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TORRANCE CITY COUNCIL – FEBRUARY 1, 2011

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At 11:55 p.m., the meeting was adjourned to Tuesday, February 8, 2011 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

February 1, 2011

**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 5:33 p.m. on Tuesday, February 1, 2011 in City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Barnett, Brewer, Furey, Numark, Rhilinger, Sutherland, and Mayor Scotto.

Absent: None.

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

*

Agenda Item 18 was considered out of order at this time.

18. EXECUTIVE SESSION

The City Council immediately recessed to closed session to confer with the City Manager and City Attorney on agenda matters listed under 18A) Conference with Legal Counsel – Existing Litigation, pursuant to California Government Code §54956.9(a).

The City Council reconvened at 7:03 p.m. No action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Deputy Community Development Director Cessna.

The non-sectarian invocation was given by Councilmember Rhilinger.

3. REPORT OF CITY CLERK ON POSTING OF THE AGENDA / MOTION TO WAIVE FURTHER READING

City Clerk Herbers reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, January 27, 2011.

MOTION: Councilmember Sutherland 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 Brewer and passed by unanimous roll call vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

Agenda Item 13A was continued indefinitely with the matter to be re-advertised.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Fire Chief Racowski announced that ExxonMobil would be conducting their monthly siren alert testing on Wednesday, February 2, at approximately 11:30 a.m.

Mayor Scotto announced that the 2010-2011 Ad Hoc Federal Legislative Advocacy Committee will meet on Monday, February 14, at 4:30 p.m. in the City Manager's Assembly Room.

Councilmember Brewer announced that a joint meeting with the Cultural Arts Commission and the City Council will be held Tuesday, February 15, at 5:30 p.m. in the West Annex Commission Meeting Room.

City Clerk Herbers announced that the Los Angeles County Registrar has mailed sample ballots for the February 15 Special Election for the 28th District Senate seat. She noted that the last day to request vote-by-mail ballot is Tuesday, February 8, 2011; that polling place information can be found at www.lavote.net or on the back cover of the sample ballot; and that polls will be open from 7:00 a.m. to 8:00 p.m.

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

6. COMMUNITY MATTERS

Agenda Item 6D was considered out of order at this time.

6D. PROCLAMATION RE "NATIONAL WEAR RED DAY"

Councilmember Rhilinger read the proclamation declaring Friday, February 4, 2011 as *National Wear Red Day* in the City of Torrance and Mayor Scotto so declared.

Proclamation to be presented at a later date.

6A. RESOLUTION NO. 2011-11 RE TIMOTHY CUMMINGS

RESOLUTION NO. 2011-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING FIREFIGHTER/PARAMEDIC TIMOTHY CUMMINGS UPON HIS RETIREMENT AFTER THIRTY-TWO YEARS OF SERVICE

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-11. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

Mayor Scotto presented the resolution to Firefighter Cummings, who accepted with appreciation.

Fire Chief Racowski commended Firefighter Cummings for his many years of dedicated service and wished him well in his retirement.

6B. RESOLUTION NO. 2011-12 RE MICHAEL JENKINS

RESOLUTION NO. 2011-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING FIREFIGHTER MICHAEL JENKINS UPON HIS RETIREMENT AFTER THIRTY YEARS OF SERVICE

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-12. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

Mayor Scotto presented the resolution to Firefighter Jenkins, who accepted with appreciation.

Fire Chief Racowski commended Firefighter Jenkins for his many years of dedicated service and wished him well in his retirement.

6C. RESOLUTION NO. 2011-13 RE KAY WHITE

RESOLUTION NO. 2011-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING KAY WHITE FOR TWENTY-SIX YEARS OF DEDICATED SERVICE AS A CITY COMMISSIONER

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-13. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

Mayor Scotto presented the resolution to Ms. White, who accepted with appreciation.

6E. COMMISSION APPOINTMENTS

Recommendation

Recommendation of the City Clerk that City Council review applications and appoint members to fill vacancies on various commissions. The City Clerk will administer the oath of office to commissioners present.

Candidates were introduced and given an opportunity to address the Council.

The following appointments were made with terms expiring on January 31, 2015 unless otherwise stated:

Water Commission – Paul McCabe and John McGee

Traffic Commission – Kathleen Green and Sue Siani

Planning Commission – Steven Polcari and Geoffrey Rizzo

Parks and Recreation Commission – Robert Baxter and Karen Greenberg

Library Commission – Georgia Perkins (term expires 1/31/13), Gavin Wasserman and Wendy Wengrow

Environmental Quality and Energy Conservation Commission – Betty Chim and Stephen Robbins

Cultural Arts Commission – Kathryn Endo-Roberts

Civil Service Commission – Carol Dean, Reva Skoll and Melissa Wright (term expires 1/31/13)

Cable TV Advisory Board – Lynn Brennan and Jason Frantz

Airport Commission – Peter Donnellan and Melvin Glass

City Clerk Herbers administered the oath of office to commissioners present.

The Council recessed from 8:26 p.m. to 8:44 p.m.

7. ORAL COMMUNICATIONS #1

7A. Don Clouch, Torrance, requested that City Council reconsider the January 25, 2011 item regarding Western Avenue median improvements.

8. CONSENT CALENDAR

8A. DECEMBER 2010 MONTHLY INVESTMENT REPORT

Recommendation

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for December 2010. (*Companion to Redevelopment Agency item*)

8B. SOFTWARE MAINTENANCE AGREEMENT FOR HR/PAYROLL SYSTEM

Recommendation

Recommendation of the Information Technology Director that City Council approve the renewal of the annual software maintenance agreement (C2003-061) with Now Solutions, LLC. for the support and maintenance of the HR/Payroll system for the amount of \$76,965.

8C. SOFTWARE MAINTENANCE AGREEMENT FOR CITY-WIDE FINANCIAL SYSTEM

Recommendation

Recommendation of the Information Technology Director that City Council approve the purchase of annual software maintenance and support for the City-wide financial system from New World Systems of Troy, MI in the amount of \$60,500.

8D. FEE AGREEMENT FOR LEGAL SERVICES

Considered separately see below.

MOTION: Councilmember Barnett moved for the approval of Consent Calendar Items 8A through 8C. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote.

Consent Calendar Item 8D was considered separately at this time.

8D. FEE AGREEMENT FOR LEGAL SERVICES

Recommendation

Recommendation of the City Attorney that City Council approve the first amendment to fee agreement (C2010-101) with the law firm of Buchalter Nemer to provide legal services in the matter of Luis Gomez, et al. v. City of Torrance, et al., Ninth Circuit Case No. 10-55144, for an additional \$50,000, for a total contract amount not to exceed \$75,000.

Councilmember Rhilinger expressed concerns that the law firm failed to notify the City in a timely manner that it had exceeded the original contract cap of \$25,000 by \$15,000.

Assistant City Attorney Sullivan reported that the law firm of Buchalter Nemer has done an excellent job of representing the City in appellate matters in the past and the attorney involved has apologized for this oversight and offered his assurance that this will not happen again.

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

12. ADMINISTRATIVE MATTERS

Agenda Items 12 B and 12C were considered out of order at this time.

12B. APPLICATION FOR WATERSMART WATER AND ENERGY EFFICIENCY GRANT

Recommendation

Recommendation of the Public Works Director that City Council adopt a Resolution to apply for the WaterSMART Water and Energy Efficiency Grant for funding the Stormwater Basin Enhancement Project.

Engineering Manager Dettle reported that, if approved, the WaterSMART Water and Energy Efficiency Grant (\$820,000) combined with the already awarded state grant (\$3,300,000) and Development Impact Fees (\$280,000) would fully fund the Stormwater Basin Enhancement Project (\$4,400,000).

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

RESOLUTION NO. 2011-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE WATERSMART: WATER AND ENERGY EFFICIENCY GRANTS FOR FISCAL YEAR 2011 GRANT PROGRAM, FUNDING OPPORTUNITY ANNOUNCEMENT NO. R11SF80303

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-16. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

12C. RESOLUTIONS RE TORRANCE CITY EMPLOYEES ASSOCIATION MOU AND CALPERS

Recommendation

Recommendation of the City Manager that City Council:

- 1) Adopt a Resolution pursuant to Memorandum of Understanding setting forth the hours, wages, and working conditions for employees represented by the Torrance City Employees Association (TCEA) for the period of February 1, 2011 to June 30, 2011, and repealing Resolution No. 2007-48; and
- 2) Adopt a California Public Employees Retirement System (CalPERS) Resolution to reduce Employer Paid Member Contribution (EPMC).

Assistant to the City Manager Chaparyan reported that the MOU for the Torrance City Employees Association includes one major change, which provides that employees hired after the effective date of the MOU will contribute the 7% employees' portion to the CalPERS retirement system pursuant to City Council action in June 2010.

Councilmember Sutherland thanked the employee organizations that have agreed to the reduction in Employer Paid Member Contribution to CalPERS and encouraged the remaining non-safety employee organizations that have not to do so.

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

RESOLUTION NO. 2011-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE CITY EMPLOYEES ASSOCIATION (TCEA), AND REPEALING RESOLUTION NO. 2007-48

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-17. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

RESOLUTION NO. 2011-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE IMPLEMENTING GOVERNMENT CODE SECTION 20636(C)(4) PURSUANT TO SECTION 20691 RELATING TO EMPLOYER PAID MEMBER CONTRIBUTIONS TO PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS) FOR TORRANCE CITY EMPLOYEES ASSOCIATION (TCEA)

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-18. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

The meeting resumed in regular agenda order.

12A. MODIFICATIONS TO HELICOPTER LETTER OF AGREEMENT

Recommendation

Recommendation of the General Services Director that City Council approve modifications to the Helicopter Letter of Agreement (LOA) as proposed by the Helicopter Committee:

- 1) Modification to the Southeast route and corresponding increased altitude language within the LOA;
- 2) Modification to the South Crenshaw route and corresponding increased altitude language within the LOA.;
- 3) Modification to the PCH route – increased altitude language only; and
- 4) Fixed wing routes be evaluated following the final design of the helicopter routes to ensure no conflict.

Recommendation of the Airport Commission that City Council approve the route modifications only, and include alternate altitude language.

With the aid of slides, Facility Operations Manager Megerdichian reviewed the modifications to the Helicopter Letter of Agreement (LOA) as proposed by the Helicopter Committee. He reported that the Airport Commission concurred with the proposed modifications to the routes, but did not support the increases in altitude and proposed instead to change the language regarding altitude to request that pilots fly at 600' Mean Sea Level (MSL) or higher for noise abatement when consistent with safety. He noted that any changes to the routes are subject to FAA approval and that the revised routes will be submitted to the Southern California Airspace Users Group for publication in aviation charts.

In response to Councilmember Numark's inquiry, Peter Elmore, chair of the Helicopter Committee, confirmed that topography was taken into account when arriving at the recommended altitude increases. He noted his background as a pilot, former air traffic controller and current manager of air traffic programs for Netjets.

Mayor Scotto asked about claims that the increased altitudes for helicopters will interfere with fixed-wing air traffic and Mr. Elmore reported that fixed-wing traffic is primarily to the north of the airport and helicopter traffic is primarily to the south.

Councilmember Brewer questioned whether helicopters would actually make more noise when climbing to the proposed higher altitudes. Mr. Elmore explained that since helicopters are typically at 100% power during the climb, there would not be an increase in the noise level, but there would be an increase in the duration as it would take more time to reach cruising altitudes. He noted, however, there is not much of a difference between noise levels at climbing speed versus cruising speed for most helicopters that frequent Torrance Airport.

Bill Tymczyszyn, outgoing Airport Commissioner, noted his background as a commercial pilot, aeronautical engineer, test pilot and flight instructor. He voiced objections to the proposed increase in altitudes citing safety concerns. He contended that the proposed increases in altitude would put helicopters at the same altitude as fixed-wing aircraft thereby decreasing the margin of safety between them, burdening air traffic controllers; and increasing the potential for collisions. He reported that the Airport Commission received very few complaints about helicopter noise prior to the mounting of a campaign by a resident and the Helicopter Committee initially resisted this resident's efforts to incorporate altitude increases into route changes and they were only inserted at the last meeting in the rush to conclude the matter prior to the publishing deadline for aviation charts. He clarified that neither he nor the Airport Commission had any objections to proposed increase in altitude for the South Crenshaw route due to the topography of this area.

Jack Kenton, El Segundo, co-chair of the Southern California Airspace Users Group and former employee of the FAA, wanted to clarify that FAA regulations specify no minimum altitude for helicopters, but require that they fly at minimum safe altitude so as not to cause potential hazards to property or persons on the ground.

Seamus Casey, Camino de las Colinas, urged the Council to approve the proposed modifications to helicopter routes and altitudes. He reported that helicopters flying at the current minimum altitude of 600' MSL are only 300-400' above his home, which produces noise in the range of 65-75 decibels, a level that interferes with conversation and can disrupt sleep.

Hope Witkowsky, Mesa Street, related her experience that helicopter noise has become a problem in her neighborhood and encouraged the Council to approve the Helicopter Committee's recommendation. She noted that the committee was comprised of aviation professionals, airport business owners, and residents, and after several meetings attended by hundreds of people they reached a consensus that this was the best way to resolve the problem without compromising safety.

Kurt Robinson, president of Robinson Helicopter, stated that the company, which has operated at Torrance Airport for over 30 years, has supported noise abatement efforts and is a signatory on the current Helicopter Letter of Agreement (LOA). He reported that the company agrees with the proposed modification of routes, but opposes the increases in altitude because of safety and liability issues. He explained that currently pilots are directed to fly at 1000' MSL or above when air traffic and weather permits; that the existing 600' MSL minimum allows them to descend if they encounter a problem; and that the proposed minimum altitudes would mean that helicopters would be flying at the same altitude as fixed-wing aircraft, which increases the chance of a mid-air collision. He expressed concerns that by agreeing to the proposed altitudes, the company would run the risk of violating the FAA regulation that requires helicopters operating within the vicinity of an airport to avoid the flow of fixed-wing traffic and doubted that the company would sign the new Helicopter Letter of Agreement if the new minimums are in place. He noted that there are only two other helicopter companies that have signed the current LOA; pointed out that private owners, transient aircraft, law enforcement, fire support, the Coast Guard and other helicopter owners/operators are not parties to the agreement; and questioned the benefit of a new more restrictive LOA if no one signs it.

Councilmember Numark requested clarification of Mr. Robinson's concerns about potential liability issues. Mr. Robinson explained that should one of Robinson's helicopters be involved in a collision, he was concerned that a case could be made that the company contributed to the crash by signing an agreement that requires helicopters to fly at the same altitude as airplanes.

Councilmember Numark suggested the possibility of adding specific language to the LOA that would allow a pilot to deviate from the agreed-upon altitudes for purposes of safety.

Mr. Elmore clarified that Federal Aviation Regulation (FAR) 91.3 provides that the pilot in command is the final authority for the safe operation of the aircraft and they can do whatever they deem necessary in the interest of safety.

Facility Operations Manager Megerdichian advised that there are still issues in the LOA that need to be addressed, but the Helicopter Committee focused on the routes because there is an opportunity to have them published in aviation charts for the first time. He noted that staff intends to do more to publicize the new LOA and encourage more helicopter owners/operators to sign it.

In response to Councilmember Numark's inquiry, Mr. Megerdichian clarified that helicopter aviation charts show routes, but do not specify altitudes.

Councilmember Numark noted that the Helicopter Committee's recommendation was supported unanimously by committee members, one of whom was a Robinson Helicopter flight test supervisor. Mr. Robinson explained that Ron Hamilton, who served on the committee, was under the impression that the higher altitudes would be voluntary.

Councilmember Sutherland disclosed that he met with Mr. Robinson earlier in the day to discuss his concerns and related his understanding that his main concern was that the increase in minimum altitudes would hinder a pilot's ability to descend for safety purposes.

Mr. Robinson stated that he was also concerned that increasing minimum altitudes compresses the airspace in which helicopters would be flying and this combined with efforts to publicize the helicopter routes would lead to more congestion along the routes and increase the chance of a mid-air collision. He voiced his opinion that a better approach would be to encourage more helicopter operators to participate in the Letter of Agreement, including the Coast Guard and flight schools based at Long Beach and Compton airports, because they do little to inform their students about noise abatement procedures.

Richard Root, Via Buena Ventura, member of the Helicopter Committee, stated that he supports the committee's recommendations and was satisfied that they are safe based on discussions with safety experts at committee meetings. He contended that even at the proposed minimum altitudes, most of the flights will cause noise louder than what is considered "neighborly" according to standards set by Helicopter Association International. He reported that helicopters can and do fly higher than the recommended minimum altitudes as evidenced by a log of Robinson helicopter flights over his home that he previously submitted. He explained that FAA policy, as detailed in Advisory Circular 91-36D, encourages pilots to fly not less than 2000' above ground level when flying over noise-sensitive areas and proposed adding wording to this effect to the LOA.

Councilmember Furey disclosed that had he met with Mr. Root last week. He recalled that noise from low-flying Coast Guard helicopters prompted residents to become involved in this issue and related his understanding that the situation has improved since those flights have subsided. He noted that the log of Robinson Helicopter flights submitted by Mr. Root indicates that the average altitude was 1485' so the company is already flying above the recommended minimum altitudes for this route. He pointed out that increasing minimum altitudes in the LOA will not address the main source of the problem, which is helicopter operators who are not parties to the agreement. He proposed that the Council approve the modified routes so they can be published and defer action on changes to minimum altitudes to a later date.

Mr. Root expressed concerns about publishing the new routes without establishing higher minimum altitudes since it would direct more transient aircraft to the route and exacerbate the problem.

Councilmember Brewer noted that according to data in the staff report, the three signatories to the LOA – Robinson Helicopter, Advanced Flight, and JJ Helicopters – are doing a good job of minimizing noise and stressed the need to encourage the other helicopter owners/operators who are creating the problem to sign on to the agreement.

Facility Operations Manager Megerdichian advised that the need to target offenders has been discussed at committee meetings.

Patrick Carey, member of Helicopter Committee, noted his background as co-chair of Southern California Airspace Users Group and member of Board of Directors of the Professional Helicopter Pilots Association. He related his belief that it would be very beneficial to have the helicopter routes published, noting that aviation charts are only published every five years and the deadline to submit them for the July 2011 publication is April 1. He explained that the charts do not include altitudes, but direct pilots to the airport's directory, noise abatement office and/or website and expressed concerns about leaving the existing 600' MSL minimum altitude in place since transient pilots would likely

fly at this altitude. He noted that the minimum altitudes listed in the LOA are recommended altitudes and can always be deviated from for purposes of safety or with permission from the Air Traffic Control Tower and suggested the possibility of implementing them for a trial period to see if they work.

The Council briefly recessed from 10:47 p.m. to 11:00 p.m.

Councilmember Brewer noted that pilots of fixed-wing aircraft routinely search for information before flying into an unfamiliar airport and suggested that rather than creating another Letter of Agreement, it might be more effective to publicize the helicopter routes, minimum altitudes, and noise abatement procedures, since the signatories on the agreement are already doing a good job.

Jim Ellingson, Camino del Campo, stated that he lives not far from Mr. Root and has not had a problem with helicopter noise. He urged the Council not to confine helicopters to a narrow corridor and to give them the space they need for the safety of residents below.

Michael Short, Bindewald Road, stated that he believes having a new Helicopter Letter of Agreement with the higher minimum altitudes would be beneficial because while Robinson Helicopter currently flies at or above the proposed altitudes, the two other signatories do not. He contended that the only potential conflict with fixed-wing aircraft along the PCH route would be with departing airplanes that deviate from their specified route by making a left turn before reaching the shoreline.

Cliff Dawes, Rolling Hills Estates, reported that he took part in several of the Helicopter Roundtable discussions and strongly supports the committee's recommendation.

Dennis McLean, representing Rancho Palos Verdes, expressed support for the Helicopter Committee's recommendation.

John Bailey, president of Southeast Torrance Homeowners Association, reported that the HOA's Board of Directors concurs with the Helicopter Committee's recommendation. He related his belief that the Helicopter Committee's recommendation should be given more weight than the Airport Commission's recommendation because of Mr. Carey's and Mr. Elmore's expertise and experience.

Cheryl Brown, Via Los Miradores, voiced support for the Helicopter Committee's recommendation and contended that maintaining the current minimum altitude of 600' MSL was unsafe due to the varied terrain of the hillside. She stressed the need to publicize routes because helicopters not based at Torrance Airport are a large part of the problem.

As no one else wished to be heard, Mayor Scotto invited discussion from the Council on the proposed revisions to helicopter routes.

Councilmember Barnett expressed support for the modifications to the routes as proposed by the Helicopter Committee and thanked everyone who participated in the discussions.

Councilmember Numark also expressed support for the proposed routes, relating his belief that publication of the routes would enhance safety and reduce noise.

Mayor Scotto commended the Helicopter Committee for doing an excellent job and encouraged the committee to explore routes/altitudes for fixed-wing aircraft. He noted that Robinson Helicopter has always been a good partner with the City and very responsive to residents' concerns.

MOTION: Councilmember Sutherland moved to concur with the committee's recommendation for modifications to helicopter routes and to approve their publication. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote.

Mayor Scotto invited discussion of proposed altitudes.

Councilmembers indicated that they favored implementing the higher minimum altitudes for a trial period.

Councilmember Sutherland stated that he wanted to ensure that Robinson Helicopter has the ability to drop below the new minimum altitudes without having to contact the control tower.

Councilmember Numark noted that Mr. Elmore mentioned that implicit in the LOA is the ability of pilots to descend below the minimum altitudes for purposes of safety and suggested including language that explicitly states this in the LOA.

A brief discussion ensued regarding whether or not to publish the new minimum altitudes and the length of the trial period.

Mr. Carey encouraged the Council to approve the publishing of the new altitudes because they most likely would improve the quality of life for residents and can easily be changed if they create a safety hazard or become a burden for the control tower.

Mayor Scotto noted that changes being discussed are subject to the approval of the FAA and therefore should not be published until approval has been obtained.

Councilmember Rhilinger stated that she did not object to publishing the new altitudes on the airport website, but was concerned about publishing them in printed media during the trial period since they could change.

Mr. Elmore reported that the FAA often institutes new procedures for a 180-day evaluation period and their publications include a beginning date, an expiration date and a website where information can be obtained after that date.

It was the consensus of the Council to approve the implementation of the new minimum altitudes for a trial period of six months and to direct staff to include the above information in publications listing the new altitudes.

MOTION: Councilmember Sutherland moved to accept the new minimum altitudes for a trial period of six months and approve their publication upon approval of the FAA; and to direct staff to amend the Helicopter Letter of Agreement to explicitly state that pilots may drop below minimum altitudes for safety reasons. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote.

13. HEARINGS

13A. MOD10-00008: 5404 190TH STREET – ROBERT SADEGHI

Recommendation

Recommendation of the Community Development Director that City Council open and continue the hearing to February 1, 2011 City Council meeting regarding Modification on property located in the C3-PP Zone at 5404 190th Street as requested by the applicant.

Item was continued indefinitely, with the matter to be re-advertised.

16. SECOND READING ORDINANCES

16A. SECOND AND FINAL READING OF ORDINANCE NO. 3740

ORDINANCE NO. 3740

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING ARTICLE 20 OF CHAPTER 3 OF DIVISION 1 OF THE TORRANCE MUNICIPAL CODE AND DISSOLVING THE TORRANCE ETHICS AND INTEGRITY COMMITTEE

MOTION: Councilmember Furey moved to adopt Ordinance No. 3740. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote.

16B. SECOND AND FINAL READING OF ORDINANCE NO. 3741

ORDINANCE NO. 3741

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING AND RESTATING ARTICLE 2 OF CHAPTER 6 OF DIVISION 1 OF THE TORRANCE MUNICIPAL CODE RELATED TO ORGANIZATION OF THE CITY OF TORRANCE DISASTER COUNCIL

MOTION: Councilmember Barnett moved to adopt Ordinance No. 3741. The motion was seconded by Councilmember Rhilinger and passed by a 6-1 roll call vote, with Councilmember Numark dissenting.

*

The City Council met as the Redevelopment Agency from 11:48 p.m. to 11:50 p.m.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Rhilinger announced that there will be free tax counseling for seniors sponsored by AARP from February 1 to April 15, Monday through Friday, from 9:00 a.m. to 2:00 p.m. in the lower level of the West Annex at City Hall.

17B. Councilmember Sutherland wished everyone a happy Groundhog Day.

17C. Councilmember Barnett announced that the Torrance Theatre Company will be presenting *Over the River and through the Woods* on weekends during the month of February at a new location, 1316 Cabrillo Avenue, with additional information at www.torrancetheatrecompany.com or 424.243.6882.

17D. Councilmember Furey announced that for the seventh year in a row, Toyota Motor Sales USA has donated a new Prius to the Torrance Education Foundation to be raffled off on March 25. He noted that tickets are \$20, of which \$10 can be designated for the school organization of your choice with additional information available at www.torranceeducationfoundation.org or 310.972.6418.

17E. Councilmember Numark announced that the fourth seminar in the series “Seniors Don’t Be Scammed” will be held on Tuesday, February 15, at 10:00 a.m. at the Katy Geissert Civic Center Library and will a focus on elder financial abuse.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 11:55 p.m., the meeting was adjourned to Tuesday, February 8, 2011 at 5:30 p.m. for an executive session, with regular business commencing at 7:00 p.m. in the Council Chambers.

Attest:

/s/ Frank Scotto

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers
City Clerk of the City of Torrance

Approved on March 22, 2011