

**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 6:00 p.m. on September 23, 2003, in Council Chambers.

**ROLL CALL**

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

Absent: None.

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

Mayor Walker announced that subsequent to the posting of the agenda on Thursday, September 18, 2003 the City Attorney became aware of existing facts and circumstances that created a significant exposure to litigation stating it was the belief of the City Attorney that public identification of the potential litigation would jeopardize the City's ability to conclude settlement negotiations to its advantage. He stated that the City Attorney's office was asking that City Council consider this matter in closed session to provide advice to the City Manager and the City Attorney on how to proceed and that 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 the matter to the agenda. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

The matter was added and considered under California Government Code Sections 54954.2(b)(2), 54956.9 (b) (1), and 54956.9 (c).

**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 and Redevelopment Agency Real Property – Conference with Real Property Negotiator pursuant to California Government Code Sections 54957.6, 54956.9 (a) and 54956.8.

The Council reconvened at 7:10 p.m.

**2. FLAG SALUTE/INVOCATION**

The Pledge of Allegiance was led by Councilmember Lieu.

The invocation was given by Councilmember Witkowsky.

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

**MOTION:** Councilmember Mauno moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Nowatka and a voice vote reflected unanimous approval.

**MOTION:** Councilmember Mauno moved that after the City Clerk has read aloud the number and title to any resolution or ordinance on the meeting agenda, the further reading thereof shall be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember Nowatka and a roll call vote reflected unanimous approval.

**4. WITHDRAWN OR DEFERRED ITEMS**

City Manager Jackson announced that item 7p was withdrawn.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Mayor Walker asked that the meeting be adjourned in memory of Retired Water Service Supervisor William Johns.

Mayor Walker announced that after many months of back and forth with help of many people including the White House, Defense Department and Army and the Rose Float Association and others that riders on the patriotic float would be the Mayor, Louis Zamperini along with at least one other World War II POW.

**6. COMMUNITY MATTERS**

**6a. RESOLUTION NO. 2003-123 RE FIRE FIGHTER DENNIS E. HANSEN**

**RESOLUTION NO. 2003-123**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING DENNIS E. HANSEN UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-SIX YEARS OF SERVICE

**MOTION:** Councilmember Nowatka moved to adopt resolution No. 2003-123. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

Councilmember Nowatka summarized the many accomplishments of Mr. Hansen's and Mayor Walker presented him with a plaque.

Fire Chief Bongard noted that Mr. Hansen had dedicated himself to working for the public throughout his career and believed in the teamwork and the spirit of the City.

**6b. PROCLAMATION RE AMERICA'S WALK FOR DIABETES DAY**

Councilmember Witkowsky read a proclamation declaring Sunday, September 28, 2003 as the American Diabetes Association's America's Walk for Diabetes Day in the City of Torrance and asked that every citizen in the community participate in this fund-raising walk to fight diabetes and help find a cure. The proclamation was accepted by City Clerk Herbers who will be participating in the walk along with other South Bay City Clerks.

**6c. PROCLAMATION RE NATIONAL ARTS AND HUMANITIES MONTH**

Councilmember Nowatka read a proclamation declaring the month of October 2003 as National Arts and Humanities Month in the City of Torrance, and invited citizens to utilize the facilities and take advantage of the myriad of learning opportunities available at the Torrance Cultural Arts Center. The proclamation was accepted by Cultural Arts Commission Chairperson Smith who thanked the Mayor and Council. She introduced fellow commissioners Anne Smisek, Debbie Stadler, Kim Wang, June Armstrong and Betty Kohler.

**7. CONSENT CALENDAR**

**7a. MONTHLY INVESTMENT REPORT FOR AUGUST 2003**

**Recommendation**

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for the month of August 2003.

**7b. LIBRARY COMMISSION 2002-2003 ANNUAL REPORT**

**Recommendation**

Recommendation of the City Librarian and the Library Commission that City Council accept and file the Library Commission's 2002-2003 Annual Report.

**7c. BJA LOCAL LAW ENFORCEMENT BLOCK GRANT LOCAL ADVISORY BOARD**

**Recommendation**

Recommendation of the Chief of Police that City Council:

- 1) Make appointments to the BJA Local Law Enforcement Block Grant, Local Advisory Board,
- 2) Identify Board duties; and
- 3) Establish a sunset for the Board's authority to meet.

**7d. JOHN POWERS CONSULTING CONTRACT**

**Recommendation**

Recommendation of the Parks and Recreation Director that City Council approve a contract with John Powers, Consultant, in an amount not to exceed \$60,000 for the following services: \$20,000 for multidisciplinary programs; \$13,000 for Wild Wednesdays; and \$27,000 for special projects.

**7e. CULTURAL ARTS COMMISSION 2002-2003 ANNUAL REPORT**

**Recommendation**

Recommendation of the Parks and Recreation Director that City Council accept and file the Cultural Arts Commission 2002-2003 annual report.

**7f. PURCHASE ORDERS RE ALLSTEEL AND INTERSERVICE**

**Recommendation**

Recommendation of the General Services Director and the Public Works Director that City Council:

- 1) Authorize a purchase order to Allsteel in the amount of \$ 65,000 for the purchase of workstations, and

- 2) Authorize a purchase order to Interservice for the amount of \$18,000 for the installation of workstations for the Public Works Department at the City Services Yard.

**7g. TED TANOUYE MEMORIAL AT TORRANCE HIGH SCHOOL**

**Recommendation**

Recommendation of the Parks and Recreation Director that City Council permit Torrance High Alumni Association to place a memorial honoring Ted Tanouye on the City-owned grass triangle in front of Torrance High School.

Item considered separately; See page 6.

**7h. PURCHASE ORDER RE DELL CORPORATION**

**Recommendation**

Recommendation of the Acting Information Technology Director that City Council appropriate \$202,675 from the PC Replacement Fund and approve an annual purchase order in an anticipated amount not to exceed \$202,675 for the purchase of replacement and new computer servers and laptops over a period of one year (July 1, 2003 – June 30, 2004) with Dell Corporation.

Item considered separately; See page 6.

**7i. PURCHASE ORDER RE SYS TECHNOLOGIES**

**Recommendation**

Recommendation of the Acting Information Technology Director that City Council appropriate \$141,480 from the PC Replacement Fund and approve an annual purchase order to SYS Technologies, Inc. in an anticipated amount not to exceed \$182,745 for the purchase of new and replacement personal computers covering the period of July 1, 2003, through June 30, 2004.

Item considered separately; See page 7.

**7j. CONTRACT RE WOODBRIDGE GLASS, INC.**

**Recommendation**

Recommendation of the General Services Director that City Council:

- 1) Award a contract with Woodbridge Glass Inc. for \$12,425 with a 5% contingency of \$622 for replacement of the front glass at the James Armstrong Theatre (FEAP #377);
- 2) Approve 10% project management fee of \$1,242; and
- 3) Appropriate \$14,289 from the Cultural Arts Center Enterprise Fund.

**7k. PUBLIC WORKS AGREEMENT RE ENGINEERED PLUMBING**

**Recommendation**

Recommendation of the Engineering Director that Council

- 1) Approve the plans and specifications for the Water Main Replacement Project (I-20, I-23 and I-26) (B2003-26) on file in the City Clerk's Office;
- 2) Award a public works agreement to Engineered Plumbing, Inc., in the amount of \$2,124,929 and authorize a 5% contingency in the amount of \$106,246.45 for this project;
- 3) Transfer \$40,000 from CIP No. I-23 to CIP No. I-26 to cover costs on Yukon Avenue Water Main Replacement; and

4) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

**7l. COMMUNITY ALERT NETWORK, INC. ANNUAL RETAINER FEE**

**Recommendation**

Recommendation of the Fire Chief that City Council authorize the appropriation of \$12,150 from the General Fund fund balance from fees collected for fire acutely hazardous materials revenue account to the Fire Department's operating budget for the payment of CAN annual retainer fee per contract C2001-256 with the Community Alert Network, Inc.

**7m. DIAL-A-TAXI PROGRAM INTER-AGENCY AGREEMENT**

**Recommendation**

Recommendation of the Transit Director that City Council authorize the Mayor to execute and the City Clerk to attest to an Inter-Agency Agreement for participation in the Dial-A-Taxi Program from October 1, 2003 to June 30, 2007.

**7n. CONTRACT SERVICES AGREEMENTS RE DIAL-A-TAXI SERVICE**

**Recommendation**

Recommendation of the Transit Director that City Council authorize the Mayor to execute and the City Clerk to attest to:

- 1) A one-year contract services agreement with Administrative Services Co-op, d.b.a. South Bay Yellow Cab and United Checker Co-op to provide service for the Torrance Community Transit Program's Dial-A-Taxi Service;
- 2) A one-year contract services agreement with All Yellow Taxi, Incorporated to provide service for the Torrance Community Transit Program's Dial-A-Taxi Service; and
- 3) A one-year contract services agreement with United Independent Taxi Drivers, Incorporated to provide service for the Torrance Community Transit Program's Dial-A-Taxi Service.

The recommended term for all contracts is October 1, 2003 to September 30, 2004 at an aggregate cost not to exceed \$225,000 per annum for all three contracts.

**7o. APPROVAL OF SHORT RANGE TRANSIT PLAN 2004-2006**

**Recommendation**

Recommendation of the Transit Director that City Council approve the Fiscal Year 2004-2006 Short Range Transit Plan (SRTP) for submission to the Los Angeles County Metropolitan Transportation Authority.

**7p. CONTRACT RE NEC BUSINESS NETWORK SOLUTIONS**

**Recommendation**

Recommendation of the Acting Information Technology Director that City Council authorize a contract to NEC Business Network Solutions, Inc. (NEC BNS) for the repair and maintenance of the City's telephone and voicemail systems for one year in an amount not to exceed \$96,446.88. The term of the agreement will be October 1, 2003 through September 30, 2004.

Item withdrawn; See Page 2.

**7q. CONTRACT RE WHEELER METER MAINTENANCE**

**Recommendation**

Recommendation of the Public Works Director that City Council:

- 1) Accept the proposal submitted by Wheeler Meter Maintenance for the large meter testing and repair program for fiscal year 2003-2004 and award a contract to this firm in the amount of \$60,450 (B2003-22);
- 2) Reject all other proposals; and
- 3) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

**7r. APPROPRIATION RE WILSON PARK PICNIC AREA RENOVATION**

**Recommendation**

Recommendation of the Parks and Recreation Director that City Council appropriate \$85,000 to be expended for the renovation of the large picnic area at Wilson Park (FEAP #408).

Councilmember Scotto asked that item 7g be pulled for separate consideration and Councilmember Witkowsky asked that items 7h and 7i also be pulled for separate consideration.

**MOTION:** Councilmember Lieu moved to approve items 7a through 7f, 7j-o, and 7q and r. as written. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval. Item 7p was withdrawn. (See Page 2)

Considered out of order

**7g. TED TANOUYE MEMORIAL AT TORRANCE HIGH SCHOOL**

**Recommendation**

Recommendation of the Parks and Recreation Director that City Council permit Torrance High Alumni Association to place a memorial honoring Ted Tanouye on the City-owned grass triangle in front of Torrance High School.  
Item considered out of order. See page 4.

Councilmember Scotto noted that item 7g was being brought forward by the Torrance High School Alumni Organization. He indicated that the project sought to honor Ted Tanouye from the Class of 1938; the only person from Torrance to receive the Congressional Medal of Honor. Gail Morgan, president, thanked Parks and Recreation Director Barnett and the department for their help and she reported that they had begun fundraising to build a memorial. Ms. Morgan encouraged donations to the Ted Tanouye Memorial Foundation via the Torrance High Alumni Association and reported that the project is slated for completion by June 2004 with the dedication is scheduled for July 6, 2004.

Ms. Morgan introduced Colonel Gene Williams, Mary Merrill, and Jim Staniford, who brought the item to the alumni association's attention, and Gavin Wasserman, secretary of Ted Tanouye Foundation. She added that former Councilmember Maureen O'Donnell has been a donor.

Mayor Walker announced that he and Assemblyman Nakano would take care of fundraising for the remaining \$40,000 and Ms. Morgan indicated that she was very honored by their assistance.

**MOTION:** Councilmember Scotto moved to approve item 7g. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**7h. PURCHASE ORDER RE DELL CORPORATION**

**Recommendation**

Recommendation of the Acting Information Technology Director that City Council appropriate \$202,675 from the PC Replacement Fund and approve an annual purchase order in an anticipated amount not to exceed \$202,675 for the purchase

of replacement and new computer servers and laptops over a period of one year (July 1, 2003 – June 30, 2004) with Dell Corporation.  
Item considered out of order; see page 4.

**7i. PURCHASE ORDER RE SYS TECHNOLOGIES**

**Recommendation**

Recommendation of the Acting Information Technology Director that City Council appropriate \$141,480 from the PC Replacement Fund and approve an annual purchase order to SYS Technologies, Inc. in an anticipated amount not to exceed \$182,745 for the purchase of new and replacement personal computers covering the period of July 1, 2003, through June 30, 2004.  
Item considered separately; See page 5.

In response to an inquiry from Councilmember Witkowsky, Acting Information Technology Director Ryan Lee indicated that the computers covered in item 7h were replaced every 3 years and those in item 7i were replaced every 3 years. City Manager Jackson clarified that orders for computers were rotated and placed once per fiscal year.

**MOTION:** Councilmember Witkowsky moved to accept items 7h and 7i. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

**11. ADMINISTRATIVE MATTERS**

**11a. CITY COUNCIL AD HOC LEGISLATIVE COMMITTEE RECOMMENDATIONS RE OCTOBER 7, 2003 BALLOT**

Recommendation of the City Council Ad Hoc Legislative Committee that City Council as a whole review the committee's recommendations on two initiatives on the October 7, 2003 ballot and take a position on the measures.

Councilmember Scotto reported that the Committee had taken no position on Proposition 54 as they felt it did not fall within the parameters of the committee criteria - how the measure affects local control; what the fiscal impact is and whether or not public safety affected.

Assistant to the City Manager Keane indicated that Proposition 53 supporters felt there was a need for improvement in the way money is passed from the state general fund to local agencies, but noted that opponents felt that non-discretionary amounts would be increased. She stated that the impact is unknown for Torrance but if state revenues do not increase, the state could come back and try to take money from cities in another form.

**MOTION:** Councilmember Nowatka moved to oppose Proposition 53. Councilmember Witkowsky seconded the motion and the motion passed with a roll call vote with Councilmembers Lieu, Mauno, McIntyre, Scotto, Witkowsky and Mayor Walker voting yes and Councilmember Nowatka voting no.

**MOTION:** Councilmember Scotto moved to take no position on Proposition 54 and Councilmember Witkowsky seconded the motion.

Councilmember Lieu stated that Torrance should go on record against Proposition 54 because without the data, the government will make decisions based on speculation rather than facts. He added that local governments have a right to defend themselves against discrimination and he cited a case several years ago in which Torrance was sued for discrimination noting that the city had won because they were able to present racial and ethnic evidence.

Councilmember Lieu felt that Proposition 54 would put the ability to keep and track information on race in jeopardy and he reported that numerous organizations across party lines opposed it.

Councilmember Witkowsky indicated that she personally did not support Proposition 54, but noted that committee decisions are based upon examination of three criteria: how the measure affects local control; what the fiscal impact is and whether or not public safety affected. Police Chief Herren and Fire Chief Bongard indicated that in their opinions that the measure would not negatively impact public safety.

Councilmember Witkowsky asserted that the neutral recommendation should stand unless focus of the committee is to be changed.

In response to an inquiry from Mayor Walker, City Manager Jackson explained that the original Justice Department lawsuit against the City of Torrance relied heavily on documentation and dependent on the type of case, data gathering could be important. He noted that such data had been used in actions filed by individuals claiming discrimination and he was not sure how Proposition 54 would affect their ability to collect the data.

Mayor Walker commented that he preferred to err on the side of caution and he expressed support for Councilmember Lieu's comments.

Responding to Councilmember Scotto, City Attorney Fellows explained that state propositions did not have an impact on federal mandates. He indicated that the City submitted annual statistical reports with respect to diversity in the workforce and that information would be useful in defending a range of lawsuits. He stated that it was hard to measure whether local control would be affected but noted that it was possible that the City could be prevented from maintaining information on ethnicity and race in field operations.

**MOTION:** Councilmember Scotto moved to oppose Proposition 54. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

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

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

**MOTION:** Councilmember Scotto moved to continue the state of local emergency for Carolwood Drive and Singingwood Drive. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

**11c ORDINANCE NO. 3542 RE INCREASED CLAIMS SETTLEMENT AUTHORITY**

Recommendation of the Human Resources Director that City Council approve an Ordinance amending the Torrance Municipal Code, increasing the settlement authority of the City Manager, the Claims Board and the Claims Administrator.

Risk Manager Sellers spoke on behalf of the Human Resources Director to support increased liability settlement authority which he indicated would streamline the process for resolving liability claims, especially in the \$5,000 to \$50,000 range.

In response to an inquiry from Councilmember Nowatka as to why the change was necessary, Risk Manager Sellers reported that the matter had not been addressed in 10 years and he observed that more staff time was now being used to address these problems. City Manager Jackson added that the courts were requiring that recommendations be made quickly on the lower level cases and the change would allow offers or settlements to be made when time is of the essence.

In response to concerns from Councilmember Scotto regarding whether the claims administrator should have that increased authority, City Manager Jackson indicated that he would be comfortable to raise level for the City Manager to \$50,000 and keep the others at the previous level.

City Clerk Herbers read the number and title of the ordinance.

**ORDINANCE NO. 3543**

AN ORDINANCE OF THE TORRANCE CITY COUNCIL AMENDING SECTIONS 12.4.5 OF THE TORRANCE MUNICIPAL CODE TO PROVIDE FOR INCREASED CLAIMS SETTLEMENT AUTHORITY OF THE CITY MANAGER.

**MOTION:** Councilmember Nowatka moved to adopt Ordinance No. 3543 as amended. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

City Attorney Fellows clarified that the title should be the ordinance amending section 12.4.5 of the Torrance Municipal Code to provide for increased claims authority for the City Manager. He added that in section 2 there is a reference to section 12.4.5 and section a would remain the same but section b would be changed to restate the existing section b municipal code 12.4.5. Risk Manager Sellers pointed out that there would be no change in subsection b.

Councilmember Nowatka asked that his motion be changed to reflect City Attorney Fellows' comments.

**11d. MOUS RE RETIREMENT HEALTH SAVINGS PLAN**

Recommendation of the City Manager that City Council adopt Memorandum of Understanding supplementals adding language for a "Retirement Health Savings Plan" for employees who are leaving the City by the end of calendar 2003:

**RESOLUTIONS**

- Torrance Municipal Employees – AFSCME, Local 1117
- Torrance Library Employees Association (TLEA)

- Torrance Police Officers Association (TPOA)
- Torrance Fire Fighters Association (TFFA)
- Torrance Professional Park and Recreation Employees Organization (TPPREO)
- Torrance City Employees Association (TCEA)
- Torrance Fiscal Employees Association (TFEA)

Assistant to the City Manager Keane noted that the recommended changes would allow all employees to take part in the retirement plan even if they leave the City by the end of this year.

**MOTION:** Councilmember Scotto moved to adopt Memorandum of Understanding supplementals adding language for a “Retirement Health Savings Plan” for employees who leave the City by the end of calendar year 2003. Councilmember McIntyre seconded the motion and a voice vote reflected unanimous approval.

**RESOLUTION NO. 2003-125**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2003-99 SETTING FORTH CHANGES REGARDING WAGES, HOURS, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE MUNICIPAL EMPLOYEES – AFSCME, LOCAL 1117.

**MOTION:** Councilmember Nowatka moved to adopt Resolution No. 2003-125. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**RESOLUTION NO. 2003-126**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2003-100 SETTING FORTH CHANGES REGARDING WAGES, HOURS, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE LIBRARY EMPLOYEES ASSOCIATION (TLEA).

**MOTION:** Councilmember Nowatka moved to adopt Resolution No. 2003-126. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**RESOLUTION NO. 2003-127**

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

**MOTION:** Councilmember Nowatka moved to adopt Resolution No. 2003-127. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**RESOLUTION NO. 2003-128**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2000-135 SETTING FORTH CHANGES REGARDING WAGES, HOURS, AND WORKING

CONDITIONS FOR EMPLOYEES REPRESENTED BY THE  
TORRANCE FIRE FIGHTERS' ASSOCIATION (TFFA)

**MOTION:** Councilmember Nowatka moved to adopt Resolution No. 2003-128. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**RESOLUTION NO. 2003-129**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2003-118 SETTING FORTH CHANGES REGARDING WAGES, HOURS, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE PROFESSIONAL PARK AND RECREATION EMPLOYEES ORGANIZATION (TPPREO)

**MOTION:** Councilmember Nowatka moved to adopt Resolution No. 2003-129. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**RESOLUTION NO. 2003-130**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2003-114 SETTING FORTH CHANGES REGARDING WAGES, HOURS, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE CITY EMPLOYEES ASSOCIATION (TCEA)

**MOTION:** Councilmember Nowatka moved to adopt Resolution No. 2003-130. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**RESOLUTION NO. 2003-131**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2000-130 SETTING FORTH CHANGES REGARDING WAGES, HOURS, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE FISCAL EMPLOYEES ASSOCIATION (TFEA)

**MOTION:** Councilmember Nowatka moved to adopt Resolution No. 2003-131. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**11e. LEASES BETWEEN THE CITY OF TORRANCE AND TORRANCE TOWN CENTER ASSOCIATES, LLC**

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

- 1) An Assignment and Assumption Agreement to assign the Lease from OMA CERRITOS VB, LLC, a California limited liability company ("OMA"), STATON VB, LLC, a California limited liability company (Staton), and AIRPORT VENTURE 2002 LLC, a California limited liability company ("Airport 2002") to TORRANCE TOWN CENTER ASSOCIATES LLC, a California limited liability company;
- 2) A Ground Lease Estoppel (this "Agreement") between the City of Torrance, as landlord ("City"), and Torrance Town Center Associates LLC, a California

limited liability company (as successor in interest to OMA Cerritos VC, LLC, a California limited liability company, Staton VB, LLC, a California limited liability company, and Airport-Venture 2002 LLC, a California limited liability company (collectively "Original Lessee"), as tenant ("Lessee"); and

- 3) An Amended and Restated Lease by and between the City of Torrance, a municipal corporation (City), and Torrance Town Center Associates LLC, a California limited liability company (Lessee) for City-owned property located at the Northwest corner of Pacific Coast Highway formally known as Airport Plaza.

Assistant to the City Manager Sunshine noted that the assignment and assumption takes the agreement from 3 people and converts it into the Town Center partnership. The changes establish what the current rent is and allow for restructuring of current terms and conditions for a revitalization and re-tenancy of the Center.

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

**11f. ORDINANCE NO. 3543 AND RESOLUTION NO. 2003-132 RE TORRANCE MUNICIPAL CODE VIOLATIONS**

Recommendation of the City Clerk, City Attorney and Chief of Police that City Council:

- 1) Adopt an Ordinance restating the Torrance Municipal Code violations for which citations may be written as infractions and amending the names of classifications authorized to exercise the powers of arrest; and
- 2) Adopt a Resolution amending and restating the suggested bail schedule for both misdemeanor and infraction offenses arising from violations of the Torrance Municipal Code.

City Clerk Herbers noted that the item was being brought forward under Traffic and Special Events as the City was looking to reduce misdemeanors to infractions for more efficient prosecution and found they needed to amend the ordinance.

**MOTION:** Councilmember McIntyre moved to accept recommendations of the City Clerk, City Attorney and Chief of Police regarding the Torrance Municipal Code with regard to reducing certain misdemeanors to infractions. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

**ORDINANCE NO. 3543**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTIONS 11.2.5 AND 11.2.6 OF DIVISION 1 OF THE TORRANCE MUNICIPAL CODE RELATED TO ENFORCEMENT PERSONNEL AND INFRACTIONS OF THE MUNICIPAL CODE

**MOTION:** Councilmember Nowatka moved to adopt Ordinance No. 3543. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**RESOLUTION NO. 2003-132**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING RESOLUTIONS 91-41, 93-77, 96-156, AND ALL PREVIOUS CITY OF TORRANCE BAIL SCHEDULES BY

ADOPTING AN AMENDED AND RESTATED RECOMMENDED TORRANCE MUNICIPAL CODE BAIL SCHEDULES.

**MOTION:** Councilmember Nowatka moved to adopt Resolution No. 2003-132. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**11g. RESOLUTIONS NO. 2003-133 AND 2003-134 RE CITY EMPLOYEES**

Recommendation of the City Manager that City Council:

- 1) Adopt the Crossing Guard Employees Memorandum of Understanding Resolution for the period of September 21, 2003 through June 30, 2004; and
- 2) Adopt a pay Resolution for Elected Officials effective September 21, 2003.

Assistant to the City Manager Keane reported that all documents fell within guidelines and were within budget.

**MOTION:** Councilmember Scotto moved to adopt the Crossing Guard Employees Memorandum of Understanding and adopt a pay Resolution for Elected Officials. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**RESOLUTION NO. 2003-133**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH WAGES, HOURS, AND WORKING CONDITIONS FOR CROSSING GUARD EMPLOYEES FOR THE PERIOD OF SEPTEMBER 21, 2003 THROUGH JUNE 30, 2004, AND REPEALING RESOLUTION NO. 2002-75

**MOTION:** Councilmember Nowatka moved to adopt Resolution No. 2003-133. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**RESOLUTION NO. 2003-134**

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. 2001-76

**MOTION:** Councilmember Nowatka moved to adopt Resolution No. 2003-134. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

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The Torrance Redevelopment Agency met from 8:08 p.m. to 8:10 p.m.

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**16. ORAL COMMUNICATIONS**

**16a.** City Manager Jackson noted that the meeting time for the Executive Session on October 7 will be 5:30 p.m.

**16b.** City Clerk Herbers encouraged citizens to visit [www.lavote.net](http://www.lavote.net) for election information and polling locations for the October 7 and November 4 elections. She

reported that early touch screen voting was available until October 3 at the Redondo Beach library and asked that citizens be patient with receiving absentee ballots.

**16c.** Councilmember Lieu noted attendance at the Torrance Employee Variety Show which benefited the American Cancer Society.

**16d.** Councilmember Lieu asked that the City explore its eligibility for \$100 settlement claims from Microsoft.

**16e.** Councilmember Lieu encouraged everyone to vote.

**16f.** Councilmember Lieu wished Councilmember Witkowsky and others in the community a happy Rosh Hashana.

**16g.** Councilmember Mauno also attended the Variety Show and congratulated Councilmember Witkowsky for her performance.

**16h.** Councilmember Mauno thanked the public who helped clean up Torrance Beach at the annual Beach Clean-Up

**16i.** Councilmember McIntyre announced a meeting of the League of Women Voters at the Katy Geissert Library meeting room on October 1 where an objective explanation of Propositions 53 and 54 would be presented.

**16j.** Councilmember Nowatka attended the Beach Clean-Up and was pleased to see people helping out.

**16k.** Councilmember Nowatka wished Bill Ghio a happy retirement.

**16l.** Councilmember Scotto enjoyed the Torrance Employee Variety Show and Assistant to the City Manager Sunshine reported that figures were up significantly from last year.

**16m.** Councilmember Scotto announced that the new Dial A Taxi Program would begin on October 1. He noted that the van program would service disabled citizens and he encouraged calls to (310) 618-2536 with questions. A maximum of 16 monthly tickets are provided, with additional tickets available to disabled riders who need them for medical or educational necessity and that all current Dial A Lift tickets will be honored until December 31, 2004, but new tickets will have a 90 day expiration period.

**16n.** In response to an inquiry from Councilmember Witkowsky, Transit Director Mills stated that up to eight rainy day tickets will be provided annually for seniors who need additional tickets.

**16o.** Councilmember Witkowsky enjoyed participating in the Fifth Annual Employee Variety Show and noted that this year appeared to have the best attendance so far with money raised for a good cause as well as providing an opportunity for the staff to come together.

**16p** Councilmember Witkowsky commented on the number of cigarette butts she discovered in the sand on Beach Clean-Up day noting that they are not visible until the sand is moved around and asked everyone to be thoughtful when discarding in the future.

**16q.** Councilmember Witkowsky thanked her colleagues and wished everyone a Happy New Year.

16n. Alan Lee, AFSCME Local 1117, thanked the Councilmembers for their recommendations. In addition he thanked Councilmember McIntyre and Mayor Dan Walker for going on a listening tour and he encouraged other members of the Council to join so that every division can be heard. Mr. Lee invited the Mayor, Council and City Manager to the AFSCME Local 1117 meeting on September 30.

17. **EXECUTIVE SESSION**

Considered earlier in the meeting.

18. **ADJOURNMENT**

At 8:23 p.m., the meeting was adjourned to Tuesday, October 7, 2003 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.

***\*\*\* Adjourned in memory of  
Retired Water Service Supervisor  
William Johns \*\*\****

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 December 16, 2003