

**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 6:01 p.m. on Tuesday, April 22, 2008 in the City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Barnett, Brewer, Drevno, Nowatka, Sutherland, Witkowsky, 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, 18B) Conference with Legal Counsel – Existing Litigation, and 18C) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code § 54957.6, 54956.9(a) and 54956.8.

The City Council reconvened at 7:17 p.m. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Councilmember Nowatka.

Councilmember Witkowsky 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, April 17, 2008.

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

Mayor Scotto asked that the meeting be adjourned in memory of Los Angeles County District Supervisor Don Knabe's father Rayburn Martin Knabe who passed away April 18.

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Mayor Scotto announced that subsequent to the posting of the agenda, a request was received from the City of Hermosa Beach that the City send a letter of support for AB 2780, and since the letter must be received by April 23, 2008, the City Manager has asked that the matter be added to tonight's agenda. In order to take action on a matter not on the agenda, the California Government Code requires a two-thirds vote of the Council that immediate action is necessary and the need to take action arose subsequently to the posting of the agenda.

MOTION: Councilmember Witkowsky moved to add the above-mentioned item to the agenda as Item 12B. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

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 **WITHDRAWN OR DEFERRED ITEMS** – None.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Mayor Scotto announced that May 6 would be Students and Government Day with the students conducting the first portion of the City Council meeting that evening.

City Clerk Herbers announced that a candidate forum would be held on Wednesday, April 23, at 7:00 p.m. at the Bartlett Center sponsored by the Old Torrance Neighborhood Association. She noted that additional information on the candidates was available at www.SmartVoter.com; that Open Mike spots were on playing on Time Warner Torrance Community Television Ch 28 at 8:30 p.m. each night until June 3, 2008; and that a video of the April 16 candidate forum will be shown at 6:30 p.m. daily from April 30 through June 2.

City Clerk Herbers announced that the Commissioner Certification Training originally scheduled to be held on April 29 was being rescheduled to Wednesday, June 11. She clarified that those commissioners who are currently seated and have already taken the class don't need to recertify until the end of their four-year term, however, those who took the class in 2006 but have not been appointed, are required to take the class again. She also reminded everyone that the class is a requirement before applying for any city commission.

Fire Chief Bongard announced that the California Regional Water Quality Control Board will hold a meeting on Thursday, May 1, at 6:30 p.m. in the Toyota Meeting Hall to discuss the results of an environmental investigation along Del Amo Boulevard.

6. **COMMUNITY MATTERS**

6A. **RESOLUTION NO. 2008-54 RE POLICE OFFICER KEITH THOMPSON**

RESOLUTION NO. 2008-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
HONORING AND COMMENDING POLICE OFFICER **KEITH THOMPSON**
AS THE RECIPIENT OF A MEDAL OF VALOR AWARD

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2008-54. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

To be presented at a later date.

6B. ACCEPTANCE/APPROPRIATION OF DONATION FOR 2008 GREEN TEAM PROGRAM

Recommendation

Recommendation of the **City Manager** that City Council:

- 1) Accept a \$100,000 donation from Exxon/Mobil Corporation;
- 2) Appropriate the \$100,000 donation to the 2008 Green Team program;
- 3) Transfer the remaining appropriation of \$3,400.10 from the 2007 Green Team (FEAP #638) to the 2008 Green Team program; and
- 4) Authorize payment to Torrance Unified School District (TUSD) for 2008 Green Team in an amount not to exceed \$30,000.

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

Mayor Scotto noted that the ExxonMobil has been supporting the Green Team Program since 1990, a six-week summer youth employment program that includes classroom and on-the-job training.

Aarti Ramachandran, ExxonMobil's Public Affair Advisor, presented the \$100,000 check to Mayor Scotto.

Chris Sheck, Green Team Program Coordinator from Torrance Unified School District, expressed appreciation to ExxonMobil and the City of Torrance for sponsoring this program.

6C. PROCLAMATION RE "NATIONAL VOLUNTEER WEEK"

Mayor Scotto presented a proclamation declaring the week of April 27 through May 3 as "***National Volunteer Week***" in the City of Torrance to Dutch and Betty Holland – Farmers' Market volunteers. Certificates of appreciation were presented to the following volunteers: Alyssa Marie Joseph and Jeffery Koven – Citicable; Terry Bass and Millie Pelton – AARP; Arohi Sharma – ATTIC; Darrell Gray and Jessica J. Cheng – Library; Tim Brothers and Kelley Smith – Live Steamers; Fran Arrowsmith and Connie Vadheim – Madrona Marsh; Chris Razevich and Carl Tice – Skate Park & Roller Hockey; Craig Miller and Maxine Miller – Sr. Citizens; Mary Hoffman – Torrance Rose Float Association; Hazel Tanaguchi – Torrance Sister City Association; Ed Jordan and Kevin Donahue – Youth Sports; Sher Waters – Fire; Bill Dean and Joan Dean – Torrance Cultural Arts Center; Caroline Elam and Edith Stieglitz – CERT; and Ileana Pereira and Gail Orloff–Transit. Unable to attend were Justin Monestime - ATTIC and Brenda Laube - Madrona Marsh.

6D. TORRANCE ROSE FLOAT ASSOCIATION 2007-2008 ANNUAL REPORT

Recommendation

Recommendation of the **Community Services Director** that City Council accept and file the Torrance Rose Float Association 2007-2008 Annual Report (2008 Float).

Mary Hoffman, president of Torrance Rose Float Association, presented the Volunteer's Trophy to Mayor Scotto, which was awarded to the City's 2008 float "Festival of Flowers," a salute to Torrance's Sister City, Kashiwa, Japan.

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

12A. APPROVAL OF 2009 ROSE FLOAT DESIGN

Recommendation

Recommendation of the **City Council Citizen Development and Enrichment Committee** that City Council:

- 1) Approve the design entitled "Mad Hatter's Tea Party" for the City's float entry in the Pasadena Tournament of Roses Parade on January 1, 2009;
- 2) Approve an agreement between the City of Torrance and Fiesta Parade Floats for the design, construction, entry, display and operation of the Torrance Float in the 2009 Pasadena Tournament of Roses Parade; and
- 3) Approve the expenditure of \$142,000 (City contribution \$132,000 and Torrance Rose Float contribution \$10,000) for related costs.

MOTION: Councilmember Nowatka moved to concur with the Committee's recommendation. The motion was seconded by Councilmember Drevno and passed by unanimous roll call vote.

Mary Hoffman, president of Torrance Rose Float Association, Tim Estes, president of Fiesta Parade Floats, and Raul Rodriguez of Raul Rodriguez Designs, unveiled the design for the City's 2009 Rose Float entitled "Mad Hatter's Tea Party."

7. ORAL COMMUNICATIONS

7A. Titus Henry expressed concern regarding treatment received by Torrance Police officers.

7B. Bonnie Mae Barnard, Save Historic Old Torrance, invited everyone to attend a free presentation regarding wood windows on May 8 at West Presbyterian Church. She also announced a Grand Tea event to be held Saturday, May 10, at 11:00 and 2:00 p.m.

7C. Debbie Hays, Old Torrance Neighborhood Association, announced a candidate forum to be held on Wednesday, April 23, at 7:00 p.m. at the Bartlett Center.

8. CONSENT CALENDAR

8A. APPROVAL OF MINUTES

Recommendation

Recommendation of the **City Clerk** that City Council approve the City Council minutes of March 17 and March 18, 2008.

8B. FEE AMENDMENT FOR LEGAL SERVICES

Recommendation

Recommendation of the **City Attorney** that City Council approve the amendment to the fee agreement with the law firm of Liebert Cassidy Whitmore (C2007-117) to provide legal services relating to a federal court case involving Brumbaugh v. City of Torrance for an additional \$35,000 for a total contract amount not to exceed \$59,000.

8C. LIVING TREE DEDICATION PROGRAM REPORT

Recommendation

Recommendation of the **Parks and Recreation Commission** and the **Community Services Director** that City Council accept and file the Living Tree Dedication Program report for the period January through December 2007.

8D. DATES FOR BUDGET WORKSHOPS/PUBLIC HEARINGS

Considered separately, see page 7.

8E. SALE OF SURPLUS/OBSOLETE VEHICLES

Recommendation

Recommendation of the **General Services Director** that City Council authorize Ken Porter Auctions of Gardena, CA to facilitate the sale of seventeen (17) surplus/obsolete vehicles and miscellaneous equipment.

8F. CONSULTING SERVICES AGREEMENT RE DESIGN OF T-1 VAULT

Recommendation

Recommendation of the **Public Works Director** that City Council award a consulting services agreement to RMS Engineering and Design Inc., in the amount of \$56,505, for engineering services for design of T-1 vault.

8G. PURCHASE/INSTALLATION OF PLAYGROUND EQUIPMENT

Recommendation

Recommendation of the **Community Services Director** that City Council authorize a sole-source purchase order with Miracle Playground Sales of Southern California, Placentia, CA, for an amount not to exceed \$145,182.53 (includes \$5,800 contingency) for the acquisition and installation of playground equipment and rubberized play surfacing at Victor Park.

8H. CHANGE ORDER FOR REPLACEMENT/RELOCATION OF WATER MAINS

Recommendation

Recommendation of the **Public Works Director** that City Council:

- 1) Approve a change order in the amount of \$252,557 and authorize a 5% contingency in the amount of \$12,627.85 to public works agreement with Robert G. Castongia, Inc. (C2007-184) for a new not to exceed amount of \$3,841,050.15 for the replacement of an additional water main in Falda Avenue and to relocate a 16-inch water main in Torrance Boulevard for a future storm drain construction; and
- 2) Authorize the Public Works Director to execute said change order.

8I. PUBLIC SAFETY INFORMATION SYSTEM YEARLY MAINTENANCE

Recommendation

Recommendation of the **Police Chief, Fire Chief, and Information Technology Director** that City Council authorize payment of \$99,681 to Spillman Technologies, Inc., for yearly maintenance of the Public Safety Information System, for the period from February 1, 2008 through January 31, 2009.

8J. ACCEPTANCE/APPROPRIATION OF 2007 HOMELAND SECURITY GRANT PROGRAM

Recommendation

Recommendation of the **Police Chief** that Council:

- 1) Authorize the acceptance of the 2007 State Homeland Security Grant Program award in the amount of \$25,011 and approve a subrecipient agreement with the County of Los Angeles;
- 2) Appropriate and allocate the grant funds for the Police License Plate Recognition project; and
- 3) Authorize a purchase order to PIPS Technology of Anaheim, CA not to exceed \$25,150 for a License Plate Recognition System.

8K. INCREASE IN CONTRACT WITH COUNTY OF LOS ANGELES FOR ANIMAL CONTROL SERVICES

Recommendation

Recommendation of the **Police Chief** that City Council approve a \$20,000 increase to the agreement with the County of Los Angeles (Ref. Contract #2007-00000068), through the Director of Animal Care and Control, for after hours animal control services, for the period from July 1, 2007 to June 30, 2008, for a total contract amount of \$50,000 and a two year contract amount of \$80,000.

8L. SUBSIDY OF FEES FOR PORTABLE STAGE FOR RELAY FOR LIFE

Recommendation

Recommendation of the **Community Services Director** that City Council subsidize the fees in the amount of \$722.61 for use of the portable stage for the American Cancer Society's Relay for Life event to be held at South Torrance High School on May 2-4, 2008.

8M. ACCEPTANCE/APPROPRIATION OF GRANT FOR LANDSCAPING SERVICE

Recommendation

Recommendation of the **Community Services Director** that City Council:

- 1) Accept and appropriate a grant from the County of Los Angeles in the amount of \$75,809;
- 2) Approve a grant agreement with the County for \$75,809, and
- 3) Approve an agreement for landscaping service with the Los Angeles Conservation Corps. in an amount not to exceed \$52,745.

8N. EXTENSION OF UTILITY BILLING SERVICE AGREEMENT

Recommendation

Recommendation of the **Finance Director** that City Council approve the first (of two) two-year renewal options (indexed to CPI) with the California Water Service Company (CWSC), to provide utility billing services to the City of Torrance. Expenditure: Approximately \$39,000 annually.

MOTION: Councilmember Nowatka moved for the approval of Consent Calendar Items 8A through 8N, with the exception of 8D. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote.

Agenda Item 8D was considered out of order at this time.

8D. DATES FOR BUDGET WORKSHOPS/PUBLIC HEARINGS

Recommendation

Recommendation of the **Finance Director** that City Council approve May 6 and May 13, 2008, as dates to conduct two budget workshops/public hearings on the second year of the City's 2007-2009 Operating Budget.

Assistant Finance Director Flewellyn noted that typically the City's Capital Budget would be considered along with the Operating Budget, however, staff has decided to delay consideration of the Capital Budget until the State budget has been finalized due to potential cuts in funding.

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

12. ADMINISTRATIVE MATTERS

12A. APPROVAL OF 2009 ROSE FLOAT DESIGN

Considered out of order, see page 4.

12B. POSITION ON ASSEMBLY BILL 2780

Recommendation

Recommendation of the **City Manager** that City Council review Assembly Bill 2780 and determine if the City should take a position on the proposed legislation.

Assistant City Manager Giordano reported that AB 2780, sponsored by Assemblyman Ted Lieu, would protect cities from liability for lost profits when sued for breach of contract as a result of the enactment of a valid voter initiative.

MOTION: Councilmember Witkowsky moved to submit a letter in support of the proposed legislation. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote.

13. HEARINGS

13A. 2006 COPS GRANT FUNDING REALLOCATION

Recommendation

Recommendation of the **Police Chief** that City Council:

- 1) Convene a public hearing concerning Assembly Bill 3229, the 2006 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) Reallocate \$28,000 of the 2006 COPS grant among ongoing programs.

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.

Business Manager Anderson reported that 2006 COPS grant funding must be spent or encumbered by June 30, 2008; that \$28,000 allocated for Victim Assistance and Recruitment Incentives cannot be used by the deadline; and that staff was recommending that these funds be reallocated to the Cadet Program ((\$26,500) and the Dispute Resolution Program (\$1,500). The proposed reallocation of the COPS 2006 grant funding: Police Officer Recruitment \$20,000; Recruitment Incentives \$4,000; Secondary Weapons \$60,000; Victim Assistance \$28,000; Dispute Resolution \$16,500; Staff Assistant \$75,000; and Cadet Program \$82,826 – TOTAL \$286,326.

Police Chief Neu noted that the Cadet Program has been very successful and also serves as a recruitment tool and that the Dispute Resolution Program needs added funding to deal with issues related to the Animal Control Division, such as disputes about barking dogs.

Mayor Scotto invited public comment; and as no one came forward to speak, the public hearing was closed.

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

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

16. SECOND READING ORDINANCES

16A. SECOND AND FINAL READING OF ORDINANCE NO. 3709

ORDINANCE NO. 3709

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE
ADDING SECTION 49.2.10 OF THE TORRANCE MUNICIPAL CODE
RELATING TO SPECIAL EVENTS AT WILSON PARK

MOTION: Councilmember Brewer moved for the adoption of Ordinance No. 3709. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

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The Council met as the Redevelopment Agency from 8:25 p.m. to 8:26 p.m.

17. ORAL COMMUNICATIONS

17A. Councilmember Sutherland announced Downtown Sounds, a fundraiser benefiting high school music programs to be held on Saturday, June 8, at The Depot restaurant from 12:00 - 4:00 p.m. sponsored by Torrance Rotary Club, Torrance Education Foundation, and The Depot restaurant.

17B. Councilmember Witkowsky noted her attendance at the ATTIC Carpe Diem with the four Torrance high schools and Bishop Montgomery included a day of debates and discussions. She commended staff for their efforts in putting the event together.

17C. Councilmember Barnett noted his attendance at an event at the Wilson Park Sports Center and congratulated the Torrance Kendo Club and the Southern California Kendo Federation on hosting their 50th Annual North South Kendo Tournament.

17D. Councilmember Brewer announced that the 36th Annual Bunka Sai Festival would be held April 26 and April 27 from 11:00 a.m. to 5:00 p.m. at the Ken Miller Recreation Center.

17E. Mayor Scotto announced that ABC channel 7 news honored West High School student Roger Chen as KGL Homework Center volunteer "cool kid" and presented him with a \$1,000 savings bond.

17F. Mayor Scotto wanted to correct misstatements at recent candidate forums, explaining that the City of Torrance does support the Torrance Unified School District by approximately \$3 million a year.

18. EXECUTIVE SESSION

Considered earlier, see page 1.

19. ADJOURNMENT

At 8:34 p.m., the meeting was adjourned to Tuesday, May 6, 2008 at 7:00 p.m. for the regular meeting 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 August 5, 2008