

August 26, 2008

**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, August 26, 2008 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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Mayor Scotto announced that subsequent to the posting of the agenda on Friday, August 22, 2008, the City Attorney received two decisions from the California Public Relations Board, AFSCME Local 1117 v. City of Torrance, Case No. LA-CE-316-M, and City of Torrance v. AFSCME Local 1117, Case No. LA-CE-43-M. Additionally, subsequent to the posting of the agenda, the City Attorney received a settlement proposal in the case of Ethan Webber, et al. v. City of Torrance, Case No. YC055578. The City Attorney needs immediate instruction from the Council regarding these matters and has requested that they be added to the Executive Session agenda.

In order to add an item to the agenda, the California Government Code requires a determination by a two-thirds vote that immediate action is required and that the need to take action arose subsequent to the posting of the agenda.

MOTION: Councilmember Brewer moved to add the items to the Executive Session agenda pursuant to California Government Code §54954.2(b)(2) and 54956.9(a). The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

Mayor Scotto announced that he would not be participating in the discussion of the California Public Relations Board cases.

Agenda Item 18 was considered out of order at this time.

18. EXECUTIVE SESSION

At 5:35 p.m., the City Council recessed to closed session to confer with the City Manager and City Attorney on the above-mentioned items and 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 7:01 p.m.

Deputy City Attorney Caceres reported that the City Council in closed session had unanimously accepted a settlement proposal in the case of Ethan Webber, et al. v. City of Torrance, Case No. YC055578.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Councilmember Sutherland.

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 Friday, August 22, 2008.

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 Barnett and passed by unanimous roll call vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

City Manager Jackson announced that addendum Item 12A had been added to the agenda and that supplemental material was available on Item 10A.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Public Works Director Beste cautioned drivers that there would be only one lane of traffic in each direction on Torrance Boulevard between Madrona and Crenshaw due to water main replacement for the next four weeks. He also noted that pavement repairs on 190th Street west of Hawthorne Boulevard would begin on September 8 and continue for the next three to four months.

Fire Chief Racowski announced that the monthly Exxon Mobil Torrance refinery Community Alert Siren testing would take place on Wednesday, September 3, 2008 at approximately 11:30 a.m.

Police Chief Neu reminded parents to read materials sent home regarding safety rules and traffic laws related to the drop off and pick up of students and advised that uniformed officers would again be videotaping violations and issuing citations to ensure the safety of students.

Community Development Director Gibson announced that applications were available for senior mobile home rent subsidies for eligible Torrance residents and that additional information could be obtained by calling 310.618.5840.

7. ORAL COMMUNICATIONS

7A. William Ouellette, Torrance, asked that the Council reconsider an earlier request to amend parking restrictions at Columbia Park so early morning walkers are not ticketed.

8. CONSENT CALENDAR

8A. AMENDMENT TO FEE AGREEMENT FOR LEGAL SERVICES – RUTAN & TUCKER

Recommendation

Recommendation of the City Attorney that City Council approve the second amendment to fee agreement (C2008-141) with the law firm of Rutan & Tucker for an additional \$100,000 for a total not to exceed amount of \$124,000.

8B. AMENDMENT TO FEE AGREEMENT FOR LEGAL SERVICES – WOODRUFF, SPRADLIN & SMART

Recommendation

Recommendation of the City Attorney that City Council approve the amendment to fee agreement (C2007-166) with the law firm of Woodruff, Spradlin & Smart for an additional \$100,000 for a total not to exceed amount of \$124,000.

8C. APPROVAL OF FINAL TRACT MAP NO. 61850

Recommendation

Recommendation of the Community Development Director that City Council:

- 1) Approve Final Tract Map No. 61850;
- 2) Accept a three foot (3') wide street easement on Jefferson Street; and
- 3) Accept a five foot (5') wide sidewalk easement on Jefferson Street. This Final Map creates one lot with 86 condominium units. The project is subdivided by Standard Pacific Homes and is located at 2349 Jefferson Street, which conforms to and meets all conditions of approval of the Tentative Map.

8D. CONSULTING SERVICES AGREEMENT WITH RICE/ENGLANDER & ASSOCIATES

Recommendation

Recommendation of the City Manager that City Council approve a consulting services agreement with Rice/Englander & Associates for government consulting and advocacy services for the period September 1, 2008 through August 31, 2009.

MOTION: Councilmember Rhilinger moved for the approval of Consent Calendar Items 8A through 8D. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

9. COMMUNITY SERVICES

9A. WILSON PARK BATTING CAGES REQUEST FOR PROPOSAL

Recommendation

Recommendation of the Community Services Director that City Council approve a draft Request for Proposal (RFP) for the Lease and Full Operation of the Wilson Park Batting Cages.

Sr. Business Manager Minter briefly reviewed the proposed Request for Proposal for the operation of the Wilson Park batting cages.

MOTION: Councilmember Brewer moved to approve the RFP as submitted. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote.

10. PLANNING AND ECONOMIC DEVELOPMENT

10A. CITYWIDE TRAFFIC ANALYSIS

Recommendation

Recommendation of the Community Development Director that City Council receive and file the Citywide Traffic Analysis.

City Clerk Herbers noted that copies of the complete Citywide Traffic Analysis were available for the public to review in the Katy Geissert Civic Center Library, the City Clerk's office and the Community Development Department.

With the aid of slides, Transportation Planning Manager Semaan provided an overview of the Citywide Traffic Analysis. He noted that data gathered for the analysis was used to create a computer model (Traffix), which is capable of evaluating traffic impacts related to new developments and assess the effectiveness of proposed intersection improvements.

Councilmember Brewer questioned whether the study identified any roadways and/or intersections that warrant a high priority in the next Capital Improvement Budget.

Transportation Planning Manager Semaan explained that the study identifies deficiencies, recommends improvements and provides cost estimates, but does not prioritize and staff will use this information to prioritize and coordinate improvement projects.

In response to Councilmember Numark's inquiry, Transportation Planning Manager Semaan confirmed that the Citywide Traffic Analysis deals only with major roadways and intersections and recommended that if residents have specific concerns about streets in their neighborhood, i.e. cut-through traffic, they should contact the Community Development Department.

Mayor Scotto noted that the study will provide a valuable tool when evaluating future developments to ensure that necessary improvements are made to mitigate the impact on traffic.

Councilmembers and Mayor Scotto commended staff for their efforts in preparing the study.

10B. FUNCTIONAL CLASSIFICATION CHANGE OF STREET SEGMENTS

Recommendation

Recommendation of the Community Development Director and the Traffic Commission that City Council adopt a Resolution recommending that the Federal Highway Administration modify the California Roadway System map to declassify 162nd, 164th, 166th, 168th, 171st, 186th & 235th Streets, Cherry Avenue, Paseo De La Playa, Paseo De Las Tortugas, Newton Street and Ocean Avenue from the current classification, collector roadway, to local streets per the guidelines set forth by the Federal Highway Administration and direct staff to forward the Resolution to Caltrans district coordinator to initiate the Functional Classification Change process.

Transportation Planning Manager Semaan reported that in conjunction with the update of the General Plan, staff reviewed the City's classification of roadways and determined that 12 collector street segments function as local streets and staff was recommending that they be reclassified as such because there are no plans to widen them to add traffic lanes in the future. He noted that this reclassification will allow the Police Department to use radar equipment and other devices for speed enforcement without additional speed studies as the streets will be subject to the prima facie speed limit of 25 miles an hour.

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. 2008-102

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE RECOMMENDING THAT THE FEDERAL HIGHWAY ADMINISTRATION MODIFY THE FUNCTIONAL CLASSIFICATION OF PORTIONS OF 162ND, 164TH, 166TH, 168TH, 171ST, 186TH, AND 235TH STREETS, CHERRY AVENUE, PASEO DE LA PLAYA, PASEO DE LAS TORTUGAS, NEWTON STREET AND OCEAN AVENUE

MOTION: Councilmember Sutherland moved for the adoption of Resolution No. 2008-102. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote.

12. ADMINISTRATIVE MATTERS

12A. APPOINTMENT OF SOUTH BAY CITIES COUNCIL OF GOVERNMENTS ALTERNATE DELEGATE

Recommendation

Recommendation of the City Manager that City Council appoint Councilmember Cliff Numark as an alternate delegate to the South Bay Cities Council of Governments for a one year period. (*Addendum Item*)

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

13. HEARINGS

13A. CONGESTION MANAGEMENT PROGRAM

Recommendation

Recommendation of the Community Development Director that City Council:

- 1) Conduct a public hearing as required by the Congestion Management Program of the Los Angeles County Metropolitan Transportation Authority;
- 2) Adopt a Resolution to self-certify that the City of Torrance is in conformance with local Congestion Management Program (CMP) requirements; and
- 3) Direct staff to submit the CMP Local Development Report (LDR) as required by the Los Angeles County Metropolitan Transportation Authority.

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.

Transportation Planning Manager Semaan advised that the City is required to file an annual report which includes a summary of new development over the past 12 months as part of the Congestion Management Program that was put in place to address the impact of new development on the regional transportation system.

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

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

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. 2008-103

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
FINDING THE CITY OF TORRANCE TO BE IN CONFORMANCE WITH THE
CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP
LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA
GOVERNMENT CODE SECTION 65089

MOTION: Councilmember Sutherland moved for the adoption of Resolution No. 2008-103. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote.

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The City Council met as the Redevelopment Agency from 7:51 p.m. to 7:52 p.m. and met as the Public Housing Agency from 7:53 p.m. to 7:55 p.m.

17. ORAL COMMUNICATIONS

17A. Councilmember Brewer commended the Community Services Department for events held over the past weekend including the Aquacade and the support given to the Torrance Symphony for their concert at Wilson Park.

17B. Responding to Councilmember Brewer's comments on the Police Sobriety checkpoint held the previous Saturday night, Police Chief Neu reported that there were 1300 stops and 6 arrests.

17C. Councilmember Furey invited attendance at the 10th Annual City of Torrance Employee Variety Show on September 27, 2008 at the Armstrong Theatre, with proceeds benefiting the American Cancer Society Torrance Relay-for-Life as start up funds for the weekend event in May 2009.

17D. Councilmember Furey invited the public to attend the Torrance Unified School District's dedication of the Gene Drevno Community Day School on Friday, September 5, 2008 at 10 a.m. at the Griffith Adult School campus.

17E. Councilmember Furey wished his wife Terry a happy 31st wedding anniversary.

17F. Councilmember Numark announced that there is a severe blood shortage in Southern California and invited the public to contact 1-800-GIVE LIFE to donate blood.

17G. Councilmember Numark wished everyone a happy Labor Day.

17H. Councilmember Rhilinger commented on her enjoyment of Torrance Symphony's Concert in the Park the previous Sunday and thanked those who attended for supporting this event.

17I. Councilmember Sutherland commented on the Pediatric Therapy Network charity event held the previous week.

17J. Councilmember Sutherland congratulated Mayor Scotto on his 40th wedding anniversary.

17K. Councilmember Barnett echoed comments on the Concert in the Park and congratulated Councilmember Fury and Mayor Scotto on their respective anniversaries.

17L. Mayor Scotto congratulated the Torrance Babe Ruth Baseball team (15-year olds) for winning the National Championship; asked for City Council concurrence to honor the team at a City Council meeting; and proposed adding them to the Torrance's Sports Wall of Fame.

17M. Mayor Scotto noted that the Torrance Centennial was approaching in October 2012 and asked for City Council concurrence to begin the process of creating an Ad Hoc Centennial Committee made up of residents, business members, elected officials and City staff to assist in the planning of events and requested that staff begin developing a budget for this program to be included in the next budget cycle.

18. EXECUTIVE SESSION

At 8:05 p.m., the City Council recessed to closed session to resume discussion of items on the Executive Session agenda.

The City Council reconvened at 9:30 p.m. Action was taken on one item added to closed session (see page 2). No formal action was taken on any other matter considered in closed session.

19. ADJOURNMENT

At 9:30 p.m., the meeting was adjourned to Tuesday, September 9, 2008 at 5:30 p.m. for an executive session, with regular business commencing at 7:00 p.m. **Tuesday, September 2, 2008 will be a Council dark night.**

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Attest:

/s/ Frank Scotto

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers,
City Clerk of the City of Torrance

Approved on October 21, 2008