

MINUTES OF AN ADJOURNED REGULAR MEETING OF THE TORRANCE CITY COUNCIL

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular meeting at 5:30 p.m. on January 25, 2005, in Council Chambers.

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.

* Councilmember McIntyre arrived at 6:30 p.m.

17. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on the agenda matters listed under 17.A) Conference with Labor Negotiator; 17.B) Conference with Legal Counsel, Existing Litigation; 17.C) Conference with Legal Counsel, Potential Litigation; and 17.D) Real Property – Conference with Real Property Negotiator pursuant to California Government Code Sections 54957.6, 54956.9 (a), 54956.9 (b) (1) and 54956.8.

The City Council reconvened at 7:03 p.m.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by City of Torrance firefighters Rickey Cradle Jr. and Nick Facer.

The invocation was given by Councilmember Scotto.

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 Mauno and a voice vote reflected unanimous approval.

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 a roll call vote reflected unanimous approval.

4. WITHDRAWN OR DEFERRED ITEMS

City Manager Jackson indicated that no items were to be withdrawn or deferred but additional information was available at the back of the auditorium for item 9B.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Scotto announced a meeting of the Finance and Governmental Operations Committee on Tuesday, March 8 at 5:30 p.m. in Council Chambers to discuss the mid-year second quarter budget review.

Councilmember Witkowsky announced the fourth meeting of the City Council Planning and Design Committee on Thursday, January 27 at 7:00 p.m. in City Council Chambers to discuss the Historic Preservation Overlay Zone and the Mills Act.

City Clerk Herbers announced that applications were being accepted for appointment to the Cable Television Advisory Board, the Environmental Quality and Energy Conservation Commission and the Library Commission until Wednesday, February 9, 2005 with appointment during the City Council meeting of February 15, 2005.

Mayor Walker asked that the meeting be adjourned in memory of retired Fire Captain John Hill.

6. COMMUNITY MATTERS

6A. APPOINTMENT OF BETTY DOBBS TO WORKFORCE INVESTMENT NETWORK POLICY BOARD

Recommendation of the **Workforce Investment Network Policy Board** that City Council appoint and officially swear in Betty Dobbs as a member of the Carson/Lomita/Torrance Workforce Investment Network Board.

MOTION: Councilmember Nowatka moved to appoint Betty Dobbs to the Workforce Investment Policy Board. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

City Clerk Herbers administered the oath to Betty Dobbs and Councilmember Nowatka welcomed her to the Board.

7. CONSENT CALENDAR

Finance Director Tsao reported that with regard to item 7G, Quality Paper Fibers had an outstanding invoice for \$70,000 and he asked to hold approval of that item until the check clears until next week. Mayor Walker clarified that item 7G was not to be pulled, but rather modified.

Councilmember Scotto asked to pull item 7C and Alan Lee. TME AFSCME Local 1117 asked that item 7H be pulled for separate consideration.

7A. APPROVAL OF MINUTES – OCTOBER 12, OCTOBER 19, OCTOBER 26, NOVEMBER 9, NOVEMBER 16, AND NOVEMBER 23, 2004

Recommendation

Approval of minutes of October 12, October 19, October 26, November 9, November 16, and November 23, 2004.

7B. MONTHLY INVESTMENT REPORT – DECEMBER 2004

Recommendation

Recommendation of the **City Treasurer** that City Council accept and file the monthly investment report for the month of December 2004.

7C. SALE OF SURPLUS/OBSOLETE VEHICLE TO TORRANCE UNIFIED SCHOOL DISTRICT

Recommendation

Recommendation of the **General Services Director** that City Council authorize the sale of one (1) surplus/obsolete vehicle (for the amount of \$1,190) to Torrance Unified School District.

CONSIDERED SEPARATELY See page 4.

7D. PURCHASE ORDERS RE WORKSTATIONS FOR FINANCE DEPARTMENT

Recommendation

Recommendation of the **General Services Director** that City Council:

- 1) Authorize a purchase order to Allsteel for \$109,691.13 for the purchase of workstations; and
- 2) Authorize a purchase order to Interservice for \$8,038.22 for the installation of workstations for the Finance Department.

7E. PUBLIC WORKS AMENDMENT RE MEDIAN ISLAND IMPROVEMENTS

Recommendation

Recommendation of the **Community Development Director** that City Council:

- 1) Approve an amendment to public works agreement with S. H. E. Construction Group, Inc. (C2004-98) to extend the term from January 31, 2005 to August 31, 2005 for the construction of Median Island Improvements for the beautification of Hawthorne Boulevard from Pacific Coast Highway to Sepulveda Boulevard; and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

7F. LICENSE AGREEMENT RE GROUNDWATER MONITORING WELL

Recommendation

Recommendation of the **Community Development Director** that City Council authorize the Mayor to execute and the City Clerk to attest to a license agreement with Shell Oil Products US, dba Equilon Enterprises LLC, for one (1) groundwater monitoring well.

7G. CONTRACT SERVICES REASSIGNMENT RE RECYCLING SERVICES

Recommendation

Recommendation of the **Assistant City Manager** that City Council approve an amendment to reassign contract services agreement from Quality Paper Fibers (C2004-117) to Recycle America Alliance (a subsidiary of Waste Management).

7H. TERM LIFE AND DISABILITY INSURANCE FOR TME-AFSCME EMPLOYEES

Recommendation

Recommendation of the **Human Resources Director** that City Council approve the selection of Jefferson Pilot Financial to provide term life and disability insurance to employees represented by TME-AFSCME at a rate of 20 cents per \$1,000 of benefit for Life, 25 cents per \$10 of benefit for Short Term Disability (STD), and 68 cents per \$100 of benefit for Long Term Disability (LTD) beginning February 1, 2005. It is further recommended that City Council approve a binder

payment of \$21,037.23 to guarantee the rates for two years and that the savings of \$30,281 be placed on reserve to address future rate fluctuations.

CONSIDERED SEPARATELY See page 5

7I. MUNICIPAL AREA EXPRESS (MAX) COMMUTER BUS SERVICE PROGRAM

Recommendation

Recommendation of the **Transit Director** that City Council authorize the Mayor to execute and the City Clerk to attest to an agreement for participation in the Municipal Area Express (MAX) Commuter Bus Service program with a term of July 1, 2005 through June 30, 2008.

7J. AMENDMENT RE ARTESIA BOULEVARD LANDSCAPE IMPROVEMENTS

Recommendation

Recommendation of the **Community Development Director** that City Council:

- 1) Approve an amendment to public works agreement with Nativ Engineering, Inc. (C2004-93) to extend the term from January 31, 2005 to July 31, 2005 for the Artesia Boulevard Landscape Improvements, A-15; and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

7K. TORRANCE 2006 TOURNAMENT OF ROSES PARADE FLOAT ENTRY

Recommendation

Recommendation of the **City Council Ad Hoc Rose Float Committee** that City Council appropriate an additional \$35,000 to cover the cost of the City's float entry in the 2006 Pasadena Tournament of Roses Parade.

7L. CONTRACT EXTENSION RE SECURITY SERVICES FOR TORRANCE TRANSIT

Recommendation

Recommendation of the **Transit Director** that City Council authorize the Mayor to execute and the City Clerk to attest to a contract services agreement extension with International Services, Inc. (ISI) commencing on February 1, 2005 until June 30, 2005, at a cost not to exceed \$75,000.

MOTION: Councilmember Scotto moved to approve items 7A and 7B, item 7D through item 7F, item 7G as modified and items 7I through 7L as written. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

CONSIDERED SEPARATELY

7C. SALE OF SURPLUS/OBSOLETE VEHICLE TO TORRANCE UNIFIED SCHOOL DISTRICT

Recommendation

Recommendation of the **General Services Director** that City Council authorize the sale of one (1) surplus/obsolete vehicle (for the amount of \$1,190) to Torrance Unified School District.

Councilmember Scotto requested that the City sell the surplus/obsolete vehicle to the Torrance Unified School District for \$1 rather than for \$1,190.

MOTION: Councilmember Scotto moved to approve item 7C with the modification. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

CONSIDERED SEPARATELY

7H. TERM LIFE AND DISABILITY INSURANCE FOR TME-AFSCME EMPLOYEES

Recommendation

Recommendation of the **Human Resources Director** that City Council approve the selection of Jefferson Pilot Financial to provide term life and disability insurance to employees represented by TME-AFSCME at a rate of 20 cents per \$1,000 of benefit for Life, 25 cents per \$10 of benefit for Short Term Disability (STD), and 68 cents per \$100 of benefit for Long Term Disability (LTD) beginning February 1, 2005. It is further recommended that City Council approve a binder payment of \$21,037.23 to guarantee the rates for two years and that the savings of \$30,281 be placed on reserve to address future rate fluctuations.

Mr. Lee distributed a copy of an email he sent to Elaine Weiner and City Council members and summarized the benefits and changes.

Mr. Lee reported that the Human Resources Director had suggested that it would be fundamentally unfair to give AFSCME employees a 15 day waiting period and everyone else a 30 day period, but he doubted that the Torrance Firefighters Association and the Torrance Police Officer's Association would object to AFSCME receiving a 15 day waiting period. He pointed out that all MOUs are different.

Mr. Lee stated that the 90% of employees who do not abuse sick leave should not be punished for the 10% who do; pointed out that only a doctor can certify whether someone is disabled noting that the recommendation for a 30-day waiting period vs. a 15-day waiting period means employees have to use all their sick time or vacation time before they can get disability which in effect costs more if they get hurt.

Mr. Lee asserted that if the staff recommendation to set aside the savings for future fluctuations was to be accepted he wanted to monitor how the funds would be spent. He further asked the Council to instruct staff to be sure that the two-thirds amount is based on the actual salary not on the base salary.

Mayor Walker received clarification that Mr. Lee would not object to the 15 day waiting provisions and recommended that with the consent of TME AFCSME, the MOU be modified with an agreement to return to the 30 way waiting period if necessary to maintain coverage or the established rate and supplements to the coverage would continue to be based on the city's 30 day policy.

Mr. Lee asserted that they were bringing a superior benefit forward at a lower price and acknowledged that if it rate goes over the money saved by the city that it could go back to 30 days at that point.

City Manager Jackson recommended a consistent strategy for a 30 day waiting period for employees on the LTD. He noted that the policy is as it was supplied by the insurance agents and is before them as such.

Responding to Councilmember Lieu, City Manager Jackson acknowledged that the city saved money in both instances but the savings would be substantially less with the 15 day waiting period compared to the 30 day period.

In response to Councilmember Mauno, City Manager Jackson explained that they had not explored alternative time frames as 30 days is usually the standard. He added that they had established a way to bank away sick days for employees to bridge the gap.

Human Resources Director Weiner indicated that the standard in the industry is 30-60 days and there are some that are 90 days.

City Manager Jackson indicated that the concern is for long term disability.

Daryl Frenny, Jefferson Pilot, reported that the state provided eight days for short term disability and the company provides 15, 30 and 60 day options with 90 days for long term disability. Fifteen days provides enough so that if someone twists an ankle it won't incur long term costs and some companies mandate that vacation be used first. He reported that a review of the third party analysis showed it to be fair and accurate for the most part and he explained experience ratings. He indicated that the rates provided to Torrance were based on a manual rate using the demographics of the group as it is not large enough project upon and there is no past experience that is relevant.

Nancy Sebertson, W. 179th Street, pointed out that they were looking at the premiums only in terms of cost reductions and she suggested that they also consider that they would not have to pay the 7% on the employees salary to PERS nor are they paying the employers' portion so there are additional cost savings.

Councilmember Lieu observed that AFSCME had come forward to the Council with two proposals, both of which save money. They have expressed preference for the 15 day period and he supported enhancing the benefits of employees especially if the city saves money.

Mayor Walker agreed as it brings value to the city and community.

MOTION: Councilmember Lieu moved to support the recommendation with a 15-day waiting period and the City Manager's note to return to the 30 way waiting period if necessary to maintain coverage or the established rate and supplements to the coverage would continue to be based on the city's 30 day policy. Councilmember Mauno seconded the motion and a roll call vote reflected unanimous approval with the exception of Councilmember Nowatka who dissented.

8. COMMUNITY SERVICES

8A. NAMING OF NEW PARK AT 226TH STREET AND OCEAN AVENUE

Recommendation of the **Parks and Recreation Commission** and the **Acting Community Services Director** that City Council approve 'Pepper Tree Park' as the name for the new park under construction at 226th Street and Ocean Avenue.

Councilmember Witkowsky commented on the process of the Parks and Recreation Commission in naming the park which was peppered with pepper trees.

Responding to Councilmember Lieu, Administrative Analyst Witzansky explained that it had been well over two decades since a park was last acquired and named in the City of Torrance.

Mayor Walker suggested naming the park something that related to the surrounding area which includes housing for the physically challenged and senior units rather than having it named after trees that had been removed.

Councilmember Scotto proposed that Pepper Tree Park could be a temporary name until something more appropriate is brought up.

MOTION: Councilmember Scotto moved to approve the staff recommendation. Councilmember Witkowsky seconded the motion and the discussion continued.

Councilmember Lieu questioned whether there was a rush to name the park and Administrative Analyst Witzansky explained that it takes six weeks to get a sign done.

Responding to Mayor Walker, City Manager Jackson indicated that the matter could be referred back to the Parks and Recreation Commission for further consideration and it would probably be 30-60 days before the item would be back before the Council. He indicated that the name was important for identification purposes and for listing the park in magazines and with city information.

Mayor Walker suggested a contest and City Manager Jackson pointed out that had not worked out well in the past.

Councilmember Mauno suggested holding the matter for 30 days.

Responding to Councilmember Scotto, Administrative Analyst Witzansky indicated that the park should be finished by mid-March and he noted that there could be a ribbon cutting ceremony without the sign.

City Manager Jackson suggested that a motion could contain a date certain for further consideration of the name.

Councilmember McIntyre expressed support for the name and Administrative Analyst Witzansky reported that they planned to plant three prominent pepper trees.

SUBSTITUTE MOTION: Councilmember Mauno moved to continue the matter for 30 days to reconsider the naming of the park. Mayor Walker seconded the motion and a roll call vote reflected the following: AYES: Councilmembers Lieu, Mauno, McIntyre, Scotto and Mayor Walker. NOES: Councilmembers Nowatka and Witkowsky. Motion passed.

Parks and Recreation Director Barnett clarified that the matter was being referred back to the Commission and Mayor Walker welcomed input from the community.

8B. RESOLUTION NO. 2005-05 RE ANNENBERG FOUNDATION DONATION
Recommendation of the **Parks and Recreation Commission** and the **Acting Community Services Director** that City Council adopt a **RESOLUTION** accepting a donation from the Annenberg Foundation of a universally accessible tree house to be constructed at Charles H. Wilson Park.

Parks and Recreation Director Barnett indicated that the proposed location of the project is in the interior of Charles H. Wilson Park, south of the existing children's playground equipment and adjacent to a large pedestrian path. He added that the project has been a long time coming and if accepted, Torrance will be the benefactors of a large donation and the only one of its kind in a public park.

Mayor Walker reported visiting the Forever Young Treehouse headquarters in Vermont and seeing great examples of what someone's concept of helping people can lead to. He asserted that Torrance would be setting an example to the west coast and would be able to look back in 20 years and see this type of accessible treehouse and know that it started here with a great foundation coming forward with an incalculable gift to the community.

Councilmember Scotto thought the location was great but expressed concern with proximity to the parking lot. Parks and Recreation Director Barnett indicated that was not a major concern as the park is accessible with a walkway system built to accommodate wheel chair bound individuals and the location is easily accessible from any of the parking lots that serve the park.

Councilmember Scotto thanked the Annenberg Foundation for choosing Torrance.

Councilmember Witkowsky was excited about the project and questioned whether there would be any issues connected with the many large events at the park and whether staff planned on closing off the area at certain times to prevent damage.

Parks and Recreation Director Barnett viewed the larger events as potentially advantageous to the use of the treehouse noting that one of their objectives is the opportunity to integrate people of all abilities. He added that there would be the benefit of rangers and law enforcement when there are large crowds to make sure that the equipment is not abused and he felt that the treehouse is an attraction that would add to the uniqueness of Wilson Park.

Councilmember McIntyre commended staff and the Annenberg Foundation for considering the project carefully, taking input from residents and coming to a consensus. She felt it would be an improvement for the park and she commented that if, as first proposed, the park had been located in a neighborhood park, the handicapped children would have been isolated from the rest of the community in their utilization of the park and with the current location, they will be fully integrated with the community while using their own activities on a very unique structure.

Councilmember Lieu was honored that Torrance had been chosen to receive the gift of the accessible treehouse out of the thousands of cities in the country and he noted that Torrance has always had a commitment to the disabled. He noted that the park previously considered at 226th and Ocean is also ADA accessible.

Councilmember Mauno personally thanked Mr. Abe at the Annenberg Foundation for choosing Torrance and for not giving up.

Leonard Abe, The Annenberg Foundation, thanked the city and everyone who worked over many months to get to this point as well as Bill Allen and Dan Feeney from Forever Young Treehouses.

MOTION: Councilmember Scotto moved to approve the staff recommendation. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2005-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ACCEPTING A DONATION FROM THE ANNENBERG FOUNDATION OF A UNIVERSALLY ACCESSIBLE TREE HOUSE TO BE CONSTRUCTED AT CHARLES H. WILSON PARK

MOTION: Councilmember McIntyre moved to adopt Resolution No. 2005-05. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

9. PLANNING AND ECONOMIC DEVELOPMENT

9A. SOUTH TORRANCE PERMIT PARKING CONTINUATION

Recommendation of the **Community Development Director** and the **Police Chief** that City Council:

- 1) Approve the continuation of the permit parking program along Loytan Street, Bigelow Road, Weston Road, Denny Road, Newton Street, Danaha Street, Dalemead Street and the Pacific Coast Highway service road in south Torrance; and
- 2) Direct staff to return with an ordinance to amend Section 61.6.32 of the Torrance Municipal Code expanding the permit parking district to include Weston Road between Dalemead Street and Winlock Road.

Transportation Manager Semaan reported that permit parking at this location was started in May 2004 for a 6 month trial program. He indicated that the program has been successful, positive feedback has been received and there have been a couple of requests to expand it one block to include Weston Road.

Councilmember Scotto was pleased that the program was working as it was helping with car dealership parking and he received clarification that the only modification proposed was the addition of Weston Road.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. Councilmember McIntyre seconded the motion and the discussion continued.

Steve Bruechle, Weston Road, congratulated the city for going through the process and he thanked Transportation Manager Semaan noting that the process works, streets are swept and trashcans are emptied.

Robert Burnett, Bigelow Road, thanked the Council for approving the trial period noting that he had gotten a ticket when he forgot to put his pass up but he did not mind as the program has reduced the amount of dealership parking and Robinson Helicopter parking. He encouraged the city to continue with permanent stickers instead of paper tags.

A roll call vote was taken on the motion reflecting unanimous approval.

9B. RESOLUTION NO. 2005-06 OPPOSING PROPOSED TRAFFIC SIGNAL AT 235th AND WESTERN AVENUE

Recommendation of the **Community Development Director** that City Council review the staff report, accept public input, and direct staff to:

- 1) Adopt a **RESOLUTION** stating the City's opposition to the proposed installation of the traffic signal by Caltrans at the intersection of 235th Street and Western Avenue;
- 2) Explore different alternatives such as requesting that an Environmental Impact Report (EIR) be drafted or withholding necessary construction permits, in an effort to deter the installation of the traffic signal by Caltrans at 235th and Western Avenue;
- 3) Install raised medians to restrict access into and out of 235th, 234th and 236th Streets at Western Avenue, should a traffic signal be installed at this intersection; and
- 4) Direct staff to continue working with Caltrans and the City of Los Angeles for their concurrence to the installation of the median island on 235th Street west of Western Avenue as described in Alternative 1.

Transportation Manager Semaan indicated that supplemental material was available and he provided a presentation on the item with the aid of slides.

In November 2001 Caltrans received a request from a resident in the Los Angeles strip requesting consideration for a traffic signal at the intersection of 235th and Western and at that time the request was analyzed and denied. Further correspondence from Assemblymember Jenny Oropeza including traffic accident history in March 2003 for the year of 2002 resulted in Caltrans reconsidering the item in April 2003 and determining that the warrant analysis had been justified.

As a result of meetings in August 2003 between Caltrans and the City of Torrance regarding the possible installation of a traffic signal at the intersection of 235th and Western, Mayor Walker sent a letter to Caltrans outlining the City's strong opposition to the installation and requesting that the state coordinate a meeting between Los Angeles, Torrance and Caltrans. The City of Los Angeles and Caltrans worked unilaterally on the matter and correspondence from them is attached in the packet.

Each time Torrance received information from Caltrans or City of Los Angeles staff, Torrance reiterated strong opposition to the signal and requested consideration for alternative means to address any concerns they might have. The last meeting between the three agencies took place in September 2004 at which time Torrance provided Alternative 1 restricting access into and out of 235th Street on the Torrance side. Staff members present thought that might be considerable as it did not restrict access into and out of the City of Los Angeles.

Caltrans sought to gain the favor of Torrance residents and conducted a meeting on December 15 at Wood Elementary School where eighty residents attended and expressed strong opposition to the signal. On January 19, 2005 the City held a neighborhood meeting and residents again opposed the action. Staff is requesting that the Council adopt a resolution to be forwarded to state officials to alert them of Torrance's position.

Responding to Councilmember Witkowsky, Transportation Manager Semaan agreed that intersections with signals are perceived as a through street and attract more traffic.

Mayor Walker asserted that the signal would create a new thoroughfare through a residential area of Torrance and he reported many discussions with Janice Hahn about the backdoor attempt by Caltrans to install the signal.

Councilmember Scotto related being very familiar with the corner and he reported backups during peak traffic hours because of the stop signs. He asserted that if a traffic signal were to be installed, traffic would be generated and speeders would try to catch the light, and he was disappointed that the city had gotten to this point as he felt the signal would hurt the community and pose danger to families with small children.

Rick Marshall, W. 235th Street, reported using the intersection on a daily basis, and he felt the alternatives proposed by the city would just move the traffic somewhere else. He referred to diagrams asserting that the entire area should be considered, added that the train comes through three times a day and backs up traffic and suggested holding off on the concrete barriers as they would jam up traffic for he and his neighbors.

Mr. Marshall questioned whether the group at the meeting represented the majority and he suggested polling the community because he saw a stop light as advantageous as it would allow a break in the steady stream of traffic on Western that would allow him to back out of his driveway. He pointed out that 235th Street was designated as a City of Torrance thoroughfare on maps and felt that if Caltrans installed the stop light it would be a boon for safety.

John Bailey, Walnut Street, opposed the installation of the traffic signal and thanked the Community Development Department for notifying southeast residents that Caltrans had scheduled a December 15 meeting on the proposed traffic signal because the Caltrans notice did not arrive until that afternoon. He recounted incidents relating to the intersection and reported that Caltrans had indicated that "the project does not fall within an exempt class but it can be seen with certainty that it will have no affect on the environment." Mr. Bailey questioned how that could be possible with the close proximity of 1,670 students from surrounding schools and he cited the Safe Routes to School Initiative which has a main objective of making streets safer for pedestrians on heavily traveled routes to school. Southeast Torrance traffic studies have shown that traffic would increase if a stoplight was installed at 235th and Western and he indicated that southeast residents would support the city in opposition of the installation.

Jerome Houske, 235th Street, asserted that if the signal were to be installed additional traffic would be generated on a street lined with single family residential homes and he asked the city for help noting that his parked cars had been hit on that street.

Jacob Haik, Field Deputy for Councilwoman Janice Hahn, asserted that the matter was not the City of Los Angeles vs. the City of Torrance but rather what was at issue were unsafe conditions. He indicated that Ms. Hahn was open to alternatives but encouraged adopting the signal as it is with no restrictions to allow funding to be found and installation this year. They felt that there would be no negative impacts from installation of the signal but agreed to monitor the intersection for negative impacts on 235th Street.

Mr. Haik reported attending the first community meeting where there was strong opposition to the signal but residents were also worried about how they were going to

get around the blocked off streets and where the traffic would go. He encouraged Torrance to work with the City of Los Angeles and to evaluate traffic, the location and the benefits to the area, and he opposed the blockage of traffic on the streets as he felt it set a bad precedent. He asserted that Los Angeles would not close entrances to Torrance residents and he felt it was possible that it was against state law to close off traffic between municipalities.

Mr. Haik asserted that density and traffic flow were increasing and streets should not be blocked off, especially 235th Street as it is an important thoroughfare. He asked for support for the signal noting that if there is a negative impact after installation they will have the City of Los Angeles sign off on that and access will not be allowed on 235th but he asked that Torrance give the matter proper consideration.

Mayor Walker noted that Janice Hahn is a good friend and he questioned what statistics they had showing a difference between 2001-2002 and the present to change the Caltrans position. He noted that Caltrans had not bothered to analyze the request until it came from a Long Beach Assemblymember and then they moved forward.

Mr. Haik did not have numbers available and he indicated that residents are persistent which caused Caltrans to study the area and determine that it warranted traffic mitigation. He cited cross jurisdictional issues with the area that result in a loss of data between the agencies and noted that by state law once a problem location is identified they have to take action because they are liable.

Mayor Walker stated that not installing the signal is described as a safety issue but there are no statistics available to support that. He clarified that Torrance perceived the matter as a safety issue because by installing a signal the street will become a thoroughfare and a traffic generator across the entire city. He cited the differences of the impact on Los Angeles and Torrance and again asked for numbers that illustrate the safety issues.

Mayor Walker observed that Los Angeles was making a strong presentation discussing safety without any numbers and he pointed out that Caltrans had not considered it to be a problem a couple of years ago but now is a political issue so it is important to get done. He observed that Caltrans was having trouble getting money together to do something on another street, but are able to find money to do this over strong objections by the City of Torrance.

Mr. Haik asserted that one loss of life was enough and he added that the City of Torrance was notified two years ago about their intentions to put this in place. He indicated he would be happy to meet and share information and added that money had been identified and would be lost if not used.

Councilmember Lieu reported that Torrance received information in October 2000 that Caltrans was not going to install a signal. In November 2001 the city was informed that Caltrans had conducted a signal warrant analysis and no signal was needed. Then in March 2003 Jenny Oropeza, who serves on the California Transportation Committee, wrote a letter to Caltrans and suddenly they reverse their thinking which is why he feels numbers are so important and the lack of numbers is telling. It appeared to him that once an assemblymember on a Transportation Committee wanted the signal installed everything changed and so he supported staff's rejection.

Councilmember Mauno acknowledged some possible benefits and improvements to safety if the signal were installed but noted that traffic would be increased and safety minimized on 235th Street. The result would be moving traffic from a highway to a street with single family homes and he agreed with Councilmember Lieu that facts were necessary.

Councilmember McIntyre commended Mr. Bailey for his thorough research of the Caltrans files and she felt that the several elementary schools in the area were an important factor. She expressed concern with the lack of data to support the Caltrans request and reported receiving numerous emails about the issue with only two emails supporting installation of a traffic light.

Councilmember McIntyre felt the residential area should remain that way and she concurred with Councilmember Lieu's assessment that it appeared to be a political issue rather than a safety issue. She asserted that Torrance put safety first and she expressed support for the resolution and for the staff recommendation.

Councilmember Scotto indicated that while cities like to cooperate with each other, the eastbound traffic is not their issue, and if a signal is installed it will prevent traffic from backing it up so people will take that route which will increase traffic.

MOTION: Councilmember Scotto moved to concur with the staff recommendation to adopt a resolution stating the City's opposition to the proposed installation of the traffic signal by Caltrans at the intersection of 235th Street and Western Avenue. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

Mayor Walker pointed out that did not preclude staff from continuing to look at other matters called forth in the item that were not part of the motion.

City Attorney Fellows, responding to Councilmember Scotto, indicated that it was possible for the court to put an injunction to stop Caltrans if they decide to move forward anyway and he added that the supplemental material included the notice of categorical exemption with respect to the proposed traffic signal. He believed the notice to be defective and an inappropriate environmental analysis and he felt that the city had good arguments to require an EIR.

City Attorney Fellows indicated that the nature of the Caltrans approval process is such that Torrance has good legal issues with respect to that as well as outside of the environmental question and if the Council wanted to authorize the City Attorney's office to attempt a legal intervention he felt they would have a good shot at that.

Councilmember Scotto expressed concern that Caltrans would move forward before the Council would have an opportunity to authorize legal intervention and City Attorney Fellows explained that Caltrans had previously bid the project but the bids were unacceptably high and so they are currently in a re-bidding process with bids solicited in March and awarded in June. He noted that the Council could direct him to monitor the situation and take any necessary action to protect the interests of the City of Torrance but he was not worried that it would happen before he could get back to the City Council.

Councilmember Scotto commented that the resolution would not stop Caltrans as the wheels are already in motion and City Attorney Fellows explained that in addition

to the proposed resolution, staff was also recommending several other steps to keep the city moving forward and he felt that once the City Council has demonstrated its resolve to continue the strong opposition to the traffic signal project that they might be able to get some understanding out of Caltrans and the City of Los Angeles. He pointed out that they had proposed a very strong alternative, the porkchop median, which is consistent with the current improved General Plan and he noted that directing staff to proceed with the porkchop could be done without any further environmental review prior to implementation of the traffic signal.

City Attorney Fellows clarified that the city was working to maintain the status of 235th Street because that is consistent with the currently approved General Plan and because of that they are authorized by the California Vehicle code to install porkchop medians which is consistent with State Law Authority. He cited a comment by Mr. Haik about not putting barriers between two jurisdictions noting that there are situations where regional traffic issues require neighboring jurisdictions to be sensitive to each other, but this is the counter situation. Torrance has a status quo and the proposed traffic signal would change 235th Street from a collector street to a minor arterial which would make it inconsistent with the General Plan which is why staff would consider the additional recommendations to provide more tools to continue discussions with Caltrans in Los Angeles.

Mayor Walker suggested adopting the other three bullets in the staff recommendation and giving City Attorney Fellows authorization to take any steps that he deemed prudent to enact the will of the Council with regard to the street. He indicated to Mr. Haik that a DVD of the Council meeting would be sent to Councilwoman Janice Hahn's office by noon tomorrow so she would be aware of the Council's thoughts on the matter.

Councilmember Witkowsky questioned whether Torrance would be obligated to remove the porkchop median if Caltrans went forward with the signal as it would be impossible for the traffic to move through the street that way and City Attorney Fellows responded that would not be necessary unless a court ordered them to do that.

City Attorney Fellows stated that part of the issue is the justification for the signal and he noted that Councilmember Scotto had raised interesting points with respect to traffic moving eastbound through Torrance on 235th and exiting out onto Western. He felt that implementation of the porkchop median would keep traffic numbers down and the street would continue to be a collector street instead of becoming a minor arterial.

City Attorney Fellows indicated that if the Council authorized staff to move forward that would be communicated to Caltrans and the City of Los Angeles so if they proceed with the traffic signal Torrance is already in a position to mitigate the impact.

Councilmember Scotto pointed out that if there were a hearing about restricting the flow of traffic on 235th Street with medians he felt certain that people would oppose it. He noted that if staff is adding the bullets to give the city the ability to threaten to do that, that is one thing but if they are telling the community they are going to install the medians they would have a problem with that.

City Attorney Fellows noted that Councilmember Scotto was referencing the bullet points in the original staff report but the proposed resolution on page 4 of the pink supplemental, Section 6 reads "In the event Caltrans proceeds with the traffic

signalization project absent an Environmental Impact Report or does not coordinate said installation with the City of Torrance, the City Council directs staff to bring back for Council consideration any necessary requests for authorization to construct a raised median to restrict access on 235th Street.”

City Attorney Fellows explained that the resolution is the guiding authority.

Councilmember Scotto suggested amending the motion to include the bullet points on the pink sheet, not the original version.

RESOLUTION NO. 2005-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA OPPOSING THE PROPOSED INSTALLATION OF A TRAFFIC SIGNAL BY THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) AT THE INTERSECTION OF 235TH STREET AND WESTERN AVENUE

MOTION: Councilmember McIntyre moved to adopt Resolution No. 2005-06. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

MOTION: Councilmember Scotto moved to authorize the City Attorney to take whatever legal steps necessary to preserve the City of Torrance’s position so that the traffic signal is not installed without the city’s consent. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval

Mayor Walker called a recess from 9:00 p.m. to 9:15 p.m.

11. ADMINISTRATIVE MATTERS

11A. THIRD AMENDMENT RE CARSON WORKSOURCE CENTER OFFICE LEASE

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

- 1) Third Amendment to the Carson WorkSource Center office lease (C97-273) by and between the City of Torrance and Ed-Pac Drive-in Theatre Corporation, a California corporation; FTA Civic, LLC, a Delaware limited liability company; and FTB Civic, LLC, a Delaware limited liability company, as tenants in common (collectively “Landlord”); and
- 2) Authorize the execution of the Tenant Estoppel Certificate and the Agreement of Subordination, Nondisturbance, and Attornment associated with the amendment listed above.

Land Management Chair Sunshine explained that funding cuts made paying the current rent more difficult so they are proposing reducing the space which will reduce the rent structure. The lease was to expire in June 2005, but is now extended for three years with an out clause if there are further funding issues. The lease requires 12 months with six months notice to terminate.

Councilmember Nowatka provided background on the item noting that the Carson/Lomita/Torrance WorkSource Investment Board is funded through the

Workforce Investment Act and funding has been reduced so it is necessary to consolidate operations which has been done in several phases over several months. The last phase was to renegotiate the lease or move, but this lease allows them to stay in the current facility.

Responding to Councilmember Nowatka, Land Management Chair Sunshine reported that through rent credits and shrinking square footage it is estimated that \$600,000 can be saved over the next three years with savings benefiting the WiN as the previous rent structure was cutting into their programs.

Councilmember Nowatka noted that the programs match companies with employees and Land Management Chair Sunshine reported that a very willing landlord enabled them to work out an agreement together.

MOTION: Councilmember Scotto moved to accept the staff recommendation. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

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The Torrance Redevelopment Agency met from 9:20 p.m. to 9:22 p.m.

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16. ORAL COMMUNICATIONS

16A. Councilmember Lieu reported testifying before the Governor's Commission on Base Retention on the critical importance of the Los Angeles Air Force base in terms of economic benefits to Torrance and the South Bay as well as the military mission it provides to the nation's security. He noted that much of what the military has in space today is a direct result of activities at the base and he encouraged individual citizens to help out and support the base. He provided the website address for the Los Angeles Air Force Alliance: laafbballiance.com and asked that a link be placed on the city website. City Manager Jackson agreed to follow up on the matter.

16B. Councilmember Lieu reported the recent addition of the Pentagon Channel to Torrance Cable providing an interesting look at how the military performs worldwide.

16C. Councilmember Lieu congratulated Torrance City Cable for winning 3 Western Alliance Video Excellence (WAVE) awards and he commended Michael Smith and his entire staff for their quality operation as well as the producers and artists that make Torrance Cable what it is.

16D. Councilmember Mauno reported attending a meeting for Area 6 Cities of Los Angeles County on the upcoming storm drain mitigation project and noted that Torrance would work with surrounding cities to mitigate bacteria which travel through storm water channels into the Santa Monica Bay.

16E. Councilmember Mauno asked, with the concurrence of Council, that the City Manager bring back information about advancing wireless hot spots in the city which enable the public to log onto the Internet. He suggested expanding to libraries, the Cultural Arts Center, Wilson Park and other city facilities as it is a technology that is going to be more available to everyone and he wanted to see the city take a proactive step and study it.

16F. Councilmember McIntyre expressed sadness at a Daily Breeze report that Florence Fabric one of the most unique fabric stores in the Los Angeles area for over 30 years is closing.

16G. Councilmember Nowatka reported a recent meeting with the Mills Corporation regarding a lack of public information about the Del Amo mall. Plans are in process to improve communications including a new website: www.delamofashioncenter.com and within the website there will be a connection to www.newdelamo.com with further information as it becomes available. He noted that confidentiality agreements with some of the new businesses coming in prevent the release of the details of who will be at the mall for legal reasons, but events will be listed and he requested that the city's website contain a link he felt the mall to be an important issue in the community.

16H. Councilmember Nowatka announced that the Torrance Air Fair Association and Torrance Experimental Aircraft Association are working to bring a B-17 World War II bomber to Torrance in April. Rides will be available and he asked City Manager Jackson to see if the city can cooperate to ensure that the event happens and work to support it when it does.

16I. Councilmember Scotto requested that staff look into cross walk strobe light reflectors like the ones located at Narbonne in Lomita for several locations: near schools, at Carson and Jefferson or on Rolling Hills Road where there is pedestrian traffic. He asked staff to identify costs and other appropriate locations and City Manager Jackson agreed to include an estimate with the capital budget.

16J. Councilmember Witkowsky reported receiving calls from Robinson Helicopter about a possible dangerous situation due to the lack of a sidewalk in front of the Fire Station on Airport Drive with employees forced to walk to their cars in the street. City Manager Jackson indicated he would bring back estimates for construction that could possibly be funded through airport funds.

16K. Councilmember Witkowsky reported another complaint about the Pontiac Company parking their cars on the sidewalk and City Manager Jackson agreed to follow-up with enforcement.

16L. Councilmember Witkowsky questioned why street sweeping was not moved forward a day after holidays since trash is handled that way and City Manager Jackson explained that posted signs prevent street sweeping from changing with the holidays. He added that 25% of the city is done each day to stay consistent with posted areas.

16M. Alan Lee, TME AFSCME Local 1117, thanked the Council for the insurance enhancement and noted that the union remains convinced that there is a lot of money to be saved and benefits to be enhanced. He reported an upcoming meeting scheduled with the City Manager and added that his new philosophy is to not only come with ideas, but also formulate a plan on how to pay for them.

Mr. Lee acknowledged city support of the Torrance Unified School District through difficult times and noted that helping one group did not necessitate taking away from another. He reported serving on the Torrance Strategic Planning Committee which focused on solid educational systems and committed to not being territorial and he noted that he had prepared a letter for the Mayor, City Council, School Board and President, Maureen O'Donnell along with SCIU Local 99 which represents many of the

school district employees, indicating that the union wants to be active and he asserted that employees have ideas on how to save money.

Mr. Lee announced the hiring of Steve Busch as the TME AFSCME business manager.

Mr. Lee reported that TME AFSCME Local 1117 had filed a formal complaint with the California Public Relations Board against Torrance City Commissioner Tom Brewer based on conduct they viewed as a violation of the law, and intimidation of their members as Mr. Brewer sits on the Civil Service Commission. He stated that the union felt it inappropriate when Mr. Brewer called a steward for expressing his political views.

Mr. Lee reported requesting Commissioner Brewer recuse himself from an AFSCME Local 1117 matter heard by the Civil Service Commission as he felt the appearance of fairness was important and he noted that his complaint was not that Mr. Brewer did not recuse himself, but rather that he denied knowing about the complaint. Mr. Lee felt that undermined his credibility and he asked the Council to monitor the situation.

Mr. Lee presented to the councilmembers with individualized dedications, historic photos of Martin Luther King Jr. marching in Memphis with AFSCME sanitation workers the day before he was assassinated. He read the dedication for City Manager Jackson's photo and thanked the city council for their support

16N. Laura Bryce, El Prado, reported serious parking problems for residents of 1221 and 1218 El Prado as parking is not provided for the approximately 35 units except in the public parking structure below the Aioli Restaurant. She reported being prohibited from parking on Sartori due to a parking restriction from 2:00 a.m. to 5:00 a.m. and that cars were being vandalized on a weekly basis. Ms. Bryce requested resident street parking from 6:00 p.m. til 9:00 a.m. and then reverting to the existing two-hour parking from 9:00 a.m. to 6:00 p.m.

Mayor Walker indicated that City Manager Jackson would follow up.

Councilmember Scotto recalled that the issue had been brought up a year ago and City Manager Jackson reported that enforcement and follow up had been done at that time and he noted that there were parking constraints in the area.

Police Chief Herren reported that patrol activity had been increased after the last request in the 1200 block of El Prado which helped mitigate some criminal behavior but he was unaware of the issues brought forward tonight and agreed to research data to see what is occurring. He indicated that additional patrol efforts would be made in the area.

16O. Hank Castro, El Prado, reported addressing the parking issue on June 15, 2004 and receiving a letter indicating that Detective Such was conducting an investigation. He noted that they had not heard anything since July 3, 2004 although a Planning Commissioner agreed to look into investigating owners of the property but never followed up. He cited difficulties with the current situation, noted that he and his wife are disabled and there is no handicapped parking in the area and he suggested that permit parking might work better for them.

Mayor Walker indicated that they would put police and transportation on the matter.

Councilmember McIntyre questioned whether there had been discussion last time about surveillance cameras being posted and Mr. Castro noted that had been discussed but that had to do with the owners of the property and no one ever responded.

16P. Bonnie Mae Barnard, Gramercy Avenue, Save Historic Old Torrance (SHOT) announced that the new SHOT newsletter had been mailed out and was available to the public at several locations. She reported that SHOT had been honored by Wells Fargo Bank on Sartori as a community partner with a \$1,000 donation.

Ms. Barnard invited everyone to the SHOT Preservation Extravaganza and Annual Silent Auction at the Depot Restaurant on Sunday, March 6, 2005 at 5:00 p.m. and she distributed invitations to the Council noting that invitations for the community were available inside the newsletter.

17. EXECUTIVE SESSION

Considered previously.

18. ADJOURNMENT

At 9:55 p.m. City Council and Redevelopment Agency adjourned to Tuesday, February 1, 2005 at 6:00 p.m. for the regular meeting in the Council Chambers.

****** Adjourned in memory of
retired Fire Captain John Hill ******

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 8, 2005