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TORRANCE CITY COUNCIL – APRIL 17, 2012

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At 9:16 p.m., the meeting was adjourned to Tuesday, April 24, 2012 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chamber.

**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, April 17, 2012 in the City Council Chamber at Torrance City Hall.

ROLL CALL

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

Absent: Councilmember Barnett.

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 Labor Negotiator, and 18B Real Property – Conference with Real Property Negotiator, pursuant to California Government Code §54957.6 and 54956.8.

The City Council reconvened at 7:03 p.m. with all members present except Councilmember Barnett. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Boy Scout Troop #191, Bob Hoffman, Scoutmaster.

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, April 12, 2012.

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 vote (absent Councilmember Barnett).

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Rhilinger reported that the City Council Transportation Committee had met earlier in the afternoon to discuss the Torrance Transit Park and Ride Regional Terminal project.

Councilmember Numark announced that the City Council Strategic Plan Committee will meet on Thursday, May 3, at 3:00 p.m. in the Katy Geissert Civic Center Library meeting room.

Councilmember Brewer announced that City Council budget workshops/hearings will be held on Tuesday, May 8, and Tuesday, May 15, at 7:00 p.m. during the regularly scheduled City Council meeting.

City Clerk Herbers announced that the reservation link for the Commissioner Certification Training class scheduled for Wednesday, May 9, is now active and will remain until midnight May 2, noting that appointments to fill vacancies will be made at the May 22 City Council meeting.

Mayor Scotto asked that meeting be adjourned in memory of retired city employee Joseph D'Alesio who passed away April 7.

Mayor Scotto asked that the meeting also be adjourned in memory of E. Lenore Johnson who passed away on April 14 at the age of 90. A moment of silence was observed in her honor.

6. COMMUNITY MATTERS

6A. PROCLAMATION RE "NATIONAL VOLUNTEER WEEK"

Mayor Scotto presented a proclamation declaring the week of April 15 through April 21 as **National Volunteer Week** in the City of Torrance to library volunteer Robert Brown. He presented certificates of appreciation to volunteers: Linda Barker, Bryan Brooks, Irene Brooks, Robert Brown, Audrey D'Acquisto, Kevin Donahue, Thomas Downing, Gloria Ehrenberg, Jennifer Hagihara, Gundrun Kimmel, Bob Madrigal, Trudy McQuillan, Jayetha Panakkadan, Cindy Reid, Zeny Reyes, Thala Roueche, Roseanne Villalobos, Patricia Weimer, and Werner Willoughby.

6B. PROCLAMATION RE "SAFETY SEAT CHECK-UP WEEK"

Mayor Scotto presented a proclamation declaring the week of April 15 through April 21 as **Safety Seat Checkup Week** in the City of Torrance to Police Lieutenant D'anjou, who encouraged everyone to participate in the Safety Seat Checkup Day event on Saturday, April 21, from 10:00 a.m. to 2:00 p.m. at the Petersen Automotive Museum in Los Angeles.

6C. PROCLAMATION RE "DMV /DONATE LIFE CALIFORNIA MONTH"

Mayor Scotto presented a proclamation declaring the month of April as **DMV/Donate Life California Month** in the City of Torrance to Rachael Gonzales, Ambassador for Donate Life and Stacy Kelly.

7. ORAL COMMUNICATIONS #1

7A. Nancy Clinton, Torrance Air Fair Association, announced that the B17 Flying Fortress will be available for flights April 20 through April 22 at Torrance Airport, with additional information available online at www.b17.org or by calling 1.800.359.6217.

7B. Rosalie Preston, South Coast Native Plant Society, announced that the society is sponsoring a garden tour on Saturday, April 21, in honor of California Native Plant Week that will feature three gardens in Torrance and a guided tour of the Madrona Marsh display garden, with additional information available online at www.sccnps.org.

7C. Debbie Hays, Centennial Committee, announced that the following cleanup projects will take place this week as part of the citywide cleanup/beautification program:

April 19 - West High stadium area; April 21 – Lago Seco community garden, Entradero Park, Jefferson Middle School, and Madrona Marsh. She encouraged the public to participate, with additional information available online at www.torrancecentennial.org.

7D. Janet Payne, Torrance Historical Society, announced that THS has set a goal of adding 100 members during the City's centennial year and was offering all memberships at half-price except the lifetime membership.

7E. Gloria Kang and Grant Torre, Youth Council, announced that a "Coffee House" fundraiser benefiting the Torrance Relay for Life will be held at the Attic on Friday, April 20, from 6:00 – 9:00 p.m. featuring live entertainment and refreshments.

7F. Roseanne Villalobos, Torrance Rose Float Association, announced that the gala originally scheduled for April has been postponed to August with the date to be announced and noted that there will be a "Restaurant for Roses" fundraiser at Bob's Big Boy on Thursday, April 19.

7G. Barbara Wolf, Torrance, suggested that the City consider the possibility of offering discounts for retirees.

8. CONSENT CALENDAR

8A. TORRANCE SISTER CITY ASSOCIATION 2011 ANNUAL REPORT

Recommendation

Recommendation of the Community Services Director that City Council:

- 1) Approve a grant in the amount of \$1,500 to the Torrance Sister City Association for 2012; and
- 2) Accept and file the Torrance Sister City Association 2011 Annual Report.

8B. PURCHASE OF 2013 CNG FUELED FREIGHTLINER TRUCK

Recommendation

Recommendation of the General Services Director and the Public Works Director that City Council:

- 1) Authorize the purchase of one (1) 2013 CNG Fueled Freightliner Vactor Ramjet Rodder Truck from Haaker Equipment Company of La Verne, CA in the amount of \$320,121.94; and
- 2) Appropriate and transfer \$143,647.68 from the Public Works Sewer Enterprise Fund balance to the Fleet Services Vehicle and Equipment Revolving Replacement Fund.

8C. FEDERAL CONGESTION MANAGEMENT AIR QUALITY GRANT APPLICATION

Recommendation

Recommendation of the Transit Director that City Council authorize the City Manager to submit on behalf of the Torrance Transit System a Federal Congestion Management Air Quality (CMAQ) grant application to operate the Los Angeles County Congestion Reduction Demonstration (Express Lanes) Project. Expenditure: \$1,200,000.

8D. PURCHASE ORDER FOR 2-WHEEL DRIVE BACKHOE

Recommendation

Recommendation of the General Services Director and the Public Works Director that City Council authorize a purchase order to Case Power and Equipment in the amount of \$85,682.89 (including sales tax) to purchase a model year 2012 Case 580N 2 Wheel Drive Backhoe with accessories as a cooperative purchase with the City of Los Angeles - Department of Airports (Ref: L.A. Bid #110-188).

8E. AGREEMENT RE UNDERGROUND SERVICES FOR STREET LIGHTS

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Approve the plans and specifications for the Construction of Underground Services for Street Light Installation for Van Ness Boulevard from Torrance Boulevard to Cravens Avenue and Del Amo Boulevard from Victor Street to Henrietta Street (B2012-07);
- 2) Award a public works agreement to the lowest responsible bidder, Pro Tech Engineering Corp., in the amount of \$89,485;
- 3) Authorize a 5% contingency in the amount of \$4,474.25;
- 4) Authorize an expenditure of \$8,948.50 for project administration and inspection; and
- 5) Authorize an additional appropriation of \$11,816.75 from the Development Impact Fee for Undergrounding Overhead Utilities Fund into Project I-114 Undergrounding of Overhead Utilities and Installation of Underground Services for Street Lights along Del Amo Boulevard between Victor Street and Henrietta Street, and Van Ness Avenue between Torrance Boulevard and Cravens Avenue for a new project total of \$177,316.75.

8F. AGREEMENT AMENDMENT RE SECURITY SERVICES FOR CITY HALL AND KATY GEISSERT CIVIC CENTER LIBRARY

Recommendation

Recommendation of the City Manager and the Community Services Director that City Council approve a fifth amendment with Security Patrol Management (C2008-182) for an additional \$54,225, for a total not to exceed amount of \$221,900, to provide security coverage at City Hall and the Katy Geissert Civic Center Library and extend the term through June 30, 2013.

8G. LEASE AGREEMENT FOR TWENTY VEHICLES

Considered separately, see below.

MOTION: Councilmember Furey moved for the approval of Consent Calendar Items 8A through 8F. The motion was seconded by Councilmember Numark and passed by unanimous vote (absent Councilmember Barnett).

8G. LEASE AGREEMENT FOR TWENTY VEHICLES

Recommendation

Recommendation of the General Services Director that City Council authorize a five-year open-ended lease agreement with Enterprise Fleet Management Inc. of Los Angeles, CA for the lease of twenty (20) vehicles: specifically five (5) 2012 Camry Hybrid LE sedans, three (3) 2012 Toyota Tacoma Mini pickup trucks and twelve (12) 2012 Ford F250XL pickup trucks, including full maintenance and repair services (excluding brake jobs and tire replacement resulting from normal wear and tear) for a total amount not to exceed \$530,106.62 is calculated at \$504,863.45 payable in annual installments, and \$25,243.17 in contingencies for additional miles, non-routine wear and tear, etc. (B2011-50). The term of service will begin on the 1st day of the month following the date of delivery of the vehicles and will end on the last day of the 60th calendar month.

In response to Councilmember Numark's inquiry, General Services Director Ballew discussed staff's rationale for selecting the Camry Hybrid LE sedan rather than the Prius.

MOTION: Councilmember Brewer moved to concur with the staff recommendation. The motion was seconded by Councilmember Furey and passed by unanimous vote (absent Councilmember Barnett).

11. PUBLIC SAFETY

11A. ORDINANCE AMENDING TMC RE FEEDING OF BIRDS ON PUBLIC PROPERTY

Recommendation

Recommendation of the Police Chief and Environmental Quality and Energy Conservation Commission that City Council adopt an Ordinance adding Article 13 to Chapter 1 of Division 4 of the Torrance Municipal Code to address the feeding of birds on any public street, public right-of-way, sidewalk, public building, public parking lot, park or any other public property within the City of Torrance and approve an ordinance summary for publication.

Police Lieutenant D'anjou reported that the Ordinance was being proposed because the feeding of birds in public parks and other public areas was creating a public nuisance and poses a health risk to the community. He noted that the proposed Ordinance was considered by the Environmental Quality and Energy Conservation Commission in February and September 2011 and after hearing public input, the commission voted unanimously to recommend that the City Council adopt the Ordinance.

Responding to questions from the Council, Lieutenant D'anjou explained that enforcement efforts will be focused on the large-scale feeding of birds at problematic locations and citations will not be issued in cases such as a child feeding a duck a piece of bread at Wilson Park. He noted that first-time offenders will be given a warning.

Councilmember Furey, echoed by Councilmember Rhilinger, expressed support for the Ordinance, noting that the feeding of birds in public places has long been a problem.

Mayor Scotto asked about the penalty if someone is issued a citation.

City Attorney Fellows advised that as currently written, a violation would be considered a misdemeanor, which is punishable by a fine of \$1000 or imprisonment of up to six months in county jail or both. He recommended modifying Section 41.13.1(c) of the proposed Ordinance as follows: "Any violation of this section is a misdemeanor or alternatively an infraction," which would allow the citing officer the discretion to decide whether the conduct is worthy of a misdemeanor citation or an infraction. He noted that the penalty for an infraction is a \$100 fine for the first offense, \$200 for the second offense, and \$500 for the third and any subsequent offenses within a 12-month period.

MOTION: Councilmember Brewer moved to concur with the staff recommendation, amending TMC §41.13.1(c) by adding the words, "or alternatively an infraction." The motion was seconded by Councilmember Numark and passed by unanimous vote (absent Councilmember Barnett).

ORDINANCE NO. 3757

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE
ADDING A NEW ARTICLE 13 TO CHAPTER 1, DIVISION 4 OF THE
TORRANCE MUNICIPAL CODE RELATING TO THE FEEDING OF BIRDS

MOTION: Councilmember Brewer moved to adopt Ordinance No. 3757 as amended. The motion was seconded by Councilmember Sutherland and passed by unanimous vote (absent Councilmember Barnett).

12. ADMINISTRATIVE MATTERS

12A. SETTING OF DATE FOR PUBLIC HEARING ON PROPOSED UNDERGROUND DISTRICTS NO. 19 AND NO. 20

Recommendation

Recommendation of the Public Works Director that City Council set a date of May 1, 2012 for a public hearing regarding proposed Underground Utility Districts No. 19 – Del Amo Boulevard from Henrietta Street to Victor Street and No. 20 – Van Ness Avenue from Torrance Boulevard to Cravens Avenue, and direct staff to notify all property owners affected by the proposed district.

Engineering Manager Semaan advised that the establishment of underground utility districts protects the City's investment by prohibiting the future installation of any overhead utilities within the district.

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

12B. SECOND QUARTER 2011-2012 BUDGET REVIEW REPORT

Recommendation

Recommendation of the Finance and Governmental Operations Committee that City Council:

- 1) Accept and file the 2nd Quarter (Mid-Year) 2011-2012 Budget Review Report;
- 2) Accept and file the City Treasurer Investment Report; and
- 3) Approve the program modifications for the City Manager's Office and Finance Department.

Finance Director Tsao reported that City revenues are projected to be below budget by \$3.5 to \$4.5 million at fiscal year end, but actual expenses are projected to be below budget by \$5.0 to \$5.5 million, which will cover the shortfall so the budget remains balanced. He briefly reviewed the recommended program modifications:

- 1) Approve appropriation of \$62,540.23 from sale of Centennial promotional items for Torrance Centennial FEAP #739;
- 2) Reapprove the staffing change adding .5 of a Personnel Technician in Human Resources;
- 3) Approve appropriation of \$775,000 from the Reserve from Self Insurance Fund to assist in the funding of workers' compensation claims over four years; and
- 4) Approve the change in funding sources for the design for T-115 – Downtown Torrance Pedestrian Improvement Project from RDA funds to Gas Tax.

Newt Young, Torrance, expressed concerns about the impact on the budget of the City's payment of the employees' portion of contributions to CalPERS.

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

12C. DOWNTOWN TORRANCE FARMERS' MARKET

Recommendation

Recommendation of the Community Development Director that City Council concur with the Citizen Development and Enrichment Committee recommendation to improve the Downtown Farmers' Market by authorizing circulation of a request for proposal for the selection of a special event/market coordinator.

Planning Associate Chun advised that staff was recommending that a request for proposal (RFP) be issued soliciting outside firms to plan, operate and manage a weekly market and event program in downtown Torrance on Thursday evenings. She noted that a Downtown Certified Farmers' Market was held on a trial basis last year, and the events were well received by residents and businesses, but market revenues declined and it was difficult to retain vendors. She explained that using an outside party to run the events will bring new ideas and renewed interest to the market, as well as relieve the City of operational costs. She reported that a community meeting was held and attendees concurred with the idea of circulating an RFP for an outside firm.

Noting that the staff report indicates that the events would start in mid July, Councilmember Brewer related his preference that they begin earlier to take advantage of summer weather.

Community Development Director Gibson explained that the July start date is necessary to accommodate the RFP process and staff will try to accelerate the process as much as possible.

Councilmember Sutherland asked about the cost of the contract, and Planning Associate Chen reported that the firm selected would obtain revenue from selling vendor spaces and there would be no cost to the City except for setting up barricades.

Councilmember Rhilinger noted that the staff report mentions that community member Chef Michael Shafer has volunteered to run the Thursday events.

Community Development Director Gibson stated that staff was concerned that Mr. Shafer lacks the experience of professional event planner, however, staff recognizes that there are advantages to having someone local involved and was not opposed to allowing Mr. Shafer to serve as the coordinator.

Michael Shafer, chef/owner of The Deport and Buffalo Fire Department restaurants, stated that he planned to enlist the aid of a professional event planner and has been in contact with one who coordinates a farmers' market at the Carson Mall. He confirmed that he would obtain all the necessary permits and insurance necessary to operate the events. He reported that he envisions involving downtown restaurants in the farmers' market and offering a variety of activities to attract the public.

Councilmember Brewer noted that parking and signage problems were mentioned when the Downtown Farmers' Market was discussed at the Citizen Development and Enrichment Committee meeting.

Mr. Shafer agreed that more signage was needed, particularly in advance of the event. He related his belief that there is plenty of parking in downtown Torrance and suggested that if parking problems develop, it would be an indication that the market is a success.

Councilmember Brewer expressed support for allowing Mr. Shafer to serve as coordinator of the farmers' market on a trial basis due to his enthusiasm for the downtown area.

Councilmember Numark asked about gauging the success of the farmers' market, and Mr. Shafer related his belief that success depends on the vendors making money so they will want to continue participating in the event.

MOTION: Councilmember Rhilinger moved to direct staff to work with Chef Michael Shafer on an agreement as a special event/market coordinator on a trial basis through November 1, 2012 and return to City Council for approval. The motion was seconded by Councilmember Numark and passed by unanimous vote (absent Councilmember Barnett).

13. HEARINGS

13A. APPROPRIATION/ ALLOCATION OF CITIZENS OPTIONS FOR PUBLIC SAFETY GRANT FUNDING

Recommendation

Recommendation of the Chief of Police that City Council:

- 1) Conduct a public hearing concerning Assembly Bill 3229, the 2011 Citizens Options for Public Safety (COPS) grant funding;
- 2) Receive input from staff on programs of interest to the Chief of Police and City Council as well as the public on the use of the grant funds; and
- 3) Appropriate and allocate \$16,000 to the recommended project.

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.

Administrative Analyst Sentinella reported that staff was recommending that \$16,000 be appropriated/allocated to hire a consultant to design a closed-circuit security system.

In response to Councilmember Numark's inquiry, Police Chief Neu advised that the security system would focus on vital assets in Torrance, including the mall, the refinery and the airport.

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

MOTION: Councilmember Rhilinger moved to close the public hearing. The motion was seconded by Councilmember Numark and passed by unanimous vote (absent Councilmember Barnett).

MOTION: Councilmember Numark moved to concur with the staff recommendation. The motion was seconded by Councilmember Brewer and passed by unanimous vote (absent Councilmember Barnett).

17. ORAL COMMUNICATIONS #2

17A. Councilmember Brewer noted that a "senior prom" was held for senior citizens on Friday, April 13, and commended the many young people, including members of the Youth Council, who assisted at the event.

17B. Councilmember Brewer announced that the Torrance Theatre Company will be presenting "Til Beth Do Us Part" every weekend beginning April 20 and ending May 19, with additional information available at 424.243.6882.

17C. Councilmember Brewer announced that the annual Bunka Sai festival, which benefits the Sister City Association, will be held this weekend on Saturday, April 21, and Sunday, April 22, at the Ken Miller recreation center.

