

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, November 15, 2005 in City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Guyton, Mauno, McIntyre, Nowatka, Scotto*, Witkowsky and Mayor Walker.
*Arrived at 6:05 p.m.

Absent: None.

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

EMERGENCY SERVICES WORKSHOP

Assistant City Manager Giordano noted that Councilmember Scotto had met with staff earlier in the day to review the information to be presented at this workshop because he was attending a memorial service and would not be present until later in the meeting.

In a PowerPoint presentation, Emergency Services Coordinator Pachon provided an overview of the Standardized Emergency Management System (SEMS); discussed the City Council's role in the event of an emergency; and reviewed the schedule for the disaster preparedness exercise to be conducted on Thursday, November 17, in and around Lago Seco Park.

Agenda Item 17 was considered out of order following the presentation.

17. EXECUTIVE SESSION

At 6:05 p.m., the Council with all members present, recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 17A) Public Employee Performance Evaluation – City Manager, pursuant to California Government Code Section 54957.

The Council reconvened in Council Chambers at 7:06 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 McIntyre.

Councilmember Witkowsky gave the non-sectarian invocation.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember McIntyre 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.

MOTION: Councilmember McIntyre 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 Scotto and passed by unanimous roll call vote.

4. **WITHDRAWN OR DEFERRED ITEMS**

City Manager Jackson noted that Redevelopment Agency Agenda Item 5A would be continued to the December 20, 2005 meeting.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

None.

6. **COMMUNITY MATTERS**

6A. **RESOLUTION NO 2005-127 RE DEPUTY POLICE CHIEF PAUL W. BESSE**

RESOLUTION NO. 2005-127

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING DEPUTY POLICE CHIEF PAUL WINSLOW BESSE UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-ONE YEARS OF SERVICE.

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2005-127. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

Mayor Walker presented the resolution to Paul Besse, who accepted with appreciation.

Councilmembers and Mayor Walker commended Deputy Chief Besse for doing an outstanding job and wished him well in his retirement.

Police Chief Herren also commended Deputy Chief Besse, noting that his accomplishments during his 31 years on the police department are unparalleled and he will be greatly missed.

6B. **RESOLUTION NO. 2005-128 RE ORVILLE DALE DUNCAN**

RESOLUTION NO. 2005-128

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING ORVILLE DALE DUNCAN UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-EIGHT YEARS OF SERVICE

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2005-128. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

To be presented at a later date.

6C. CALTRANS BRIEFING ON TRAFFIC SIGNAL AT 235TH STREET AND WESTERN AVENUE

Recommendation

Recommendation that Council receive a briefing from Caltrans and accept public input on a proposed engineering solution regarding installation of a traffic signal at the intersection of 235th Street and Western Avenue.

In a PowerPoint presentation, Dan Freeman, Caltrans Chief of Traffic Investigations, provided background information regarding Caltrans' decision to install a traffic signal at 235th Street and Western Avenue to address safety and operational concerns. He reviewed modifications to the intersection that were being proposed in response to Torrance residents' concerns about cut-through traffic, which include the construction of a "pork chop" median that would preclude left turns from eastbound 235th Street onto Western Avenue and from northbound Western Avenue onto 235th Street. He advised that the proposed modifications would eliminate virtually all cut-through traffic on 235th Street as turning movements would be restricted to right-turn in and right-turn out and that the proposed barriers are not expected to cause any additional safety issues at this intersection. An animated simulation of traffic conditions at this intersection with the signal installed and the proposed modifications was presented along with a simulation of existing conditions.

Mayor Walker voiced objections to the signalization of this intersection, contending that the "pork chop" barrier would eventually be eliminated and 235th Street would become a thoroughfare endangering children who live and attend schools in this area. With regard to the safety issue, he related his understanding that the pedestrian fatality used to justify the signal was the result of a heart attack, not a traffic accident. He maintained that the small amount of traffic on 235th Street east of Western did not warrant a signal and suggested that residents from this area were attempting to force Caltrans to install a signal that would be extremely detrimental to residents on the Torrance side of 235th Street. He noted that the Council had instructed the City Attorney to fight the installation of this signal and expressed disappointment that Caltrans' response was to hold a community meeting in December 2004 that was poorly advertised with little advance notice.

Mr. Freeman emphasized that Caltrans has identified a safety issue on Western Avenue that needs to be addressed and the agency was not trying to benefit one group of residents to the detriment of another.

Mayor Walker expressed doubts about the accuracy of the information that was used to justify the traffic signal and related his understanding that Assemblyman Ted Lieu has contacted Caltrans and asked that this information be reviewed.

Councilmember Scotto suggested that should the signal be installed with the proposed modifications, traffic would simply be shifted to 234th Street and 236th Street, which could be even more hazardous because these streets are not accustomed to this volume of traffic.

Mr. Freeman responded that the intersection was not designed in a vacuum and traffic models did not indicate the problems being discussed.

Responding to concerns that Caltrans would succumb to pressure and remove the "pork chop" median at some point in the future, William Evans, legal counsel for Caltrans, explained that the barrier could only be removed if the City of Torrance approves its removal. With regard to traffic being shifted to 234th Street and 236th Street,

he noted that these streets are not through-streets, which would tend to discourage traffic, and in addition, the City of Torrance has the ability to restrict access to those streets if problems develop.

Mayor Walker expressed concerns that Caltrans was creating a problem that Torrance will have to solve in the future and related his preference to avoid creating a problem in the first place.

Councilmember Mauno asked about the ramifications should Caltrans choose to remove the median without Torrance's permission at the urging of high-ranking politicians.

Mr. Evans stated that he did not believe any agency other than the City of Torrance would have the authority to remove the median, noting that it cannot be installed without the City's approval. He disputed the idea that Caltrans was installing the signal in response to political pressure, explaining that safety issues have been identified that cannot be ignored, and the signal will ensure the safety of pedestrians, as well as vehicular traffic.

Mayor Walker related his experience that pedestrian traffic crossing Western at this location is extremely rare.

Councilmember McIntyre requested statistical information regarding pedestrian crossings at this intersection. Caltrans officials did not have this information available, but reported that there have been two accidents involving pedestrians at this location over the past five years, one fatality and one injury.

City Manager Jackson clarified that as currently proposed, the "pork chop" median would be painted and there would be no physical barrier that would need to be removed should turning restrictions be eliminated.

Mr. Freeman advised that the median could be either painted or raised.

David Komm, Shilling Court, disputed the accuracy of traffic projections, stating that it was ludicrous to think that northbound traffic on Western will not be diverted to 234th Street and 236th Street, should the signal and the median be installed.

Jack Rogers, 235th Street, contended that Caltrans' solution will not divert traffic to Sepulveda and Lomita Boulevard as traffic engineers claim, but will instead cause motorists to weave their way through neighborhood streets. He estimated that he has seen only five pedestrians crossing Western at 235th Street in the 15 years he has lived at this location. He called for further study before anything is done at this intersection.

Dr. Laurie Love, Assistant Superintendent of the Torrance Unified School District, stated that the school district is very concerned about the proposal to install a signal at 235th Street and Western because it could jeopardize the safety of children going to and from school and noted that Caltrans has not contacted the school district to discuss this matter. She recommended that an Environmental Impact Report be required, which includes the following: 1) Review of vehicular and pedestrian traffic volumes in southeast Torrance, not just the subject intersection; 2) Complete investigation of physical conditions and existing traffic controls in the immediate area; 3) Thorough analysis of accident history at 235th and Western Avenue; 4) Review of enforcement procedures used to ensure compliance with school zone speed limit; and 5) List of solutions for high traffic volume at Howard Wood School during the school hours.

Dr. Love called for more emphasis on the "Safe Routes to School Program," and requested that Caltrans consider all the special issues related to children walking to and from school, including the fact that they have a narrower field of vision, they are less able to determine the direction of sounds; they have trouble gauging distances and speeds, their actions are less predictable, and they are sometimes too small to be seen by fast-moving traffic.

Marco Veramontes, 235th Street, reported that Caltrans estimates that 26,000-36,000 vehicles travel Western Avenue each day and contended that installing a signal at Western and 235th Street would divert a considerable percentage of this traffic onto 235th Street. He called for the preparation of an Environmental Impact Report, maintaining that it was contrary to Caltrans' mission statement not to prepare one because they pledge to deliver only environmentally sound projects.

Jerome Houske, 235th Street, stated that traffic on 235th Street has been talked about for years, but nothing is ever done and voiced his opinion that the only viable solution was alternating one-way streets. He urged the Council to do something about this problem.

David Henseler, Singingwood Drive, expressed concerns that traffic problems at this intersection will be repeated throughout the City unless something is done to address the cumulative effects of new development.

Barry Hackett, 234th Street, stated that the proposed signal would merely shift traffic to his street and 236th Street and maintained that this issue must be addressed before this project goes forward.

John Bailey, Walnut Street, contended that Caltrans' decision to install a traffic signal at this location was the result of political pressure brought to bear by L.A. City Councilwoman Janice Hahn and California Assemblywoman Jenny Oropeza, noting that Caltrans concluded in 2001 that a signal was not warranted. He reported that Caltrans is focused solely on the state highway system and has given no consideration to the impact on the three schools, with a total of almost 1600 students, in the immediate vicinity. He related his understanding that the City's traffic studies indicate that the signal would result in an increase in traffic that would change 235th Street from a collector street to a minor arterial, which would be a violation of the City of Torrance General Plan and set a dangerous precedent. He maintained that Caltrans has not done a thorough study of all the issues involved and urged the Council to insist on the preparation of an EIR.

Mayor Walker stated that he thought the Council and residents had made their concerns very clear and that he believes there must be more study with a greater emphasis on the impact on surrounding streets and on schools if Caltrans chooses to pursue a signal at this intersection.

Debbie Magonia, Falena Avenue, reported that traffic on Western Avenue is quite congested during peak commuter hours and suggested that motorists would not be tempted to cut through neighborhood streets if traffic at Sepulveda and Western could be made to flow more smoothly.

Mr. Evans thanked the Council for the opportunity to make a presentation and sought to dispel the idea that Caltrans would ever disregard the safety of school children or anyone else. He noted that a lot of opposition to the signal centers on concerns that it would increase traffic on 235th Street, however, Caltrans' traffic assessment indicates that

this would not be the case and that is why they chose to proceed with the project. He stated that clearly the proposed modifications, which were generated from discussions with the City's traffic engineering staff, are not acceptable to the Council or residents without further study. He promised to relay that information to senior management at Caltrans, who will then decide whether to proceed with pending litigation in the interest of safety or whether there is a possibility some alternative can be found that will resolve both the state's and the city's concerns. He advised that the safety of the traveling public is Caltrans' primary concern followed by the convenience and mobility of the traveling public.

7. CONSENT CALENDAR

7A. APPROVAL OF MINUTES – AUGUST 30, 2005

7B. APPROVAL OF FINAL TRACT MAP NO. 54205

Recommendation

Recommendation of the **Community Development Director** that City Council:

- 1) Approve Final Tract Map No. 54205, creating 7 condominium units on one lot, subdivided by Border Avenue Partners, LLC and located at 739 - 745 Border Avenue, which substantially conforms to and meets all conditions of approval of the Tentative Map; and
- 2) Accept a four-foot wide public sewer easement along the southerly property line of this project.

7C. AMENDMENT TO FEE AGREEMENT WITH RUTAN & TUCKER

Recommendation

Recommendation of the **City Attorney** that City Council approve a First Amendment to Fee Agreement with the law firm of Rutan & Tucker for legal services with regard to the CEQA action against Caltrans in the amount of \$60,000 for a total contract amount not to exceed \$84,000.

7D. PURCHASE ORDER WITH PETERSON HYDRAULICS RE VEHICLE HOISTS

Recommendation

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

- 1) Authorize a purchase order to Peterson Hydraulics, Inc. of Gardena, CA, in an amount not to exceed \$69,290.76 (including sales tax and 10% contingency) for Removal and Replacement of Two (2) Stationary Vehicle Hoists (FEAP #536);
- 2) Reallocate \$75,000 from the Fleet Services Heavy Duty Hoist project (FEAP #450) to the Removal and Replacement of two (2) Stationary Hoist project (FEAP #536); and
- 3) Reallocate \$48,000 from the Fleet Services Regular Duty Hoist #1 project (FEAP #451) to the Remediation of Contaminated Soil project (FEAP #537).

7E. ESTABLISHED OVERALL ANNUAL DBE GOAL FOR FEDERAL FY2006

Recommendation

Recommendation of the **City Manager** that City Council adopt the Established Overall Annual DBE Goal for Federal Fiscal Year 2006 and authorize the Mayor to execute such adoption, to facilitate submission to the California Department of Transportation (CalTrans) for funding authority approval.

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

10. PUBLIC SAFETY

10A. PURCHASE/INSTALLATION OF PUBLIC SAFETY INFORMATION SYSTEM

Recommendation

Recommendation of the **Chief of Police**, the **Fire Chief**, and the **Information Technology Director** that City Council:

- 1) Approve a contract with Spillman Technologies, Inc. for the purchase and installation of a new Public Safety Information System for the Police and Fire Departments, in an amount not to exceed \$1,980,011;
- 2) Appropriate funding for the purchase of required hardware to include servers, disk storage, wireless network adapters, Mobile Data Computers, and Police Department desktop computers in an amount not to exceed \$619,989; and
- 3) Approve the transfer of \$1,389,482 funds from various FEAPs (Facilities, Equipment, Automation Plans) and appropriate \$1,210,518 into the Public Safety Information System project (FEAP #535).

Police Captain David Smith reported that in 2004, the Council approved a consulting contract to assist the Police Department in its search for a Public Safety Information System; that as part of the consolidation of Police and Fire Communications, it was determined that both departments should use the same Computer Aided Dispatch (CAD) /Records Management System (RMS) for consistency, reliability and inoperability; and that the proposed system was selected after careful consideration to ensure that it will support both departments' current and future needs.

Responding to questions from the Council, Captain Smith provided clarification regarding the system's inoperability and discussed the advantages of the new system for police officers in the field.

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

11. ADMINISTRATIVE MATTERS

11A. MODIFICATION OF EXECUTIVE AND MANAGEMENT EMPLOYEE RESOLUTION

Recommendation

Recommendation that City Council adopt a Resolution amending the Executive and Management Employees Resolution No. 2005-119 modifying salary of the City Attorney to reflect an increase of 7.5%.

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

RESOLUTION NO. 2005-129

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2005-119 SETTING FORTH CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EXECUTIVE AND MANAGEMENT EMPLOYEES

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2005-129. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

11B. SELECTION OF DENTAL INSURANCE CARRIER

Recommendation

Recommendation of the **Human Resources Director** that City Council approve the selection of an insurance carrier to provide dental insurance coverage to all eligible employees with premium rates guaranteed for a two year period beginning January 1, 2006, and authorize staff to issue a binder payment to the carrier for an amount equivalent to one month's premium to implement the City-paid one-party dental insurance program beginning January 1, 2006 and the City-paid two-party dental insurance program on January 1, 2007.

Human Resources Manager Fuentes noted supplemental material available at the meeting, revising the recommendation to identify "Delta Dental," as the insurance carrier selected to provide coverage for City employees. She noted that the plan offers enhanced benefits at a projected cost that is lower than the allocation approved by the City Council.

Councilmember Witkowsky questioned whether employees would be able to continue to use their current dentists. Human Resources Manager Fuentes confirmed that this factor was considered in the selection of a carrier and explained that Delta Dental offers a larger network of dentists than other carriers, therefore, the chances are increased that a particular dentist will be part of the plan.

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

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The Council met as the Redevelopment Agency from 9:07 p.m. to 9:09 p.m.

16. ORAL COMMUNICATIONS

16A. City Clerk Herbers announced that the City Clerk's office would be accepting applications for appointment to various commissions, with appointments to be made by the City Council at the January 10, 2006 City Council meeting. She noted that information is available online at www.TorrNet.com or by calling the City Clerk's office at 618.2870.

16B. Councilmember Guyton reported that he attended the memorial service for Torrance resident Ricardo Crocker and heard many positive comments about the ceremony from Major Crocker's family and his colleagues on the Santa Monica Police Department. He commended City staff and the police department for their efforts.

16C. Councilmember Guyton announced the 8th Annual Torrance-Japan Partnership Reception, sponsored by the Torrance Area Chamber of Commerce, to be held on Wednesday, November 16, at the Torrance Marriott, noting that former Assemblyman George Nakano will be honored.

16D. Councilmember Mauno echoed comments regarding the memorial service for Major Crocker.

16E. Councilmember Mauno congratulated Ted and Betty Lieu on the arrival of their new son, who was born earlier in the afternoon.

- 16F. Councilmember McIntyre** also congratulated the Lieus on their new arrival.
- 16G. Councilmember Nowatka** congratulated Morgan Christian on attaining the rank of Eagle Scout.
- 16H. Councilmember Scotto** echoed comments on the memorial service and expressed the hope that no more names would have to be added to the memorial wall.
- 16I. Councilmember Witkowsky** commended staff for their efforts in planning the memorial service, noting that she was particularly moved by the reaction of Major Crocker's mother and the Marines, who were present.
- 16J. Councilmember Witkowsky** also congratulated the Lieus on the birth of their second son.
- 16K. Councilmember Witkowsky** wished Sara Nodding a happy 105th birthday.
- 16L. Councilmember Witkowsky** reported on the Torrance Middle School Leadership Conference held earlier in the day at the Cultural Arts Center.
- 16M. Councilmember Witkowsky** announced a production of "The Nutcracker" by the South Bay Ballet at the Marsee Auditorium at El Camino College on Sunday, December 18, 2005 with performances at 2:00 p.m. and 7:00 p.m.
- 16N. Councilmember Witkowsky** congratulated the CIT department on receiving the Excellence in Information Technology Award from MISAC for the fourth year in a row.
- 16O. David Schwartz**, Torrance Boulevard, served a Notice of Intention to Circulate a Recall Petition to Councilmember Scotto.
- 16P. Janet Payne**, resident, noted that the Torrance Historical Society distributed bookmarks featuring Jared Sidney Torrance and a brief history at the Middle School Leadership Conference as part of the society's efforts to bring history into everyday life.
- 16Q. Debbie Hays**, President of Old Torrance Neighborhood Association, invited residents to attend an energy efficiency workshop hosted by South Bay Edison at the Bartlett Center on Wednesday, November 16, at 7:00 p.m.

17. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

18. ADJOURNMENT

At 9:24 p.m., the meeting was adjourned to Tuesday, November 22, 2005 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 February 7, 2006

Sue Sweet
Recording Secretary