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TORRANCE CITY COUNCIL – MARCH 23, 2010

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At 8:04 p.m., the meeting was adjourned to Tuesday, April 6, 2010 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers. **Tuesday, March 30, 2010 will be a Council dark night.**

March 23, 2010

**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, March 23, 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 Council – Existing Litigation, pursuant to California Government Code §54956.9(a).

The City Council reconvened in open session at 7:05 p.m. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Torrance High School Principal Mr. O'Brien.

Councilmember Rhilinger gave the non-sectarian invocation.

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, March 18, 2010 with an addendum posted Friday, March 19.

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

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

Mayor Scotto requested, with City Council concurrence, that Agenda Item 12C regarding an increase in sanitation fees be deferred and considered as a part of budget workshops scheduled for May/June.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Numark announced that the Transportation Committee will be meeting on Wednesday, March 31, at 3:30 p.m. in the third floor assembly room.

Cable and Community Relations Manager Smith reported that the City has filed an application to be one of the first communities wherein Google will launch its ultra-high speed broadband network. He encouraged people to support the application by providing their input via the "Google" link on the City's website.

City Clerk Herbers encouraged the public to make an educated choice in the upcoming municipal election by attending candidate forums, noting that the first forum is scheduled for Wednesday, March 24, at 7:00 p.m. at the Bartlett Center, 1318 Cravens, sponsored by the Old Torrance Neighborhood Association. She invited people to visit the City Clerk's page on the Torrance website for calendars, candidate statements, information about the ballot measure, and links for additional information.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2010-25 RE MICHAEL A. QUAN

RESOLUTION NO. 2010-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
HONORING **MICHAEL A. QUAN** UPON HIS RETIREMENT FROM THE CITY
AFTER TWENTY-EIGHT YEARS OF SERVICE

MOTION: Councilmember Rhilinger moved to adopt Resolution No. 2010-25. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote.

Mayor Scotto presented the Resolution to Michael Quan who accepted with appreciation.

Police Chief Neu commended Mr. Quan for his 28 years of dedicated service as a reserve police officer.

6B. RESOLUTION NO. 2010-26 RE DAVID M. IHORI

RESOLUTION NO. 2010-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
HONORING **DAVID M. IHORI** UPON HIS RETIREMENT FROM THE CITY
AFTER TWENTY-FIVE YEARS OF SERVICE

MOTION: Councilmember Rhilinger moved to adopt Resolution No. 2010-26. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote.

Mayor Scotto presented the Resolution to David Ihori who accepted with appreciation.

General Services Director Ballew commended Mr. Ihori for his many years of dedicated service in the Fleet Services Division.

6C. PROCLAMATION RE "WELCOME HOME VIETNAM VETERANS DAY"

Mayor Scotto presented a proclamation declaring March 30 as "**Welcome Home Vietnam Veterans Day**" in the City of Torrance to Jerry Yamamoto, Vietnam Veterans of America.

6D. RECOGNITION OF TORRANCE HIGH GIRLS GOLF TEAM

Mayor Scotto recognized the **Torrance High Girls Golf Team** for winning the CIF State Championship for the third year in a row and presented certificates to Head Coaches Cean Geronimo and Devin Kushi, Assistant Coach Kevin Sverduk, and team members Rochelle Chan, Anne Cheng, Michele Chun, Luciane Lee, Samantha Martin, Chae Won Park, and Janelle Sua. Team member Jenny Shin was unable to attend.

7. ORAL COMMUNICATIONS #1 – None.

8. CONSENT CALENDAR

8A. ALLOCATION OF 2009 JUSTICE ASSISTANCE GRANT FUNDS TO CADET PROGRAM

Recommendation

Recommendation of the Chief of Police that City Council:

- 1) Approve a Memorandum of Understanding with the City of Los Angeles as fiscal agent for the 2009 Justice Assistance Grant, for the period from October 1, 2008 through September 30, 2012; and
- 2) Appropriate and allocate the 2009 Justice Assistance Grant award to the Cadet Program, in an amount not to exceed \$36,941.99.

8B. SUBSIDY OF FEES FOR PORTABLE STAGE USE AT RELAY FOR LIFE EVENT

Considered separately, see page 4.

8C. PURCHASE ORDERS RE CHEMICALS FOR GOLDSWORTHY DESALTER

Recommendation

Recommendation of the Public Works Director that City Council appropriate \$370,000 to the Water Enterprise Operating Budget and award a purchase order to Univar USA Inc. of Kent, WA in an amount not to exceed \$68,000, and Basic Chemical Solutions LLC of Santa Fe Springs, CA in an amount not to exceed \$25,000 to furnish chemicals for the Goldsworthy Desalter Facility (B2010-01). This will be for a one-year period effective March 3, 2010 through March 2, 2011.

8D. AGREEMENT AMENDMENT RE INDUSTRIAL/COMMERCIAL INSPECTION SERVICES

Recommendation

Recommendation of the Fire Chief that City Council approve third amendment to the contract services agreement with Charles Abbott Associates, Inc. (C2008-152) to provide additional industrial and commercial facility inspection services in the amount of \$38,000 and to extend the term of the agreement three months through July 1, 2010. The new not to exceed total for the agreement is \$195,853.

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

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

8B. SUBSIDY OF FEES FOR PORTABLE STAGE USE AT RELAY FOR LIVE EVENT

Recommendation

Recommendation of the Community Services Director that City Council approve subsidy of fees in the amount of \$867.12 for the use of the portable stage by the American Cancer Society for their Relay for Life event to be held at South High School in Torrance.

Councilmember Brewer noted that last year's event was held at Wilson Park and asked about the change in venue.

LaVerna Edmonds, chair of Torrance Relay for Life, reported that the event will be returning to South High since upgrades to athletic fields have been completed. She expressed appreciation to Torrance employees who have raised over \$10,000 for the Relay for Life with their annual variety show.

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

12. ADMINISTRATIVE MATTERS

12A. OPPOSITION TO STATE LEGISLATION SB 1412

Recommendation

Recommendation of the Water Commission and the Public Works Director that City Council take a position to oppose proposed State legislation SB 1412 (Calderon) amending the Water Replenishment Act.

Sr. Administrative Analyst Schaich stated that staff was recommending that the Council take a position opposing the proposed legislation because it would change from the current system of uniform replenishment assessment (RA) rates to differential rates, which would undermine the progress that has been made in resolving local groundwater management issues.

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

12B. REPLACEMENT OF STUDIO SETS FOR CITICABLE

Recommendation

Cable and Community Relations Manager Smith Recommendation of the City Manager that City Council approve a contract services agreement with Siren Arts Productions for the design and construction of replacement studio sets for \$29,132.25 including 5% (\$1,387.25) contingency from the 2009/2010 operating budget.

Cable and Community Relations Manager Smith reported the proposed contract covers the replacement of the "SportsDesk" and "This Week in Torrance" studio sets.

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

12C. APPROVAL OF INCREASE IN REFUSE RATES

Recommendation

Recommendation of the Finance Director and Public Works Director that City Council adopt a Resolution approving an increase to monthly refuse rates by \$3.42 for the first year which includes an implementation loan for the General Fund that phases out completely after the second year. The refuse rate would be increased by the May to May Consumer Price Index (five years) and there is no change to the current low income rate for senior and disabled residents.

Item was deferred, to be included with budget workshops scheduled for May/June.

14. APPEALS

14A. REVOCAION OF EASTERN HEALTH MASSAGE AND SPA'S BUSINESS LICENSE

Recommendation

Recommendation of the Finance Director that City Council concur with the decision of the License Review Board to revoke the business license issued to Eastern Health Massage and Spa (located at 20201 Anza Avenue), for numerous violations of the City of Torrance Municipal Code.

Assistant City Attorney Sullivan advised that staff was recommending that this matter be sent back to the License Review Board for rehearing because Council Rules of Order Section 7.7 provides that appeals are based on the record of the License Review Board hearing, and the record from License Review Board hearing in this case was inadequate due to a failure of recording equipment. Additionally, he noted that it would be difficult to preserve the anonymity of undercover police officers if a full

evidentiary hearing was held at a City Council meeting and graphic material would be presented that was not suitable for telecasting on CitiCABLE.

A representative of the owners of Eastern Health Massage and Spa (name inaudible/no speaker card) reported that the owners object to the delay because they have been unable to operate their business for three months.

Mayor Scotto asked how quickly the hearing could be scheduled, and Assistant Finance Director Flewellyn reported that a special meeting could be held on Tuesday, March 30, at 9:00 a.m. for purposes of rehearing this case.

The owners of the Eastern Health Massage and Spa agreed to the March 30 date.

Assistant City Attorney Sullivan recommended that the appeal fee be waived should the owners of Eastern Health Massage and Spa decide to appeal the License Review Board's decision.

The Council requested that the hearing process be expedited as much as possible.

MOTION: Councilmember Sutherland moved to return the item to the License Review Board for a rehearing at a special meeting to be held Tuesday, March 30, at 9:00 a.m., with the appeal fee to be waived, should the applicant file an appeal of the decision made at the March 30 hearing. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote.

16. SECOND READING ORDINANCES

16A. SECOND AND FINAL READING OF ORDINANCE NO. 3726

ORDINANCE NO. 3726

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AMENDING SECTION 61.6.32 OF THE TORRANCE MUNICIPAL CODE
RELATED TO RESIDENTIAL PERMIT PARKING

MOTION: Councilmember Rhilinger moved to adopt Ordinance No. 3726. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote.

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The City Council met as the Redevelopment Agency from 7:59 p.m. to 8:00 p.m.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Brewer announced a "Tip a Cop" event on Thursday, March 25, at the Elephant Bar, located at 21227 Hawthorne Boulevard, from 5:00 to 9:00 p.m. with all tips received to benefit the Special Olympics.

17B. Councilmember Furey announced that the Environmental Fair will be held on Saturday, March 27, at the Madrona Marsh Nature Center from 10:00 a.m. to 3:00 p.m.

17C. Councilmember Furey reported on his attendance at the National League of Cities conference in Washington D.C., noting that he attended sessions on lobbying strategies, nationwide broadband, neighborhood stability programs, high speed rail, sustainability and regional development, which are common issues in cities across the nation. He indicated that he also paid another visit to legislators to reinforce the City's requests for funding for various projects.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 8:04 p.m., the meeting was adjourned to Tuesday, April 6, 2010 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers. **Tuesday, March 30, 2010 will be a Council dark night.**

Attest:

/s/ Frank Scotto
Mayor of the City of Torrance

/s/ Sue Herbers
Sue Herbers,
City Clerk of the City of Torrance

Approved on June 1, 2010