

January 12, 1999

**MINUTES OF A REGULAR MEETING  
OF THE TORRANCE CITY COUNCIL**

1. **CALL TO ORDER**

The Torrance City Council convened in a regular session at 5:35 p.m. on Tuesday, January 12, 1999, in the City Council Chambers at Torrance City Hall.

**ROLL CALL**

Present: Council members Cribbs, Horwich, Lee, Messerlian, O'Donnell,  
Walker and Mayor Hardison.

Absent: None.

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

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At this time Agenda Item No. 20 was considered out of order.

20. **EXECUTIVE SESSION**

At 5:35 p.m., pursuant to California Government Code Section 54957.6, the Council recessed into a closed session to confer on matters listed on the meeting agenda under 20a (Conference with Labor Negotiator).

At 7:10 p.m., the Council returned to Council Chambers, and the meeting reconvened in regular agenda order. No formal action was taken on any matter heard in closed session.

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2. **FLAG SALUTE/ INVOCATION**

The Pledge of Allegiance was led by Aaron Maass of Boy Scout Troop #310.

Reverend Paul Lance, Seaside Community Church, gave the invocation for the meeting.

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

**MOTION:** Councilman Lee 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 Councilwoman Cribbs and, there being no objection, it was so ordered by Mayor Hardison.

**MOTION:** Councilman Lee 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 Council member the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilwoman Cribbs, and, there being no objection, it was so ordered by Mayor Hardison.

4. **WITHDRAWN/DEFERRED ITEMS**

None.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

None.

6. **COMMUNITY MATTERS**

6a. **RESOLUTION NO. 99-01 RE POLICE CAPTAIN HARVEY NELSON SIEGEL**

**RESOLUTION NO. 99-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE HONORING AND COMMENDING  
POLICE CAPTAIN HARVEY NELSON SIEGEL UPON  
HIS RETIREMENT FROM THE CITY AFTER THIRTY-ONE  
YEARS OF SERVICE**

**MOTION:** Councilman Messerlian moved for the adoption of Resolution No. 99-01. The motion was seconded by Councilman Horwich and passed by unanimous roll call vote.

*For presentation at a later date.*

6b. **TORRANCE AREA CHAMBER OF COMMERCE FIRST QUARTER REPORT**

In a slide presentation, Mr. Bob Wade, President of Torrance Area Chamber of Commerce, reported on first quarter Chamber activities. He highlighted major projects advanced or completed during this period, including the Gourmet Food and Wine Festival and the marketing of a Torrance version of Monopoly, TorranceOpoly; discussed governmental affairs advocacy actions; and provided an update on the Torrance International Trade & Visitors Center, noting that postcards depicting Madrona Marsh and Torrance Beach have been published/distributed and that a Torrance International Dining Guide is being developed.

Mayor Hardison noted that there has been of favorable comments on the Torrance postcards.

6c. **COMMISSION APPOINTMENTS**

**Recommendation**

The City Clerk recommends that City Council review applications and make appointments to fill vacancies on the Airport Commission (2), Cable Television Advisory Board (2), Civil Service Commission (2), Community Services, Commission (2), Cultural Arts Commission (2), Disaster Council (1), Environmental and Energy Conservation Commission (3), Library Commission (2), Parks & Recreation Commission (2), Planning Commission (2), Traffic Commission (2), and Water Commission (2). The City Clerk further recommends that the City Council confirm the Senior Club

appointments to the Commission on Aging and that the City Clerk administer the Oath of Office to commissioners present at the meeting.

Mayor Hardison expressed concern that there were so few applicants for the two positions on the Civil Service Commission and suggested postponing appointments to this commission for 30 days.

**MOTION:** Councilman Lee moved to postpone Civil Service Commission appointments for 30 days. The motion was seconded by Councilman Messerlian and passed by unanimous roll call vote.

The Council made the following appointments by unanimous ballot:

Airport Commission	David Ouwerkerk, Frank Rizzardi
Cable TV Advisory Board	Kristina Kaur, Cliff Numark
Civil Service Commission	Held for 30 days
Community Service Commission	Clark G. Adams, Dennis Kobata, Paul Nowatka
Cultural Arts Commission	June T. Armstrong, Ritas R. Smith
Disaster Council	John Schugt
Environmental Quality Commission	Tom Brewer, Albert Muratsuchi, Ray Uchima
Library Commission	Kathryn Roberts, Martha Walkup
Parks & Recreation Commission	Kurt E. Driskill, John S. McGee
Planning Commission	Michael S. Botello, Gerry Rische
Traffic Commission	Henry S. Carlson, Kay M. White
Water Commission	Donald M. Pyles, Lee Robinson
Club Representatives	Ursel Nolte, AARP; Muriel Brandt, McMaster Sr. Ctr; Ted Doty, Sea-Aire Golf Club; Richard Clutter, Torrance Adult Club

Mayor Hardison thanked everyone who applied for taking an interest in their community and encouraged applicants who were not appointed to apply in the future, noting that applications are kept for a period of one year and that there are openings on the Civil Service Commission and the Traffic Commission.

City Clerk Herbers administered the Oath of Office to those newly appointed commissioners who were present at the meeting.

The Council recessed from 8:22 to 8:32 p.m.

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7. **CONSENT CALENDAR**
- 7a. **APPROVAL OF MINUTES - NOVEMBER 24, DECEMBER 8, AND DECEMBER 15, 1998**
- 7b. **CULTURAL ARTS COMMISSION ANNUAL REPORT**

**Recommendation**

The Parks and Recreation Director recommends that City Council accept the 1997-98 Cultural Arts Commission Annual Report.

7c. **PURCHASE ORDER RE ANNUAL REQUIREMENT OF PAPER**

**Recommendation**

The Director of General Services Recommends that City Council authorize purchase orders to be issued for an anticipated amount not to exceed \$185,640.00, to the lowest responsible bidders, for the City's annual requirement of paper. (Ref: Bid No. B98-45)

7d. **PURCHASE ORDER RENEWAL RE TELEPHONE SERVICE**

**Recommendation**

The Information Systems Director recommends that City Council authorize a purchase order renewal to NEC/BNS formerly known as NEC/BCS (West) Inc., for service and maintenance of the City's telephone and voicemail systems for one (1) year in an amount not to exceed \$82,447.02.

7e. **TRANSIT SECURITY CONTRACT**

**Recommendation**

The Transit General Manager recommends that City Council authorize the Mayor to execute and the City Clerk to attest to a contract with International Services, Inc. (ISI) for transit security services from February 1, 1999 through January 31, 2000 for a sum not to exceed \$119,350.80.

7f. **PURCHASE ORDER RE POLICE VEHICLE EQUIPMENT**

**Recommendation**

The Chief of Police recommends that City Council authorize a purchase order for the purchase and installation of specified emergency equipment for six Chevrolet Tahoe police vehicles.

**MOTION:** Councilwoman O'Donnell moved for the approval of the Consent Calendar as written. The motion was seconded by Councilman Horwich and passed by unanimous roll call vote.

9. **TRANSPORTATION/PUBLIC WORKS**

9a. **SOUTH BAY TRANSIT STOP IMPROVEMENT PROJECT**

**Recommendation**

The Planning Director recommends that City Council authorize the execution of a Memorandum of Understanding (MOU) with the Los Angeles County Metropolitan Transportation Authority (LACMTA) to accept an \$80,000 grant on behalf of South Bay Cities Council of Governments (SBCCOG) for new transit facilities and street improvements at key intersections along Pacific Coast Highway in the cities of Torrance, Lomita, and Redondo Beach.

Traffic and Transportation Planning Manager Buchman presented the staff report, noting that the City’s share of the funds will be used to replace bus stop amenities at three major intersections along Pacific Coast Highway at Crenshaw Boulevard, Hawthorne Boulevard, and Calle Mayor.

**MOTION:** Councilman Messerlian moved to concur with the staff recommendation. The motion was seconded by Councilwoman Cribbs and passed by unanimous roll call vote.

9b. **SKYPARK DRIVE SPEED LIMIT**

**Recommendation**

The Chief of Police and the Planning Director recommends that City Council concur with staff recommendation to amend Sections 61.10.3 and 61.10.4 of the Torrance Municipal Code to remove “Subsection h)” and add “Subsection k)”, respectively, pursuant to Section 22357 of the California Vehicle Code by:

- (1) Removing Skypark Drive between Garnier Street and Crenshaw Boulevard from the list of locations within the City with a maximum speed limit of 35 miles per hour.
- (2) Adding Skypark Drive between Madison Street and Crenshaw Boulevard to the list of locations within the City with a maximum speed limit of 40 miles per hour.

Traffic and Transportation Planning Manager Buchman presented the staff report and advised that this amendment will allow the Police Department to enforce the speed limit on Skypark Drive using radar equipment.

**ORDINANCE NO. 3461**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTIONS 61.10.3 AND 61.10.4 OF THE TORRANCE MUNICIPAL CODE RELATED TO POSTED SPEED LIMITS WITHIN THE CITY**

**MOTION:** Councilman Messerlian moved for the approval of Ordinance No. 3461. The motion was seconded by Councilwoman Cribbs and passed by unanimous roll call vote.

13. **ADMINISTRATIVE MATTERS**

13a. **SELECTION OF CITY COUNCIL STANDING COMMITTEE CHAIRS AND MEMBERS**

**Recommendation**

The City Manager recommends that City Council select the Council standing committee chairs and members.

Committees were selected by current Council seniority (Lee, O’Donnell, Cribbs, Messerlian, Walker and Horwich) as follows:

COMMITTEE	CHAIR	MEMBERS
Community Planning and Design	Messerlian	Lee and Walker
Public Safety	O’Donnell	Cribbs and Horwich

Transportation	Walker	Messerlian and O'Donnell
Citizen Development and Enrichment	Lee	Horwich and Messerlian
Finance and Governmental Operations	Cribbs	Lee and O'Donnell
Employee Relations	Horwich	Cribbs and Walker

Mayor Hardison recommended that Transportation Committee schedule a meeting as soon as possible to address the potential Taxicab Ordinance.

13b. **LOCAL ELECTION CAMPAIGN CONTRIBUTION LIMITS**

**Recommendation**

The City Attorney recommends that City Council adopt an ordinance repealing Chapter 7 of Division 1 of the Torrance Municipal Code relating to voluntary expenditure ceilings and restore the City's previous ordinance imposing campaign contribution limits in local election campaigns.

City Attorney Fellows provided information regarding the status of Proposition 208, explaining that the proposition's constitutionality had been challenged; that a Federal District Court had imposed a preliminary injunction that was upheld upon appeal; and that the case had recently been remanded to the District Court for a full trial. He advised that he was bringing back the City's prior campaign contribution limitation ordinance, which had been effectively preempted when Proposition 208 was passed by voters in November 1996, at the request of Council.

Councilman Lee related his understanding that the ordinance, if approved this evening, would not go into effect until the end of February. Noting that the next municipal election will take place in a little over a year, he commented on confusion in the past when rules were changed during an election cycle and suggested the possibility of declaring an emergency so that the ordinance would become effective immediately to avoid any confusion.

Councilwoman O'Donnell pointed out that the filing period for the next election does not open until December 1999, and related her opinion that the Council could not legitimately declare an emergency.

City Attorney Fellows offered clarification that although the period for filing for elective office commences in December, candidates may begin accepting contributions once they file a statement of intention with the Secretary of State. City Clerk Herbers advised that there are currently two candidates who would be eligible to raise funds and have open committees at this time, a previous candidate who has not closed his account and a candidate who has filed a statement of intention to run for elected office in 2000.

While recognizing Councilman Lee's concerns, Mayor Hardison stated that she was comfortable with the effective date of March 1, 1999, as proposed.

Councilman Walker concurred that this is not a matter of urgency. He expressed concerns that the ordinance does not give candidates who ran for office years ago the ability to pay off debts, and that certain wording in the ordinance is ambiguous and may be interpreted to apply to controlled committees of any candidate for elective office, including those running for a statewide office.

City Attorney Fellows confirmed that if the ordinance is adopted, it would cut off any ability to recover or accept contributions to retire campaign debt from prior City of Torrance elections, and advised that the ordinance clearly states that it applies only to controlled committees that exist for the candidacy for City of Torrance elective offices and not for any other elective positions. He noted that the City could have reinstated the ordinance anytime after the preliminary injunction was imposed in January of 1998 but chose to wait for the Court's decision since there was no imminent City election.

A discussion ensued regarding the brief opportunity that would exist until the ordinance becomes effective on March 1, 1999, for the repayment of past campaign debts and for fund-raising by declared candidates in the upcoming election.

In response to questions from the Council, City Attorney Fellows advised that the Court of Appeals indicated that they would like to have the matter resolved before the March 2000 primary election; discussed possible outcomes of the case; and explained that if the injunction is lifted, any local ordinances preempted by Proposition 208 would have to be repealed.

Councilwoman O'Donnell reiterated her earlier position, indicating that she favored waiting for the Court's ruling on Proposition 208.

Councilman Messerlian expressed support for the ordinance, stating that it is identical to the one that was adopted four years ago and that it was intended to set reasonable limitations on campaign contributions and was tailor-made to conform to the City's circumstances.

**MOTION:** Councilman Messerlian moved to approve the ordinance as written. The motion was seconded by Councilman Lee, and passed by a majority roll call vote, with Councilwoman O'Donnell dissenting.

**ORDINANCE NO. 3462**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING CHAPTER 7 OF THE TORRANCE MUNICIPAL CODE RELATING TO VOLUNTARY EXPENDITURES CEILINGS AND ADDING A NEW CHAPTER 7 TO DIVISION 1 OF THE TORRANCE MUNICIPAL CODE IMPOSING CAMPAIGN CONTRIBUTION LIMITS**

**MOTION:** Councilman Messerlian moved for the approval of Ordinance No. 3462. The motion was seconded by Councilwoman Cribbs and passed by a majority roll call vote, with Councilwoman O'Donnell dissenting.

Explaining her dissenting vote, Councilwoman O'Donnell stated that she fears that passing this ordinance is an attempt to preempt the Court injunction and that she does not believe the City has that authority.

18. **ADDENDUM MATTERS**

None.

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At 9:11 p.m., the Council met as the Torrance Redevelopment Agency. The Agency adjourned at 9:19 p.m., and the meeting resumed in regular agenda order.

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19. **ORAL COMMUNICATIONS**

19a. City Clerk Herbers offered a reminder that anyone seeking to raise money for candidacy for elective office must obtain the proper forms from the City Clerk's office to be filed with the Secretary of State before they can begin raising or spending money.

19b. Councilwoman Cribbs commented that she felt there should be a limit of two years for Council Ad Hoc committee chairs and that Councilmembers should rotate committee chairs.

19c. Councilman Horwich restated that he would not run for a City Council seat in any future election.

19d. Councilman Messerlian requested a summary report on 1998 state legislation.

19e. Councilwoman O'Donnell announced the Friends of Madrona Marsh annual dinner on January 17, 1999, with a program on California condors.

20. **EXECUTIVE SESSION**

Considered earlier in the meeting (see page 1).

21. **ADJOURNMENT**

At 9:25 p.m., the meeting was adjourned to Tuesday, January 19, 1999, at 5:30 p.m., with the regular meeting commencing at 7:00 p.m.

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Mayor of the City of Torrance

ATTEST:

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City Clerk of the City of Torrance