

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

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular session at 6:00 p.m. on Tuesday, March 1, 2005 in City Council Chambers at Torrance City Hall.

ROLL CALL

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

Absent: Councilmember Mauno.

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

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Mayor Walker announced that subsequent to the posting of the agenda, the City Attorney received a proposed decision from the State of California Public Relations Board in the matter of Crafts & Trades Association v. City of Torrance, Case Number LA-CE-159-M, and that the City Attorney requested that the City Council consider discussing this matter in closed session this evening. He stated that, In order to take action on a matter that is not on the agenda, the California Government Code requires a determination by a two-thirds vote of the Council that immediate action is necessary and that the need to take action arose subsequent to the posting of the agenda and asked for a motion.

MOTION: Councilmember Scotto moved to add the item to the agenda. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote (absent Councilmember Mauno).

Mayor Walker noted that the City Council would consider the item as part of the closed session agenda, pursuant to Government Code Section 54956.9(a).

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Agenda Item 17 was considered out of order at this time.

17. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on the above-mentioned item and agenda matters listed under 17A) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8.

The Council reconvened in Council Chambers at 7:00 p.m. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Lieu.

Councilmember Witkowsky gave the non-sectarian invocation for the meeting.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember Lieu moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Scotto, and passed by unanimous roll call vote (absent Councilmember Mauno).

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

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Scotto announced a meeting of the Finance and Governmental Operations Committee to be held Tuesday, March 8, at 4:30 p.m. in the City Council Chambers to discuss the mid-year budget.

Councilmember Scotto announced a meeting of the Ad Hoc Armed Forces Day Committee to be held on Thursday, March 10, at 10:00 a.m. in the Garden Room of the Cultural Arts Center.

City Clerk Herbers announced that applications would be accepted through Wednesday, March 2, to fill vacancies on various commissions, with appointments to be made at the March 8, City Council meeting.

City Clerk Herbers invited staff and the public to view the works of Torrance Artist Guild member Penelope Kastagir on display in the City Clerk's office for the month of March.

City Clerk Herbers announced that the City Clerk's office is extending passport application processing hours to 8:30 a.m. through 2:30 p.m. and that appointments can be scheduled by calling 618.2870. She noted that passport fees will be increasing an additional \$12 beginning March 8, 2005.

Fire Chief Bongard reminded everyone that ExxonMobil would be conducting their monthly test of the siren and community alert system on Wednesday, March 2, at 11:30 a.m.

Mayor Walker asked that the meeting be adjourned in memory of Bernie Hollander, longtime resident of Torrance, who passed away February 22, 2005.

7. CONSENT CALENDAR

7A. APPROVAL OF MINUTES – DECEMBER 14, 2004 AND DECEMBER 21, 2004

7B. SCHEDULING OF BUDGET MEETINGS, WORKSHOPS AND HEARINGS FOR THE 2005-07 OPERATING BUDGET

Recommendation

Recommendation of the **City Manager** and **Finance Director** that City Council adopt dates for the budget workshops and hearings regarding the City's 2005-2007 Operating Budget. (*Supplemental material*)

7C. CONTRACT RE LIABILITY CLAIMS ADMINISTRATION SERVICES

Recommendation

Recommendation of the **Human Resources Department** that City Council approve a two-year contract with Ward North America Inc. for liability claims administration services at a cost of \$103,000 per year. The contract period will be March 1, 2005 through March 1, 2007.

7D. CONSULTING SERVICES AGREEMENT RE SEPULVEDA BOULEVARD REHABILITATION AND WATER MAIN REPLACEMENT PROJECT, T-48

Recommendation

Recommendation of the **Acting Deputy Public Works Director** that City Council:

- 1) Award a consulting services agreement in the amount of \$254,455 to RBF Consulting to design the Sepulveda Boulevard Rehabilitation and Water Main Replacement Project (Hawthorne Boulevard to west City limit), T-48; and
- 2) Authorize the Mayor and City Clerk to execute and attest to said agreement.

7E. AGREEMENT AMENDMENT RE TORRANCE DIAL-A-TAXI PROGRAM

Considered separately, see bottom of page.

7F. AGREEMENT AMENDMENT RE TORRANCE SENIOR TAXI PROGRAM

Considered separately, see page 4.

7G. EXPERIMENTAL AIRCRAFT ASSOCIATION (EAA) B-17 EXHIBIT

Considered separately, see page 4.

7H. ACCEPTANCE OF FUNDS FOR TREE DEDICATIONS

Considered separately, see page 5.

7I. PURCHASE ORDERS RE RIDESHARE PROGRAM INCENTIVES

Recommendation

Recommendation of the **Human Resources Department** that City Council authorize the following to provide rideshare incentive gift certificates in support of the City's Rideshare Program:

- 1) Approve a change order in the amount of \$30,000 to existing purchase order #19727 to Just Rewards for the remainder of Fiscal Year 2004-2005, for a new not to exceed amount of \$100,000; and
- 2) Authorize a purchase order in the amount of \$90,000 for Fiscal Year 2005-2006.

MOTION: Councilmember Scotto moved for the approval of Consent Calendar Items 7A, 7B, 7C, 7D and 7I. The motion was seconded by Councilmember Lieu and passed by unanimous roll call vote (absent Councilmember Mauno).

Consent Calendar Items 7E and 7F were considered together at this time, followed by Consent Calendar Items 7G and 7H.

7E. AGREEMENT AMENDMENT RE TORRANCE DIAL-A-TAXI PROGRAM

Recommendation

Recommendation of the **Transit Director** that City Council approve an amendment to the Torrance Dial-A-Taxi Program contract services agreements below and appropriate an additional \$275,000 from the Transit Fund Balance for a total aggregate amount of \$535,000:

- 1) Administrative Services Co-Op, d.b.a. South Bay Yellow Cab and United Checker Cab Co-Op (C2004-132);
- 2) All Yellow Taxi, Incorporated (C2004-133); and
- 3) Bell Cab Company, Incorporated (C2004-134).

7F. AGREEMENT AMENDMENT RE TORRANCE SENIOR TAXI PROGRAM

Recommendation

Recommendation of the **Transit Director** that City Council approve an amendment to the Torrance Senior Taxi program contract services agreements below and appropriate an additional \$200,000 from the Transit Fund Balance for a total aggregate amount of \$1,060,000:

- 1) Administrative Services Co-Op, d.b.a. South Bay Yellow Cab and United Checker Cab Co-Op (C2004-129);
- 2) All Yellow Taxi (C2004-130); and
- 3) Bell Cab Company (C2004-131).

Councilmember Witkowsky expressed concerns about the escalating cost of the Dial-A-Taxi and Senior Taxi programs.

Transit Administration Manager Mills discussed the reasons for the increased costs, including an increase in the number of participants and a 20% increase in the average trip length.

Councilmember Witkowsky requested that staff provide information regarding the level of subsidy – the maximum dollar amount per individual/the number of participants – and look at pick-up and drop-off points to see if there is a pattern, which would make a response transport system feasible.

MOTION: Councilmember Witkowsky moved to concur with the staff recommendation for Items 7E and 7F and to direct staff to bring back information regarding the level of the subsidy, maximum dollar amount per individual, and possible use of pick up and drop off points and response transport service. The motion was seconded by Councilmember Scotto, and discussion briefly continued.

Councilmember Nowatka stressed the need to control the costs of these programs, noting that they will exceed their combined \$1 million cap by \$475,000 in FY 2004-05. He expressed concerns that the Council was not informed about this problem earlier and suggested that the matter be referred to the City Council's Transportation Committee to explore long-range solutions. He noted two areas of concern: 1) that anyone who is 65 years of age or older and a resident of Torrance is eligible for the Senior Taxi program, which means that someone with an income of \$250,000 would still qualify for a City subsidy of almost \$3,000 per year; and 2) that an audit revealed that the City is being consistently overcharged by contract taxi companies at least \$1,000 per month.

The motion passed by unanimous roll call vote (absent Councilmember Mauno).

7G. EXPERIMENTAL AIRCRAFT ASSOCIATION (EAA) B-17 EXHIBIT

Recommendation

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

- 1) Approve the Experimental Aircraft Association (EAA) displaying their B-17 Bomber at Zamperini Field on April 13 - April 17, 2005;
- 2) Designate the EAA's event as a special exhibit under Section 46.8.10 of the Torrance Municipal Code, which exempts such events from aircraft noise regulations;
- 3) Allow the EAA to conduct flights for hire subject to FAA guidelines; and
- 4) Approve the EAA to conduct volunteer flights for the Young Eagles program on Saturday, April 16, 2005 to coincide with the B-17 exhibit.

The **Airport Commission** further recommends that the City of Torrance provide funding for this event in the amount of \$3,812.

Councilmember Scotto wanted to call attention to the fact that the public will have an opportunity to tour and/or take a ride on a B-17 bomber April 15-17 and that the Young Eagles program will be offering flights on Saturday, April 16.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember Lieu and passed by unanimous roll call vote (absent Councilmember Mauno).

7H. ACCEPTANCE OF FUNDS FOR TREE DEDICATIONS

Recommendation

Recommendation of the **Parks and Recreation Commission** and the **Community Services Director** that City Council accept donations totaling \$2,475 for the Living Tree Dedication Program.

Councilmember Scotto noted that the Living Tree Dedication Program offers an opportunity to celebrate life while making a meaningful contribution to the community and that 181 trees have been planted since the program's inception in 1992.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember Lieu and passed by unanimous roll call vote (absent Councilmember Mauno).

10. PUBLIC SAFETY

10A. ACCEPTANCE OF 2005 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) AND APPROPRIATION TO EQUIP ANCILLARY POLICE BUILDING

Recommendation

Recommendation of the **Chief of Police** that City Council:

- 1) Authorize the acceptance of the 2005 Edward Byrne Memorial Justice Assistance Grant (JAG) (FEAP #500) in the amount of \$50,265;
- 2) Establish a trust fund for the deposit of grant monies ; and
- 3) Upon federal approval of the grant application, appropriate and allocate grant monies to purchase equipment lockers and computer infrastructure for the proposed ancillary police building.

Police Chief Herren noted that Justice Assistance Grant process has been streamlined and no longer requires matching funds from the City.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote (absent Councilmember Mauno).

11. ADMINISTRATION MATTERS

11A. COMMUNITY SERVICES CONSOLIDATION

Recommendation

Recommendation of the **Community Services Steering Committee** and the **City Manager** that City Council approve the organizational structure for the new Community Services Department and one-time funding for capital purchases to enhance efficiencies.

Assistant City Manager Giordano noted that the proposed Community Services consolidation is part of the cost-saving measures approved during the 2003-05 budget process. She reported that the reorganization plan was developed by a steering committee comprised of impacted division heads from both the Library and Parks and Recreation departments and that it achieves the targeted savings of approximately \$350,000 with no reduction in salaries or layoff of employees. She explained that the plan will be phased in as vacancies occur at the supervisory/management level, however, certain elements are achievable at this time.

With the aid of slides, Sr. Management Associate Toner reviewed the short-term and long-term organization plans for consolidating the Parks and Recreation Department and Library Department into the proposed Community Services Department over a period of approximately five years.

Assistant City Manager Giordano reported that members of the steering committee have met with all full-time employees impacted by the proposal, either individually and/or in group meetings and that several concerns were raised, including concerns about the reduction in promotional opportunities and heavy workloads. She conceded that opportunities for promotion become more limited when departments are consolidated but noted that this consolidation is necessary to bring the budget back in line with available resources. She explained that the proposal calls for the streamlining of business functions and the purchase of automated equipment, which will significantly reduce the demand on staff time.

Responding to questions from the Council, Recreation Services Manager Jones and Library Services Manager Weiner provided clarification regarding the responsibilities of newly created positions.

Patti Goldenson, recreation supervisor, stated that the elimination of two senior recreation supervisor positions would jeopardize staff's ability to properly supervise and ensure the safety of participants in City programs and leave the remaining supervisors with extremely heavy workloads. She voiced her opinion that the ramifications of this reorganization need to be more thoroughly analyzed.

Michael George, reference librarian at Katy Geissert Library, expressed concerns about the deletion of the senior librarian in charge of reference. He stated that the reference department is currently understaffed and the loss of another professional librarian would make it difficult to maintain the reference desk and the branch library collections and provide the outstanding service residents expect and deserve.

Irene Griffith, resident, stated that parks and recreation/cultural arts programs and libraries are the heart of the community and these services are needed more than ever due to the proliferation of townhouses, which provide little space for recreation. She suggested that the demand for after-school activities will continue to increase because home prices have escalated to the point that both parents often have to work to afford a home in Torrance. She requested that the new automated systems also include some means for contacting a live person in the event someone has a problem.

Sandy Raycit, part-time library employee, stated that employees met with management the previous Thursday and 90% of their questions about the reorganization plan went unanswered. She requested that approval be delayed until employees more fully understand the proposal.

Patrice Deleget, senior librarian, expressed concerns about the downgrading of the reference supervisor position, maintaining that it would have a serious negative impact on the quality of books and information provided by the library. She reported that all similar sized libraries in the area have a head of reference position because of the great importance of supervision, training, book and database selection, and the organization of reference services. She noted the disparity in education requirements for a librarian versus a library assistant II. She requested that the Council delay taking action until the proposal can be more carefully considered and offered to work with the steering committee to find an alternate solution.

Hillary Theyer, senior librarian, stated that she shares Ms. Deleget's concerns about the loss of the senior librarian in charge of reference and that she is also concerned because the person in this position is the primary liaison to community groups, including the Torrance Library Foundation, Friends of Torrance Library, South Bay Literacy Society, Torrance Adult School, and South Bay Genealogy Society, and it is not clear who will take over these outreach duties. She noted that library use goes up during economic recessions, yet the City was proposing to eliminate a full-time public services position and replace it with a strictly administrative services position.

Mayor Walker asked about the possibility of holding this item for three weeks to allow staff an opportunity to respond to the questions that have been raised at this meeting. City Manager Jackson proposed a one-week delay, noting that some of the issues raised by employees are subject to the meet and confer process, which is separate from the operational and budget decisions before the Council.

Dana Vinke, librarian, stated that he and his colleagues did not take part in devising this plan and if they were allowed to participate, they could come up with solutions that would have less of an impact. He voiced his opinion that the senior librarian position to be eliminated is very important not only to the community, but also to staff.

Steve Frame, librarian, expressed concerns that there would be a dramatic drop in service provided to the public as a result of the proposed reorganization. He stated that front-line supervisors were not included in discussions and they could offer a lot of suggestions if given the opportunity. He indicated that he was not sure one week would be enough time to find workable solutions.

In response to Councilmember Lieu's inquiry, City Manager Jackson confirmed that staff would be amenable to a three-week delay, but requested that the Council approve funding for the proposed capital purchases.

Councilmember Witkowsky asked about the possibility of including an evaluation process whereby the Council could review how the consolidation is working after a certain period of time and to see if adjustments need to be made.

City Manager Jackson agreed to return with a progress report six months after implementation and a full year.

MOTION: Councilmember Lieu moved to hold the organizational structure for three weeks; to include an evaluation process at 6 months and 1 year after implementation; and to approve funding for capital purchases to enhance efficiencies. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmember Mauno).

12. HEARINGS

12A. CITIZENS OPTIONS FOR PUBLIC SAFETY (COPS) GRANT FUNDING

Recommendation

Recommendation of the **Chief of Police** that City Council convene a public hearing concerning Assembly Bill 3229, Citizens Options for Public Safety (COPS) grant funding; receive input from staff on programs of interest to the Chief of Police and City Council as well as the public on the use of the grant funds; and at the close of the hearing, appropriate and allocate \$214,660 to the recommended projects.

Mayor Walker announced that this was the time and place for a public hearing on this matter. City Clerk Herbers confirmed that the hearing was properly advertised.

Business Manager Anderson, Research and Training Division, reviewed the recommended projects as follows:

North Torrance Police Community Center (FEAP #496)	\$30,000
Victim Assistance (FEAP #497)	\$50,000
Dispute Resolution (FEAP #498)	\$15,000
Professional Consultants (FEAP #499)	\$12,000
Staff Assistant	\$66,700
Cadet Program	\$40,960

As no members of the public came forward to speak, the public hearing was closed.

MOTION: Councilmember Scotto moved to close the public hearing. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote (absent Councilmember Mauno).

MOTION: Councilmember Witkowsky moved to appropriate and allocate \$214,660 to the recommended projects. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote (absent Councilmember Mauno).

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The Council met as the Redevelopment Agency from 8:05 p.m. to 8:07 p.m.

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16. ORAL COMMUNICATIONS

16A. All members of the City Council expressed best wishes and prayers to Assemblyman Mike Gordon for a speedy recovery.

16B. Councilmember Lieu as chair of the Public Safety committee gave statistics on the City's decreasing crime rates and commended staff. Police Chief Herren added that the community played a large part in keeping crime down.

16C. Councilmember Lieu reported that he had assisted Congresswoman Harman in a recent event in Torrance related to the social security issue.

16D. Councilmember Lieu stated that he was pleased that Governor Schwarzenegger had indicated that he was committed to the fight to save Los Angeles Air Force Base from closure.

16E. Councilmember Nowatka reported that as the Torrance/Lomita/Carson representative on Southern California Association of Governments (SCAG), he would be making a presentation at Lomita City Hall at 23400 Narbonne on March 7 at 7:00 p.m. on the recently completed 2004 State of the Region Report. He noted that information on the report is also available on SCAG's website at www.scag.ca.gov/publications.

16F. Councilmember Scotto noted that he also attended the event at which Governor Schwarzenegger, Congresswoman Jane Harman and Congressman Jerry Lewis expressed support for retaining Los Angeles Air force Base.

16G. Councilmember Witkowsky welcomed new Public Works Director Rob Beste.

16H. Councilmember Witkowsky noted that bracelets supporting the troops are available for \$1 at 7-11 stores.

16I. Sara Guyan, resident, presented copies of the March issue of National Geographic, which contains an article on Frederick Law Olmstead, Sr., to the City Council, City Clerk and City Manager.

16J. Tom Brewer stated that he felt compelled to respond to unsubstantiated allegations made by Alan Lee, President of AFSME, Local 1117, regarding a phone call he made to a City employee, which resulted in the filing of an unfair labor practices charge against the City. He explained that he called the employee to gather specific information about an e-mail and that no proof has been presented to support Mr. Lee's claim that he was trying to repress the employee's right to free speech. He contended that Mr. Lee slandered him when he called him a bold-faced liar in a letter to the City Council in January 2005 and maintained that Mr. Lee was trying to orchestrate his removal from the Civil Service Commission because he was not able to prove the charges he has lodged against the City.

16K. Don Barnard, Save Historic Old Torrance, invited the City Council and the public to attend a fundraiser on March 6.

16L. Donald Paulson, Chief Job Steward, AFSCME and Torrance resident, cited a verbal reprimand Mr. Brewer had given to an employee that damaged the perception of neutrality required of him. He asked City Council to remove Mr. Brewer from the Civil Service Commission.

16M. Greg Ferguson, AFSCME, submitted petitions asking the City Council to remove Tom Brewer from the Civil Service Commission.

16N. Alan Lee, President of AFSCME, commented on the deferred compensation program for employees stating his desire that another company be allowed to provide services in competition with the current provider.

(Councilmember Witkowsky was absent from the Chambers from 8:33 p.m. to 8:35 p.m.)

16O. Alan Lee presented a package to the City Council regarding Tom Brewer and stated that he felt that AFSCME members would not be treated fairly with Mr. Brewer on the Civil Service Commission.

16P. Bill Sutherland, former Civil Service Commissioner, stated that during his eight years on the commission, decisions were always made based solely on the facts; expressed dismay about the current situation; and urged the Council to hold a formal hearing to determine whether or not Mr. Brewer should be removed as a commissioner to restore faith in the commission.

16Q. Sandi Monda, resident, voiced her opinion that AFSCME was doing a disservice to all commissioners by continuing to seek Mr. Brewer's removal as a commissioner, noting that no other unions have questioned his objectivity. She stated AFSCME's failure to provide financial statements, as required by a provision in their MOU, makes her wonder what other agreements this union is not complying with. She explained that she requested a copy of AFSCME's financial statements in November 2004 only after Mr. Lee went outside the bounds of his role as president of AFSCME by taking a strong stance on issues not related to union representation. She reported that she has heard from City employees who are very concerned, not only about the conduct of AFSCME's representative, but also about the organization's financial statements and asked that they be made available to anyone who wishes to look at them.

16R. Pat Furey, President of the Torrance Education Foundation, extended an invitation to the City Council and the public to attend the 12th Annual Torrance Education Foundation Fundraising event March 19 at the Torrance Marriott. He indicated that all proceeds from the live and silent auctions as well as the opportunity to win a Toyota Prius remain in Torrance and benefit both teachers and students.

16S. Jeannie Moorman, Vice-President of AFSCME, Local 1117, disputed the idea that anyone may look at the financial statements provided to the City in accordance with the union's contract.

17. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

18. ADJOURNMENT

At 8:55 p.m., the meeting was adjourned to Tuesday, March 8, 2005 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

Adjourned in Memory of Bernie Hollander

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 April 12, 2005