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TORRANCE CITY COUNCIL – JUNE 21, 2011

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At 10:33 p.m. the meeting was adjourned to Tuesday, June 28, 2011 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.	15

**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 5:32 p.m. on Tuesday, June 21, 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.

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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 Labor Negotiator, pursuant to California Government Code §54957.6.

The City Council reconvened at 7:02 p.m. No action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Deputy Fire Chief Dumais.

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, June 16, 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 WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

Agenda Item 12A was withdrawn and deferred to a later date.

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Mayor Scotto and Councilmembers Brewer, Furey, and Rhilinger commended the group of 45 individuals involved in the All America City finalist competition in Kansas City.

Assistant City Manager Giordano echoed comments regarding the team effort and announced that the delegation would be recognized at the July 12 City Council meeting.

City Clerk Herbers read an ode to Torrance's 2011 All American City delegation written by Kristin Matsuda.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Furey reported that Los Angeles County West Vector Control District has issued a West Nile virus alert throughout Southern California and reminded residents to mosquito-proof their homes and to wear insect repellent and/or protective clothing when engaging in outdoor activities.

City Clerk Herbers announced that a free Commissioner Certification Training class will be held on Wednesday, June 29, from 6:00 p.m. to 8:00 p.m.; that reservations are required to attend the training; and that information about Commission service and a reservation form can be found at www.torranceca.gov/CommissionerCert.htm or by contacting the City Manager's office at 310.618.5880 or the City Clerk's office at 310.618.2870. She noted that the last scheduled certification class prior to January 24, 2012 commission appointments will be held on November 9, 2011.

City Clerk Herbers reminded voters that June 27 is the deadline to register to vote in the July 12 special election for the 36th Congressional District seat; that July 5 is the deadline to request a vote by mail ballot; that sample ballots will be mailed out beginning June 2 through June 21; and that polls will be open from 7:00 a.m. to 8:00 p.m.

Mayor Scotto announced that due to the downturn in the economy and prudent fiscal planning, the City of Torrance has decided to discontinue hosting the Fourth of July Celebration at Charles H. Wilson Park. He wished everyone a safe and enjoyable Independence Day celebration.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2011-69 RE MARK WARONEK

RESOLUTION NO. 2011-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
HONORING **MARK WARONEK** FOR HIS SERVICE AS CHAIRMAN OF THE
BOARD OF THE TORRANCE AREA CHAMBER OF COMMERCE

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-69. The motion was seconded by Councilmember Furey and passed by unanimous vote.

To be presented at a later date.

6B. RECOGNITION OF TORRANCE FOR SMOKE-FREE PARKS

Joan Waddell, NCADD South Bay program director, presented a plaque on behalf of the National Council on Alcoholism and Drug Dependency and the Los Angeles County Department of Public Health, recognizing and thanking the City of Torrance for establishing smoke-free parks thereby creating a more pristine and healthy environment in which to live and play.

7. ORAL COMMUNICATIONS #1

7A. Debbie Hays, Torrance Historical Society, announced that a free walking tour of Downtown Torrance will be held on Sunday, June 26, beginning at 1:30 at the museum located at 1345 Post Avenue. She also announced that the Rock Around the Block event will be held on Thursday, July 21, from 5:00 – 8:00 p.m., with additional information available at 310.328.5392.

8. CONSENT CALENDAR

8A. SALE AGREEMENT RE CITY-OWNED PROPERTY AT PACIFIC COAST HIGHWAY AND HAWTHORNE BOULEVARD

Recommendation

Recommendation of the City Manager that City Council authorize the Mayor to execute and the City Clerk to attest to all documents associated with the sale of City-owned property located at the southeast corner of Pacific Coast Highway and Hawthorne Boulevard to Raju Chhabria in the amount of \$275,000 while retaining certain easements for traffic flow purposes (APN 7534-001-900) and a portion of City-owned property resulting from the partial vacation of 242nd Street.

8B. AGREEMENT AMENDMENT RE SECURITY SERVICES AT CITY HALL AND KATY GEISSERT CIVIC CENTER LIBRARY

Recommendation

Recommendation of the City Manager and Community Services Director that City Council approve a fourth amendment with Security Patrol Management (C2008-182) for an additional \$54,225 for a total not to exceed amount of \$167,675 to provide security coverage at City Hall and the Katy Geissert Civic Center Library.

8C. PURCHASE ORDER RE RIDESHARE PROGRAM INCENTIVES

Recommendation

Recommendation of the Community Development Director that City Council authorize a sole-source purchase order, with Just Rewards to provide Rideshare Program incentives in an amount not to exceed \$87,000 effective July 1, 2011 through June 30, 2012.

8D. FY 2011-2012 COMMUNITY ARTS GRANT PROGRAM FUNDING

Recommendation

Recommendation of the Cultural Arts Commission and the Community Services Director that City Council approve funding of \$5,000 under the Fiscal Year 2011-2012 Community Arts Grant Program.

8E. AGREEMENT AMENDMENT RE LEGAL SERVICES

Considered separately, see page 5.

8F. CIVIC CENTER PARKING LOT LIGHTING RETROFITS

Considered separately, see page 5.

8G. AGREEMENT RE ADMINISTRATIVE INVESTIGATIONS

Recommendation

Recommendation of the Acting Human Resources Director that City Council approve a consulting services agreement with Norman A. Traub Associates in an amount not to exceed \$60,000 to conduct administrative investigations.

8H. CONTRACT FOR REPLACEMENT OF SAFETY LIGHTING AT TRAFFIC SIGNAL LOCATIONS

Recommendation

Recommendation of the General Services Director that City Council:

- 1) Award a contract with Republic Intelligent Transportation Services dba Republic ITS for \$249,521 with a 10% contingency of \$24,952 for the replacement of safety lighting at traffic signal locations (B2011-15) as part of the Energy Efficient Conservation Block Grant (EECBG- FEAP #745); and
- 2) Approve a 10% project management fee of \$24,952.

8I. CHANGE ORDER RE AIRPORT RUNWAY PAINT AND MARKING MATERIALS

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Approve a change order in the amount of \$22,400 to purchase order 2011-50 with Ennis Traffic Safety Solutions Inc. for a total not to exceed amount of \$77,400 and;
- 2) Appropriate \$9,903 from Airport Aeronautical Fund to fund airport runway paint and marking materials.

8J. CONTRACT RE COMMUTER TRANSPORTATION CONSULTING SERVICES

Considered separately, see pages 5-6.

8K. APRIL 2011 MONTHLY INVESTMENT REPORT

Recommendation

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for April 2011.

MOTION: Councilmember Barnett moved for the approval of Consent Calendar Items 8A through 8D, 8G through 8I, and 8K. The motion was seconded by Councilmember Rhilinger and passed by unanimous vote.

Consent Calendar Items 8E, 8F and 8J were considered separately at this time.

8E. AGREEMENT AMENDMENT RE LEGAL SERVICES

Recommendation

Recommendation of the City Attorney that City Council:

- 1) Approve a fifth amendment to the fee agreement with the law firm of Liebert Cassidy Whitmore (C2008-212) to provide legal services in the matter of Brumbaugh v. City of Torrance, Los Angeles Superior Court Case No. BS116891, for an additional \$200,000, for a total amount not to exceed \$375,000; and
- 2) Appropriate \$10,000 in fiscal year 2010–2011 and \$190,000 in fiscal year 2011-12 from the Self Insurance Reserve Fund.

Newt Young, Torrance, expressed concerns about the mounting expense for this lawsuit and questioned whether in-house legal staff could handle this matter.

City Attorney Fellows advised that City prosecutors often use police officers as witnesses and the City Attorney's office also defends police officers in lawsuits alleging police misconduct, therefore the City contracts out police personnel litigation due to potential conflicts of interest.

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

8F. CIVIC CENTER PARKING LOT LIGHTING RETROFITS

Recommendation

Recommendation of the General Services Director that City Council:

- 1) Award a contract with Minako America Corporation dba Minco Construction for \$66,340 with a 10% contingency of \$6,634 for the Civic Center parking lot lighting retrofit (B2011-16) as part of the Energy Efficient Conservation Block Grant (EECBG- FEAP #745); and
- 2) Approve a 10% project management fee of \$6,634.

John Landis, General Services Department, reported that this project provides that existing lighting in the Civic Center parking lot will be replaced with energy efficient LED lighting using funding from an Energy Efficient Conservation Block Grant.

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

8J. CONTRACT RE COMMUTER TRANSPORTATION CONSULTING SERVICES

Recommendation

Recommendation of the Community Development Director that City Council approve a contract with Kim Fuentes, in an amount not to exceed \$65,520, to provide commuter transportation (Rideshare) consulting services for July 1, 2011 through June 30, 2012.

Newt Young, Torrance, questioned whether the services provided by this contractor could be handled by in-house staff.

Community Development Director Gibson reported that Community Development staff assist with the implementation of the Rideshare program. He explained that the program is mandated by the State and General Fund monies are not used to administer it.

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

9. COMMUNITY SERVICES

9A. PROPOSITION 84 GRANT FUNDS

Recommendation

Recommendation of the Community Services Director that City Council adopt a Resolution to apply for Proposition 84 Grant Funds under Round Two.

Community Services Director Jones reported that the City failed to receive a grant for the Pueblo Park Renovation Project under Round One of Proposition 84 Grant Funding and staff was recommending that an application be submitted for Round Two, noting that the project has been revised to make it more competitive.

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

RESOLUTION NO. 2011-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AUTHORIZING THE APPLICATION FOR STATEWIDE PARK PROGRAM
GRANT FUNDS

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-70. The motion was seconded by Councilmember Furey and passed by unanimous vote.

12. ADMINISTRATIVE MATTERS

12A. CONTRACT RE CITY SERVICES BUILDING HVAC MODIFICATION

Recommendation

Recommendation of the General Services Director that City Council:

- 1) Award a contract with DC Danco Air Conditioning Company Inc. for \$472,900 with a 10% contingency of \$47,290 for the City Services Building Energy Efficient HVAC Modification (B2011-21) as part of the Energy Efficient Conservation Block Grant (EECBG- FEAP #745); and
- 2) Approve a 10% project management fee of \$47,290.

Item was withdrawn and deferred to a later date.

12B. 2010 URBAN WATER MANAGEMENT PLAN

Recommendation

Recommendation of the Public Works Director that City Council adopt a Resolution to accept and file the 2010 Urban Water Management Plan with the State Department of Water Resources.

Deputy Public Works Director van der Linden provided an overview of the 2010 Urban Water Management Plan per written material of record.

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

RESOLUTION NO. 2011-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AUTHORIZING ADOPTION OF AN URBAN WATER MANAGEMENT PLAN

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-71. The motion was seconded by Councilmember Furey and passed by unanimous vote.

12C. RESOLUTION APPROVING ANNUAL APPROPRIATIONS FOR 2011-2012 OPERATING BUDGET

Considered out of order, see pages 13-14.

12D. AGREEMENT RE CONSTRUCTION SERVICES FOR MADRONA MARSH RESTORATION AND ENHANCEMENT PROJECT

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Approve an appropriation of \$220,970 from the Sanitation Enterprise Fund balance to C.I.P. No. I-77;
- 2) Approve the plans and specifications for the Madrona Marsh Restoration and Enhancement Project (B2011-22); and
- 3) Award a public works agreement to the lowest bidder, Clarke Contracting Corp. of Lawndale, CA in the amount of \$522,410 and authorize a 5% contingency of \$26,120.50.

Acting City Engineer Dettle reported that the project includes the creation of a subsurface wetlands treatment system to treat water from the adjacent sump prior to its use in the marsh and the installation of catch basin curb grates in the watershed around the marsh to prevent trash from going into the sump and the marsh.

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

13. HEARINGS

13A. CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1

Recommendation

Recommendation of the Finance Director that City Council:

- 1) Conduct a public hearing on the proposed levy of assessments within the City of Torrance Lighting District No. 99-1 for Fiscal Year 2011-2012; and,
- 2) Adopt a Resolution confirming the diagram and assessment for Fiscal Year 2011-2012 and ordering the improvements in connection with the City of Torrance Lighting District No. 99-1.

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

Councilmember Rhilinger noted that she had submitted a list of questions earlier in the day requesting clarification of the total number of streetlights in Torrance and information about their repair/maintenance by Southern California Edison. She expressed concerns that a survey conducted by volunteers revealed that there were 480 non-functioning streetlights in December 2010 and a second survey in May 2011 revealed that there were still over 375 non-functioning lights.

Finance Director Tsao confirmed that the total number of streetlights listed in the Engineer's Report was accurate (10,879) and reported that staff was in discussions with Southern California Edison regarding maintenance issues.

Mayor Scotto noted that SCE does not monitor streetlights and repairs them on a complaint-basis. He suggested that SCE be asked to post contact information for the reporting of non-functioning lights and/or to inspect streetlights on a regular basis to ensure that they are functioning.

Councilmember Rhilinger advised that the South Bay Cities Council of Governments has expressed an interest in meeting with the Public Utilities Commission regarding concerns about this issue.

Mark Stephenson, Torrance, suggested that some method be devised so that SCE charges could be adjusted based on performance.

MOTION: Councilmember Sutherland moved to close the public hearing. The motion was seconded by Councilmember Brewer and passed by unanimous vote.

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

RESOLUTION NO. 2011-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
CONFIRMING A DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2011-
2012 IN CONNECTION WITH THE CITY OF TORRANCE LIGHTING DISTRICT
NO. 99-1 PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND
LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA
STREETS AND HIGHWAYS CODE, AND AS PROVIDED BY ARTICLE XIII D OF
THE CALIFORNIA CONSTITUTION

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-73. The motion was seconded by Councilmember Furey and passed by unanimous vote.

13B. SPECIAL ASSESSMENT FOR DELINQUENT SOLID WASTE COLLECTION FEES

Recommendation

Recommendation of the Finance Director that City Council adopt a Resolution authorizing and directing the Los Angeles County Assessor to place delinquent solid waste collection fees on the County Assessor's roll to be collected at the same time and in the same manner as county taxes.

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

Assistant Finance Director Flewellyn reported that there were 101 delinquent accounts when the process began to include delinquent rubbish collection fees on property tax bills and this has been reduced to 55 accounts, which will now be submitted to the L.A. County Assessor.

Responding to questions from the Council, Assistant Finance Director Flewellyn advised the the list of delinquent accounts will be forwarded to the L. A. County Assessor once a year and there is a \$500 fee for this service. He confirmed that both property owners and tenants were notified of delinquencies.

As no one from the public came forward to speak, the public hearing was closed.

MOTION: Councilmember Sutherland moved to close the public hearing. The motion was seconded by Councilmember Brewer and passed by unanimous vote.

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

RESOLUTION NO. 2011-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AUTHORIZING AND DIRECTING THE LOS ANGELES COUNTY ASSESSOR
TO INCLUDE DELINQUENT SOLID WASTE COLLECTIONS FEES AS A
SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN
THE SAME MANNER AS COUNTY TAXES

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-74. The motion was seconded by Councilmember Furey and passed by unanimous vote.

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The City Council convened as the Redevelopment Agency at 8:12 p.m. and Redevelopment Agency Agenda Item 5A was considered concurrently with City Council Agenda Item 13C.

13C. 2nd PUBLIC HEARING/BUDGET WORKSHOP FOR 2011-2013 OPERATING BUDGET

Recommendation

Recommendation of the City Manager and the Finance Director that City Council conduct the 2nd public hearing and budget workshop on the proposed City of Torrance two-year 2011-2013 operating budget.

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

Finance Director Tsao reported that there have been two revisions since the first budget workshop and staff was now recommending: 1) That the vacant Associate Engineer position in the Public Works Department be retained instead of using the current vacancy to accommodate the transfer from the Community Development Department; and 2) That two vacant Maintenance Worker positions in the Community Services Department be deleted rather than being transferred to the Public Works Department.

City Manager Jackson noted that an Alternative Reductions list has been provided in case the Council wishes to make additional modifications to the budget.

Mayor Scotto expressed an interest in restoring Sunday library hours (\$48,000), and City Manager Jackson advised that Cable Franchise Fees could be used for this purpose.

Councilmember Rhilinger noted that the rental of the ATTIC teen center was discussed at the previous workshop as a means of funding ATTIC programs and questioned whether this could be used as a source of funding for Sunday library hours or to reduce the deficit in Parks and Recreation programs.

City Manager Jackson advised that there are scheduling issues with regard to the rental of this space, but staff will continue to explore it.

Councilmember Numark asked about the collection of delinquent Business License fees and questioned whether the City does spot checks to verify the number of employees listed on a company's City business license since fees are based on the number of employees.

Assistant Finance Director Flewellyn explained that there was a delay in the processing of Business License fees and staff anticipates that the revenue will be similar to last year's. He reported that staff has not found a reliable data source to provide information about employee counts.

Mayor Scotto suggested that staff explore the possibility of changing the expiration date of Business Licenses to one year from the date of issuance rather than having all Business Licenses expire at the end of January thereby spreading the processing of renewals throughout the year.

Councilmember Barnett expressed concerns that rising fees coupled with the downturn in the economy has led to decreasing enrollment in Community Services classes/programs and suggested that further fee increases might not be cost effective.

Councilmember Numark recommended that staff consider hiring an outside consultant to develop a marketing plan for Community Services classes/ programs.

The City Council briefly recessed from 8:45 p.m. to 9:04 p.m.

Mayor Scotto invited public comment.

Andrew Cunningham, Torrance, urged the Council not to cut the Fire Department's budget, noting that while the population has increased from 130,000 to 145,000 over the last 30 years, the number of firefighters has decreased from 51 to 46.

Jay Spradlin, Youth Services Librarian, reported on the valuable services provided by Youth Services Librarians, including overseeing the summer reading program and interacting with the Torrance Unified School District, and urged the Council not to reduce library hours or eliminate positions.

Peggy Maddox, Torrance, expressed concerns about cuts to public safety, noting that 1892 new buildings were constructed in Torrance between 2000 and 2010.

Keri Gilbert, Torrance, voiced concerns about the impact of budget reductions on services affecting the general public, including increased fees for parks and recreation classes and reduced funding for cultural arts programs, and urged the Council not to make any more cuts in this area.

Todd Hayes, Torrance, reported that there has been a drastic reduction in the number of non-residents participating in Community Services classes since the \$20 non-resident fee was established and suggested that reducing or eliminating this fee might help fill classes and result in a higher level of service for everyone.

City Manager Jackson explained that the non-resident fee was established because the City subsidizes these classes and it was felt that non-residents should not be subsidized.

Councilmember Sutherland suggested that the reduction in class enrollment might be due to the downturn in the economy and expressed an interest in knowing whether private gyms/athletic clubs are experiencing a similar reduction.

Councilmember Numark recommended that staff consider changing the non-resident fee from a flat \$20 to a percentage of the class fee.

Mayor Scotto noted that although class enrollment has declined with the higher fees, revenues have increased.

Ryan Rasnick, president of Torrance Fire Fighters Association, requested that the Council restore the fire fighter positions that have been eliminated once the economy improves.

Mark Stephenson, Torrance, suggested that the City explore the concept of reducing the hours employees work or decreasing their benefits instead of eliminating positions if more budget cuts become necessary in the future.

Newt Young, Torrance, expressed concerns about the \$8-9 million spent each year to pay the employee's portion of contributions to the CalPERS retirement fund. He acknowledged that the City has changed this policy so that new hires are now required to pay this, but pointed out that it will take many years to reap the benefits from this change. He voiced his opinion that the City should discontinue its "no layoffs/no furloughs" policy.

Mayor Scotto explained that Torrance is in a much better position financially than other cities due to prudent fiscal management and so far it has not been necessary to layoff employees or furlough them. He noted that there are positive signs for the future, including new businesses that are locating in Torrance.

MOTION: Councilmember Sutherland moved to close the public hearing. The motion was seconded by Councilmember Brewer and passed by unanimous vote.

Mayor Scotto indicated that he favored using one-time monies to restore Sunday library hours and to delete the three Fire Department positions from the Hook and Ladder Truck.

Councilmember Numark related his belief that a proactive marketing strategy for Community Services classes/programs could yield additional revenue and proposed allocating \$30,000 from ATTIC rental fees for this purpose and an additional \$10,000 from Cable Franchise Fees for internet marketing.

Councilmember Sutherland voiced objections to using Cable Franchise Fees for something other than their intended purpose and to allocating rental fees that have not been collected.

Councilmember Brewer indicated that he was also concerned about allocating rental fees that may not materialize. He stated that he would support using Cable Franchise Fees to fund Sunday library hours because there is a nexus since media and internet service are available at the library.

Councilmember Furey noted that the decreased enrollment in Community Services classes could be due to the economy rather than higher fees and recommended that staff survey other cities and private entities that offer recreation classes to find out if this is the case before spending money on marketing. He clarified that the City's paying of the employee's portion of contributions to the retirement system was a negotiated benefit in lieu of raises. He pledged to advocate for restoring the deleted positions in the Fire Department once the economy improves.

Councilmember Numark voiced his opinion that the development of a proactive marketing policy for Parks and Recreation classes should go forward since this is something that has been talked about for a long time, but nothing has been done about it. Noting that according to staff's analysis, Cable Franchise Fees can be used for any purpose, he proposed that they be used to make up the difference should ATTIC rental fees fall short of \$30,000.

Mayor Scotto recommended that ATTIC rental fees not be tied to the marketing proposal.

Councilmember Brewer expressed support for using Cable Franchise Fees for the marketing of Community Services classes/programs.

City Manager Jackson recommended that the Council direct staff to research marketing Community Services classes and return with a plan rather than allocating funds for it at this time.

Councilmember Rhilinger indicated that she would not support the use of Cable Franchise Fees to fund Sunday library hours or to develop a marketing plan for Community Services classes.

MOTION: Councilmember Rhilinger moved to concur with the City Manager's budget proposal in whole, with the three fire positions to be deleted from the Hook and Ladder Truck and to direct staff to explore the rental of the ATTIC. The motion was seconded by Councilmember Sutherland, and discussion continued.

Councilmember Brewer offered a substitute motion.

MOTION: Councilmember Brewer moved to concur with the City Manager's budget proposal in whole, with the three fire positions to be deleted from the Hook and Ladder Truck; to approve the use of \$48,000 from Cable Franchise Fees to fund Sunday library hours; and to request that the City Manager research marketing Community Services classes and return to Council with a plan. The motion was seconded by Councilmember Numark and passed as reflected in the following vote:

AYES: Councilmembers Barnett, Brewer, Furey, Numark and Mayor Scotto

NOES: Councilmembers Rhilinger and Sutherland

Agenda Item 12C was considered out of order at this time.

12C. RESOLUTION APPROVING ANNUAL APPROPRIATIONS FOR 2011-2012 OPERATING BUDGET

Recommendation

Recommendation of the Finance Director that Council adopt Resolution approving the annual appropriations for the 2011-2012 fiscal year of the 2011-2013 Two Year Operating Budget.

MOTION: Councilmember Brewer moved to concur with the staff recommendation as amended. The motion was seconded by Councilmember Barnett and passed by a 6-1 vote, with Councilmember Sutherland dissenting.

RESOLUTION NO. 2011-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
ESTABLISHING THE ANNUAL APPROPRIATION FOR THE 2011-2012 FISCAL
YEAR FOR THE ADOPTED 2011-2013 TWO YEAR OPERATING BUDGET

MOTION: Councilmember Furey moved to adopt Resolution No. 2011-72 as amended. The motion was seconded by Councilmember Brewer and passed by unanimous vote.

The City Council met as the Redevelopment Agency from 10:07 to 10:08 p.m.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Numark requested the following: 1) That City Attorney staff prepare a legal analysis of limitations on the use of Cable Franchise Fees and that the structure/functionality of the City's Cable Television Office be reviewed; 2) That staff investigate the cost/benefit of an in-house grant writer; 3) That salary surveys be revised and updated for employees covered by the Management Employees Resolution prior to the filling of any vacancy or changes to the reference points; 4) That staff report back within 3 to 6 months on the status of collections; 5) That staff report back within 3 to 6 months on the number and type of City-provided cell phones and pagers and their usage; and 6) That staff provide an estimate of the financial impact of changing from a flat \$20 non-resident fee for Community Services classes to a percentage of the class fee.

17B. Councilmember Sutherland commended Mayor Scotto and Councilmembers Brewer, Furey and Rhilinger for their efforts at the All American City competition in Kansas City.

17C. Councilmember Barnett expressed support for a percentage-based fee for non-residents and requested information regarding fee increases for Community Services classes over the past 3-5 years.

17D. Councilmember Barnett announced that this summer's Movie in the Park series will begin on Saturday, June 25, 8:00 p.m., at Hickory Park with the showing of *How to Train Your Dragon*.

17E. Councilmember Brewer requested that the Parks and Recreation Commission review the City's philosophy/goals in offering Community Services classes to ensure that they are serving their intended purpose. He also requested that staff look into the possibility of accepting food stamps at the City's Certified Farmer's Markets.

17F. Councilmember Fury requested that staff look into developing a proactive program to encourage residents to shop in Torrance.

17G. Councilmember Furey announced that a Tip-a-Cop fundraiser will be held on Wednesday, June 22, at the Macaroni Grill, from 5:00 – 9:00 p.m.

17H. Mayor Scotto requested that staff develop an action plan for collecting all types of delinquent fees, including delinquent hangar fees at Torrance Airport.

17I. Mayor Scotto commended City staff and employee organizations for their efforts on the budget.

17J. Mayor Scotto requested that the Traffic Commission review stop signs that have been installed over the past year without benefit of a hearing.

17K. Mayor Scotto noted he learned of several programs that might be beneficial to Torrance while in Kansas City and he will be sharing information about them with City staff.

17L. Theresa Babier, Torrance employee, thanked the Council for preserving funding for the library in the budget.

17M. Michael Blevins expressed concerns that City staff has failed to follow-up on complaints he filed on March 15, and May 10, 2011 involving alleged hostile behavior by a Torrance Cable Television staff member.

17N. Mark Stephenson, Torrance, requested that employee contracts be made available to the public 2-3 weeks before action is taken on them so that they can be thoroughly examined.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 10:33 p.m., the meeting was adjourned to Tuesday, June 28, 2011 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/ Frank Scotto

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers, CMC
City Clerk of the City of Torrance

Approved on July 12, 2011