

I N D E X

City Council - May 24, 1983

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Ava Cripe
Minute Secretary

ii.

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MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in an Adjourned Regular Meeting on Tuesday, May 24, 1983, at 6:00 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Geissert, Rossberg, Walker, Wilson, Wirth and Mayor Armstrong.

Absent: None.

Also present: City Manager Jackson and Staff representatives.

The City Council convened at the hour of 6:00 P.M. to hear the following matter:

15. HEARINGS:

15c. HEARING ON APPEAL OF CIVIL SERVICE COMMISSION
DECISION UPHOLDING THE DISMISSAL OF THOMAS THROOP
AND THE SUSPENSION OF VICTOR TAYLOR, REFUSE
TRUCK OPERATORS.

Mayor Armstrong announced that this was the time, date and place to hear the appeals of Refuse Truck Operators Thomas Throop and Victor Taylor. The events to date in this matter were detailed by the Mayor, as were the procedures to be followed in this hearing. There were no objections.

All Councilmembers confirmed that they had read all the material, including the transcript, in this case.

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First to speak was Mr. John Garfield, AFSCME, representing Messrs. Throop and Taylor, who provided a prepared written statement, of record. It was also stated by Mr. Garfield that he had directed a written communication on May 3rd to Civil Service Administrator Ghio with exceptions to the findings re: Messrs. Throop and Taylor.

Continuing, Mr. Garfield stated that the principal issue relates to testimony offered by representatives for management and the discrepancies therein -- further, there was no physical evidence, such as marijuana debris, found in the appellants' vehicle; both appellants did volunteer to take a blood test and such test was not forthcoming; the discrepancy in the testimony relative to the time factor; etc.

In conclusion, it was the opinion of Mr. Garfield that there is not sufficient evidence to support the contention or the allegation that Mr. Throop engaged in the smoking of marijuana or that Mr. Taylor was present in the vehicle when marijuana was being smoked."

Representing the City, Personnel Specialist Bobbi Aguas detailed the incident in question which occurred on Tuesday, March 1, 1983; the observations of the Leadman and the reported actions of employees Throop and Taylor; the absence of any available blood test to accurately determine marijuana use, except at UCLA where a test is now being developed; etc. Ms. Aguas further stated that physical evidence is necessary in a court of law, but Mr. Throop is not charged with a criminal act, and this is not a criminal court; he is charged with a violation of department rules.

Continuing, Ms. Aguas compared the credibility of the witnesses, the employee records, the hazards of marijuana smoking as related to driving a 20-ton refuse truck and resultant risk to the City, etc. -- it was requested that the Council sustain the discharge of Thomas Throop.

In the case of Victor Taylor, Ms. Aguas elaborated on the charges of insubordination by this employee -- abusive language, failure to comply with orders of supervisors, and offensive conduct directed to his leadman. It was the request of Ms. Aguas that the Council uphold the 10-day suspension assessed by the Civil Service Commission in the case of Victor Taylor.

Mr. Garfield offered no rebuttal.

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It was the comment of Personnel Specialist Aguas, after reading written material submitted by Mr. Garfield at the beginning of the hearing, that March 1, 1983, was a hectic rainy morning; any time discrepancies would be understandable -- the behaviour of Mr. Throop, arriving at work late, is not that of a reasonable, innocent person. There is substantial credible evidence to prove that Mr. Throop was smoking a marijuana cigarette on City time and City property; there is substantial credible evidence to prove that Mr. Taylor was insubordinate and abusive to supervision, per Ms. Aguas -- it is requested that the Council sustain the Civil Service Commission's Findings of Fact and Conclusions of Law.

* * * * *

The Council recessed for an Executive Session to consider this matter, the hour being 6:35 P.M.

On its return at 6:45 P.M. the Council took the following action:

MOTION: Councilman Applegate moved in the matter of Thomas Throop and Victor Taylor that the City Council sustain the action of the Torrance Civil Service Commission; that the grounds for the dismissal of Mr. Throop and the ten-day suspension of Mr. Taylor be sustained. The motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

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At 6:46 P.M. Mayor Armstrong ordered a 15-minute recess.

* * * * *

The Council reconvened at 7:00 P.M. and resumed the regular order of the agenda.

3. FLAG SALUTE:

City Librarian Buckley led in the salute to the flag.

4. INVOCATION:

Reverend Bill Norton, South Bay Baptist Church, provided the invocation for the meeting.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Applegate moved to approve the minutes of May 10, 1983, as recorded. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

6. MOTION TO WAIVE FURTHER READING:

Councilman Applegate moved that after the City Clerk has assigned a number and read title to any resolution or ordinance on tonight's agenda, the further reading thereof 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 Geissert, and roll call vote was unanimously favorable.

7. COUNCIL COMMITTEE MEETINGS:

None scheduled.

* * * * *

The new president of the League of Women Voters - Ms. Cindy Hammond - was introduced by retiring president, Jo-Anne Waller. Congratulations and good wishes were extended Ms. Hammond by the Council, along with an expression of appreciation to Ms. Waller for her outstanding efforts.

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8. COMMUNITY MATTERS:

- 8a.
- RESOLUTION
- honoring Arnold and Connie Johnson for community service.

RESOLUTION NO. 83-94A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE COMMENDING ARNOLD AND
CONNIE JOHNSON FOR THEIR COMMUNITY
SERVICE

Councilwoman Geissert moved for the adoption of Resolution No. 83-94. Her motion, seconded by Councilman Walker, was unanimously approved by roll call vote.

Mayor Armstrong lauded the contributions made to the City by Connie and Arnold Johnson and their deserving recognition at this time. The resolution was accepted by Mr. Wilfred Brugger, SETHA representative, who advised that this will be presented to them at a reception in their honor in the near future.

- 8b.
- PROCLAMATION
- "Make It Click - Drive Defensively" - the 101 critical days from Memorial Day weekend through Labor Day weekend.

So proclaimed by Mayor Armstrong.

9. LIBRARY/PARKS AND RECREATION MATTERS:

- 9a.
- AUTOMATED CIRCULATION SYSTEM.

RECOMMENDATION OF CITY MANAGER;

After reviewing the Library Department's agenda item and the discussion paper on the Automated Circulation System, the City Manager recommends the following:

- A. The joint preparation of a new Request For Proposal for a Library Automated Circulation System by the Library and Information Systems Departments.
- B. The continuance of \$60,000 in the Capital Improvement Budget for the Automated Circulation System.
- C. The immediate request of Group W for the \$200,000 grant committed in their franchise proposal for development of a community information data base.

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- D. The carryover of \$165,000 from the 1982-83 budget to the 1983-84 budget for the Automated Circulation System, contingent upon receipt of a \$200,000 grant from Group W Cable.
- E. The remaining \$35,000 from the Group W grant be held in a special fund for further development of a cable television data base system and not to the Automated Circulation System as proposed by the Library.

RECOMMENDATION OF LIBRARY DEPARTMENT:

In order to implement an Automated Circulation System, the Library is recommending that:

- A Request for Proposal (RFP) be developed in cooperation with the Information Systems Department.
- \$60,000 currently in the Library's budget for the Automated Circulation System be carried forward to the 1983-84 budget.
- \$165,000 of the Community Information Database currently approved for this system be made available in the 1983-84 budget.
- \$35,000 be made available in the 1983-84 budget.
- The City request that data base funds from Group W immediately be made available to the Library at the beginning of the fiscal year 1983-84.

Staff presentation and desired clarification were provided by Management Assistant McClain, City Manager Jackson and City Librarian Buckley.

It was the opinion of Councilman Wirth that this is a very important system -- a long awaited system -- and there is a real need for same; "it is time to get started."

MOTION: Councilman Wirth moved to concur with Items A,B,C and D of the City Manager's recommendation, and re: Item E, hold the matter in abeyance until the RFPs return. The motion was seconded by Councilwoman Geissert.

A SUBSTITUTE MOTION was offered by Councilman Applegate: That the Council concur with the recommendation of the City Manager. The substitute motion was seconded by Councilman Rossberg.

Discussion followed re: Item E and the interpretation thereof.

The substitute motion to concur with the recommendation of the City Manager CARRIED, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Rossberg, Walker,
Wilson; Mayor Armstrong.
NOES: COUNCILMEMBERS: Geissert, Wirth.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. RESOLUTION OF INTENTION - 1983 Weed Abatement Program.

RESOLUTION NO. 83-95

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING THAT WEEDS GROWING UPON AND IN FRONT OF CERTAIN PRIVATE PROPERTIES IN THE CITY ARE A SEASONAL AND RECURRENT NUISANCE, AND DECLARING ITS INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF

Councilman Wilson moved for the adoption of Resolution No. 83-95. His motion, seconded by Councilwoman Geissert, was unanimously approved by roll call vote.

10b. RESOLUTIONS re: Support for the Continued Operation of the Puente Hills Landfill in Whittier and Opposition to California State Senate Bill 965

RESOLUTION NO. 83-96

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE URGING THE COUNTY OF LOS ANGELES TO GRANT PUENTE HILLS LANDFILL CONDITIONAL USE PERMIT

Councilman Applegate moved for the adoption of Resolution No. 83-96. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

RESOLUTION NO. 83-97

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE IN OPPOSITION TO
CALIFORNIA STATE SENATE BILL 965 AFFECT-
ING EXPANSION AND SITING OF SOLID WASTE
FACILITIES

Councilman Applegate moved for the adoption of Resolution No. 83-97. His motion was seconded by Councilman Rossberg; roll call vote was unanimously favorable.

11. POLICE AND FIRE MATTERS:

- 11a. AWARD OF CONTRACT for professional services in the withdrawal of blood in driving under the influence arrests and rape examinations.

(Note: Paragraph 3 - "Analysis" - should be corrected as follows: Torrance Memorial - Rape Exam - \$78.25 [instead of \$120.25].)

RECOMMENDATION OF CHIEF OF POLICE:

That the City Council award contracts to Little Company of Mary and Torrance Memorial Hospitals from April 1, 1983, through June 30, 1984, for the withdrawal of blood in driving under the influence arrests and conducting rape examinations, as required, in a total amount not to exceed \$20,000.

MOTION: Councilman Applegate moved to concur with the above stated recommendation of the Chief of Police. The motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

12. PLANNING AND ZONING MATTERS:

- 12a. OPPORTUNITY TO CHALLENGE THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) NEW HOUSING ALLOCATION FOR TORRANCE.

RECOMMENDATION OF PLANNING DIRECTOR:

That the City Council direct the City Manager to prepare and submit a challenge of the new housing allocation and a local revision.

MOTION: Councilman Wirth moved to concur with the above stated recommendation of the Planning Director. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

15. HEARINGS.15a. CONTINUED HEARING of Proposed Ordinance to Regulate the Installation of Satellite Antennae. THE PLANNING COMMISSION AND STAFF RECOMMEND ADOPTION OF AN ORDINANCE TO CONTROL THE PLACEMENT OF SATELLITE ANTENNAE.

An Affidavit of Publication was presented by City Clerk Babb, and it was ordered filed, there being no objection.

Mayor Armstrong announced that this was the time and place for the subject public hearing, and, following Staff presentation by Planning Associate Woodward, invited comments from the audience.

Mr. Jim Roberts reaffirmed his interest in this matter, and provided a slide presentation of varying satellite antennae in domestic situations installed by him. It was his recommendation that the ordinance exempt private, non-commercial, installations under a four meter size (13 ft.) so long as no inconvenience is caused by the installation.

The next speaker was Mr. Frank Acardo, Frank's TV Antennae Service, who reiterated his position, per communication of record -- he is in favor of the subject ordinance. Mr. Acardo elaborated on the technical aspects of these installations.

There being no one else who wished to be heard, Councilman Applegate moved that the hearing be closed. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

Following discussion by the Council, and further Staff input, Mayor Armstrong requested that City Clerk Babb assign a number and read title to:

ORDINANCE NO. 3058

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF TORRANCE, CALIFORNIA,
ADDING SECTION 92.2.8 TO THE TORRANCE
MUNICIPAL CODE REGULATING THE INSTALLA-
TION OF SATELLITE ANTENNAE

Councilman Wilson moved for the approval of Ordinance No. 3058 at its first reading. His motion was seconded by Councilwoman Geissert, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Geissert, Rossberg,
Wilson, Wirth; Mayor Armstrong.
NOES: COUNCILMEMBERS: Walker.

It was stated by Councilman Walker that, in his opinion, this is an unnecessary ordinance which will burden City Staff -- further, more technical knowledge is needed.

Further action taken by the Council was as follows:

MOTION: Councilman Applegate moved that this matter be reviewed after one year. The motion was seconded by Councilman Rossberg. There were no objections, and it was so ordered.

- 15b. ZC 83-4, TORRANCE PLANNING COMMISSION: Request for approval of a Change of Zone from any and all zones to the Public Use District for property, with title vested in the City of Torrance, designated as public parks on the Torrance property zoning map. THE PLANNING COMMISSION RECOMMENDS APPROVAL OF ZC 83-4 TO REZONE ONLY THE CITY PROPERTY THAT IS CURRENTLY IDENTIFIED AS PUBLIC PARKS ON THE CITY'S LAND USE ZONING MAP.

An Affidavit of Publication was presented by City Clerk Babb, and it was ordered filed, there being no objection.

Mayor Armstrong announced that this was the time and place for the subject public hearing, and inquired if anyone wished to be heard.

Mr. Evan Williams, 4101 Mesa Street, representing the Riviera Little League, voiced his concerns and those of other parents regarding possible termination of Little League activities in the subject matter.

Little League president Nick Trayna, 22705 Draille Drive, advised that surveys confirm the need for additional leagues -- it is desired to develop the other piece of property in this matter to meet these needs.

There being no one else who wished to be heard, Councilman Applegate moved that the hearing be closed. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

MOTION: Councilman Applegate moved to concur with the recommendation of the Planning Commission and rezone the balance of the property P-U. The motion was seconded by Councilwoman Geissert, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Geissert, Walker,
Wirth, Wilson.
NOES: COUNCILMEMBERS: Rossberg; Mayor Armstrong.

It was the comment of Mayor Armstrong that he does not quarrel with the motion nor with the recommendation -- his negative vote is for the reason that several years ago he made the commitment, and he would have to have a compelling reason to reverse that.

Councilman Rossberg reviewed conditions pertaining to the intended use of the land when originally purchased from the School District -- to zone the land for park use would put the Little League in more jeopardy than leaving it as it is now.

ORDINANCE NO. 3059

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN PROPERTIES OWNED BY THE CITY OF TORRANCE TO THE PUBLIC USE DISTRICT (P-U ZONE), SAID PROPERTIES ARE DESCRIBED IN ZONE CHANGE 83-4 (TORRANCE PLANNING COMMISSION)

Councilman Wilson moved for approval of Ordinance No. 3059 at its first reading. The motion was seconded by Councilman Applegate, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Geissert, Walker,
Wilson, Wirth; Mayor Armstrong.
NOES: COUNCILMEMBERS: Rossberg.

15c. Hearing on Appeal of Civil Service Commission decision re: Thomas Throop and Victor Taylor.

See Page 1.

17. ADMINISTRATIVE MATTERS:

17a. EXECUTIVE SESSION

See Page 13.

18. SECOND READING ORDINANCES:

18a. ORDINANCE NO. 3057.

ORDINANCE NO. 3057

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING ARTICLE 13 TO

11.

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CHAPTER 5 OF DIVISION 4 OF THE
TORRANCE MUNICIPAL CODE TO PROHIBIT
NUDITY IN ESTABLISHMENTS SERVING
ALCOHOLIC BEVERAGES

Councilwoman Geissert moved for the adoption of Ordinance No. 3057 at its second and final reading. Her motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

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At 8:50 P.M. the Council recessed and reconvened as the Redevelopment Agency, returning at 8:51 P.M.

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22. ORAL COMMUNICATIONS:

22a. Councilman Applegate expressed appreciation to Principal Management Assistant Kathy Keane for her special help this past week.

22b. Councilman Applegate commended all responsible for the outstanding Armed Forces Day event, with a special thank you to Gene Barnett, Alan Shall and Teri Walsh for their help with the 10K Run, along with Corsaro Distributing.

The Mayor and Council unanimously concurred in appreciation for the outstanding efforts of all involved in planning and executing this memorable day.

22c. Councilwoman Geissert referred to Item 9a - the Automated Circulation System - and clarified that her negative vote on the substitute motion was not a vote against the Automated Circulation System but was against the funding arrangements. Councilman Wirth stated that his negative vote in this case was for the same reason.

22d. Councilman Rossberg announced that the South Bay Cities Association will meet on May 26th at Filippone's.

22e. Councilman Walker commended Councilman Applegate for his outstanding speech at the Police Department Memorial Services.

22f. Councilman Wilson suggested that consideration be given to having the Armed Forces Day Parade in conjunction with the 4th of July activities.

22g. Councilman Wilson requested Staff investigation re: unsightly median on Artesia Boulevard west of Hawthorne.

22h. Councilman Wirth requested a list of libraries in Southern California which have Automated Circulation Systems.

22i. Mayor Armstrong reaffirmed praise re: Armed Forces Day Parade and events, specifically pointing out the efforts of the Civil Air Patrol cadets on this occasion.

22j. Mayor Armstrong recommended "regrouping" re: S.B. 66.

22k. Mayor Armstrong appointed the Executive and Exempt Employees Salaries Committee as follows: Councilmembers Geissert, Wilson and Wirth.

22l. Mayor Armstrong commended the Police Chief and Fire Chief for their recent Quarterly Management Reports -- "the reports are well done and reflect credit to both men and to the departments."

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17a. EXECUTIVE SESSION:

At 9:10 P.M. the Council recessed for an Executive Session, returning at 10:11 P.M. No action was taken.

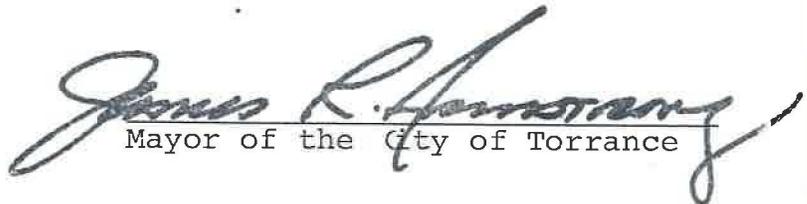
The meeting was regularly adjourned at 10:12 P.M.

* * * * *

Ava Cripe
Minute Secretary

13.

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Mayor of the City of Torrance


City Clerk of the City of Torrance