that the school district could save between \$180,000-200,000 per year in interest.

Councilmember Lieu noted that this action is intended to help the school district and any benefit to the City is secondary. He voiced his opinion that the quality of education in Torrance is very important because it directly affects the quality of life and suggested that a failing school district would cause a decrease in property values.

In response to Councilmember Nowatka's inquiry, City Manager Jackson reported that the City contributes \$750,000-900,000 to the school district annually through such items as not charging for the use of City facilities and providing crossing guards and school resource officers.

Torrance School Board President Joseph Bonnano expressed appreciation for the City's efforts to assist the school district. He stated that he hoped the proposal would go forward so that representatives from both parties could get together and work out a mutually beneficial agreement.

Linda Gottshall-Sayed, President of West Torrance Homeowners Association, stated that she was not opposed to helping the school district but felt the City was short-sighted when it lost an opportunity to join with the school district to reduce election expenses instead of going forward with Measure T, which was approved by voters last November. She reported that she and her neighbors had looked forward to the resurfacing of 190<sup>th</sup> Street and related her understanding that the City will incur increased maintenance costs due to the deferral of this project.

Newton Young, Hickory Avenue resident, voiced objections to the proposal, stating that the school district has long suffered from mismanagement and a lack of oversight and any loan given by the City is unlikely to be repaid. He suggested that if the City has extra money, it should be used to repair city streets, which are in third world condition, and indicated that he was opposed to loaning money without charging interest. He maintained that there was no point in connecting Jefferson Street with Plaza del Amo because there is very little activity in this area.

Indicating that he would support the proposal, Commissioner Mauno stated that he agreed with Councilmember Lieu that a viable education system is vital to the community, however, he shared Mr. Young's frustration about the school district's financial situation. He suggested that the school district consider forming a subcommittee composed of financial professionals with high ethical backgrounds to thoroughly examine the district's finances and make recommendations for the future.

Mayor Walker noted that those currently charged with the oversight of the school district are not necessarily responsible for the district's current financial situation. He stated that everyone involved is making a great effort to work through the situation for the betterment of Torrance and that this was the first step in a process, which would allow the City and the school district to join hands and come up with a creative way to get money to the school district. With regard to not charging interest, he explained that this proposal was designed to help the City's school children, not to make money for the City of Torrance.

**MOTION:** Councilmember Witkowsky moved to concur with the staff recommendation, modifying the term of the option agreement to 5 years. The motion was seconded by Councilmember Mauno and discussion briefly continued.

Councilmember Nowatka indicated that he supported the exploration of the concept but did not want to commit to a specific term for the agreement or to de-fund two major street projects without additional information. He suggested the possibility of going forward with negotiations with the school district, without setting the funds aside.

City Manager Jackson stated that he would not recommend delaying the de-funding of these projects because the projects to which these funds are being shifted are moving forward. He suggested that the Council could set a time limit to reconsider funding for these projects if the matter of the option agreement is not resolved.

Mayor Walker stated that he believed there was already enough latitude in the staff recommendation.

At Councilmember Scotto's request, City Manager Jackson provided clarification regarding restricted and unrestricted funds.

City Manager Jackson clarified that the agreement would include a provision allowing the school district to reacquire the entire property or just of portion of it, if the City goes forward with the roadway.

Mayor Walker called for a vote on the motion, and the motion was approved by a 6-1 roll call vote, with Councilmember Nowatka dissenting.

Mayor Walker commended City Manager Jackson for moving so quickly on this item and for using great creativity in addressing this situation.

## **11C. CAPITAL BUDGET REVISIONS**

### **Recommendation**

Recommendation of the **City Manager** and the **Finance Director** that City Council approve modifications to the 2005-2009 Five-Year Capital Budget.

With the aid of slides, Finance Director Tsao reviewed the proposed revisions to the 2005-2009 Five-Year Capital Budget. He discussed bond appropriations to date; funding for the Plaza del Amo East roadway enhancement; proposed Capital Budget transfers and other changes in capital funding; and the allocation of \$19 million in bond proceeds. He noted that the revisions include the de-funding of two street projects (190<sup>th</sup> Street resurfacing and Torrance Boulevard realignment) as approved by the Council in the previous item.

In response to Councilmember Witkowsky's inquiry, City Manager Jackson provided clarification regarding funding for the Sartori project.

**MOTION:** Councilmember Witkowsky moved to concur with the staff recommendation. The motion was seconded by Councilmember Scotto and passed by a 6-1 roll call vote, with Councilmember Nowatka dissenting.

**11D. CONSULTING SERVICES AGREEMENT RE DEL AMO BLVD. EXTENSION**

**Recommendation**

Recommendation of the **Acting Deputy Public Works Director** that City Council

- 1) Approve a two-year consulting services agreement with Moffatt & Nichol Engineers in the amount of \$1,475,116 to provide right-of-way appraisal/acquisition services and design services in conjunction with the Del Amo Boulevard Extension/Grade Separation, T-30; and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

**MOTION:** Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

**11E. ORDINANCE NO. 3662 RE REPORTING REQUIREMENTS FOR CONSTRUCTION AND DEMOLITION PROJECTS**

**Recommendation**

Recommendation of the **Assistant City Manager** and the **Community Development Director** that City Council:

- 1) Adopt an Ordinance amending the Torrance Municipal Code regarding waste reduction reporting requirements for construction and demolition projects undertaken in the City of Torrance; and
- 2) Approve an ordinance summary for publication.

Waste Management Coordinator Sherman provided an update on the City's efforts to achieve a 50% reduction in waste as mandated by the State of California. She noted that while the residential sector is meeting this requirement, the commercial sector, which includes multi-family residences and businesses, is not, therefore staff was recommending the adoption of the proposed ordinance, which would require contractors and demolition haulers to divert at least 50% of the waste from projects that cost \$100,000 or more.

Responding to questions from the Council, Waste Management Coordinator Sherman confirmed that private trash haulers have been encouraged to provide recycling bins for businesses and explained that there are no plans to implement a green waste program at this time because it constitutes only 1-3% of the City's waste.

**MOTION:** Councilmember Scotto moved to concur with staff recommendation and approve an ordinance summary for publication. The motion was seconded by Witkowsky and passed by unanimous roll call vote.

**ORDINANCE NO. 3662**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE  
CREATING A NEW ARTICLE OF THE TORRANCE MUNICIPAL CODE  
RELATING TO WASTE REDUCTION REPORTING REQUIREMENTS  
FOR CONSTRUCTIONS AND DEMOLITION PROJECTS

**MOTION:** Councilmember McIntyre moved for the adoption of Ordinance No. 3662. The motion was seconded by Councilmember Lieu and passed by unanimous roll call vote.

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The Council met as the Redevelopment Agency from 7:45 p.m. to 8:13 p.m.

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**16. ORAL COMMUNICATIONS**

**16A. City Manager Jackson** announced that Robert Beste would be the new Public Works Director.

**16B. City Clerk Herbers** announced that applications would be accepted through Wednesday, March 2, to fill vacancies on the various commissions, with appointments to be made at the March 8 City Council meeting. [Cable Television Advisory Board (2 seats), Civil Service Commission, Environmental Quality and Energy Conservation Commission, and the Library Commission]

**16C. City Clerk Herbers** invited staff and the public to view the photographs of Torrance Artist Guild member Tom Prettyman on display in the City Clerk's office for the month of February.

**16D. Councilmember Lieu** reported on the decrease in violent crime in Torrance, stating that it decreased by 20% during the first 10 months of 2004. He noted, however, that there has been a recent rash of burglaries in North Torrance, therefore, the Police Department would be holding a community meeting on February 3, 2005, at 6:30 p.m. in the North Torrance High School Library.

**16E. Councilmember Lieu** welcomed new Public Works Director Robert Beste.

**16F. Councilmember Lieu** noted that he attended the South Bay Chamber of Commerce installation dinner where the keynote speaker was Assemblyman Mike Gordon.

**16G. Councilmember Mauno** stated that he was honored to attend the City of Torrance Employees Service Award dinner and thanked the employees for providing many years of excellent service.

**16H. Councilmember McIntyre** echoed comments regarding the employee dinner.

**16I. Councilmember McIntyre** welcomed new Public Works Director Beste and congratulated Police Chief Herren.

**16J. Councilmember Nowatka** congratulated Police Chief Herren and also welcomed new Public Works Director Beste.

**16K. Councilmember Scotto** also welcomed new Public Works Director Beste and congratulated Police Chief Herren, noting that Chief Herren obviously has the respect of his peers as evidenced by the many police chiefs who were present for Agenda Item 6C (Recognition of Chief Herren as outgoing President of Los Angeles County Police Chiefs' Association).

**16L. Councilmember Witkowsky** also welcomed new Public Works Director Beste and congratulated Police Chief Herren.

**16M. Councilmember Witkowsky** wished Linda Cessna a happy birthday.

**16N. Councilmember Witkowsky** asked the City Manager to bring forward an item to waive fees for two events, the Torrance Volunteers Old Fashion Picnic for volunteer organizations, including CERT and TARA, and an Emergency Preparedness event in the Toyota meeting hall.

**160. Mayor Walker** commented on the presentation of the Jared Sidney Torrance Award posthumously to Ron Littlefair, noting that the award will be presented at a Council meeting within the next few months with public notification well in advance.

**17. EXECUTIVE SESSION**

At 8:24 p.m., the Council recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 17A) Conference with Labor Negotiator, pursuant to California Government Code Section 54957.6.

The Council reconvened in Council Chambers at 8:47 p.m. No formal action was taken on any matter considered in closed session.

**18. ADJOURNMENT**

At 8:47 p.m., the meeting was adjourned to Tuesday, February 8, 2005, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers, CMC  
City Clerk of the City of Torrance

Approved on March 22, 2005