

**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 7:00 p.m. on Tuesday, February 1, 2000, in City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Cribbs, Horwich, Lee, Messerlian, Walker, and Mayor Hardison.

Absent: Councilwoman O'Donnell.

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 Cub Scout Pack 586, Den Leader Garret Wright, Cub Master John Fellows.

Pastor Wendell Woodson, Calvary Chapel, gave the invocation for the meeting.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilman Lee 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 Councilwoman Cribbs and, there being no objection, it was so ordered by Mayor Hardison (absent Councilwoman O'Donnell).

MOTION: Councilman Lee 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 Councilwoman Cribbs and, there being no objection, it was so ordered by Mayor Hardison (absent Councilwoman O'Donnell).

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COMMITTEE MEETINGS AND ANNOUNCEMENTS

City Clerk Herbers announced Art on View exhibit in the City Clerk's office by Torrance Artist Guild member Rose Balloy.

Councilwoman Cribbs announced a meeting of the Finance and Governmental Operations Committee on February 29, 2000 for the 1999-2000 Mid-year Budget Review at 5:30 p.m. in the West Annex Commission Meeting Room.

Mayor Hardison announced that the Ad Hoc Legislative committee had met to consider Ballot measures on the March 7 ballot of interest to the City of Torrance and that a full report would be coming to the City Council on February 22, 2000.

6. COMMUNITY MATTERS

6a. RESOLUTION NO. 2000-13 RE POLICE OFFICER DENNIS LEFEVRE

RESOLUTION NO. 2000-13

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TORRANCE HONORING AND COMMENDING
POLICE OFFICER DENNIS LEFEVRE UPON HIS
RETIREMENT FROM THE CITY AFTER TWENTY-SEVEN
YEARS OF SERVICE**

MOTION: Councilman Messerlian moved for the adoption of Resolution No. 2000-13. The motion was seconded by Councilwoman Cribbs and passed by unanimous roll call vote (absent Councilwoman O'Donnell).

To be presented at a later date.

7. CONSENT CALENDAR

7a. GRANT AWARD RE TORRANCE SISTER CITY ASSOCIATION

Recommendation

Recommendation of the Parks and Recreation Director that City Council fund the Torrance Sister City Association for specified services to the community for fiscal year 1999-2000 in the amount of \$1,500.

7b. SOUTHERN CALIFORNIA EDISON EASEMENT

Recommendation

Recommendation of the Engineering Director that City Council:

- 1) Approve the modification of an existing SCE easement on the north side of 190th Street along Columbia Park;
- 2) Grant to SCE an easement at the northwest corner of 190th Street and Prairie Avenue within Columbia Park; and
- 3) Authorize the Mayor and the City Clerk to execute and attest the easement documents to modify and grant said easements.

7c. PURCHASE ORDERS RE REPLACEMENT VEHICLES

Recommendation

Recommendation of the General Services Director that City Council authorize purchase orders through the State of California for the purchase of four (4)

Dodge Cab and Chassis and one (1) Chevrolet Cab and Chassis as a cooperative purchase in the amount of \$101,468.14 plus \$937.35 for a service charge to the State of California for the use of their contract.

7d. PURCHASE ORDER RE DIESEL FUELING OF CITY VEHICLES

Recommendation

Recommendation of General Services Director that City Council approve a change order to the existing purchase order with Cardlock Fuels for on-site mobile fueling of diesel vehicles for the period December 3, 1999 through May 2, 2000 in an amount not to exceed \$75,000.

7e. PUBLIC WORKS AGREEMENT RE 1998-99 CURB, GUTTER AND SIDEWALK REPLACEMENT PROGRAM

Considered separately, see page 4.

7f. PROFESSIONAL SERVICES AGREEMENT RE ARTESIA BOULEVARD WATER MAIN REPLACEMENT PROJECT

Recommendation

Recommendation of the Engineering Director that City Council:

- 1) Approve an amendment to the Professional Services Agreement with SA Associates for an additional \$68,000 for the preparation of plans, specifications and estimates for the construction of recycled water mains in Artesia Boulevard and for completing revisions to the scope of work on the Artesia Boulevard Water Main Replacement Project; (C99-181)
- 2) Increase the appropriation for Project Management by \$10,000;
- 3) Appropriate \$78,000 from Water Fund to Artesia Boulevard Water Main Replacement Project; and
- 4) Authorize the Mayor and City Clerk to execute and attest said amendment.

7g. PURCHASE ORDER RE RESCUE UTILITY BOXES

Recommendation

Recommendation of the General Services Director and Fire Chief that City Council authorize a change order be issued for the purchase order approved on September 21, 1999 (Attachment A). This will increase the amount of the purchase order for four (4) Rescue utility Boxes from \$85,951.00 to \$96,745.69.

7h. CONTRACT RE BALLET CLASSES AT CULTURAL ARTS CENTER

Recommendation

Recommendation of the Parks and Recreation Director that City Council approve an agreement hiring West Coast Classical Ballet Society as the provider of Master classes at the Torrance Cultural Arts Center, for an amount not to exceed \$32,250.

7i. CONTRACT RE DANCE CLASSES AT CULTURAL ARTS CENTER

Recommendation

Recommendation of the Parks and Recreation Director that City Council approve an agreement hiring Roger Rod as the provider of adult Country Western, Swing, and Ballroom dance classes at the Torrance Cultural Arts Center, for an amount not to exceed \$60,900.

MOTION: Councilman Lee moved for the approval of Consent Calendar Items 7a, 7b, 7c, 7d, 7f, 7g, 7h and 7i. The motion was seconded by Councilman Walker and passed by unanimous roll call vote (absent Councilwoman O'Donnell).

Consent Calendar Item 7e was considered separately at this time.

7e. PUBLIC WORKS AGREEMENT RE 1998-99 CURB, GUTTER AND SIDEWALK REPLACEMENT PROGRAM

Recommendation

- 1) Award a bid to Excel Paving Company in the amount of \$1,874,388 and authorize a 5% contingency in the amount of \$93,720 for the construction of the 1998-99 Curb Gutter and Sidewalk Replacement Program (North, Central and West Torrance) B2000-02;
- 2) Authorize staff to prepare a Standard Public Works Agreement between the City and Excel Paving Company;
- 3) Authorize the Mayor and the City Clerk to execute and attest to said contract and;
- 4) Appropriate an additional \$284,107 to this project from Gas Tax Funds previously allocated to the completed CMP Replacement Project.

In response to Councilman Horwich's inquiry, Engineering Director Burt provided clarification of the scope of the work to be performed and indicated that the project is scheduled to begin in April and completed by September 2000.

MOTION: Councilman Horwich moved to concur with the staff recommendation. The motion was seconded by Councilman Messerlian and passed by unanimous roll call vote (absent Councilwoman O'Donnell).

9. PLANNING AND ECONOMIC DEVELOPMENT

9a. UPGRADE OF RAILROAD CROSSINGS ON TORRANCE BOULEVARD

Recommendation

Recommendation of the Engineering Director that City Council:

- 1) Adopt a Resolution authorizing the Mayor to execute and the City Clerk to attest to Program Supplement No. M004 to Agency-State Agreement No. 07-5249 for the funding of three railroad crossing upgrades in conjunction with the realignment of Torrance Boulevard (South Roadway) between Sartori Avenue and Western Avenue; and
- 2) Authorize the Engineering Director to approve payment of the City's 10% share of the cost of the railroad crossing upgrades upon receipt of an approved invoice.

Engineering Director Burtt presented the staff report (per written material of record), noting that the improvements will be designed and constructed by Union Pacific Railroad and that they have indicated the work will be completed within six months.

RESOLUTION NO. 2000-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE PROGRAM SUPPLEMENT NO. M004 TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 07-5249 BETWEEN THE CITY OF TORRANCE AND THE STATE OF CALIFORNIA

MOTION: Councilman Messerlian moved for the adoption of Resolution No. 2000-14. The motion was seconded by Councilman Lee and passed by unanimous roll call vote (absent Councilwoman O'Donnell).

MOTION: Councilman Messerlian moved to authorize payment approval by the Engineering Director. The motion was seconded by Councilman Lee and passed by unanimous roll call vote (absent Councilwoman O'Donnell).

10. PUBLIC SAFETY

10a. AMENDMENT TO MUNICIPAL CODE RE ESCORT LICENSES

Recommendation

Recommendation of the City Attorney and Chief of Police that City Council adopt an Ordinance deleting the second paragraph of Torrance Municipal Code Section 35.10.1, relating to vocations that are exempt from escort licensing requirements, and approve the ordinance for publication.

Senior Deputy City Attorney Acciani presented the staff report (per written material of record).

Mr. Barry Feldman, 23104 Samuel Street, #110, representing the Law Office of Carl Capozzola, noted that his firm represented Wendy Wang, owner of Club Cha Cha, who instituted the legal action that caused a portion of the City's ordinance regarding escort licenses to be declared unconstitutional. He stated that the ordinance, as the City Attorney is proposing to amend it, has been ruled constitutional by California courts on its face but has yet to be challenged on its constitutionality as applied. He questioned how police intend to enforce the amended ordinance, pointing out that it would no longer exclude professionals, such as nurses and psychotherapists, who accompany clients in the course of their employment, and indicated that his client was very concerned that the Police Department plans to unfairly target Asian bars. He explained that a Las Vegas escort license ordinance found to be constitutional by a Federal court specifically exempts businesses licensed by other agencies, noting that Club Cha Cha is already strictly regulated by Alcoholic Beverage Control.

Responding to questions from the Council, Senior Deputy City Attorney Acciani expressed confidence that the ordinance as amended would be found to be constitutional, providing a legitimate tool for law enforcement, and noted that wording of

the amended ordinance is almost identical to a Los Angeles statute which was upheld by the California Supreme Court. He explained that the language staff is proposing to delete from the existing ordinance, which was intended to clarify exemptions, is unnecessary as it is clear to whom the ordinance applies.

ORDINANCE 3479

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 35.10.1 OF ARTICLE 10 OF CHAPTER 5 OF DIVISION 3 OF THE TORRANCE MUNICIPAL CODE, RELATING TO THE ESCORT LICENSE ORDINANCE, DELETING THE SECOND PARAGRAPH

MOTION: Councilman Messerlian moved for the adoption of Ordinance No. 3479. The motion was seconded by Councilman Walker and passed by unanimous roll call vote (absent Councilwoman O'Donnell).

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The Redevelopment Agency convened at 7:24 p.m.

15. ORAL COMMUNICATIONS

Councilwoman Cribbs invited the public to visit the Discovering Photography exhibit at the Joslyn Gallery through April 1 and noted various events connected with the exhibit.

Councilwoman Cribbs noted that trailing signs announcing the Civic Center and the Cultural Arts Center were not readable.

Councilwoman Cribbs requested, perhaps in conjunction with the Historical Society, that biographical information of individuals for whom various public facilities in the City were named be compiled and included on signage at the facilities and asked that staff provide a schedule of when this can be accomplished.

Councilman Horwich thanked Engineering staff for their prompt response to his questions.

Councilman Messerlian read the following statement into the record:

“Last week at a community meeting, the homeowners in the Country Hills, Country Village and Walteria area were informed of a situation concerning their neighborhood. As homeowners who live in the affected area, my wife and I attended the meeting, and we thank the City Manager and his staff for having arranged it. However, under the state’s conflict of interest laws, I cannot as a Councilmember participate in City Council discussions of this matter either from this bench or in closed sessions because I am a homeowner and live in the affected area. In spite of the seriousness and uncertainty of the matter at this time, I am proud of the manner in which the neighborhood received the news and asked so many probing questions which ultimately must be answered. The homeowners and the residents of the area are naturally, and justifiably, concerned about possible health and safety issues, and the impact on property values. While I realize that the process must run its course and we should give proper and responsible State,

regional and County authorities time to conduct their investigation and report their findings, I also recognize the time it takes for these types of investigations. Nevertheless, we have a responsibility to our citizens to ensure that we prod these agencies to conclude their investigations as expeditiously as possible so the facts are known. Let no stone remain unturned and those who are responsible for this unfortunate situation be held accountable. In the meantime, I suggest that people in official positions refrain from making uninformed statements which are not based on facts; to do so will serve no useful purpose other than sensationalize the issue and contribute to the uneasiness and uncertainty that already exists.”

Mayor Hardison asked staff for a possible change to CalTrans signage on the freeway directing traffic to the Cultural Arts Center.

Mayor Hardison commended the Fire Department for their efforts during the recent live burn.

Noting actions taken by other cities, Mayor Hardison asked staff to bring back to the City Council an item regarding the Water Replenishment District.

16. EXECUTIVE SESSION

At 7:39 p.m., pursuant to Government Code Section 54956.8, the City Council and the Redevelopment Agency, in joint session, adjourned to closed session to discuss matters listed on the meeting agenda.

The City Council and the Redevelopment Agency reconvened in open session at 8:53 p.m. No formal action was taken on any matter considered in closed session by either the City Council or the Redevelopment Agency.

17. ADJOURNMENT

At 8:53 p.m., the City Council and the Redevelopment Agency adjourned to Tuesday, February 22, 2000, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.