

February 8, 2001

**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 Thursday, February 8, 2001 in City Council Chambers at Torrance City Hall.

**ROLL CALL**

Present: Councilmembers Cribbs, Nowatka, Scotto, Walker, Witkowsky, and Mayor Hardison.

Absent: Councilmember Messerlian.

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

**3. AFFIDAVIT OF POSTING**

**MOTION:** Councilmember Cribbs 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 Nowatka and, there being no objection, it was so ordered by Mayor Hardison (absent Councilmember Messerlian).

**4. WITHDRAWN OR DEFERRED ITEMS**

None.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

None.

**11. ADMINISTRATIVE MATTERS**

**11c. REPORT REGARDING EFFECT OF THE PROPOSED INITIATIVE TO  
REPEAL STREET LIGHTING ASSESSMENTS**

**Recommendation**

Recommendation of the City Clerk that City Council review the report on the effect of the proposed initiative to repeal street lighting assessments and take action as appropriate.

Mayor Hardison noted that this item was continued from the February 6, 2001 City Council meeting.

City Manager Jackson stated that the Council had requested the preparation of a report on the effect of the initiative petition to repeal all assessments on real property for municipal lighting; that the report was submitted to the Council at its regular meeting on February 6, 2001; and that, at that meeting, the Council requested that modifications be made to the report. He advised that the modifications recommended by the Council--which included the addition of a historical perspective, an outline of the process for levying the assessments, and an executive summary of the report—had been incorporated into the report, along with the Street Lighting Assessment District 99-1 operating budget, as requested by a member of the audience. He noted that the matrix of election costs requested by the Council would be part of an agenda item at the next Council meeting.

With the aid of slides, City Manager Jackson reviewed the Executive Summary, highlighting the main topics and the charts. Mayor Hardison and Councilmembers, with input from City staff, proposed changes to the summary to clarify some of the terminology and make it more readable for the general public. Following this discussion, City Attorney Fellows outlined the changes to the Executive Summary:

**All Charts:** Add zeros to figures as appropriate to reflect true numbers.

#### **PAGE 1**

Title: Change to: "Executive Summary of Report on Effect of Initiative Petition to Repeal All Assessments on Real Property for Municipal Lighting"

Section: Italicized, introductory paragraph, modify 4<sup>th</sup> sentence: "If the City loses this \$1.13 million revenue, the general budget will be responsible for the costs."

Section: **Where did District 99-1 come from?** – modify 3<sup>rd</sup> sentence: "Proposition 218 set new state guidelines for creating assessments."

Chart: **Who Pays the \$1.8 Million?** – change "Non-Residential" to "Businesses, Industrial, Churches, Schools & Other Non-Residential"

Graph: **Where Does the \$1.8 Million Go?** – split "Light and Power" bar on graph into two separate bars: 80% power and 20% fixtures

#### **PAGE 2**

Section: **Fiscal Impact** – modify first two sentences: "The repeal of District 99-1 will require the City to pull \$1.13 million annually from other areas of the budget. The City ~~does not have the authority to raise revenues and~~ is required to have a balanced budget."

Chart: **Other Community Based Revenues** – (1) change title to: “A Sampling of Other Community Based Revenues”; and (2) delete bar on graph for “Unsecured Property Taxes”

Chart: **How Far Will \$1.13 Million Go?** – (1) change title to: “Examples of Cost of City Services”; and (2) change names: “Street Crew” to “Street Services Employees,” “Tree Crew” to “Tree Services Employees,” and “Parks Crew” to “Parks Services Employees”

### PAGE 3

Title: **What impacts will the repeal of SLAD have on City services?** – change to: “What impacts will the repeal of Street Lighting Assessment District have on City services?”

Chart: **Possible Service Reductions** – (1) change title to: “Possible Ongoing Service Reductions in Recently Restored or Enhanced Services”; and (2) modify introductory paragraph, 2<sup>nd</sup> sentence: “These services ~~must~~ may be considered for elimination or reduction to free up monies for street lighting if District 99-1 is to be repealed.”

Section: **Possible Reductions to Capital Expenditures 2002-2005 (4 years)** – (1) change title to: “Possible Reductions to Capital Expenditures”; (2) delete bar graph; (3) modify introductory paragraph, 2<sup>nd</sup> sentence: “The projects in the current ~~5-year~~ Capital Budget Plan ~~must~~ may also be considered for reduction if District 99-1 is to be repealed.” Add 3<sup>rd</sup> sentence: “If reductions in the Capital Budget were to be the sole source of meeting the \$1.13 million annual funding requirement, the following are some types of capital projects that might be considered for elimination or reduction”; (4) modify listing of projects: “Side-on/Back-on” change to “Parkway Landscaping” and “CMP Replacements” change to “Storm Drain Replacements”; and (5) add sentence after listing of projects, “Additional reductions would be needed in future years.”

### PAGE 4

Section: **Concluding Remarks** – (1) modify 2<sup>nd</sup> sentence, first paragraph: “The City must maintain a balanced budget and the annual loss of \$1.13 million in revenues will affect that balance.” (2) modify last paragraph to read as follows: “Current one-time funds would offset less than two years of the potential reduction in revenues. The City hoped these funds could be used to reduce capital needs and also allow us to address needed improvements to City facilities. There is no guarantee of receiving additional one-time funds in the future.”

Mayor Hardison invited public comment.

Mr. Rick Marshall, 2065 W. 235<sup>th</sup> Street, a proponent of the initiative, commented that he had been concerned that the Council planned to produce a “campaign document,” however, he was impressed with the Councilmembers’ diligence in editing the Executive Summary and felt they had been fair. He suggested using a larger format so the document would be easier to read. He maintained that references in the document to “the repeal of the street lighting assessment district” were incorrect because the initiative would repeal the street lighting tax but would not touch the district. He stated that, in view of the current power crisis, he would like a listing of utility users tax revenues included in the *Sampling of Other Community Based Revenues* chart. He questioned whether there was an excess of street lighting and proposed including a statement to the effect that a reduction in street lighting could be part of the solution. Mayor Hardison pointed out that, under the *Fiscal Impact* section, the Executive Summary states that one of the options available would be to “permanently reduce or eliminate lighting on City streets.”

Mr. Marshall asked for the identification of other City funds that could be used to offset the revenue loss. City Manager Jackson advised that discretionary funds were the only ones targeted as other funds were restricted.

Responding to Mr. Marshall’s request to include utility user tax revenues, City Manager Jackson explained that the *Sampling of Other Community Based Revenues* chart merely lists examples of such revenues and that he believed a fair representation was provided. He noted that the Budget Summary, included as an exhibit to the agenda material, provides a complete list of all major sources of revenue.

Commenting on the size of the document, City Attorney Fellow, echoed by City Manager Jackson, noted that the proposed 9½ “ by 12” inch size was consistent with the format used for other summary documents, including the Strategic Plan summary and the Capital and Operating Budget summaries. Mayor Hardison indicated her preference to use the same format for the sake of consistency.

Councilmember Scotto recommended that the original report be amended to reflect the changes made in the Executive Summary, i.e. changing side-on/back-on to parkway landscaping.

**MOTION:** Councilmember Cribbs moved to amend the *Report on the Effect of the Initiative Petition to Repeal all Assessments on Real Property For Municipal Lighting* to be consistent with the changes made in the Executive Summary. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote. (Absent Councilmember Messerlian)

City Manager Jackson thanked Assistant City Manager Giordano, Planning Director Gibson, Finance Director Tsao and City Attorney Fellows and their staffs for their efforts in preparing the report.

City Attorney Fellows requested a brief recess to review the initiative petition and Proposition 218 in reference to Mr. Marshall’s comments. The Council recessed from 7:32 p.m. to 7:42 p.m.

Having reviewed the information, City Attorney Fellows confirmed that the petition seeks to repeal street lighting assessments and recommended that the following revisions be made:

#### **PAGE 1**

Section: Italicized introductory paragraph, modify first three sentences: “There is an initiative petition to repeal street lighting Assessments ~~District 99-1~~ (~~District 99-1~~). ~~The effect of the petition is to place a measure before the voter to determine if District 99-1 should be repealed.~~ If the ~~District~~ assessments ~~is~~ are repealed it would eliminate \$1.13 million in revenue to pay for street lights.”

#### **PAGE 2**

Section: **Fiscal Impact** – modify first sentence: The repeal of ~~District 99-1~~ street lighting assessments ...

#### **PAGE 3**

Title: Change to: “What impacts will the repeal of Street Lighting Assessments ~~District~~ have on City Services?”

Chart: **Possible Ongoing Service Reductions** – modify introductory paragraph, 2<sup>nd</sup> sentence: ...to free up monies for street lighting if ~~District 99-1~~ is street lighting assessments are to be repealed.

Section: **Possible Reductions to Capital Expenditures** – modify introductory paragraph, 2<sup>nd</sup> sentence: ... considered for reduction if ~~District 99-1~~ is street lighting assessments are to be repealed.

#### **PAGE 4**

Title: Change to: “Street Lighting Assessments”

Section: **Concluding Remarks** – modify first paragraph, first sentence: There will be impacts to the city in the event of a repeal of ~~District 99-1~~ the street lighting assessments.

**MOTION:** Councilmember Cribbs moved to accept the report as amended. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote (absent Councilmember Messerlian).

**MOTION:** Councilmember Scotto moved to direct the City Clerk to bring back to the next Council meeting an item on ordering an election. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmember Messerlian).

City Manager Jackson noted that, due to the changes, sections in the Executive Summary may be spread out and/or shifted but the basic format would remain the same.

**15. ORAL COMMUNICATIONS**

City Clerk Herbers asked that the Council to take under consideration when reviewing the City Council agenda for February 13, 2001, that the item containing the ordinance to repeal the assessments and giving the election options had been prepared prior to the actions taken by the Council at this meeting. She stated that a supplemental item would be forwarded to them as soon as possible on Tuesday, February 13.

**17. ADJOURNMENT**

At 7:50 p.m., the meeting was adjourned to Tuesday, February 13, 2001, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in Council Chambers.

Attest:

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Mayor of the City of Torrance

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Sue Herbers  
City Clerk of the City of Torrance

Approved on March 27, 2001