

May 15, 2001

**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, May 15, 2001, in City Council Chambers at Torrance City Hall.

ROLL CALL

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

Absent: None.

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

Agenda Item 16 was considered out of order at this time.

16. EXECUTIVE SESSION

At 5:30 p.m., pursuant to Government Code Sections 54957.6, 54956.8 and 54956.9(a), the Council recessed into a closed session to discuss matters listed on the meeting agenda under 16a) Conference with Labor Negotiator; 16b) Real Property – Conference with Real Property Negotiator; and 16c) Conference with Legal Counsel – Existing Litigation.

The Council reconvened in Council Chambers at 7:15 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 Brownie Troop #671.

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

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

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

MOTION: Councilmember Cribbs moved that after the City Clerk has read aloud the number and title to any resolution or ordinance on the meeting agenda, the further reading thereof shall be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember Nowatka, and hearing no objections, Mayor Hardison so ordered.

4. WITHDRAWN OR DEFERRED ITEMS

None.

*

Mayor Hardison asked that the meeting be adjourned in memory of Henry "Hank" Ishikawa and announced services to be held May 21 at 11:00 a.m. at Gardena Valley Baptist Church, 1630 W 158 Street. Donations may be made to the Torrance Sister City Association.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Police Chief Herren announced the Police Officers Memorial Service on Wednesday, May 16 at 10:00 a.m. in front of the police station.

Councilmember Cribbs announced the Armed Forces Day Celebration Parade at 1:30 p.m. Saturday, May 19, 2001, with military exhibits on display at Del Amo Fashion Square May 18 – May 20, 2001.

Mayor Hardison announced the City Yard Open House on Saturday, June 2, 2001, from 10:00 a.m. – 2:00 p.m. at 20500 Madrona Ave.

Mayor Hardison announced the second Budget Hearing on Tuesday, June 5, 2001, at 7:00 p.m. in City Council Chambers.

Councilmember Witkowsky thanked Brownie Troop 671, including granddaughters Stacey and Denise, for surprising her.

Councilmember Scotto announced a meeting of the City Council Transportation Committee on Wednesday, May 23, 2001, at 5:30 p.m. in the 3rd Floor Assembly Room to discuss the taxicab ordinance.

6. COMMUNITY MATTERS

6a. PROCLAMATION RE "CALIFORNIA BIKE COMMUTE WEEK"

Mayor Hardison presented a proclamation declaring the week of May 14 through May 18, 2001, as "California Bike Commute Week" in the City of Torrance to Ted Semaan, Manager of Transportation Planning, and Jill Crump, Planning Associate. Ms. Crump noted that Thursday, May 17, was "Bike to Work Day" and that breakfast would be served to participants in front of City Hall from 6:00 a.m. to 8:00 a.m.

7. CONSENT CALENDAR

7a. AUTHORIZATION FOR THE SALE OF SURPLUS VEHICLES

Recommendation

Recommendation of the **General Services Director** that City Council authorize the sale of eleven (11) surplus/obsolete vehicles to Nationwide Auction Company for public sale in conjunction with Consignor Asset Management Intranet (CAMI).

7b. ACCEPTANCE AND APPROPRIATION OF CALWORKS YOUTH FUNDING

Recommendation

Recommendation of the **Human Resources Director** and the **Workforce Investment Network Executive Committee** that City Council

- 1) Accept and appropriate \$133,579 in County of Los Angeles Department of Community and Senior Services funds to the Employment and Training Division budget; and
- 2) Authorize the execution of service agreements with Los Angeles Unified School District (\$69,542) and Southern California Regional Occupational Center (\$46,361) to serve at-risk CalWorks youth. Authorize the additional allowance of \$17,676 to fund City administration of these two program contracts.

7c. PURCHASE OF COMPUTER PLATESETTING SYSTEM

Recommendation

Recommendation of the **General Services Director** that City Council authorize the purchase of one Mitsubishi SDP Eco 1630 Platesetter System from J. E. Halliday Sales Inc., for a cost not to exceed \$36,400.

7d. CONTRACT AMENDMENT RE VERIZON WIRELESS

Recommendation

Recommendation of the **Communications and Information Technology Director** that City Council authorize an amendment to the current contract with Verizon Wireless, formally AirTouch Cellular, that would renew for a third year.

7e. REALLOCATION OF FUNDS FOR CAPITAL IMPROVEMENT PROJECTS

Recommendation

Recommendation of the **Planning Director** that City Council approve the reallocation of existing balances for CIP Projects in the amount of \$315,531 and authorize the funding of five (5) new projects in the same amount.

7f. PURCHASE ORDER RE TRAFFIC SIGNAL CONTROLLERS

Recommendation

Recommendation of the **Planning Director** that City Council authorize a purchase order to be issued to Econolite Control Products, Inc. of Anaheim, California, in the anticipated amount of \$90,000, plus a 5% contingency of \$4,500, for a total of not to exceed cost of \$94,500 for the sole source purchase of six (6) traffic signal controllers and hardware for Artesia Blvd.

7g. PURCHASE OF PROPERTY, BOILER AND MACHINERY INSURANCE

Recommendation

Recommendation of the **Human Resources Director** that City Council approve the purchase of the following insurance coverage:

- 1) Property Insurance at an annual premium of \$89,405; and
- 2) Boiler and Machinery Insurance at an annual premium of \$7,867.

7h. **CONTRACT SERVICES AGREEMENT RE SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM**

Recommendation

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

- 1) Approve a Contract Services Agreement with Northern Digital, Inc. in an amount not to exceed \$527,213.23 for the design and installation of the City's Supervisory Control and Data Acquisition System, a computer and telemetry system that will monitor and control the water, storm drain, and sewer facilities;
- 2) Authorize a 5% contingency in the amount of \$26,360.66 for the Contract Services Agreements; \$30,000 for Project Management;
- 3) Appropriate \$167,739 from the Water Enterprise Fund to Automated Facility Control System, I-22 ;
- 4) Appropriate \$7,261 from the Sewer Enterprise Fund to automated Facility Control System, I-22; and
- 5) Authorize the Mayor and City Clerk to execute and attest to said Agreement.

7i. **CHANGE ORDER TO PURCHASE ORDER FOR AERIAL LADDER TRUCK**

Recommendation

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

- 1) Authorize a change order to the existing purchase order issued to Pierce Manufacturing (c/o South Coast Fire Equipment) in the amount of \$10,631.13 for the purchase of one (1) 100-ft. Pierce Aerial Ladder Truck as a cooperative purchase with the City of Bakersfield; and
- 2) Appropriate \$10,631.13 from the Fire Department's Apparatus Replacement Fund.

7j. **CONSULTING SERVICES AGREEMENT RE COLLECTION AND ANALYSIS OF TRAFFIC DATA**

Recommendation

Recommendation of the **Planning Director** that City Council approve an expenditure not to exceed \$21,698 totaling expenditures with this vendor in the amount of \$35,858 during fiscal year 2000-2001, and execute a Consulting Services Agreement with Transportation Studies, Inc. to collect and analyze traffic data on various roadways citywide and the biennial counts on CMP routes to maintain compliance with the Los Angeles County Metropolitan Transportation Authority (LACMTA) Congestion Management Program (CMP).

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

11. ADMINISTRATIVE MATTERS

11a. CONTINUATION OF STATE OF LOCAL EMERGENCY

Recommendation

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

Building and Safety Director Isomoto reported that there had been no major changes in the hillside during the last week; that one of the homeowners had elected to remove a portion of his house in an attempt to save the rest of it; and that the homeowners' consultant would begin investigating the stability of the hillside within the next two weeks.

MOTION: Councilmember Messerlian moved to concur with the staff recommendation. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

11b. WAIVER OF FEES FOR SOUTH BAY COUNCIL OF GOVERNMENTS

Recommendation

Recommendation of the **City Manager** that City Council consider the request from the South Bay Council of Governments to waive the fees associated with the use of the Cultural Arts Center Meeting Room which will be used for a Town Hall Meeting on the LAX Master Plan Environmental Impact Report.

MOTION: Councilmember Messerlian moved to concur with the staff recommendation. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

Mayor Hardison noted that the public was invited to attend the meeting on Thursday, May 31, 2001, from 7:00 p.m. to 9:00 p.m.

12. HEARINGS

12a. PUBLIC HEARING ON PROPOSED BUDGET - FISCAL YEARS 2001-2003

Recommendation

Recommendation of the **Finance Director** that City Council open the first public hearing on the City of Torrance proposed two-year operating budget for fiscal years 2001-03.

Mayor Hardison announced that this was the time and place for the first public hearing on the proposed budget for fiscal years 2001-03. City Clerk Herbers confirmed that the hearing had been properly advertised.

City Manager Jackson noted that the additional information requested at the May 8 Budget Workshop was included in the agenda and supplemental material.

Mayor Hardison invited public comment on the proposed budget.

For purposes of clarification, Councilmember Messerlian questioned whether the public could propose modifications to the budget at the next hearing on June 5. City Manager Jackson advised that, typically, the budget was in the process of being finalized by the second public hearing and that additional modifications at that point could delay the adoption of the budget.

Noting that the proposal to add a new Fire Captain position was not recommended for inclusion in the budget because of a lack of funding, Mr. Mike Hansen, President of Torrance Fire Fighters Association (TFFA), suggested the possibility of using Proposition 172 funds. He explained that Proposition 172, which was passed in 1993, increased sales tax by one-half cent and designated the funds for the enhancement of public safety. He questioned how the \$1.1 million the City was projected to receive in the next fiscal year would be allocated, noting that in 1994, the last time he received an accounting, some of the funds were being used to pay for a draftsman in the Engineering Department and personnel analysts in Civil Service and Personnel Department.

Finance Director Tsao advised that the City Council appropriated the initial Proposition 172 funds in FY 1994-95 for additional police and fire personnel and vehicles, as well as half-time positions related to safety services in the Civil Service, Personnel and Engineering Departments. He explained that since that time, the funds have continued to be used for the enhancement of public safety, noting that the City's Fire and Police budgets have grown substantially since 1994.

In response to Mr. Hansen's request, City Manager Jackson indicated that an accounting of Proposition 172 funds would be provided to the TFFA. He explained that while the positions originally funded have faded away and are no longer identified as having a primary need for offset funding, the City has added positions, bought equipment and made capital improvements, all of which meet the criteria established for the expenditure of these funds.

Referring to the proposed 2001-2002 budget for Los Angeles County Department of Animal Care and Control (DACC), Mr. Dean Case maintained that the agency contracted to provide the City's animal control services is greatly understaffed and that City residents are not getting what they pay for because in 2000-2001 they accounted for 7% of dog license revenues but received less than 4% of the services provided. He stated that DACC does not track important data, such as the number of animals adopted and the number of pets returned to owners, and has yet to comply with a new State law passed in 1998. He urged the Council to direct staff to immediately prepare a Request for Proposal (RFP) for a more efficient animal licensing vendor so the City can recover lost revenue and use that revenue in a more effective manner.

Mr. Ray Jackman, 3115 W. 181st Street, read his letter that appeared on the opinion page of the May 15, 2001 edition of the *Daily Breeze*:

"Thank you for your ongoing coverage of the effort by Torrance residents to get our own animal control officers. I am still upset that the Torrance City Council ignored the unanimous vote of the commission that has been hearing about this for nearly a year, and the Council refused to

approve animal control officers for Torrance. The City Manager's proposed budget for next year is more than \$200 million and of that, only \$32,900 is for animal control. (This is less than half the amount spent in 1997-98!) Even after the Mayor said City staff needs to do a better job of oversight, there is not even one person allocated to animal control in the City. The Council authorized the County to collect more than \$300,000 from Torrance dog owners. Anyone who has a complaint should call the Mayor and Council to let them know we need to have our own animal control officers."

Ms. Joni Gang expressed support for Councilmember Nowatka's proposal to include funding in the 2001-2002 budget for a study by an outside consultant regarding the feasibility of an in-house animal control program. Noting that the Council has called for additional oversight by City staff of the animal control program, she suggested that funding be allocated to the Building and Safety Department to pay for that oversight. She offered clarification that residents realize that building a City-run animal shelter is out of the question at this time and are only requesting the City consider having its own animal control officers.

Mr. Alan Lee, representing Torrance Municipal Employees, AFSCME, Local 1117, commented on commitments the City has made regarding increasing the pay of the custodial staff and instituting a bilingual program. He requested that the Council find a way to bring the police dispatcher staff to full capacity of 10 police communications officers.

Michelle Duncan, 4826 Mayor Drive, voiced support for a City-based animal control program.

MOTION: Councilmember Cribbs moved to close the public hearing. The motion was seconded by Councilmember Messerlian and passed by unanimous roll call vote.

At Mayor Hardison's request, City Manager Jackson discussed the proposed rebate of any windfall on Utility Users' Tax to taxpayers. He explained that recent electricity rate increases are expected to result in utility user tax revenues beyond what have been projected in the budget and that staff was recommending that they be directed to return with an agenda item which would rebate any excess tax to users by the end of the fiscal year. He noted that staff has begun discussions with Southern California Edison to find a means and methodology to achieve the rebate as they are the collector of the tax and would be the distributor of any rebate.

In response to Mayor Hardison's inquiry, City Manager Jackson provided clarification regarding the loss of Education Revenue Augmentation Fund (ERAF) monies, explaining that the City had not counted on receiving this revenue from the State and had not included it in the proposed budget. Finance Director Tsao noted that the City's ERAF allocation from the previous year, in the amount of \$551,000, had been received and was available for either Capital Budget or one-time expenditures.

In a series of straw votes, the Council acted on the proposed base budget giving direction to City Manager Jackson to bring back the budget for formal adoption at the next public hearing scheduled for June 5, 2001.

MOTION: Councilmember Cribbs moved to concur with the proposed base budget which is inclusive of the following: 1) Inclusion of \$850,000 from prior year carryover as funding for the subsequent fiscal year; 2) Reserves for energy and training; 3) Rate mitigation reserve in Water; 4) Additional transfers of excess monies generated from the non-aeronautical land lease, FY2001-03, \$550,000 and \$300,000 respectively; 5) Rebating any windfall on Utility Users' Tax to the taxpayers due to the increase in electricity rates. The motion was seconded by Councilmember Messerlian, and voice vote reflected unanimous approval.

A discussion of budget modifications ensued, and Councilmember Scotto voiced support for the proposal to provide an additional four tickets per month/per person to the Senior Ride Program to be funded by the elimination of the Zero Emission Surface Transit (ZEST) route and route consolidation. City Manager Jackson recommended that this item be considered outside the budget process once the route consolidation process has been completed and the amount of the actual savings is known.

Councilmember Witkowsky expressed an interest in exploring the feasibility of implementing a fixed bus route for seniors. City Manager Jackson advised that staff was recommending increasing the number of senior ride tickets as opposed to implementing a fixed route because they felt it would be more effective in serving the needs of seniors.

Noting that route consolidation has been known to provoke a lot of public debate, Councilmember Cribbs stated that she thought both proposals had merit and suggested delaying the decision on this issue until it is known whether any savings from route consolidation will be achieved.

Councilmember Scotto reiterated his support for increasing Senior Ride Program tickets, stating that he thought it was a very effective program.

MOTION: Councilmember Scotto moved to concur with the recommendation to add four tickets to the Senior Ride program and to eliminate ZEST and restructure routes - to be looked at outside of the budget process. The motion was seconded by Councilmember Witkowsky, and roll call vote reflected unanimous approval.

Councilmember Nowatka proposed increasing the Community Services Grant Program funding to \$30,000 for FY2001-2002 (an increase of \$7,000) and increasing that amount by an additional \$2,500 for the next four years until it reaches a maximum of \$40,000.

Mayor Hardison indicated that she would support the proposal, but noted that Councilmember Nowatka had also recommended some policy changes, as outlined in the agenda material, and that she would prefer that those issues be left to the Community Services Commission. Councilmember Nowatka concurred, and Parks and Recreation Director Barnett reported that the commission intends to review grant program policies to ensure that there will be a large pool of agencies eligible to compete.

MOTION: Councilmember Nowatka moved to increase Community Services Grant Program funding to \$30,000 in FY 2001-2002 and to increase that amount by an additional \$2,500 for the next four years to a total of \$40,000. The motion was seconded by Councilmember Messerlian, and roll call vote reflected unanimous approval.

Commissioner Nowatka noted that the Cultural Arts Commission had requested \$25,000 to establish a grant program for non-profit arts organizations and that staff was recommending a funding level of \$5,000 and requiring matching funds. He proposed funding the full \$25,000 for FY2001-2002 and allowing the commission the option of granting funds to artists under the Art in Public Places program.

Mayor Hardison stated that she thought it was premature to allocate funds to the Art in Public Places program because the Council has not officially sanctioned the program or established a policy as to how the program would work or who would administer it. Councilmember Cribbs voiced concerns that the Council has not been provided with information regarding what the criteria would be for granting the funds.

City Manager Jackson advised that the Council could reserve the funds and stipulate that the commission return with a plan of action that must be approved by the Council before the funds are expended.

Councilmember Messerlian pointed out that many worthwhile arts organizations are operating on a shoestring budget and voiced support for reserving \$25,000 for a matching fund grant program and allowing the Commission to work out the details later.

City Manager Jackson offered clarification that the program modification recommended by staff was to establish an ongoing \$5,000 matching fund grant program for non-profit arts organizations and that Councilmember Nowatka's proposal was to add \$20,000 to the program in FY2001-2002 and allow the Commission the option of funding individual artists in conjunction with the Art in Public Places program.

Mayor Hardison indicated that she did not favor mixing the grant program for non-profit arts organizations with the Art in Public Places program.

MOTION: Councilmember Nowatka moved to increase funding of the Cultural Services Grant Program by \$20,000 in FY2001-2002 for a total of \$25,000 and to allow the Cultural Services Commission the option of funding artists under the Art in Public Places Program. The motion was seconded by Councilmember Messerlian and failed by a vote of 5-2, with Councilmembers Cribbs, Scotto, Walker, Witkowsky and Mayor Hardison dissenting.

Councilmember Nowatka proposed including funds in the budget for an outside consultant to study the feasibility of an in-house animal control program.

MOTION: Councilmember Nowatka moved to include funds in the FY2001-2001 budget for a feasibility study of an in-house animal control program by an outside consultant. The motion died for the lack of a second.

Councilmember Walker expressed support for funding the new Fire Captain position, indicating that discussions with residents and members of the Fire Department had convinced him that it was necessary for the betterment of the community.

In response to Mayor Hardison's inquiry, Fire Chief Bongard provided information regarding the Community Emergency Response Team (CERT) program, which the new captain would oversee, and indicated that CERT classes would continue with the resources available although the Department might not be able to achieve the ambitious schedule originally conceived. He confirmed that even with additional revenues from the new ambulance contract and the elimination of the secretary position and the Quality Improvement Coordinator, which are proposed for the second year of the budget, there would still be a shortfall of approximately \$96,000 to fund the new captain position in the second year and that it would be approximately \$200,000 to fund the position in FY2001-2002.

A brief discussion ensued, and City Manager Jackson noted that should the Council approve funding the position in the second year of the budget, the approval would be in concept only.

MOTION: Councilmember Walker moved to approve the addition of a Fire Captain position in the second year of the budget. The motion was seconded by Councilmember Scotto and passed by a 5-2 roll call vote, with Councilmember Cribbs and Mayor Hardison dissenting.

Commenting on her vote, Mayor Hardison stated that she did not think it was prudent to approve any additions to the second year of the budget until the outcome of the election on street lighting assessments is known because the City may be faced with cutting existing programs.

In response to Councilmember Walker's inquiry regarding Mr. Lee's reference to commitments the City has made, City Manager Jackson advised that the City has committed to studying the issues of the custodial staff's wages and a bilingual program but has not made any commitment for funding them in the current three-year contract.

MOTION: Councilmember Messerlian moved to approve in concept both years of the two-year operating budget, deferring formal action on the second year of the budget pending the outcome of the initiative election on the assessments for street lighting. The motion was seconded by Councilmember Walker, and voice vote reflected unanimous approval.

14. SECOND READING ORDINANCES

14a. SECOND AND FINAL READING OF ORDINANCE NO. 3499

ORDINANCE NO. 3499

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE GRANTING TO AIR PRODUCTS AND CHEMICALS, INC., A DELAWARE CORPORATION, A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A PIPELINE FOR THE TRANSPORTATION OF HYDROGEN IN THE CITY OF TORRANCE IN 190TH STREET BETWEEN WESTERN AVENUE AND WEST OF VAN NESS AVENUE

MOTION: Councilmember Messerlian moved for the adoption of Ordinance No. 3499. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

*

The Redevelopment Agency met from 8:53 p.m. to 8:54 p.m.

*

15. ORAL COMMUNICATIONS

City Manager Jackson thanked all the various departments for providing answers to budget questions, with special thanks to clerical staff for their efforts.

Councilmember Cribbs reminded everyone about the Armed Forces Day Parade and celebration.

Responding to Councilmember Cribbs, Finance Director Tsao reported that staff was looking into possible refinancing of bond issues.

Councilmember Nowatka thanked and commended Commission on Aging Commissioner Frank Wolf and Community Services Commissioner Pat Brady for helping with the Special Olympics at North High.

Councilmember Nowatka wished Councilmember Witkowsky a happy birthday.

Councilmember Witkowsky commented on Fire Service Day and suggested a review of the parking arrangements for future events.

Councilmember Witkowsky noted the Monday train accident on Torrance Boulevard where a man was hit by a train and asked for a review of safety measures.

Mayor Hardison commented that she was pleased to see bikes can now be taken on Torrance buses as she had worked on that for some time.

Mayor Hardison expressed appreciation to all those who covered the events of the past weekend in the City in her absence.

16. EXECUTIVE SESSION

At 9:00 p.m. the Council recessed to closed session to continue consideration of items listed on the meeting agenda. The Council reconvened in open session at 10:44 p.m. No formal action was taken on any matter considered in closed session.

17. **ADJOURNMENT**

At 10:44 p.m., the meeting was adjourned to Tuesday, May 22, 2001, at 5:30 p.m. for a joint meeting with the Library Commission in the Katy Geissert Civic Center Library Meeting Room, with the regular meeting commencing at 7:00 p.m. in Council Chambers.

Adjourned in Memory of Henry "Hank" Ishikawa

Attest:

Mayor of the City of Torrance

Sue Herbers
City Clerk of the City of Torrance

Approved on June 26, 2001