

April 8, 2003

**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 5:30 p.m. on Tuesday, April 8, 2003, in City Council Chambers at Torrance City Hall.

ROLL CALL

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

Absent: None.

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

Mayor Walker announced that the City Council agenda was posted on April 3, 2003. On Monday, April 7, 2003, the City Manager was hand served with a letter from the President of AFSCME International stating that the Torrance Municipal Employees Organization, Local 1117 has been placed under the administratorship of the international union. He further stated that the city's labor negotiator is seeking instruction from the City Council regarding issues resulting from this action and that due to time frames, the City Attorney and City Manager believe that immediate instruction to the City's labor negotiator was necessary.

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 City Council that immediate action is necessary and that the need to take action arose subsequent to the posting of the agenda.

MOTION: Councilmember Scotto moved to add consideration of the letter to the agenda. Councilmember Nowatka seconded the motion followed by a unanimous roll call vote.

The Mayor also stated that on Sunday, April 6, 2003, Flite Park requested that council Item 11d relating to an amended and restated lease with Flite Park, LLC, be continued for further negotiation. In subsequent letters received on Monday, April 7 and Tuesday, April 8, Flite Park had reiterated this request. The city's real property negotiator sought instruction from the City Council as to how to proceed with any further negotiations with Flite Park. Because of approaching performance deadlines contained in the proposed amended and restated lease, the City Manager believed that immediate instruction to the City's real property negotiator was necessary.

He stated that the affected property consisted of several parcels fronting airport drive, which are known as lots 2, 3, 4, 5, 6, 10, 12, 13, 14, 15, 16 and 17 as described in Official Map No. 2., that the negotiating parties were Leroy J. Jackson and Ralph Martin regarding terms of the proposed amended and restated lease.

In order to take action on a matter that is not on the agenda, the California Government Code required 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.

MOTION: Councilmember Scotto moved to add consideration of the Flite Park item to the agenda. Councilmember McIntyre seconded the motion followed by a unanimous roll call vote.

Both matters were added and considered under GC Sections 54957.6 and 54956.8.

Bill Applegate, Torrance, on behalf of Ralph Martin respectfully asked City Council that item 11d be pulled due to parking exclusions.

At 5:35 p.m. City Council recessed to closed session to consider matters listed under 17 Executive Session for a Conference with Legal Counsel - Existing Litigation, Conference with Real Property Negotiator, pursuant to Government Code § 54956.9[a], and 54956.8, as well as matters listed above.

City Council reconvened at 7:00 p.m.

Mayor Walker stated that the City Manager had proposed that City Council continue item 11d for one week with a request that Flite Park submit, in writing, by 4:00 p.m., Thursday, April 10, 2003, their specific areas of concern and proposed resolutions regarding the amended and restated lease for staff review and City Council consideration next week.

MOTION: Councilmember Witkowsky moved to continue item 11d re Flite Park to Tuesday, April 15, 2003 subject to the announced requests. Councilmember Mauno seconded the motion and a roll call vote was unanimous.

2. **FLAG SALUTE:**

Councilmember McIntyre led the flag salute. City Clerk Herbers gave the invocation.

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 Nowatka, and passed by unanimous roll call vote.

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 Nowatka and passed by unanimous roll call vote.

4. **ANNOUNCEMENT OF WITHDRAWN OR DEFERRED ITEMS.**

City Manager Jackson stated that item 11d would be held.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS:**

Councilmember Witkowsky announced that the Ad Hoc Rose Float Committee meeting was held earlier at City Hall and the Committee approved a rendering that would be brought to Council on April 22nd for presentation and official vote from City Council.

Mayor Walker announced that a Community Budget Meeting would be conducted by City staff on Thursday, April 10th at 6:30 p.m. at the Toyota Meeting Hall located at 3330 Civic Center Drive. He also announced a City Council Budget Workshop in the City Council Chambers at 5:30 p.m. on May 13th.

City Clerk Herbers invited staff and the public to view the works of Torrance Artist Guild member Geraldine Jaffe in the City Clerk's office through the month of April and that her watercolors fit in with the spring theme.

7. CONSENT CALENDAR

7a. APPROVAL OF MINUTES - January 28, 2003 and February 4, 2003.

7b. AGREEMENT RWM FIBER OPTICS, INC. FOR TRAINING

Recommendation

Recommendation of the Human Resources Director that City Council execute a vocational training agreement with RWM Fiber Optics, Inc. for an amount not-to-exceed \$150,000 for the period of April 8, 2003 through June 30, 2005. This will provide broadband technician and television/satellite cable installation skills training.

7c. GRANT - TORRANCE SISTER CITY ASSOCIATION

Recommendation

Recommendation of the Parks and Recreation Director that City Council fund the Torrance Sister City Association a grant in the amount of \$1,500 for specified services.

7d. AGREEMENT PACIFIC SEWER MAINTENANCE – VAPOR ROOTING

Recommendation

Recommendation of the Street Services Director that City Council:

- 1) Approve a contract services agreement in the amount of \$29,547.18 with Pacific Sewer Maintenance for vapor rooting of City sewer lines (B2003-06); and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

7e. AMENDMENT TO AGREEMENTS FOR EMERGENCY WASTEWATER REPAIRS

Recommendation

Recommendation of the Street Services Director that City Council:

- 1) Approve an amendment to contract service agreement C2002-257 with Doty Bros. Equipment Company in the amount of \$20,000 on a time and materials basis for emergency wastewater system repairs within the City of Torrance.
- 2) Approve an amendment to contract service agreement C2002-258 with Clarke Contracting Corporation in the amount of \$20,000 on a time and materials basis for emergency wastewater system repairs within the City of Torrance.
- 3) Authorize the Mayor to execute and the City Clerk to attest to said amendments.

7f. APPROVE TRACT MAP 53339 – 802 SARTORI AVENUE

Recommendation

Recommendation of the Engineering Director that City Council:

- 1) Approve Final Tract Map No. 53339, creating two, five-unit condominium buildings on one lot, located at 802 Sartori Avenue; and
- 2) Accept a fifteen-foot corner radius street easement.

7g. APPROPRIATION & ALLOCATION – INMATE WELFARE FUND

Recommendation

Recommendation of the Chief of Police that City Council appropriate and allocate \$62,000 from the Inmate Welfare Fund to pay for repairs, replacement, and upgrades of equipment and supplies within the Torrance City Jail.

7h. CHANGE ORDER – C2003-022 SEQUEL CONTRACTORS

Recommendation

Recommendation of the Engineering Director that City Council:

- 1) Authorize a change order for additional residential street reconstruction in the amount of \$130,121 to contract C2003-022 with Sequel Contractors, Inc. in conjunction with the Street/Water Main Improvement Project I-51/I-23, in the residential area south of Artesia Boulevard and west of Yukon Avenue; and
- 2) Authorize the Engineering Director and staff to approve said change order.

MOTION: Councilmember Nowatka moved for the approval of Consent Calendar Items 7a through 7h. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

11. ADMINISTRATIVE MATTERS

11a. CONTINUATION OF STATE OF LOCAL EMERGENCY

Recommendation

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 Lane and Singingwood Drive.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and approved by unanimous roll call vote.

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CONSIDERED OUT OF ORDER

11 b. Redevelopment Agency Annual Report for Fiscal Year 2001-2002

Recommendation

Recommendation of the Redevelopment Agency Staff that City Council accept and file the Redevelopment Agency Annual Report for Fiscal Year 2001-2002 including the Independent Auditors' Report on Financial Statements and Compliance and file said report without further action.

(Companion to Redevelopment Agency Agenda Item 4a)

This item was considered out of order. See Redevelopment Agency action.

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11 c. City of Torrance Lighting District No. 99-1

Recommendation

Recommendation of the **Planning Director** that City Council:

- 1) Adopt a **RESOLUTION** initiating proceedings to levy assessments within the City of Torrance Lighting District No. 99-1 for Fiscal Year 2003-2004;
- 2) Adopt a **RESOLUTION** approving the Fiscal Year 2003-2004 Engineer's Report for the City of Torrance Lighting District No. 99-1; and
- 3) Adopt a **RESOLUTION** of Intention to levy assessments within the City of Torrance Lighting District No. 99-1 for Fiscal Year 2003-2004.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and approved by unanimous roll call vote.

RESOLUTION 2003-25.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1 FOR FISCAL YEAR 2003/2004 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE AND PROVIDED BY ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION.

MOTION: Councilmember Witkowsky moved for adoption of Resolution 2003-25. The motion was seconded by Councilmember Nowatka and approved by unanimous roll call vote.

RESOLUTION 2003-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THE REPORT OF THE ENGINEER IN CONNECTION WITH THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1 FOR FISCAL YEAR 2003/2004 PURSUANT TO THE PROVISION OF PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE AND AS PROVIDED BY ARTICLE XII D OF THE CALIFORNIA CONSTITUTION.

MOTION: Councilmember Witkowsky moved for adoption of Resolution 2003-26. The motion was seconded by Councilmember Nowatka and approved by unanimous roll call vote.

RESOLUTION 2003-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1 FOR FISCAL YEAR 2003/2004 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE AND AS PROVIDED BY ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION, APPOINTING A TIME AND PLACE FOR PUBLIC HEARING.

MOTION: Councilmember Witkowsky moved for adoption of Resolution 2003-26. The motion was seconded by Councilmember Nowatka and approved by unanimous roll call vote.

CONSIDERED OUT OF ORDER

11 d. Recommendation of the **City Manager** that City Council approve modifications to the Flite Park lease relating to non-performance penalties and to authorize the Mayor to execute and the City Clerk to attest to an amended and restated lease by and between the City of Torrance and Flite Park, LLC for City-owned property located at Torrance Municipal Airport/Zamperini Field.

See Page 2 - Item deferred to April 15, 2003.

11 b. Redevelopment Agency Annual Report for Fiscal Year 2001-2002

Recommendation

Recommendation of the Redevelopment Agency Staff that City Council accept and file the Redevelopment Agency Annual Report for Fiscal Year 2001-2002 including the Independent Auditors' Report on Financial Statements and Compliance and file said report without further action.

(Companion to Redevelopment Agency Agenda Item 4a)

MOTION: Councilmember Scotto moved to accept and file the Redevelopment Agency Annual Report for Fiscal Year 2001-2002 including the Independent Auditors' Report on Financial Statements and Compliance. The motion was seconded by Councilmember McIntyre and approved by unanimous roll call vote.

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Redevelopment Agency met from 7:12 p.m. to 7:15 p.m.

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16. ORAL COMMUNICATIONS

16a. Councilmember Lieu stated that his heart and prayers goes out to our troops who have lost their lives overseas during this war.

16b. Councilmember Lieu stated that he and other members of the City Council had attended the Switzer Woman of Year luncheon and congratulated Director Becky Foo for the event.

16c. Councilmember Mauno echoed comments of Councilman Lieu regarding our armed forces serving overseas.

16d. He noted that he had attended the Bunka Sai festival, always a cultural experience in our City and that Councilmember Nowatka had represented Council very nicely.

16e. Councilmember McIntyre concurred with previous comments on our troops.

16f. Councilmember Nowatka noted that all were feeling the same way about those people who have lost their lives in Operation Iraqi Freedom and that there were a lot of lives that lost on both sides.

16g. Councilmember Nowatka stated that on two occasions he had represented the City Council at Eagle Scout ceremonies and personally congratulated Eagle Scouts Jason Robert Huling and Eagle Scout Geoffrey Creighton, who both received their Eagle badges.

16h. Councilmember Scotto stated he had also attended the Bunka Sai festival noting that the funds raised are used solely for the student exchange program with Kashiwa Japan and that he was pleased to see the large turnout.

16i. Councilmember Scotto asked staff to bring back an item for City Council consideration to waive fees for the Torrance Cultural Arts Center Foundation gala on June 27th at the Cultural Arts Center.

16j. City Manager Jackson noted that in order to waive fees funds would have to be appropriated and that it can be brought forward the following week.

16k. Councilmember Witkowsky echoed comments on the Switzer Center luncheon congratulating all recipients.

16l. Councilmember Witkowsky stated that she was officially a graduate of the C.E.R.T. program and that she was impressed with the professionalism of all of the trainers. She noted that the 175 C.E.R.T. graduates in the City of Torrance are a tremendous asset as help to first responders in the event of a national or local disaster. She also thanked Toyota Motor Sales for donating backpacks containing \$250 worth of emergency equipment and to Virco Manufacturing for donating tables and that these partnerships were valuable to the City.

16m. Mayor Walker thanked Councilmember Witkowsky for her services as Mayor Pro Tem for the past six-months noting that Councilmember Nowatka would be Mayor Pro Tem for the next term.

16n. Mayor Walker expressed his pride in the work of our troops.

16o. Don Betsworth, 20927 Tomlee Avenue, Torrance, state that he was involved in the August explosion and thanked the Mayor and Council, the Chief of Police, the Fire department, all the people who have helped them in their area especially the trash people who went above and beyond to get our area picked up. He gave special thanks to Dean Martin, Building and Safety Inspector who was very kind and who gave them a lot of help.

16p. Jim Oberst, Torrance, spoke to develop a peace initiative dealing with the war on terror.

16q. Alan Lee, TME-AFSCME, commented on recent events regarding his bargaining unit asking the City Council for neutrality.

17. EXECUTIVE SESSION

The Executive Session was considered earlier in the meeting with no formal action taken on any matter considered in closed session.

18. ADJOURNMENT

At 7:30 p.m. City Council and Redevelopment Agency adjourned to Tuesday, April 15, 2003 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

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 June 24, 2003