

**MINUTES OF AN ADJOURNED REGULAR MEETING  
OF THE TORRANCE CITY COUNCIL**

**1. CALL TO ORDER**

The Torrance City Council convened in a regular meeting at 5:33 p.m. on Tuesday, June 26, 2001, in Council Chambers.

**ROLL CALL**

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

Absent: None.

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

**16. EXECUTIVE SESSION**

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on the agenda matter listed under 16.a) Conference with Legal Counsel – Anticipated Litigation pursuant to California Government Code Section 54956.9(b).

The Council reconvened at 7:11 p.m.

**2. FLAG SALUTE/INVOCATION**

The Pledge of Allegiance was led by Mayor Hardison.

The invocation was given by Father Gerard O'Brien, St. Margaret Mary Catholic Church.

**3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING**

**MOTION:** Councilmember Cribbs moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Nowatka and, hearing no objection, Mayor Hardison so ordered.

**MOTION:** Councilmember Cribbs 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, hearing no objection, Mayor Hardison so ordered.

**4. WITHDRAWN OR DEFERRED ITEMS**

None.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Mayor Hardison asked that the meeting be adjourned in the memory of retired General Services employee, James T. Spence; Torrance Police Chaplain George Johnson; local attorney and community leader Peter Lacombe; and William Stokes, past president of the Torrance Education Foundation.

**6. COMMUNITY MATTERS**

**6a. RESOLUTION NO. 2001-44 RE VICKY L. GARCIA**

**RESOLUTION NO. 2001-44**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING VICKY L. GARCIA UPON HER RETIREMENT FROM THE CITY AFTER SIXTEEN YEARS OF SERVICE.**

**MOTION:** Councilmember Messerlian moved to adopt Resolution No. 2001-44. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

Mayor Hardison presented a retirement plaque to Ms. Garcia and General Services Director Tilden noted that she had been an invaluable employee.

**6b. RESOLUTION NO. 2001-70 RE PHILIP S. TILDEN**

**RESOLUTION NO. 2001-70**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING PHILIP S. TILDEN UPON HIS RETIREMENT FROM THE CITY AFTER FIFTEEN YEARS OF SERVICE.**

**MOTION:** Councilmember Messerlian moved to adopt Resolution No. 2001-70. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

Mayor Hardison presented a retirement plaque to General Services Director Tilden who stated that he was honored by the resolution and City Manager Jackson commended him for his work for the City of Torrance.

**6c. PROCLAMATION RE PARKS AND RECREATION MONTH**

Mayor Hardison issued a proclamation declaring July 2001 as Parks and Recreation Month to Arnold Woo, Chairman, Parks and Recreation Commission. Chairman Woo commented that it was his pleasure to accept on behalf of the

Commission and he noted that July was the busiest month for Parks and Recreation in the City of Torrance with activities and classes in full swing. He thanked the City Council for their ongoing support which enables Parks and Recreation to offer a high caliber of services and he invited the public and Council to the 21<sup>st</sup> Annual Old Fashioned Fourth of July Celebration at Wilson Park

**6d. PROCLAMATION RE KASHIWA CIVIL CHORUS DAY**

Mayor Hardison issued a proclamation declaring Friday, July 6, 2001 as Kashiwa Civil Chorus Day to David Burks, Music Director for the Torrance Civic Chorale. Mr. Burks commented that it was an honor to accept the proclamation on behalf of the Chorus, and he expressed gratitude to Councilmembers and staff for their support. He noted that tickets were available for the concerts on July 6 and 7 at the Armstrong Theatre.

**7. CONSENT CALENDAR**

**7a. MINUTES OF MAY 8, 15 AND 22, 2001**

**7b. MONTHLY INVESTMENT REPORT, MAY 2001**

**Recommendation**

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for the month of May 2001.

**7c. EXXONMOBIL DONATION FOR LIBRARY'S 2001 SUMMER READING PROGRAM**

**Recommendation**

Recommendation of the City Librarian that City Council accept and appropriate a donation made to the Library from ExxonMobil for the Library's 2001 Summer Reading Program.

**7d. PURCHASE ORDER RE LOS ANGELES CHEMICAL COMPANY OF SOUTH GATE, CA**

**Recommendation**

Recommendation of the Engineering Director that City Council authorize a purchase order to Los Angeles Chemical Company of South Gate, CA, in the amount of \$113,832 to furnish and deliver the City's annual requirement for sodium hypochlorite solution (12%) on an "as needed basis." The purchase order will be effective 7/1/01 through 6/30/02. [B2001-18]

**7e. AGREEMENT RE CAROLLO ENGINEERS**

**Recommendation**

Recommendation of the Engineering Director that City Council:

1. Approve an agreement with Carollo Engineers, in an amount not to exceed \$66,880 to provide technical support, and preparation of Statement of

- Qualifications and Requests for Proposals for a Design/Build Contract for an Ozone Water Treatment Facility to serve Wells No. 7 and 8; and
2. Authorize the Mayor to execute and the City Clerk to attest to the agreement on behalf of the City.

**7f. PUBLIC WORKS AGREEMENT RE RANCO CORPORATION**

**Recommendation**

Recommendation of the Engineering Director that City Council:

- 1) Approve the Specifications for the Curb, Gutter and Sidewalk Replacement Program, Phase 2 (North Torrance), [B2001-12] on file in the Office of the City Clerk;
- 2) Award a Public Works Agreement to Ranco Corporation in the amount of \$544,066.09 and authorize a 5% contingency in the amount of \$27,203 for said project; and
- 3) Authorize the Mayor to execute and the City Clerk to attest to said Agreement.

**7g. EXCESS WORKERS COMPENSATION INSURANCE - ROBERT F. DRIVER CO.**

**Recommendation**

Recommendation of the Human Resources Director that City Council approve the purchase of excess workers compensation insurance, for the period of July 1, 2001 to July 1, 2002, from Robert F. Driver Co., at a premium not to exceed \$84,770.

**7h. EXCESS LIABILITY INSURANCE – ROBERT F. DRIVER CO.**

**Recommendation**

Recommendation of the Human Resources Director that City Council approve the renewal purchase of excess liability insurance for the period of July 1, 2001 to July 1, 2002 from Robert F. Driver Co., at a premium of \$271,049. Due to a dividend (credit) of \$28,659, the net premium will be \$242,390.

**7i. NON-OWNED DISPOSAL SITE POLLUTION LIABILITY INSURANCE – GULF INSURANCE**

**Recommendation**

Recommendation of the Human Resources Director and the Street Services Director that City Council approve the renewal purchase of Non-Owned Disposal Site Pollution Liability Insurance from Gulf Insurance, through Robert F. Driver Co., the City's insurance broker, at a premium of \$44,604. The policy period will be July 1, 2001 to July 1, 2002.

**7j. AGREEMENT RE BRINK'S INCORPORATED**

**Recommendation**

Recommendation of the Transit Director and the City Treasurer that City Council approve and authorize the Mayor to execute and the City Clerk to attest to a two-year agreement with Brink's Incorporated for the following services:

- 1) Processing and bank deposit of Transit System revenue for a cost not to exceed \$50,000 in FY 2001-02 and \$52,000 in FY 2002-03; and
- 2) Daily deposit pickup at the City Treasurer's Office and scheduled pickup at the Transit Department for a cost not to exceed \$8,400 in FY 2001-02 and \$8,700 in FY 2002-03.

**7k. CULTURAL ARTS CENTER MEETING ROOM GRANT PROGRAM GUIDELINES**

**Recommendation**

Recommendation of the General Services Director and the Cultural Arts Commission that City Council approve the proposed Cultural Arts Center Meeting Room Grant Program Guidelines.

**7l. CONTRACT RE REDI-WASH FOR GRAFFITI REMOVAL**

**Recommendation**

Recommendation of the General Services Director that City Council authorize a contract to Redi-Wash of Rolling Hills Estates, CA for Fiscal Year 2001-02 to remove graffiti in the City of Torrance at a cost not to exceed \$220,000.

**7m. CONTRACT RE CALIFORNIA RETROFIT, INC. OF ANAHEIM, CA**

**Recommendation**

Recommendation of the General Services Director that City Council:

- 1) Approve a contract with California Retrofit, Inc. of Anaheim, CA for \$37,650.74 for the lighting retrofit Police Department Building; and
- 2) Authorize a 10% project management fee of \$3,765.07.

**7n. MASON BROTHERS PAINTING CONTRACT (C2000-150)**

**Recommendation**

Recommendation of the General Services Director that City Council approve an amendment to extend the Mason Brothers Painting contract (C2000-150) for miscellaneous painting services on an "as requested basis" from July 1, 2001 to June 30, 2002 for a not to exceed sum of \$190,000.

7o. **AMENDMENT RE TORRANCE CULTURAL ARTS FOUNDATION AGREEMENT (C98-035)**

**Recommendation**

Recommendation of the General Services Director that City Council approve an amendment of the Torrance Cultural Arts Center Foundation Agreement (C98-035) to extend the period of the agreement commencing July 1, 2001 and expiring June 30, 2002, in an amount not to exceed \$45,000.

7p. **PURCHASE ORDERS RE PMX MEDICAL**

**Recommendation**

Recommendation of the Fire Chief that City Council authorize purchase orders be issued to PMX Medical for paramedic medical supplies in the amount of \$65,000 as a cooperative purchase with the City of Santa Ana and to Blue Ridge Medical, Inc. for pharmaceutical supplies in the amount of \$20,000 as a cooperative purchase with the City of Hayward. This would enable the Fire Department to purchase a one-year supply of paramedic medical supplies and pharmaceutical supplies for an anticipated total amount not to exceed \$85,000.

7q. **AGREEMENTS RE JAGTAG ENTERPRISES AND LIZ MOHLER AND ASSOCIATES**

**Recommendation**

Recommendation of the Human Resources Director that City Council execute agreements for employment and training workshop services with JagTag Enterprises and Liz Mohler and Associates not to exceed \$240,000 each for a contract term through June 30, 2004.

7r. **AGREEMENT RE JOINT EFFORTS INCORPORATED**

**Recommendation**

Recommendation of the Workforce Investment Network (WiN) Board and the Human Resources Director that City Council execute an agreement with Joint Efforts Incorporated for an amount not to exceed \$88,244 to provide employment and training services to Out-of-School/Older Youth.

7s. **CONTRACT RE MEDICAL INSTITUTE OF LITTLE COMPANY OF MARY (C99-133) AND AMENDMENT RE WESTERN MEDICAL GROUP (C99-134)**

**Recommendation**

Recommendation of the Human Resources Director that City Council:

- 1) Approve an amendment extending the contract for medical services with the Medical Institute of Little Company of Mary (C99-133) for one year, beginning July 1, 2001, in an amount not to exceed \$120,000; and
- 2) Approve an amendment extending the contract for medical services with Western Medical Group (C99-134) for one year beginning July 1, 2001, in an amount not to exceed \$30,000.

**MOTION:** Councilmember Walker moved for the approval of Consent Calendar items 7a through 7s as written. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

**9. PLANNING AND ECONOMIC DEVELOPMENT**

**9a. L.A. SIGNAL INC. BID RE TRAFFIC SIGNAL MODIFICATIONS**

Recommendation of the Planning Director that City Council:

- 1) Accept the bid [B2001-16] from and award a contract to L.A. Signal Inc. in the amount of \$102,500.00 for traffic signal modifications at the intersections of:
  - a) Sepulveda Boulevard and Arlington Avenue
  - b) Crenshaw Boulevard and Crest Road
  - c) Crenshaw Boulevard and Maricopa Street
  - d) Western Avenue and 195th Street;
- 2) Authorize a 5% contingency in the amount of \$ 5,125.00;
- 3) Authorize staff to prepare a standard public works agreement between the City and L.A. Signal Inc.;
- 4) Authorize the Mayor to execute and the City Clerk to attest to said agreement; and,
- 5) Agreement to be approved as to form by the City Attorney.

Transportation Manager Semaan provided a brief summary of the item.

In response to an inquiry from Councilmember Nowatka, Transportation Manager Semaan noted that the timing for the intersection of Crenshaw and Maricopa would be examined and Mayor Hardison commented that some of the delay was due to synchronization of Crenshaw Boulevard.

In response to an inquiry from Mayor Hardison, Transportation Manager Semaan explained that there were 45 working days on the contract and materials had been ordered with completion anticipated by the end of the summer.

**MOTION:** Councilmember Messerlian moved to concur with the staff recommendation. Councilmember Cribbs seconded the motion and a roll call vote reflected unanimous approval.

**11. ADMINISTRATIVE MATTERS**

Mayor Hardison indicated that supplemental material was available for items 11a, 11f, 11g, 11j and 11k. She noted that extra copies of item 11a had all been taken and asked audience members to share.

**11a. LEASE RE TORRANCE FLITE PARK, LLC**

Recommendation of the Land Management Team (LMT) that City Council authorize the Mayor to execute and the City Clerk to attest to a lease by and between the City of Torrance and Torrance Flite Park, LLC for the development of parcels at Torrance Municipal Airport/Zamperini Field.

Assistant to the City Manager Sunshine provided a brief history of the item noting that the process began in December 1998 when the Council approved an RFP process to solicit development. He indicated that the proposed lease term was 33 years at a base rent of \$1,000 per acre with a percentage rent escalation over time and he explained the phases of parcel development. Assistant to the City Manager Sunshine reported that the original proposal was submitted as a two-year build up but that was extended with penalties for failure to meet the timeline.

During Airport Commission approval (6-1) concerns were raised about planes utilized for air cargo not being compatible with the airport. Assistant to the City Manager Sunshine reported that any planes used for FBO would have to meet guidelines and 24/7 freight operations would not be allowed as they are not feasible at the airport.

Mayor Hardison reported that ML Apartments had sent a letter with landscaping concerns and she noted that those concerns had also been raised at the Airport Commission and requirements were in place which should address those concerns.

In response to an inquiry from Mayor Hardison, Assistant to the City Manager Sunshine clarified that the 1993 groundlease between the City of Torrance and Great American Aircraft Company had an allowance for operation of air cargo services included in the standard language of the contract and it had never been a problem.

Albert Hansen, 2550 Pacific Coast Highway, #151, Skyline Mobile Park, expressed concerns with noise and Mayor Hardison explained that the type of aircraft currently going in to the airport would not change.

Patsy Elliott, 2550 Pacific Coast Highway, #229, Skyline Mobile Park, commented that if hangars were added there would be more planes and she reported that airplane noise was already disturbing her sleep at night. She noted that many seniors in the area had breathing problems and expressed concerns that more exhaust would aggravate that.

Mayor Hardison indicated that there would be no air freight operations at the airport.

Assistant to the City Manager Sunshine stated that the master plan allowed for a maximum of 825 planes at the airport and currently there are a little more than 500 planes based at the airport with 100 planes on the hangar waiting list.

Mayor Hardison commented that in the past there were more planes than there are now and she stated that many planes that were outside in tie downs would be moved to hangars if the lease were approved. Assistant to the City Manager Sunshine noted that based on the analysis there were some existing FBOs that they hope to migrate into the facilities which would absorb tie downs rather than add new planes. He added that the central parcel would be used for airport offices, not an FBO or hangar operation.

In response to an inquiry from Ms. Elliott, Mayor Hardison clarified that Mr. Ishibashi and his garden would not be displaced and Ms. Elliott commented that the growing of plants helped the oxygen level in the area.

Sandra Rome, 234<sup>th</sup> Street, expressed concerns with flight patterns and the curfew and Mayor Hardison asserted that monthly reports from Torrance Airport did not indicate a problem and the planes Ms. Rome heard at 2 a.m. were from Los Angeles International Airport.

Joyce Eby, 3876 234<sup>th</sup> Street, expressed concerns about current levels of airport noise asserting that those in authority were not acting on noise complaints. She also expressed concerns with additional planes at the airport and asked whether homeowners could work to reduce the base amount of planes allowed at the airport.

Mayor Hardison reported that the base number of 825 planes had been in place for a long time and she would have to investigate procedures for changing that number. She indicated that there were noise monitors in the neighborhood and the City had the ability to control the airport and airplanes on the ground, but she noted once the airplane became airborne it fell under FAA jurisdiction whose responsibility it is to keep pilots on the flight path.

Mayor Hardison indicated that neighbors could help identify the problems by taking note of the time, along with a description of the infractions and the date. She asserted that staff was diligent in tracking down the owner or pilot of the offending plane and alerting them that they were not where they were supposed to be.

In response to an inquiry from Ms. Eby, Building and Safety Manager Isomoto explained that the Noise Abatement program did not necessarily utilize fines but he noted that sound equipment monitored noise violations and three violations found guilty by the appeals board could cause the plane, pilot, or both to be banned from the airport for one year. Building and Safety Manager Isomoto suggested the public contact Noise Abatement during regular business hours at: 310/784-5950 with any complaints.

Dennis Briggman, 4124 Via Lado, indicated that he supported the development of the airport and he noted that LAX had routed turbo propeller planes over Torrance. He commented on flight path deviations and expressed concern that a casual restaurant would have a negative effect on property values in Torrance and surrounding communities. Mayor Hardison reported that she had been involved with an effort to eliminate the turbo propeller planes.

Kathleen Nimsy, 23001 Fonthill, asserted that if pilots stayed within their flight patterns they would not have a problem and commented that she had grown up in the neighborhood and the noise had become progressively worse. She expressed hope that if the number of planes were to increase from 500 to 800 that there would also be increased noise abatement efforts and efforts to keep pilots on the flight path.

Adele Kaplan, 23018 Greenwood Avenue, stated that she was against the development and expressed concerns about flight patterns noting that recreational air traffic on Saturday mornings was very loud. She commented that she did not want to encourage additional use of the airport until there was more responsible oversight of flight patterns.

Tom Brewer, 23426 Ellen Avenue, spoke on behalf of the Southwood Riviera Homeowners Association reporting that many residents had contacted him with concerns that advancements in technology over the life of the 33 year lease would

enable air freight operations. He pointed out that provisions 9b and 9f on pages 16 and 17 contained restrictions and he expressed concerns about who would enforce them and what kind of policing would be done.

Assistant to the City Manager Sunshine indicated that the Noise Abatement Center would be administering that portion of the airport operations and he noted that the language of the lease allowed the City to go after the master tenant if the subtenant is not complying.

Mayor Hardison clarified that the FAA granted approval for aircraft to land taking into consideration the weight of the plane and the length of the runway.

Mr. Brewer observed that there was great concern that LAX would offload cargo operations to Torrance and Mayor Hardison stated that the airport could not handle such operations and that closed military facilities would be able to absorb them. Mr. Brewer indicated that residents were pleased that the sale of jet fuel was still prohibited.

In response to an inquiry from Councilmember Messerlian, City Attorney Fellows clarified that storage of jet fuel would be outside the scope of the lease and he added that there would be no point in storing jet fuel at the airport as the sale of it is prohibited.

Don Strain, expressed disagreement with residents who spoke in opposition to the airport.

Assistant to the City Manager Sunshine responded to Councilmember Messerlian that to the best of his knowledge there had not been any consent for the storage of jets.

Ted Stinis, 20689 Ella Road, Rancho Palos Verdes, reported that he had been flying at Torrance Airport for 40 years and he asserted that the project was a modernization of the airport, not an expansion. He commented that various factors led pilots to stray off the flight path including weather and traffic and their number one priority was safety, not noise. Mr. Stinis supported having a restaurant at the airport and suggested residents contact Noise Abatement or the Torrance Airport Association if they have a problem and he noted that some of the noise problems were caused by LAX.

Gail Bedinger, 1011 232<sup>nd</sup> Street, reported hearing planes taking off after curfew and questioned nighttime exemptions. Building and Safety Director Isomoto explained that there was a narrow criteria for which certain planes received daily or yearly exemptions from the curfew and there were less than one dozen annuals and less than 15-20 overall granted per year. Mayor Hardison indicated that the Airport Commission subcommittee had met with staff to examine and update the current curfew program and did not suggest changes to the policy.

Chris Nimsy, 23001 Foxhill, questioned whether funds generated from the lease would be used to expand, enhance or modernize the noise abatement program and Mayor Hardison agreed to investigate the noise abatement program.

David Simon, ML Apartments LLC, an owner of the Madison Park Retail Center located partially on a shared boundary with the airport, submitted photos to the Council and reported that they had sent a letter expressing concerns about landscaping

standards for the proposed development. He noted that in 1996 when the assignment of their groundlease was approved, ML Apartments was strongly encouraged by the Council to make their property aesthetically pleasing and they subsequently invested a substantial amount of money in landscaping. He indicated that he was in favor of a landscape plan being submitted by the applicant and asked that minimum landscaping standards be part of the lease.

Planning Director Gibson indicated that he believed that the applicant was committed to a quality development and staff would be taking a close look at any landscaping plans.

Assistant to the City Manager Sunshine reported that when the lease was being negotiated, Land Management shied away from specific landscaping criteria as it would have held up the process and the proposed master tenant agreed to language allowing for review by the Planning Department.

In response to a suggestion by Mayor Hardison that Planning Director Gibson share information with Mr. Simon once the landscaping plans became available but with the understanding that Mr. Simon would have no ability to approve or deny, Mr. Simon commented that they had a good relationship with Mr. Gibson and the City and indicated that he would like to see minimum landscaping requirements included in the lease approved tonight.

Woodard Stolhand, 4217 Paseo de las Tortugas, indicated that as a longtime Torrance resident he had seen the airport develop and he expressed concerns about increased noise brought on by cargo planes using the new development. Mayor Hardison explained that there was standard wording in the lease including air cargo terms which had caused controversy, but the City did not anticipate that there would be a change to planes coming into the airport.

In response to concerns raised by Mr. Stolhand, Assistant to the City Manager Sunshine noted that there was no provision for the sale of jet fuel for retail users and he added that under the auspices of the airport operations any plane can load boxes and carry it as cargo and there are certain approved planes that would be able to do that within the regulations of the airport. He reiterated that the development did not allow for an expansion of the types of planes currently allowed at the airport.

In response to concerns raised by Mr. Stolhand that truck traffic would increase as a result of cargo operations at the airport, Mayor Hardison clarified that there would not be any increase in cargo operations at the airport and there were no plans to expand the airport as the land around it was built up.

Joe Arciuch, 23521 Kathryn Avenue, commented that the lease was being undersold and raised concerns about quit claim deeds in 1948 and in 1956. He suggested hiring a consultant to do an analysis on land usage and expressed concerns with planes from LAX and Hawthorne using the Torrance Airport and increasing noise levels.

In response to an inquiry from Mayor Hardison, Assistant to the City Manager Sunshine explained that the 1948 deed gave the airport to the City and subsequent documents were included as part of the deed and therefore did not need to be listed. He

noted that there were 3 or 4 quit claims posted in 1948 and it was determined that the 1948 reference document and the discussion in Recital A covered the City and included the other quit claims. He asserted that there was enough reference in Recital A of the lease itself to include the extra quit claims. In response to a request from Mayor Hardison that the 1956 quit claim be included, City Attorney Fellows stated that he would have to investigate that.

Law Rome, Southwood Riviera, asserted that the number of instances where a pilot needs to deviate from the flight path for safety are very low and he asserted that pilots needed to abide by the rules and stay on the flight path. Mr. Rome asked that noise abatement policies be reviewed and tighter restrictions be implemented to help alleviate current problems.

Mayor Hardison reported that the Pilot's Association had agreed to help monitor the situation and she encouraged residents to share their concerns at the Airport Commission meetings on the second Thursday of each month. She noted that Torrance had one of the most extensive noise abatement facilities anywhere.

Lorraine Pattinson, P.O. Box 1772, Lomita, questioned what the increase in take offs and landings would be if there were more hangars and planes and also asked what the environmental impacts would be with the increased traffic. She noted that planes loaded with cargo increased noise and fuel usage and asked if references to cargo and freight could be eliminated from the lease. Mayor Hardison suggested adding specific verbiage to address those concerns.

Dean Pattinson, asked that the base number for planes allowed at the airport be decreased from 800 to 600.

Ralph Martin, Torrance Flite Park LLC, thanked the Land Management Team and City Attorney's office for the work to put together the lease. He noted that there were many misconceptions to clarify and he stated that though the proposal is for 114 hangars, there are 112 people on the hangar waiting list. He added that there would be 60-70 airplanes displaced by the redevelopment activity in the east parcel of the airport resulting in a net increase of 40 airplanes in the entire airport.

Mr. Martin volunteered to meet with Mr. Simon about landscaping and indicated that he would like to redevelop the airport to its very best potential.

In response to a suggestion from Mayor Hardison that Mr. Martin provide wording about freight operations to give comfort to residents, Mr. Martin noted that he did not think freight would be a dominant majority and any aircraft involved would not be any more offensive than what was currently being flown.

Mayor Hardison called a recess from 9:20 p.m. to 9:35 p.m.

Mayor Hardison noted that the City Attorney had indicated there was a problem with proposed wording and that it would not be pursued further.

Councilmember Walker asserted that Torrance most likely spent more money than any other city in the country on noise abatement and noted that he lived in the flight path and he remembered years ago when there was great concern that flights would

increase if a sandwich machine was placed in the facility. He stated that cargo planes did not fit in the community, runways were not being expanded and he felt that staff and the Airport Commission had done an excellent job with the project. He indicated that he would be supporting the staff recommendation.

**MOTION:** Councilmember Scotto moved to authorize the lease as amended by deleting the words: "Operation of air cargo and freight services" from section 9 A 1 Initial Leased Premises; requiring prior written consent of the City Council for any uses other than those specified; and adding the 1956 quit claim deed to the lease. Councilmember Witkowsky seconded the motion and discussion continued.

City Attorney Fellows indicated though he had not personally reviewed the documents, the 1948 deed described the property and the 1962 release described restrictions so he therefore felt comfortable that Recital A adequately covered everything.

Councilmember Messerlian asserted that when the City was reviewing proposals for the project, this proposal stood out in terms of quality of design and economic benefits to the City and he noted that the City Council had to strike a balance between their fiduciary responsibility to make sure the airport is modern and economically viable and their legal responsibility to residents that are impacted by the operations so they can have the full enjoyment of a peaceful environment in their homes.

Councilmember Messerlian asked Building and Safety Manager Isomoto to ensure the airport was a good neighbor.

Councilmember Cribbs indicated that she would be supportive of the motion and commented that residents felt that though the City monitored the noise situation there was no enforcement.

Assistant to the City Manager Sunshine pointed out that there were additional references to air freight and air cargo in the document and Councilmember Scotto asked that those be included in the motion as well.

Mr. Applegate, 2262 Felbar Ave., asked that Councilman Scotto's motion be restated.

Mr. Scotto restated the motion, eliminating the third amendment requiring the 1956 quit claim deed be added to the lease.

Mr. Applegate stated that they had spent two years and \$500,000 to achieve a carefully negotiated lease with an economic plan in place and he asserted that the proposed changes to the agreement would destroy the plan. Based on the proposed motion, they would be prohibited from leasing to any person that would place freight on their plane which would eliminate a large number of people.

Mr. Applegate asserted that the public was misinterpreting the intent of the lease and the operations of the airport and he pointed out that severe restrictions are even placed on who can lease out office space because it is behind the fence on the airport. He stated that the proposed changes would destroy the negotiating of the Land

Management Team and if the motion were approved he was not sure how he would proceed.

Councilmember Witkowsky asked that the City actively look at ways to give the citizens information on who to call for any kind of complaints and she suggested a water bill insert or advertising on cable television or the Torrance city magazine.

In response to an inquiry from Councilmember Scotto, Assistant to the City Manger Sunshine clarified that the amendment with respect to air cargo and air freight services would only apply to this project, not the rest of the airport.

Mayor Hardison clarified that the proposed motion would not prohibit the use, but rather the Council would review the proposal before the lease could be let and she added that there were enough concerns raised that the issue needed to be addressed.

Mayor Hardison stated that she was aware of the issue of pilots straying from the flight path, but had never heard about curfew violations and she noted that they did not appear on the record of calls that she received each month. She asked for more information about curfew violations and pointed out that monitoring should pick those up.

Building and Safety Manager Isomoto reported that a report indicating curfew violations did not always identify the pilots. He noted that there had been issues with curfew violations a number of years ago, but the number had dropped significantly after a program was devised to take action against them. He agreed to provide a copy of the monthly report indicating the number of planes that they hear on the system and those that are identified and he noted that the report was available on the Torrance webpage.

In response to an inquiry from Mayor Hardison, Building and Safety Manager Isomoto noted that the City had spoken to New Horizons about noise abatement and would be more than willing to meet with homeowner's associations as well.

Councilmember Nowatka expressed discomfort with the motion noting that it would mandate that certain areas of the airport could handle air cargo and certain areas could not. He concurred with modifying the approval process and indicated he would support the motion if air cargo was not prohibited.

Councilmember Walker agreed noting that no one wanted to see FedEx or UPS operating out of the airport, but transporting items from one spot to another was part of almost any small business. He stated that he did not want to see an item before the Council every time someone wanted to transport a small piece of freight and he was comfortable with the City Manager providing consent.

**SUBSTITUTE MOTION:** Councilmember Walker moved to concur with the staff recommendation leaving in language presently on page 25, 9a, 1 and 2, and placing next to both of those mentions "with prior written consent of the City Manager or his designee." Councilmember Nowatka seconded the motion and the discussion continued.

Councilmember Walker stated that he felt the motion would protect the residents and would not create a disadvantage to Torrance Flite Park.

Councilmember Messerlian received clarification from City Attorney Fellows that language in the second paragraph of page 25 was just to recognize that there might be some small air cargo or air freight but the City Manager has to sign off on it. He indicated that Councilmember Walker's suggestion reflected the tenor of the discussion regarding small, occasional air cargo and air freight and it conferred a greater deal of discretion by the City Manager.

A roll call on the substitute motion was taken with Councilmembers Walker and Nowatka voting Yes and Councilmembers Cribbs, Messerlian, Scotto, Witkowsky and Mayor Hardison voting No. The substitute motion failed.

Councilmember Scotto's motion was restated:

**MOTION:** Councilmember Scotto moved to authorize the lease as amended by deleting the words: "Operation of air cargo and freight services" from sections 9 A 1 Initial Leased Premises and 9 A 2 Option Parcel and requiring prior written consent of the City Council for any uses other than those specified. Councilmember Witkowsky seconded the motion.

A roll call on the main motion was taken with Councilmembers Cribbs, Messerlian, Nowatka, Scotto, Walker, Witkowsky and Mayor Hardison voting Yes.

**11b. CONTINUED STATE OF EMERGENCY FOR CAROLWOOD DRIVE AND SINGINGWOOD DRIVE**

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

Building and Safety Manager Isomoto reported that testing by the consultants from the City and the homeowners would be complete by next weekend.

**MOTION:** Councilmember Cribbs moved to concur with the staff recommendation. Councilmember Scotto seconded the motion and hearing no opposition, Mayor Hardison so ordered.

**11c. RESOLUTION NO. 2001-73 RE STATEMENT OF INVESTMENT POLICY FY 2001-2002**

Recommendation of the City Treasurer that City Council adopt a resolution to establish the Statement of Investment Policy for FY2001-2002.

City Treasurer Barnett stated that each year the statement of investment policy for the fiscal year was brought forward. She noted that this year there were some minor recommended changes tied to legislative changes necessary to be in compliance with the government code.

**RESOLUTION NO. 2001-73**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ESTABLISHING THE STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2001-2002 IN ACCORDANCE WITH CERTAIN GUIDELINES.**

**MOTION:** Councilmember Messerlian moved for the adoption of Resolution No. 2001-73. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

**11d. REVISED CLASS SPECIFICATION RE GENERAL SERVICES DIRECTOR**

Recommendation of the Human Resources Director and the Civil Service Commission that City Council approve the revised class specification for General Services Director and Civil Service Commission further recommends an open competitive examination to fill the pending vacancy.

Human Resources Analyst Gradillas presented the material of record.

**MOTION:** Councilmember Scotto moved to concur with the staff recommendation. Councilmember Cribbs seconded the motion and a roll call vote reflected unanimous approval.

**11e. RESOLUTIONS 2001-71 AND 2001-72 RE 401(a) CONTRIBUTION PLAN**

Recommendation of the City Treasurer that City Council:

- 1) Adopt a resolution approving Defined 401(a) Contribution Plans for the Torrance Fire Fighters Association, Torrance Police Officers Association, Engineers and Fiscal Employees, and Executive/Management Employees
- 2) Adopt a resolution approving the Annuity Contracts and Service Agreement with Great-West Life & Annuity Insurance Company and Custodial Account Agreements with Wells Fargo Bank West, N.A. related to the Defined 401(a) Contribution Plans for the Torrance Fire Fighters Association, Torrance Police Officers Association, Engineers and Fiscal Employees and Executive/Management Employees.

City Treasurer Barnett presented the material of record noting the 401(a) plan freed up dollars going into the 457 which is voluntary and she clarified that there was no impact in dollars, but rather it was a shifting of employer contributions to 401(a).

Mayor Hardison commented that the item was part of the MOU with employee groups and they were anxious for it to move forward.

**RESOLUTION NO. 2001-71**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING AND ADOPTING A DEFINED 401(A) CONTRIBUTION PLAN FOR THE TORRANCE FIRE FIGHTERS ASSOCIATION, TORRANCE POLICE OFFICERS ASSOCIATION, ENGINEERS AND FISCAL EMPLOYEES, AND THE EXECUTIVE/MANAGEMENT EMPLOYEES.**

**MOTION:** Councilmember Messerlian moved for the adoption of Resolution No. 2001-71. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

**RESOLUTION NO. 2001-72**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING ANNUITY CONTRACTS AND A SERVICE AGREEMENT WITH GREAT WEST LIFE & ANNUITY INSURANCE COMPANY AND CUSTODIAL ACCOUNT AGREEMENTS WITH WELLS FARGO BANK WEST, N.A., RELATED TO THE DEFINED 401(A) CONTRIBUTION PLANS FOR THE TORRANCE FIRE FIGHTERS ASSOCIATION, TORRANCE POLICE OFFICERS ASSOCIATION, EXECUTIVE/MANAGEMENT EMPLOYEES AND ENGINEERING/FISCAL EMPLOYEES**

**MOTION:** Councilmember Messerlian moved for the adoption of Resolution No. 2001-72. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

**11f. GRASSROOTS NETWORK – LEAGUE OF CALIFORNIA CITIES**

Recommendation of the City Manager that City Council consider supporting the Grassroots Network and increasing the dues to the League of California Cities from \$14,392 to \$18,170 for Fiscal Year 2001-02, for a total increase of \$3,778.

Assistant to the City Manager Wren clarified that the \$3,778 covered July through December 2001 and \$7,858 would be due for 2002 for a total dues increase of \$11,636.

Councilmember Witkowsky explained that the Grassroots Network would act as advocates for Torrance in matters which affect all cities and provide a current overview of legislation to be voted on. She commented that she would like to see the field office located in Torrance as dues are population-based and therefore expensive and she

noted that if Torrance did not pay the dues they would not be able to participate in the League of California Cities which she felt was valuable.

Councilmember Nowatka pointed out that the Grassroots Network provided additional resources to advocate for the City of Torrance including organizers and legal and strategical information, not just lobbyists.

Mayor Hardison reported that there would be an unbiased professional evaluation of the program three times during the year and if the cities did not approve the program it would not be put in place. She explained that if after 5 years the cities do not feel the Network is effective, the program will be discontinued.

**MOTION:** Councilmember Witkowsky moved to concur with the staff recommendation. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

**11g. RESOLUTIONS RE TORRANCE POLICE OFFICERS ASSOCIATION**

Recommendation of the City Manager that City Council adopt:

- 1) A supplemental MOU resolution for the Torrance Police Officers Association (TPOA) implementing a 401(a) deferred compensation program;
- 2) An amended resolution for the Executive and Management pay resolution adding a merit pay plan; and
- 3) An amended resolution modifying the pay plan for the City Clerk and the City Treasurer.

Assistant to the City Manager Keane presented the material of record and Mayor Hardison commented that the supplemental provided a good quick summary.

**RESOLUTION NO. 2001-74**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2000-111 SETTING FORTH CERTAIN CHANGES REGARDING HOURS, WAGES AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE POLICE OFFICERS ASSOCIATION.**

**MOTION:** Councilmember Messerlian moved for the adoption of Resolution No. 2001-74. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

**RESOLUTION NO. 2001-75**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING RESOLUTION 2001-08 SETTING FORTH CHANGES REGARDING EMPLOYMENT COMPENSATION FOR EXECUTIVE AND MANAGEMENT EMPLOYEES.**

**MOTION:** Councilmember Messerlian moved for the adoption of Resolution No. 2001-75. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

**RESOLUTION NO. 2001-76**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH WAGES, HOURS, AND WORKING CONDITIONS FOR ELECTED OFFICIALS AND REPEALING RESOLUTION NO. 2000-131.**

**MOTION:** Councilmember Messerlian moved for the adoption of Resolution No. 2001-76. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**11h. VETERAN'S MEMORIAL PROJECT**

Recommendation of the Ad Hoc Veteran's Memorial Committee that City Council approve the development of a Veterans' Memorial Project in the City of Torrance and appropriate \$5,000 to begin the search for names to be included on the monument.

Councilmember Scotto reported the Committee had met on June 13 and proposed appropriating money to begin the search for proper names of veterans who lived in the City of Torrance to be placed on the memorial.

Mayor Hardison noted that other items would need to be resolved including placement, appearance, etc., and Councilmember Scotto encouraged residents to contact staff if they know of anyone who should be on the memorial.

**MOTION:** Councilmember Scotto moved to concur with the recommendation. Councilmember Cribbs seconded the motion and a roll call vote reflected unanimous approval.

**11i. RESOLUTIONS RE SPECIAL MUNICIPAL ELECTION – TUESDAY, NOVEMBER 6, 2001**

Recommendation of the City Clerk for City Council to:

- 1) Adopt a resolution calling a Special Municipal Election on Tuesday, November 6, 2001 for the purpose of submitting an initiative measure to the voters related to the repeal of assessments for street lighting in the City of Torrance;
- 2) Adopt a resolution requesting Los Angeles County Registrar to consolidate the election;
- 3) Direct the City Attorney to prepare an impartial analysis; and
- 4) Adopt a resolution authorizing rebuttal arguments (optional).

City Clerk Herbers summarized the material of record and pointed out a scrivener's error noting that the election would be held on November 6 as the initiative petition was certified as sufficient. She reported that all seven members of the City

Council were allowed to file the arguments against the initiative measure and, if they chose to allow rebuttal, arguments would have to be done at this time.

Newt Young, 22637 Hickory Avenue, commented on materials and City Clerk Herbers clarified that the election code indicated that rebuttals are allowed and the language called for a legal device to ensure that one specific measure and one specific election are specified. City Attorney Fellows noted that there were no previous provisions and Mr. Young urged the Council to allow rebuttal arguments.

**RESOLUTION NO. 2001-77**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 6, 2001 FOR THE SUBMISSION OF A PROPOSED ORDINANCE.**

**MOTION:** Councilmember Messerlian moved for the adoption of Resolution No. 2001-77. Councilmember Cribbs seconded the motion and a roll call vote reflected unanimous approval.

**RESOLUTION NO. 2001-78**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2001, WITH THE UNIFIED DISTRICT ELECTION TO BE HELD PURSUANT TO 10403 OF THE ELECTIONS CODE.**

**MOTION:** Councilmember Messerlian moved for the adoption of Resolution No. 2001-78. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

**MOTION:** Councilmember Messerlian moved to direct the City Attorney to provide an impartial analysis to the City Clerk. Councilmember Cribbs seconded the motion and a roll call vote reflected unanimous approval.

**MOTION:** Councilmember Scotto moved not to authorize rebuttal arguments for the measure. Councilmember Cribbs seconded the motion and a roll call vote reflected unanimous approval.

Councilmember Walker clarified that he voted not to authorize rebuttal arguments for the measure because he felt that rebuttal arguments were redundant and the arguments made in the statement should be sufficient to the public.

Mayor Hardison indicated that there would be a committee of no more than three Councilmembers writing the statement to be signed by all seven Councilmembers.

City Clerk Herbers stated that the deadline date for arguments would be posted shortly.

**11j. PROPOSED CONTRACT BETWEEN THE COUNTY OF LOS ANGELES AND STAR VIEW ADOLESCENT CENTER**

Recommendation of the City Attorney that City Council consent to a proposed contract between the County of Los Angeles and Star View Adolescent Center, to convert the facility from a Level 14 residential group home to a community treatment facility.

City Attorney Fellows provided a brief history of the item noting that Star View Medical Center has been offering a group home and psychiatric facility since November 1996. Pursuant to State enabling legislation adopted several years ago the County of Los Angeles is proposing to enter into a revised contract with Star View that would convert it from a 16 bed locked acute Psychiatric Health Facility alongside a 40 bed Level 14 Residential Group Home to a secured community treatment facility.

City Attorney Fellows reported that over the past five years, as a result of operating history and incidents, Star View, the Mayor and City staff have been meeting regularly to address community concerns and the proposed community treatment facility contract satisfies the City's concerns in terms of client population at Star View. He noted that under the proposed contract, the County acknowledged that the general client population of children between the ages of 12-17 who are presently being served would not materially change.

City Attorney Fellows noted that as part of the process to secure the entire facility the County developed a series of written placement screening committee guidelines and he commented that a secured, supervised environment would reduce the opportunity for chronic AWOL problems, self-mutilation, and substance abuse. He clarified that the change was not aimed at providing a secured environment to protect the community from the children but rather the changes are to control behavior to assist in their treatment and for that reason, the proposed placement guidelines are being incorporated expressly to exclude children who have a history of violence to others or the property of others.

City Attorney Fellows indicated that the surrounding community was notified regarding the item using the notice area that Star View uses for their annual briefing letter and he indicated that responses were reflected in the supplemental.

Mayor Hardison stated that the City had been involved with Star View since its inception and Star View has indicated that they are willing to make necessary changes to facilitate the change.

City Attorney Fellows reported that a psychiatric hospital has been operating on that site for about 50 years and when Star View came in 5 years ago staff was convinced that it was consistent with conditional use permits. He added that there had been an approved locked ward on that site a number of years.

Kent Dunlap, Executive Director of Star View, thanked the Council for the investment of time and for the Councilmembers' visits and explained that all the children

at Star View have serious emotional disorders and have Individual Education Plans (IEPs) done through the school district. He stated that South Bay High School writes and approves the IEPs which are then reviewed by the school district to confirm that they meet with the standard.

Mayor Hardison received clarification that the County was willing to write into the contract that Star View was eligible for this program through Children's Services not the Court system and the children at Star View are still under the guardianship of their parents and have an IEP which qualifies them for special funding. Children who are better serviced through the juvenile justice system are excluded but children who have mental health disorders and are under WIC 600 in the probation system as delinquents are eligible and have active IEPs.

City Attorney Fellows reiterated that screening committee criteria would exclude children who exhibit a history of extremely violent or aggressive behavior to other people or property.

In response to an inquiry from Councilmember Messerlian, Mr. Dunlap was not clear on the evolution of facility usage and Planning Director Gibson provided a brief history noting that in 1971 the Planning Commission had issued a permit for an alcohol treatment facility that was not appealed to the City Council and various iterations of health related assisted type programs have been in operation since that time. In 1982 there was a City approved relocation of a locked unit from one wing to another and at that point some portion of the facility had been in existence for about 10 years.

Planning Director Gibson reported that in the 1980s there were numerous administrative approvals, mainly for trailers, not all of which were implemented, and there were various permitting and licensing processes, none of those triggered the discretionary land use approval process. By 1992 the operator filed for bankruptcy and the facility appeared to have ceased operation, and the existing conditional use permit was still valid in 1995 when Star View commenced operations under the CUP issued in 1971.

In response to comments from Councilmember Messerlian, Planning Director Gibson noted that the facility had been used for a variety of medical uses and Mr. Dunlap asserted that the usage was more consistent with a hospital model.

Anita Bock, Director of the Los Angeles Department of Children and Family Services, responded to Councilmember Messerlian that the population of Star View would not change and the change to a locked status was proposed to render a higher level of service to those participating. She noted that it was in the community's best interests that the children become productive citizens rather than problematic adults and assured the Council that she would address any issues that might arise.

Mr. Dunlap acknowledged Councilmember Walker's concern that if Star View became one of two lockdown facilities in the County the current clientele and program would change noting that they were proposing to be a mental health facility at a higher level and a different license would be required to become a detention facility which would not be funded by grants as Star View is.

Councilmember Walker indicated that he was not sure whether the City could have seen the current path when land use was being determined and he expressed concern that rules and regulations might change taking them from the current situation which is acceptable because of the level of clientele, to having one of the few lock down facilities in the County and the State.

Ms. Bock clarified that there were only a finite number of children that use the service and Star View would not be able to change under the license granted by the State. Changing to a lock down facility or detention facility would clearly be a change in use and would have to come back to the City Council.

In response to an inquiry from Councilmember Walker, Mr. Dunlap explained that a health care facility is a completely different use than a detention facility and would require review.

Ms. Bock added that a portion of Star View is currently locked and they were proposing to extend the locked area to the psychiatric hospital for children.

In response to an inquiry from Councilmember Witkowsky, City Attorney Fellows explained that the County Board of Supervisors would approve a contract for a Community Treatment Facility and the County had given Torrance the opportunity to work with the development of the contract and provide assurances about placement criteria. A one-year agreement grants Director Bock the ability to extend the program for a period of two years after which time any subsequent action would have to go back before the Board of Supervisors and the City would be notified of any proposed addition or extension or modification prior to any subsequent action being taken by the Board of Supervisors.

Ms. Bock reported that Mr. Knabe made it clear that he had every desire to work with the City and he was very supportive of insuring that Star View was a good neighbor.

In response to concerns raised by Councilmember Witkowsky, Ms. Bock explained that the contract spelled out screening criteria and the process by which children would be placed and if the staff changed, the contract would be void. Mr. Dunlap added that the new criteria were more exclusionary than what was currently being followed and clarified that the same mental health diagnoses or behaviors would be treated but the extra level of security would help control AWOL behavior, self mutilations and other self destructive acts.

Mr. Dunlap stated that children who came to Star View were those who could be successfully treated in a community situation and he explained that a Community Treatment Facility (CTF) was at a lower level than a Psychiatric Health Facility (PHF) which admits patients involuntarily and temporarily.

In response to an inquiry from Councilmember Messerlian, Ms. Bock stated that Vista Del Mar was the only comparable facility in Los Angeles County.

Councilmember Messerlian cited legislation intended to encourage group homes in residential areas and Ms. Bock noted that the word community was used rather than residential.

In response to an inquiry from Councilmember Scotto, Police Chief Herren commented that the Police Department preferred that it be a lock down facility as they would probably receive fewer calls for service.

In response to an inquiry from Mayor Hardison, City Attorney Fellows indicated that he was comfortable with the current CUP that there was enough protection to insure that Star View could not become more of a juvenile facility and he did not see a qualitative difference with what they are currently doing and the proposed CTF.

Mayor Hardison indicated that she was looking for firm language to provide security as she was concerned that the facility had a different use five years ago.

Mayor Hardison reported that Robert Yakawatsi had submitted a letter for the record.

John Crowley, 22621 Ladeene Avenue, provided credentials and reported that he has worked with the type of population present at Star View for 17 years. He noted that though Star View has indicated that they would not be encountering children who were violent to others or property, the facility would be serving severely emotionally disturbed kids and he has not seen severely emotionally disturbed kids who did not act out toward others. He stated that some would be coming through the juvenile justice system and those who fail with Level 14 would eventually move into Star View.

Mr. Crowley questioned the decision by the State to increase the facility to a locked unit when there had been past allegations of abuse by the Daily Breeze and he urged the Council to be very concerned, commenting that if Star View became one of two locked units in the County, the more dangerous clients would be sent there.

Gwan Rhee, 22634 Ladeene Avenue, stated that he was sympathetic toward the clientele and felt it was admirable for the facility to want to help them, but he noted that the children who volunteer to come to the facility do so because they have no other choice. Mr. Rhee expressed concerns with safety in the area over the past five years and asked that the City re-think the proposed contract. He offered to provide a petition against it if it would help his case and noted that he inspects these types of facilities and the clientele is very violent.

Mayor Hardison called a recess from 12:02 a.m. to 12:15 a.m.

Julio Gonsalvo Viana, 3835 Merit Place, stated that he had stayed at the meeting late because he felt the issue was extremely important. He recounted an incident where a client from Star View had come to his home and he expressed concern that the facility would continue to grow and Star View would be allowed to bring in different types of clients.

Mayor Hardison clarified that it was not a choice before Council disallow the facility and the proposal would be better for the youngsters and hopefully for the community.

Tom Brewer, South Riviera Homeowners Association, noted that many residents had voiced dissatisfaction with the contract though he acknowledged that the City had been very diligent with the contract.

In response to an inquiry from Mayor Hardison, Mr. Dunlap clarified that children had to have a mental health diagnosis to be eligible for Star View.

Mayor Hardison noted that the diagnosis provided a built-in protection as children would not be coming from court services and Mr. Dunlap stated if the Council decided to keep Star View at Level 14 they would live with the decision.

Mayor Hardison expressed concerns that if Star View became a lock down facility they would accept children who were more troubled than they would have accepted in the past and Mr. Dunlap stated that he did not expect the children to be any different, the staff will just be better equipped to meet their needs and the impact on the community should be less.

In response to an inquiry from Mayor Hardison, Mr. Dunlap reported that over the years there had been a few clients AWOL from the PHF unit and it would be better to just have the door closed because children and staff can get hurt when someone impulsively tries to leave the facility.

Mr. Dunlap indicated that a change to a CTF status would put Star View under much more scrutiny, requirements would change and costs would increase.

Ms. Bock stressed that it was not in the County's interest to be at war with the community and they would meet with people and encourage them to visit the facility.

In response to an inquiry from Mayor Hardison, City Attorney Fellows indicated that the CUP would not permit a detention facility, the site would have to be used as a therapeutic treatment facility.

Councilmember Walker expressed concern with the facility increasing to house 40-50 clients in total lock down.

Mayor Hardison clarified that Star View was not proposing above 56 clients and Councilmember Walker reported that he had read that the structure had housed 92 beds at one time so he felt it was possible to reach beyond the numbers that presently existed.

City Attorney Fellows agreed to investigate whether an existing CUP had a base level.

Ms. Bock stated that she would be the one to approve increased capacity and agreed to put in writing that she would not approve the facility for increased capacity.

Mayor Hardison indicated that she would be supportive of the contract because Star View had worked hard to be acceptable to the community and she felt the proposed contract would serve the clientele and the community better. She requested a commitment from the County that as part of the written criteria there would be a quarterly meeting with City staff to address any issues.

Councilmember Nowatka concurred noting that he did not see a disaster looming, but rather an improvement with emotionally disturbed people in a facility that is secure.

**MOTION:** Councilmember Nowatka moved to approve the staff recommendation. Councilmember Cribbs seconded the motion and the discussion continued.

Councilmember Messerlian stated that though it was well intended, the facility was in the wrong location and he had a great deal of concern about past and present operations, but ultimately he felt he had to trust the judgment of the Police Chief and the City Attorney and support the proposal.

Councilmember Cribbs thanked the staff, the Mayor, City Attorney and Police Chief for their efforts to put together additional agreements to give some sense of the kind of youngster that would be assigned to the facility and to have some control over who is coming. She also expressed appreciation for the five years of work done by Mayor Hardison and thanked Don Knabe's office for their cooperation, noting that she would monitor the situation.

A roll call vote was taken on the motion: with Councilmembers Cribbs, Nowatka, Messerlian, Scotto, Witkowsky and Mayor Hardison voting Yes and Councilmember Walker voting No.

At the request of Mayor Hardison, Mr Dunlap agreed to invite concerned residents to a meeting for one-to-one dialogue.

Mayor Hardison reported that subsequent to the posting of the agenda on June 22, the City received information regarding an easement from ExxonMobil Oil Corporation in conjunction with the 190<sup>th</sup> Street Rehabilitation Project and due to time frames staff believed that it was necessary to take immediate action. California Government Code requires a determination by a two-thirds vote that immediate action is required and that the need to take action arose subsequent to the posting of the agenda.

**MOTION:** Councilmember Scotto moved to add item 11k to the City Council agenda for June 26, 2001. Councilmember Cribbs seconded the motion and a roll call vote reflected unanimous approval.

**11k. EASEMENT RE EXXONMOBIL OIL CORPORATION**

Recommendation of the Engineering Director that City Council authorize the Mayor to execute and the City Clerk to attest to accepting an easement from ExxonMobil Oil Corporation in conjunction with the 190th Street Rehabilitation Project for the relocation of Southern California Edison power poles.

**MOTION:** Councilmember Messerlian moved to concur with the staff recommendation. Councilmember Cribbs seconded the motion and hearing no objection, Mayor Hardison so ordered.

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The Torrance Redevelopment Agency met from 12:52 a.m. to 12:53 a.m.

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## **15. ORAL COMMUNICATIONS**

**15a.** City Clerk Herbers announced that applications would be accepted through July 18 at 5:30 p.m. for appointment to vacancies on the Cable Television Advisory Board, the Disaster Council, the Community Services Commission and the Commission on Aging. Applications will be presented to the City Council for appointment at the July 24 City Council meeting.

**15b.** Retired Police Officer David A. Cook thanked the City for the death benefit adjustment on behalf of the Torrance Police Retirement Association.

**15c.** Councilmember Cribbs noted destruction of some mirrors at a recent event in the Cultural Arts Center meeting room and asked that the organization be billed and perhaps not be allowed to use the facility again. She further noted that the cleaning of the Ken Miller Recreation Center after Friday night events needed attention.

**15d.** Responding to Councilmember Nowatka about the Southern California Edison audit, City Manager Jackson reported that it was not anticipated until late fall but he noted that the City was reviewing what information they have and indicated that a strategy could be brought back to the City Council within 30 to 45 days.

**15e.** Councilmember Witkowsky congratulated staff on the installation of the LED street lights.

**15f.** Mayor Hardison commended Officer Chester Pitts for having received recognition from Switzer Center. She also extended an invitation to the public to attend the Fourth of July Celebration at Wilson Park noting that there would be arts and crafts, games, food booths, train rides and family entertainment with parking available at Del Amo and free shuttle transportation to Wilson Park.

**15g.** Mayor Hardison reiterated that a committee of Councilmembers would be writing the argument for the street lighting assessment ballot measure that will be on the November ballot.

16. **EXECUTIVE SESSION**

Covered previously in the meeting.

17. **ADJOURNMENT**

At 1:04 a.m., Wednesday, June 27, the meeting was adjourned to Tuesday, July 10, 2001 at 5:30 p.m., for an executive session in the Council Chamber, with the regular meeting commencing at 7:00 p.m. in Council Chambers. Tuesday July 3, 2001 will be a Council dark night.

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*Adjourned in memory of  
Police Chaplain George Johnson,  
James T. Spence,  
Peter Lacombe, and  
William T. Stokes*

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Attest:

\_\_\_\_\_  
Mayor of the City of Torrance

\_\_\_\_\_  
Sue Herbers  
City Clerk of the City of Torrance

Approved on August 7, 2001