

**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 5:35 p.m. on Tuesday, May 13, 2003, in City Council Chambers at Torrance City Hall.

ROLL CALL

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

Absent: None.

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

Agenda Item 17 was considered out of order at this time.

17. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 17a) Conference with Labor Negotiator; 17b) Conference with Legal Counsel – Existing Litigation; and 17c) Conference with Real Property Negotiator, pursuant to California Government Code Sections 54957.6, 54956.9(a), and 54956.8.

The Council reconvened in Council Chambers at 6:17 p.m.

The Redevelopment Agency was called to order in joint session with the City Council.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Girl Scout Brownie Troop #399, Troop Leader Joanna Tani.

City Clerk Herbers gave the non-sectarian invocation for the meeting.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember Mauno 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 passed by unanimous roll call vote.

MOTION: Councilmember Mauno 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 Nowatka and passed by unanimous roll call vote.

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Nowatka announced that the 44TH Annual Armed Forces Day Parade and Observance would be held May 16 through 18 with the parade stepping off on Saturday, May 17, at 1:30 p.m. He also invited the public to attend the displays and events at Del Amo Fashion Center, as well as the Marine Corps Band concerts at the Armstrong Theater on Friday, May 16, at 2:00 and 7:30 p.m. with free tickets available at the box office beginning at 10:00 a.m. on the day of the concert.

Police Chief Herren announced that Peace Officers Memorial Week would be observed May 11 through 18 and invited attendance at the Torrance Police memorial service on Wednesday, May 14, at 10:00 a.m. at the police station.

Mayor Walker noted that a Budget Workshop was tentatively scheduled for May 20 at 6:00 p.m. in Council Chambers.

Agenda Items 12a and 12b were considered out of order at this time.

12a. USER FEES HEARING

Recommendation

Recommendation of the **City Manager** that City Council conduct a Public Hearing to adopt a Resolution authorizing the actions setting user fees indexed to the Consumer Price Index for Urban Wage Earners & Clerical Workers (CPI-W) May to May for certain services of the Building and Safety, City Clerk, Cultural Arts Centers, Engineering, Finance, Fire, General Services, Library, Park and Recreation, Planning, Police, Street and Water departments.

Mayor Walker announced that this was the time and place for a public hearing on this matter. City Clerk Herbers confirmed that the hearing was properly advertised.

With the aid of slides, Assistant Finance Director Flewellyn provided an overview of the revised fees per written material of record. He explained that the fees were divided into two types: charges for services, which require a cost analysis or fee study; and market-based revenues, which are based on industry standards, cost and/or consumer interest. He advised that the last Fee Study was completed in 1996 and that the current Fee Study, if approved will generate approximately \$470,000. He noted that the proposed fees have been discussed in detail at previous budget workshops and that tonight's hearing was necessary to formalize them.

Mayor Walker invited public comment.

David Ouwerkerk, 23323 Iris Avenue, representing the Airport Commission, presented the Airport Commission's recommendation with regard to Torrance Airport user fees as follows: Hangar Fee (FY2003-04) = \$0.365/sq. ft.; Hangar Fee (FY2004-05) = \$0.37/sq. ft.; Key Card Fee = \$15; Meeting Room (commercial/private) = \$35.00/hr.; Meeting Room (resident) = \$5/hr.; Meeting Room (non-resident) = \$20/hr.; Hangar Waiting List Fee = \$300/app. - \$225/refund. He noted that the recommendation was approved by a vote of 4 to 2, with 1 abstention.

Mr. Ouwerkerk, on his own behalf, voiced his objections to the proposal to charge non-resident hangar tenants a higher rate (\$0.45 per square foot) than Torrance residents (\$0.40 per square foot). He contended that the two-tiered rate structure was unfair and discriminatory as Torrance Airport is a regional airport; maintained that it would place a considerable burden on our neighbors because approximately 70% of hangar tenants are not Torrance residents; and questioned how the residency requirement would be enforced and at what cost. He expressed support for periodic rate adjustments to hangar fees linked to a broad-based index, but suggested that the Consumer Price Index may not be the appropriate one and that the issue merits further study.

Nancy Clinton, 2785 Pacific Coast Highway, stated that the proposed increase in hangar rates was not justified due to the poor condition of the hangars. Submitting photographs to illustrate, she contrasted the condition of the City-owned east T-hangars with privately owned hangars at the west end of the airport. She offered corrections to the information provided by City staff regarding hangar rates at nearby municipal airports.

William Tymczyszyn, 4017 Mesa Street, noted that he is a member of the Airport Commission but was speaking on his own behalf as an affected hangar tenant. He reported that a survey conducted by Torrance Airport Association revealed that the current hangar rates, which were set in 1996, are equal to or higher than those at other Southern California airports. He expressed pilots' willingness to pay a fair and equitable increase in hangar fees to assist with the City's budget crisis, but voiced his opinion that an increase of no more than 7.5% would be reasonable in view of the condition of hangars. He maintained that the lengthy Hangar Waiting List, which would tend to support higher rents looking only at supply and demand, is much longer than it should be due to lax enforcement of the requirement that hangars be used to house aircraft and the City's failure to develop vacant land.

Jim Thornton, Jr., 3922 W. 183rd Street, expressed concerns about the impact increased fees for Parks and Recreation programs would have on youth sports.

Joe Arciuch, 23521 Katlyn Avenue, questioned why the City does not use the approximately \$7 million in the Airport Enterprise Fund to balance the budget.

City Manager Jackson advised that transfers from the Airport Fund were being used as part of the budget-balancing effort; that funds from this source might also be used to repair and refurbish hangars; and that, in addition, the City was seeking to enhance revenues from the operation of the airport itself by increasing hangar rents.

Ted Stinis, 28069 Ella Road, Rancho Palos Verdes, voiced objections to the two-tiered hangar fee structure, stating that Torrance Airport is a regional airport and the federal government did not deed it to Torrance for the sole benefit of its residents. He proposed that the City allow the sale of jet fuel at the airport as a means of raising revenue and reiterated his previous suggestion that the City consider selling hangars to tenants, which would provide an influx of cash.

Mayor Walker indicated that this Council, in line with previous Councils, would not support the sale of jet fuel at the airport, therefore, a discussion of this issue was a waste of time.

Expressing his opposition to the proposed hangar fee increases, Arthur Brock, 2831 Colt Road, Rancho Palos Verdes, contended that hangar tenants were the only group being harmed by the budget and that the proposal to charge non-residents a higher rate was clearly discriminatory and a violation of the quit claim deed by which the airport was transferred to the City. He reported that many hangar tenants are retired and the rent increase could force them to move their aircraft to a less convenient airport or give up flying altogether. He voiced his opinion that auto dealerships have been given preferential treatment by being allowed to store vehicles free of charge on airport property in violation of posted signs.

Mayor Walker noted that auto dealers generate a very substantial amount of monies for the City and that the parking issue is a short-term problem. He suggested that airport tenants would be better served by focusing on concerns about the terrible condition of some of the hangars to ensure that they are brought up to a much higher standard should the proposed fee increases go forward.

Barry Jay, 2514 Brian Avenue, reported that he submitted a petition signed by 178 hangar tenants in opposition to the proposed rate increase, which details their concerns. He stated that contrary to information in the staff report, hangar rates at Torrance Airport are still among the highest and that only after roof leaks are repaired, drywall is replaced, and drainage issues are addressed, will the hangars be worth what tenants are currently paying or possibly a little bit more.

Art Callen, 2642 Loftyview Drive, on behalf on the Commission on Aging, thanked the Parks and Recreation Department and Transit staff for the fine work they have done for senior citizens in this community and expressed the hope that they will continue these efforts in the future.

MOTION: Councilmember Witkowsky, seconded by Councilmember Lieu, moved to close the public hearing; roll call vote reflected unanimous approval.

Mayor Walker expressed support for the staff recommendation, noting that the proposed fees were one-third of the program designed to bring the City's budget into balance. He stated that he believed the City had an obligation to address the problems documented in the photographs submitted by Ms. Clinton along with the increase in rents and requested that staff develop a plan for upgrading hangars at the airport, possibly with input from the Airport Commission.

In response to Councilmember Scotto's inquiry, Assistant Finance Director Flewellyn provided clarification regarding fees charged by the Police Department for stored vehicles.

Voicing support for the staff recommendation, Councilmember Witkowsky commended the Finance Department and other City departments for finding creative ways to address the budget shortfall. She stated that she believed the proposed fee structure was very fair, with small increases across the board, and commented on the ripple effect the State of California's budget problems have had on the City.

Councilmember McIntyre concurred with Mayor Walker on hangar repairs and questioned how long it would take for staff to prepare a report. General Services Manager Ballew estimated that it would take 30 to 60 days.

Councilmember McIntyre expressed concerns that charging higher rates to non-resident hangar tenants could provoke legal challenges based on charges of discrimination.

City Manager Jackson explained that staff's previous recommendation was to increase hangar fees to \$0.42 per square foot in 2003-04 and to \$0.47 in 2004-05 and that the two-tiered fee structure was devised in response to direction from the Council at the last budget workshop where residents suggested that they should receive a more favorable rate.

A brief discussion ensued, with Councilmember Mauno expressing his willingness to reconsider having a single rate for hangars, if it would be easier to administer and help avoid costly litigation. Councilmember Witkowsky noted that the City currently charges non-residents higher fees for Parks and Recreation programs, and Councilmember Nowatka commented on the precedent for charging residents lower fees based on the fact that the various taxes they pay help support these services.

City Attorney Fellows stated that the City offers different rates on a wide range of programs based on residency, as well as offering price breaks for youths and seniors, and while this rate differential is discriminatory, this form of discrimination is legally permissible.

Councilmember Nowata voiced his opinion that some of the hangars warrant immediate repair, and Councilmember Lieu wanted to make sure that hangar tenants receive upgraded facilities within the next fiscal year if hangar fees are increased.

City Manager Jackson advised that staff would return as soon as possible with a plan to implement repairs and that that a portion of the Airport Fund would be reserved for this purpose.

In response to Councilmember Scotto's inquiry, Assistant Finance Director Flewellyn confirmed that future hangar rates will be tied to the Consumer Price Index and that rates will be decreased should the CPI go down.

MOTION: Councilmember Witkowsky moved to concur with the staff recommendation authorizing the actions setting user fees indexed to the Consumer Price Index for Urban Wage Earners & Clerical Workers (CPI-W) May to May for certain services of the Building and Safety, City Clerk, Cultural Arts Center, Engineering, Finance, Fire, General Services, Library, Parks and Recreation, Planning, Police, Street and Water departments. The motion was seconded by Mayor Walker and passed by unanimous roll call vote.

RESOLUTION NO. 2003-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING CERTAIN FEES INDEXED TO THE CONSUMER PRICE INDEX FOR URBAN WAGE EARNERS & CLERICAL WORKERS (CPI-W) MAY TO MAY FOR USES PERMITS, INSPECTIONS AND PROGRAMS FOR THE BUILDING & SAFETY DEPARTMENT, CITY CLERK'S OFFICE, CULTURAL ARTS DIVISION, ENGINEERING DEPARTMENT, FINANCE DEPARTMENT, FIRE DEPARTMENT, GENERAL SERVICES DEPARTMENT, LIBRARY DEPARTMENT, PLANNING DEPARTMENT, POLICE DEPARTMENT, STREET DEPARTMENT AND THE WATER DIVISION OF THE ENGINEERING DEPARTMENT

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-46. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

12b. PROPOSED CHANGES TO TORRANCE TRANSIT SYSTEM BUS FARES

Recommendation

Recommendation of the Transit Director that City Council conduct a Public Hearing to receive public comments on potential changes to Torrance Transit bus fares and approve the following fare changes:

- 1) Reduce the base bus fare from seventy-five (.75) cents to fifty (.50) cents starting July 1, 2003;

And one the following two options:

- 2) Increase the cost of an Inter-Agency Transfer; or
- 3) Replace the current Inter-Agency with a Torrance Transit Day Pass.

Mayor Walker announced that this was the time and place for a public hearing on this matter. City Clerk Herbers confirmed that the hearing was properly advertised.

Transit Director Whittle reported that staff was recommending that the base bus fare be reduced from \$0.75 to \$0.50 and that cost of the Inter-Agency Transfer be increased from \$0.15 to \$0.40 starting July 1, 2003 (per Option A in the supplemental material).

Mayor Walker invited public comment. As no one came forward to speak, the public hearing was closed.

MOTION: Councilmember Scotto, seconded by Councilmember McIntyre, moved to close the public hearing; roll call vote reflected unanimous approval.

MOTION: Councilmember Scotto moved to concur with Option A, reducing the base bus fare from seventy-five cents (.75) to fifty cents (.50) starting July 1, 2003; and increasing the cost of an Inter-Agency Transfer from fifteen cents (.15) to forty cents (.40).

RESOLUTION NO. 2003-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
SETTING CERTAIN FEES FOR THE USE OF THE TORRANCE TRANSIT
SYSTEM FOR THE TRANSIT DEPARTMENT

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-47. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

6. COMMUNITY MATTERS (considered out of order as listed)

6e. PROCLAMATION RE "OLDER AMERICANS MONTH"

Mayor Walker presented a proclamation declaring the month of May 2003 as "Older Americans Month" in the City of Torrance to Hazel Taniguchi on behalf of all older Americans.

6g. RECOGNITION OF RECIPIENT OF OLDER AMERICANS AWARD

Recommendation

Recommendation of the **Commission on Aging** and the **Parks and Recreation Director** that City Council recognize Hazel Taniguchi as this year's recipient of the Older Americans Award.

Mayor Walker presented a plaque to this year's recipient of the Older Americans Award, Hazel Taniguchi, who accepted with appreciation.

6a. RESOLUTION NO. 2003-40 RE 44TH ANNUAL ARMED FORCES DAY PARADE AND CELEBRATION

RESOLUTION NO. 2003-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING MAY 16 THROUGH MAY 18, 2003 FOR OBSERVANCE OF THE 44TH ANNUAL ARMED FORCES DAY PARADE AND CELEBRATION

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-40. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote. (*To be presented at a later date*)

6b. RESOLUTION NO. 2003-41 RE MAJOR GENERAL LARRY S. TAYLOR

RESOLUTION NO. 2003-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING APPRECIATION TO MAJOR GENERAL LARRY S. TAYLOR OF THE UNITED STATES MARINE CORPS FOR SERVING AS GRAND MARSHALL OF THE 44TH ANNUAL ARMED FORCES DAY PARADE AND OBSERVANCE

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-41. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote. (*To be presented at a later date*)

6d. PROCLAMATION RE "CALIFORNIA BIKE COMMUTE WEEK"

Mayor Walker presented a proclamation declaring the week of May 12-16, 2003, as "California Bike Commute Week" in the City of Torrance to Transportation Planning Associate Jill Crump and Transportation Planner Ted Semaan. Ms. Crump encouraged everyone to ride their bikes to work during this week, especially on "Bike to Work Day" Thursday, May 15, noting that breakfast will be served in front of City Hall from 6:00 a.m. to 7:30 a.m. to bike riders on that date.

6c. RESOLUTION NO. 2002-42 RE MAJOR PATRICK C. G. COULTER

RESOLUTION NO. 2002-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING APPRECIATION TO MAJOR PATRICK C. G. COULTER OF THE UNITED STATES MARINE CORPS (RETIRED) FOR SERVING AS MASTER OF CEREMONIES OF THE 44TH ANNUAL ARMED FORCES DAY PARADE AND OBSERVANCE

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-42. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote. (*To be presented at a later date*)

6f. PROCLAMATION RE “ASIAN/PACIFIC AMERICAN HERITAGE MONTH”

Mayor Walker presented a proclamation declaring the month of May 2003 as “Asian/Pacific Heritage Month” in the City of Torrance, and encouraging all citizens to learn more about the history and contributions of Asian/Pacific Americans and celebrate their remarkable role in our national heritage and culture. The proclamation was accepted by City of Torrance Commissioners Richard Tsao, Gavin Wasserman, Diana Tanaka, Hazel Taniguchi, Al Muratsuchi, May Amemiya, Kathryn Roberts and Douglas Lee.

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The Council recessed from 7:47 p.m. to 8:06 p.m., after which the Budget Workshop was considered out of order.

BUDGET WORKSHOP

Recommendation

Recommendation of the **City Manager** that City Council receive additional information requested at the March 25 Budget Workshop during the presentation of the City Manager’s proposal to balance a projected \$12 million shortfall in the second year of the upcoming Fiscal Years 2003-2004 and 2004-2005 two-year budget cycle, ask questions of staff, receive input from the public and then give guidance to the City Manager in the preparation of the City Budget.

City Manager Jackson reported that, as directed by the City Council at previous Budget Workshops, staff had restored proposed cuts in the area of public safety and eliminated the closure of a branch library while maintaining a balanced budget in the face of a \$12 million shortfall in the second year of the 2003-05 two-year budget.

With the aid of slides, Finance Director Tsao discussed budget projections through FY2007/08; reviewed the increases in fees for Parks and Recreation programs proposed to offset the \$154,000 subsidy reduction; summarized the proposed revisions to the Fire Department and the Police Department budgets; reviewed the revised Animal Control budget; detailed additional savings to be achieved by the Public Works reorganization; and outlined reductions in the Redevelopment Agency Budget.

City Manager Jackson provided an overview of the methodology used to address the \$12 million shortfall through the reallocation and use of internal resources (\$4.7 million), department reductions (\$2.1 million), organizational efficiencies (\$1.4 million), and revenue enhancements (\$3.8 million).

Mayor Walker invited public comment.

Byron Stefferud, 833 W. Torrance Blvd., thanked the Mayor, City Council and City staff for their strong leadership, which has made Torrance a great City. He acknowledged the need to protect basic services, but expressed the hope that Parks and Recreation programs would be maintained with minimum cutbacks in programs and staff.

John McGee, 22623 Felbar Avenue, Parks and Recreation Commissioner, commented on the City's commitment to provide low-cost, high-quality recreation programs for youths, adults and seniors and urged the Council to be cautious about raising fees for these programs in the future, noting that higher fees could result in a loss of revenue if there are fewer participants.

Mr. McGee read a letter from former Mayor Dee Hardison, dated May 13, 2003, voicing objections to the \$154,000 reduction in the City's subsidy for Parks and Recreation programs to be used to restore positions in the Police Department. She noted that the Parks and Recreation Department has had to recommend an increase in fees to offset this reduction and that 80% of these increases affect City-sponsored activities for the youth of our community. While conceding that the proposed increases were small, she expressed her opposition to the principle of providing funds for other departments on the backs of our youth. She urged the Council not to concur with the proposed reduction in the subsidy.

Deborah Green, 25563 Hawthorne Blvd., applauded the City for its vision and commitment to the arts; read a letter from a young woman discussing the benefits she derived from participating in a dance class; noted that 16.2% of our nation's youth are at or below poverty level; and urged the City to continue to support recreation and arts programs that help young people realize their potential.

Terri Takigawa, 1103 Elm Avenue, commented on the important role programs offered by the Parks and Recreation Department play in young people's lives.

Joyce Craft, 23119 Adolph Avenue, a Torrance resident for 37 years, recounted how her children's participation in Parks and Recreation/Cultural Arts programs as children contributed to their current success as adults. She commented on the positive benefits derived from experiencing/participating in artistic endeavors and encouraged the Council to continue funding for the arts.

Jessica Whitlock, 1327 Cota Avenue, a member of the Youth Council, stated that the youth of Torrance have come to rely on the various programs offered by the City, which provide an opportunity for them to mingle and have fun while sharing different points of views and cultural experiences, and that they also value City facilities, such as the Attic and Torrance Skate Park. She expressed concerns that increases in fees could cause young people to curtail their participation in these activities and that cutbacks will mean fewer job opportunities for teens who assist in these programs.

Venora Lee, Torrance, voiced her objection to Parks and Recreation funding being used for other purposes.

Maureen Trelease, 24707 Winlock Drive, commended the Torrance Police Department, relating her experience interacting with the department as the head of the Neighborhood Watch program in her area and a participant in the Partners in Policing program. She expressed the hope that the Council would continue to provide the Police Department with the resources needed for more sworn officers, equipment, and training so that residents will continue to enjoy the high level of service they have become accustomed to.

Noting her participation in the Partners in Policing program, Karen Levin, 22413 Ocean Avenue, #51, urged the Council to provide the funds needed so that police services do not deteriorate.

Peter Warner, 17009 Casimer Avenue, a member of the Water Commission, requested that the Council take a serious look at the City Manager's reorganization plan for the Public Works Department and the Engineering Director's counterproposal. Noting that the Water Division has been operating successfully for the past 10 years, he questioned the wisdom of tearing it apart and starting over again.

Mr. John Aguiar, 20828 Brighton Avenue, expressed concerns that the City Manager's proposal to reorganize the Water Division into the Public Works Department does not provide for the filling of vacant positions in the Water Division. He reported that the Water Division has managed to get by with 4 to 5 vacancies, which represents 20% of the workforce, over the last several years despite the strain on employees faced with increased workloads and more complex tasks. He noted that the Water Division and Engineering Department have worked together as a team to improve water service without increasing rates for the last 8 years and expressed concerns that the reorganization could disrupt this "hand-in-glove" operation. He suggested that the Council give very careful consideration to the City Manager's reorganization plan, noting that the City Engineer submitted a plan that would achieve budget reductions without reorganizing the Water Division.

Tim Cummings, 408 Calle de Felipe, Vice President of Torrance Fire Fighters Association, pointed out that the revised budget includes the civilianization of two firefighter positions in the Fire Prevention unit, with the savings earmarked for the Police Department budget. He asked that the Council delay the consolidation of Police and Fire communications for 18 months, allowing the Fire Department to explore the possibility of having other cities contract with Torrance for dispatching, as this could result in increased revenues with no increase in personnel. He noted that there would still be plenty of time to meet the target date for consolidation, which is three years away, and that the City would realize \$240,000 in savings this year by not moving equipment.

Maureen O'Donnell, 1522 Beech Avenue, former City Councilmember, voiced her objections to any reduction in funding for public safety, contending that police and fire are the top priority of all the services provided by the City and that quality of life and public safety are synonymous.

Responding to comments from the audience, City Manager Jackson clarified that while some of the fees have been modified, there have been no significant reductions in Parks and Recreation programs.

Noting that the proposed Parks and Recreation fee increases are fairly small, Mayor Walker pointed out that most of the concerns seem to be related to future increases and suggested that the City needs to make sure this is not a recurring theme.

Parks and Recreation Director Barnett agreed, stating that he believed the proposal was reasonable, however, if the City continues to raise fees for recreation programs, the next round could be critical. He noted that scholarships will be available.

Councilmember Scotto requested information on the feasibility of automating the noise monitoring equipment in the Noise Abatement Center as a cost-saving measure.

Councilmember Scotto expressed support for delaying the consolidation of Police and Fire communications for six months to allow the Fire Department to explore the possibility of combining with other cities for dispatching. City Manager Jackson recommended allowing a study period of six months and retaining the \$100,000 in the budget to be achieved through some type of consolidation so the budget remains in balance.

Referring to the report on the Travel and Education/Training Budget, Councilmember Scotto stated that he would like to see a 50% reduction in the budget for conferences and seminars. City Manager Jackson advised that such a reduction would be difficult to achieve, explaining that attendance at some of the seminars is mandatory and that training is vital to maintain the skill level of personnel who must deal with changing technology. He offered to provide a more detailed report.

In response to Councilmember Mauno's inquiry, General Services Director Ballew provided clarification regarding the report comparing the cost of outsourcing printing versus in-house printing and explained that printing jobs commonly require a very short turnaround time.

Councilmember Witkowsky expressed an interest in exploring Engineering Director Burt's alternate proposal for reorganization. City Manager Jackson noted his strong disagreement with Mr. Burt's proposal, stating that it would create major problems in the future and that the figures do not add up.

Councilmember Mauno, echoed by Councilmembers McIntyre and Nowatka, indicated that he would like additional time to review the document submitted by Engineering Director Burt and to become more educated on the proposed reorganization before making a decision on this complicated issue.

City Manager Jackson offered to elaborate on his proposal and to provide whatever additional information the Council needs.

Referring to suggestions that the training budget be cut, Councilmember Nowatka commented on the importance of having a well-trained staff and voiced his opinion that reducing spending in this area could be counterproductive.

Councilmember Nowatka suggested that the issue of animal control be deferred until next week because additional information has been received that needs to be dealt with. Councilmember Lieu asked that staff return with a revised Animal Control Budget detailing the cost of adding an animal control officer/supervisor, noting that having two officers could save money by reducing the hours the City would have to contract with L.A. County and eliminating the need for a professional consultant.

Mayor Walker commented on the lack of enthusiasm among police officers for the Police Department's assuming the responsibility of animal control, which is quite different from police work; maintained that the program will cost hundreds of thousands dollars more than has been projected; and noted that the City previously had an arrangement with L.A. County whereby the program was self-funded by licensing revenues. He reported that a letter from an attorney representing a coalition of residents had been received earlier in the day threatening to sue the City if dog license fees are spent on anything other than dogs, which means that another source of funding will have to be found for services related to cats and other animals.

City Attorney Fellows advised that it is a matter of State law that dog license fees can only be spent on dog control and that other resources will have to be found to the extent the City's program has a broader scope.

Mayor Walker noted that this was not an issue when the City contracted with the County. Councilmember Scotto pointed out that the County is also vulnerable to this type of lawsuit and that any increase in the County's costs would be passed on to the City.

Mayor Walker called a recess from 9:35 p.m. to 9:52 p.m.

City Manager Jackson reviewed the information to be provided for next week's meeting, noting that the Council will be asked to give guidance by way of straw votes at that time so staff can proceed with preparation of the budget.

At 9:57 p.m., the Budget Workshop was continued to Tuesday, May 20, 2003, at 6:00 p.m.

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The Consent Calendar was considered out of order at this time.

7. CONSENT CALENDAR

7a. REVISION TO TORRANCE CERTIFIED FARMERS' MARKET RULES

Considered separately, see below.

7b. RECOMMENDATION TO REJECT ALL BIDS RE 234TH STREET CHANNEL IMPROVEMENTS

Recommendation

Recommendation of the **Engineering Director** that City Council reject all bids received on April 24, 2003 for the construction of 234th Street Channel Improvements, Phase 2 - Ladeene Avenue to Evalyn Avenue, I-63, (B2003-08).

7c. APPROPRIATION OF ASSISTANCE TO FIREFIGHTERS GRANT

Recommendation

Recommendation of the **Fire Chief** that City Council:

- 1) Accept and appropriate FEMA's FY 02 Assistance to Firefighters Grant in the amount of \$43,568, which is the federal share (70%) of the approved project cost of \$62,239. These funds will be used to purchase flashover simulator tool for live fire training (FEAP 394). The equipment will be available for training of all Area G Fire Mutual Aid firefighters;
- 2) Appropriate \$18,671 from the Fire Department's El Camino Training Fund for the matching fund requirement (30%) of the approved project cost; and
- 3) Authorize a purchase order be issued to Swede Survival Systems, Inc., Encinitas, CA, in the amount not-to-exceed \$62,239 (includes sales tax and freight) for the sole-source purchase of Swede Survival flashover container system.

MOTION: Councilmember Nowatka moved for the approval of Consent Calendar Items 7b and 7c. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

7a. REVISIONS TO TORRANCE CERTIFIED FARMERS' MARKET RULES

Recommendation

Recommendation of the **Parks and Recreation Director** that City Council approve the revised Torrance Certified Farmers' Market Rules.

Mr. Howell Tomlin, 10951 W. Pico Blvd., #204A, Los Angeles, appearing on behalf the grower who challenged the rules and caused them to be revised, suggested the following changes:

- 1) Add a reference to the fact that growers are entitled to appeal the Recreation Services Administrator's decision through the State of California Department of Food and Agriculture;
- 2) Translate the rules into Spanish as most growers are Spanish speaking; and
- 3) Establish an advisory committee of growers at the market to improve communication between growers and management.

City Attorney Fellows advised that none of these provisions are required by State statutes, which govern the operation of farmers markets, and that staff would not recommend these revisions.

Indicating that he concurred with the staff recommendation, Mayor Walker stated that he believed the market was functioning very well and that the proposed revisions were unnecessary.

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

10. PUBLIC SAFETY

10a. ORDINANCE NO. 3534 RE LOITERING BY CRIMINAL STREET GANGS

Recommendation

Recommendation of the **Chief of Police** and the **City Attorney** that City Council:

- 1) Adopt an Ordinance adding Section 45.1.7 to the Torrance Municipal Code related to Loitering by Criminal Street Gangs; and
- 2) Approve a summary of the ordinance for publication.

Police Chief Herren advised that the proposed ordinance would be a tool for the Police Department to better control street gangs and prevent violent crimes.

Councilmember Nowatka noted that this type of ordinance has been adopted in several other jurisdictions.

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

ORDINANCE NO. 3534

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE
ADDING A PROVISION TO ARTICLE 1 OF CHAPTER 5 OF DIVISION 4
OF THE TORRANCE MUNICIPAL CODE RELATING TO LOITERING BY
A PERSON WHO IS A MEMBER OF A CRIMINAL STREET GANG OR A
PERSON WHO IS WITH A MEMBER OF A CRIMINAL STREET GANG

MOTION: Councilmember Nowatka moved for the adoption of Ordinance No. 3534. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

MOTION: Councilmember Nowatka moved to approve the ordinance summary for publication. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

11. ADMINISTRATIVE MATTERS

11a. CONTINUATION OF STATE OF LOCAL EMERGENCY RE CAROLWOOD LANE AND SINGINGWOOD DRIVE

Recommendation

Recommendation of the **City Manager** and the **City Attorney** that City Council continue the state of local emergency, proclaimed March 2, 2001 for properties located on Carolwood Lane and Singingwood Drive.

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

12. HEARINGS

12a. USER FEES HEARING

Considered out of order, see pages 2-6.

12b. PROPOSED CHANGES TO TORRANCE TRANSIT SYSTEM BUS FARES

Considered out of order, see pages 6.

16. ORAL COMMUNICATIONS

16a. Fire Chief Bongard was pleased to report that the City's application for Homeland Security Grant funds had been approved by Los Angeles County in the amount of \$116,000 and will be forwarded to the State for final approval.

16b. Councilmember Lieu congratulated those who had been recognized at the Medal of Valor luncheon.

16c. Councilmember Lieu thanked all people in the community who attended the Torrance Education Foundation and showed their support.

16d. Councilmember Mauno commended the Fire Department on Fire Service Day events.

16e. Councilmember Mauno thanked the community and the City Council for supporting the Torrance Education Foundation.

- 16f.** Responding to Councilmember Mauno, City Manager Jackson agreed to look into accepting donations to defray the cost of youth programs for those who cannot afford them.
- 16g.** Councilmember McIntyre reported that she had attended the Torrance Fire Fighters Association scholarship luncheon where several students were recognized with \$750 scholarships.
- 16h.** Councilmember McIntyre congratulated Gene Drevno for receiving an award from the Torrance Education Foundation for her work.
- 16i.** Councilmember Nowatka apologized for not attending Fire Service Day, explaining that he spent the day assisting with the Special Olympics at North High.
- 16j.** Councilmember Nowatka noted that he had also attended the TFFA scholarship luncheon.
- 16k.** Councilmember Nowatka thanked individuals and organizations in the community for their generous support of the Armed Forces Day Parade. He also commended Police Chief Herren and his staff for their work organizing the parade.
- 16l.** Councilmember Scotto congratulated Medal of Valor winners and TFFA scholarship winners and noted that Fire Service Day was a lot of fun and firefighters who participated were very helpful and informative.
- 16m.** Councilmember Scotto congratulated the Torrance Education Foundation for its dinner and recognized Toyota for a donation of \$20,000 and ExxonMobil for a donation of \$10,000.
- 16n.** Councilmember Scotto reminded all to remember the parade on Saturday.
- 16o.** Councilmember Witkowsky reported that she worked the CERT booth at Fire Service Day; commended those who have volunteered their time to become trained for the CERT program; and noted her enjoyment of all the events, including open house at the various fire stations.
- 16p.** Councilmember Witkowsky commented on the TFFA scholarships and the Torrance Education Foundation dinner.
- 16q.** Councilmember Witkowsky asked the public to buy school items in lots of 30 to assist in a Torrance Area Chamber of Commerce drive to help stock classrooms.
- 16r.** Councilmember Witkowsky encouraged everyone to attend the Armed Forces Day Parade.
- 16s.** Mayor Walker commented on the many functions councilmembers had attended in the last two weeks.

17. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1. No formal action was taken on any matter considered in closed session.

18. ADJOURNMENT

At 10:20 p.m., the meeting was adjourned to Tuesday, May 20, 2003, at 5:30 p.m. for an executive session, with the Budget Workshop to follow at 6:00 p.m. The regular meeting will take place in the Council Chambers, following the Budget Workshop.

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 July 22, 2003