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**TORRANCE CITY COUNCIL – DECEMBER 14, 2010**

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At 8:41 p.m., the meeting was adjourned to Tuesday, December 21, 2010 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

**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 6:10 p.m. on Tuesday, December 14, 2010 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 – Pending Litigation, pursuant to California Government Code §54956.9(a).

The City Council reconvened at 7:01 p.m.

**2. FLAG SALUTE/INVOCATION**

The flag salute was led by Community Services Director Jones.

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, December 9, 2010.

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

**4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS – None.**

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Public Works Director Beste announced that there will be curbside pickup of Christmas trees for recycling from December 27 through January 13 on regular trash collection days, noting that trees should be cut in half and tinsel, ornaments and tree stands should be removed.

Councilmember Sutherland reported that the Finance and Governmental Operations Committee had met earlier to review the 2010-2011 first quarter budget and will be forwarding a report to the Council.

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

City Clerk Herbers announced that a mailing would be sent out to all certified individuals regarding submission of applications for Commission appointments on a new date for 2011 – February 1.

Mayor Scotto asked that the meeting be adjourned in memory of retired Police Captain Stephen Ross who passed away December 11 and the Council observed a moment of silence in his honor.

**6. COMMUNITY MATTERS**

**6A. RESOLUTION NO. 2010-132 RE GEOFFREY RIZZO**

**RESOLUTION NO. 2010-132**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING POLICE LIEUTENANT **GEOFFREY RIZZO** UPON HIS RETIRMENT AFTER THIRTY YEARS OF SERVICE

**MOTION:** Councilmember Furey moved to adopt Resolution No. 2010-132. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote.

Mayor Scotto presented the Resolution to Geoffrey Rizzo, who accepted with appreciation.

Police Chief Neu commended Lieutenant Rizzo for his dedicated service and wished him well in his retirement.

**6B. RESOLUTION NO. 2010-133 RE DONNA RIZZO**

**RESOLUTION NO. 2010-133**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING **DONNA RIZZO** UPON HER RETIRMENT AFTER TWENTY-SEVEN YEARS OF SERVICE

**MOTION:** Councilmember Furey moved to adopt Resolution No. 2010-133. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote.

Mayor Scotto presented the Resolution to Donna Rizzo, who accepted with appreciation.

Human Resources Director Winer commended Ms. Rizzo for her professionalism and dedication.

**6C. RESOLUTION NO. 2010-134 RE PATRICK SHORTALL**

**RESOLUTION NO. 2010-134**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING POLICE LIEUTENANT **PATRICK SHORTALL** UPON HIS RETIRMENT AFTER TWENTY-SIX YEARS OF SERVICE

**MOTION:** Councilmember Furey moved to adopt Resolution No. 2010-134. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote.

Mayor Scotto presented the Resolution to Patrick Shortall, who accepted with appreciation.

Police Chief Neu commended Lieutenant Shortall for his dedicated service and wished him well in his retirement.

**6D. ACCEPTANCE/APPROPRIATION OF DONATION FROM TORRANCE WOMAN'S CLUB**

**Recommendation**

Recommendation of the Chief of Police that City Council accept and appropriate a \$4,000 donation from the Torrance Woman's Club for the Torrance Police retrofit kits.

Deanna Hanson, Torrance Woman's Club President, and Anita Dinicola, Chairman of the Winter Wonderland Gala dinner, presented the \$4,000 check to Police Sergeant Edmonds, who expressed appreciation for the generous donation.

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

**7. ORAL COMMUNICATIONS #1**

**7A.** Charles Deemer, Torrance, submitted written material to the Council and questioned whether AYSO would be moving its headquarters to Torrance.

Mayor Scotto stated that he doubted that AYSO would be moving to Torrance because Carson and Long Beach have offered the use of facilities free of charge.

**10. PLANNING AND ECONOMIC DEVELOPMENT**

**10A. SETTING OF HEARING DATE FOR PROPOSED UNDERGROUND UTILITY DISTRICT #18**

**Recommendation**

Recommendation of the Community Development Director that City Council set a public hearing for February 15, 2011 at 7:00 p.m., regarding proposed Underground Utility District #18 – Hawthorne Boulevard from Del Amo Boulevard to 186<sup>th</sup> Street and Crenshaw Boulevard from Monterey Street to north of Sepulveda Boulevard; and direct the staff to notify all property owners affected by the proposed district.

Planning Manager Semaan advised that staff was recommending that the hearing date for the proposed Underground Utility District be set for February 15, 2011.

Councilmember Rhilinger announced that she was abstaining from voting on this item because she lives within the notification area.

**MOTION:** Councilmember Furey moved to concur with the staff recommendation. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote, with Councilmembers Numark and Rhilinger abstaining.

**12. ADMINISTRATIVE MATTERS**

**12A. SETTING OF HEARING DATE FOR PROPOSED WATER RATE INCREASES**

**Recommendation**

Recommendation of the Water Commission and the Public Works Director that City Council set a date of February 15, 2011 for a public hearing on a proposed series of annual increases in Torrance Municipal water rates over the five year period of 2011 through 2015 to cover increases in operating costs, fund system infrastructure replacements and develop new local water resources to increase reliability and lower water costs.

In a PowerPoint presentation, Public Works Director Beste provided background information about the proposed water rate increases, explaining that a tiered rate structure would be implemented that rewards people who conserve water. He reviewed the public notice/public hearing process necessary to approve the new rates in accordance with Proposition 218 and noted that staff was recommending a hearing date of February 15, 2011 and if approved, the new rates would go into effect March 1, 2011.

Councilmember Numark stressed the importance of informing the public about the rate increases prior to the public hearing and recommended that the public notice emphasize that the City has not raised water rates in 15 years; that the City's water rates would remain among the lowest in the area; that the increases will be used to fund necessary infrastructure improvements; and that some people could actually see a reduction in their bills due to the tiered rate structure that rewards conservation. He also recommended that the PowerPoint presentation be posted on the City's website.

In response to Councilmember Furey's inquiry, Public Works Director Beste confirmed that the City would continue to offer reduced rates for low income seniors and the disabled.

Councilmember Brewer commented on the need to repair/replace the City's aging water infrastructure to avoid water main breaks.

Nick Green, Torrance resident and *Daily Breeze* reporter, requested clarification regarding the impact of the water rate increases on the average customer and suggested that the public would have been better served if the PowerPoint presentation had been included in the staff report.

Public Works Director Beste noted that the City's website will include a feature that allows residents to calculate the impact of the new rates based on their current usage.

City Clerk Herbers advised that the PowerPoint presentation will be added to the staff report available online.

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

#### **RESOLUTION NO. 2010-135**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE  
ADOPTING GUIDELINES FOR THE SUBMISSION AND TABULATION OF  
PROTESTS IN CONNECTION WITH RATE HEARINGS CONDUCTED  
PURSUANT TO ARTICLE XIID, SECTION 6 OF THE CALIFORNIA  
CONSTITUTION

**MOTION:** Councilmember Furey moved to adopt Resolution No. 2010-135. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote.

#### **12B. ACCEPTANCE OF EXECUTIVE SUMMARY RE PROPOSED WATER RATE INCREASES**

##### **Recommendation**

Recommendation of the Water Commission and the Public Works Director that City Council accept the Executive Summary to item 12A, request to set February 15, 2011 for a public hearing on a proposed series of annual increases in Torrance Municipal water rates to cover increases in operating costs, fund system infrastructure replacements and develop new local water resources to increase reliability and lower water costs.

Mayor Scotto noted that this is a companion item to Agenda Item 12A.

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

**12C. ORDINANCE AMENDING PERMITTED HOURS OF OPERATION FOR CERTAIN MASSAGE BUSINESSES**

**Recommendation**

Recommendation of the City Manager that City Council adopt an Ordinance amending Section 35.14.050 of the Torrance Municipal Code to extend permitted hours of operation for massage businesses that are incidental to a business's primary operations and order publication of an ordinance summary.

Management Associate Fulton reported that it has been brought to the City's attention that the current ordinance regulating the hours of operation for massage establishments is overly restrictive for businesses that provide massages as an incidental or ancillary part of their primary business, therefore staff was recommending that the Torrance Municipal Code be amended to permit businesses that offer massage services in less than 5% of their floor area to offer massages during any hours they are open to the public.

In response to Councilmember Brewer's inquiry, City Attorney Fellows provided clarification regarding the calculation of the floor area used for massages.

Councilmember Numark expressed support for the proposed amendment.

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

**ORDINANCE NO. 3738**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 35.14.050 OF THE TORRANCE MUNICIPAL CODE TO EXTEND PERMITTED HOURS OF OPERATION FOR MASSAGE BUSINESS THAT ARE INCIDENTAL TO A BUSINESS'S PRIMARY OPERATION

**MOTION:** Councilmember Furey moved to adopt Ordinance No. 3738. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote.

**12D. RESOLUTION GRANTING EASEMENT AT WILSON PARK FOR ELECTRICAL DISTRIBUTION FACILITIES**

**Recommendation**

Recommendation of the Community Development Director that City Council adopt a Resolution approving a grant of easement to Southern California Edison Company for electrical distribution facilities approximately 10' x 34' within the park property at Wilson Park along the south side of Jefferson Street approximately 609 feet east of Oak Street.

Planning Manager Semaan reported that the proposed easement is necessary so that the developer can underground overhead utilities that supply electricity to the residential project on Jefferson Street in accordance with conditions of approval. He noted that approximately five parking spaces at Wilson Park will be lost to accommodate electrical equipment.

Councilmember Brewer suggested the possibility of shifting the equipment to the east to lessen the impact on Wilson Park, and Planning Manager Semaan agreed to look into this before the plans are finalized.

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

### **RESOLUTION NO. 2010-136**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE  
AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AND THE CITY  
CLERK TO ATTEST TO AN EASEMENT TO SOUTHERN CALIFORNIA  
EDISON COMPANY FOR ELECTRICAL DISTRIBUTION FACILITIES (WILSON  
PARK)

**MOTION:** Councilmember Furey moved to adopt Ordinance No. 3738. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote.

### **13. HEARINGS**

#### **13A. ORDINANCES RE ADOPTION OF 2010 BUILDING AND FIRE CODES**

##### **Recommendation**

Recommendation of the City Clerk that City Council conduct a public hearing and take the following action regarding the following Ordinances introduced at the November 23, 2010 City Council meeting:

- 1) Adopt **ORDINANCE NO. 3735 – Building Code** (second and final reading) amending Chapter 1, 2, 3, and 9 and adding new Chapters 12 and 13 of Division 8 of the Torrance Municipal Code. All of which adopt or amend the 2010 Edition of the California Building Code Volumes 1 and 2 with appendices, the 2010 Edition of the California Electrical Code, the 2010 Edition of the California Plumbing Code with appendices, the 2010 Edition of the California Mechanical Code with appendices, the 2010 Edition of the California Residential Code, and the 2010 Edition of the California Green Building Standards Code with local amendments. (Resolution 2010-119); and
- 2) Adopt **ORDINANCE NO. 3736 – Fire Code** (second and final reading) repealing Articles 1 and 2 of Chapter 5 of Division 8 of the Torrance Municipal Code and adding a new Article 1 of Chapter 5 of Division 8 relating to the adoption of the 2010 Edition of the California Fire Code and the 2009 Edition of the International Fire Code including chapters 1 A, B, C, D and E with local amendments (Resolution 2010-120).

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.

As no one wished to be heard, Mayor Scotto ordered the final reading of Ordinance Nos. 3735 and 3736.

**ORDINANCE NO. 3735**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING CHAPTER 1, 2, 3, 9, AND ADDING NEW CHAPTERS 12 AND 13 OF DIVISION 8 OF THE TORRANCE MUNICIPAL CODE. ALL OF WHICH ADOPT OR AMEND THE 2010 EDITION OF THE CALIFORNIA BUILDING CODE VOLUMES 1 AND 2 WITH APPENDICES, THE 2010 EDITION OF THE CALIFORNIA ELECTRICAL CODE, THE 2010 EDITION OF THE CALIFORNIA PLUMBING CODE WITH APPENDICES, THE 2010 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, AND THE 2010 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE

**MOTION:** Councilmember Furey moved to adopt Ordinance No. 3735. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote.

**ORDINANCE NO. 3736**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTIONS OF THE TORRANCE MUNICIPAL CODE RELATING TO THE CALIFORNIA FIRE CODE

**MOTION:** Councilmember Furey moved to adopt Ordinance No. 3736. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote.

**16. SECOND READING ORDINANCES**

**16A. SECOND AND FINAL READING OF ORDINANCE NO. 3737**

**ORDINANCE NO. 3737**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTIONS OF THE TORRANCE MUNICIPAL CODE, DIVISION 4, CHAPTER 3, ARTICLE 8 REGARDING WASTE REDUCTION AND RECYCLING REQUIREMENTS FOR CONSTRUCTION AND DEMOLITION PROJECTS

**MOTION:** Councilmember Furey moved to adopt Ordinance No. 3737. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote.

**17. ORAL COMMUNICATIONS #2**

**17A.** Councilmember Sutherland cautioned residents about parking restrictions on street sweeping days that can result in costly citations.

**17B.** Councilmember Brewer, with concurrence of Council, requested that staff look into the cost, legality and possible location for a City of Torrance Christmas tree and submit a report to the City Council Community Development and Enrichment Committee for consideration in time for the 2011 Christmas season.

