

August 28, 2007

**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 7:00 p.m. on Tuesday, August 28, 2007 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.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Nowakta.

Father Kavanaugh, St. James Catholic Church, 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, August 23, 2007.

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.

4. WITHDRAWN OR DEFERRED ITEMS

City Manager Jackson noted supplemental material for Agenda Item 6B, regarding Commission appointments, requesting that appointments to the Civil Service Commission be deferred to the September 11 City Council meeting. Agenda Item 6C, regarding the Blue Star memorial, was withdrawn and deferred to a later date.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Fire Division Chief Dumais reminded everyone that ExxonMobil would be conducting their monthly community alert siren testing on Wednesday, September 5, at approximately 11:30 a.m.

Councilmember Sutherland announced that the Ad Hoc Facilities Naming Committee would meet on Wednesday, September 12, at 4:30 p.m. in the Third Floor Assembly room.

Councilmember Nowatka noted that the Citizen Development and Enrichment Committee and the Torrance Unified School District held a joint meeting earlier in the afternoon and a report would be forwarded to the Council at a later date.

Councilmember Drevno announced that the Community Planning and Design Committee would meet on Thursday, September 13, at 4:30 p.m. in the Third Floor Assembly room to discuss the Torrance Airport/Zamperini Field monument sign.

6. COMMUNITY MATTERS

6A. PRESENTATION OF CERTIFICATE OF APPOINTMENT TO GENE BARNETT

City Clerk Herbers presented a Certificate of Appointment to Councilmember Gene Barnett.

Agenda Item 6D was considered out of order at this time.

6D. PROCLAMATION RE 22ND ANNUAL OKTOBERFEST FUNDRAISER

Mayor Scotto presented a proclamation commending organizations supporting the 22nd annual *Oktoberfest Fundraiser* at Alpine Village on Saturday, September 8, 2007 to Terri Rotter, owner of Alpine Village. Ms. Rotter encouraged attendance at the fundraiser, noting that Mayor Scotto will tap the first beer barrel to commence the event.

The following sponsoring organizations were recognized: Palos Verdes Resale; Carl E. Wynn Foundation; Lowe's; Knights of Columbia-Manhattan Beach; Sertoma Club of Torrance; Sons of Italy; the Eisner Foundation; Centinela Medical Fund; the California Community Foundation; Granstrom Masonry, Inc.; Help the Homeless Help Themselves; the Tim Meyers Scholarship Fund; St. John Fisher Catholic Church; St. James Catholic Church; Clarke Contracting Company; Verizon; Westside Concrete; Clipped Wings; British Petroleum Refinery; Anheuser Busch; Daily Breeze; Bruce and Frances Kaji.

6B. COMMISSION APPOINTMENTS

Recommendation

The **City Clerk** recommends that City Council review applications and make appointments to fill one vacancy on the Civil Service Commission and one vacancy on the Environmental Quality and Energy Conservation Commission. The City Clerk will administer the oath of office to the commissioners if present.

Due to a resignation on the Civil Service Commission, appointments were deferred to the September 11 City Council meeting.

City Council appointed Scott Gobble to the Environmental Quality and Energy Conservation Commission, and City Clerk Herbers administered the oath of office.

6C. PLACEMENT OF BLUE STAR MEMORIAL HIGHWAY MARKER

Recommendation

The **Fire Chief** recommends that City Council:

- 1) Approve the placement of a Blue Star Memorial Highway Marker – a tribute to the nation's armed forces – at Fire Station 4 next to the wall along Pacific Coast Highway; and
- 2) Approve license agreement with Riviera Garden Club and its contractor, Bulldog Plumbing Heating and General Contracting, allowing access to Fire Station 4 property located at 5205 Calle Mayor for marker installation and maintenance.

Item was withdrawn and deferred to a later date.

6D. PROCLAMATION RE 22ND ANNUAL OKTOBERFEST FUNDRAISER

Considered out of order, see above.

7. **COMMUNICATIONS #1**

7A. Kevin Gelligan, resident, expressed concerns about rusted street sign poles on Toluca Avenue in the West High area.

7B. Scott Gobble, SCE, reported that SCE will be replacing streetlight poles with marbelite poles in the West High and Hollywood Riviera areas in the first quarter of 2008.

8. **CONSENT CALENDAR**

8A. **PARKS & RECREATION COMMISSION ANNUAL REPORT FOR 2006-2007**

Recommendation

The **Acting Community Services Director** recommends that City Council accept and file the Parks and Recreation Commission annual report for 2006-2007.

8B. **APPLICATION TO STATE GRADE SEPARATION PRIORITY LIST**

Recommendation

The **Public Works Director** recommends that City Council approve filing an application for ranking on the State Grade Separation Priority List for Plaza Del Amo at the Burlington Northern and Santa Fe (BNSF) Railroad.

8C. **AMENDMENT TO CONTRACT FOR DANCE CLASSES**

Recommendation

The **Acting Community Services Director** recommends that City Council approve an amendment to contract service agreement with Roger Rod (C2005-247) increasing \$7,385 for a total not to exceed amount of \$53,865 for adult dance classes. The expenditure will be fully reimbursed by class fees.

8D. **SUBCONTRACT FOR OPERATION OF HARBOR WORKSOURCE CENTER**

Recommendation

The **Human Resources Director** recommends that City Council authorize a subcontract agreement between the City of Torrance and the City of Long Beach for the continuation of employment and training services at the Harbor WorkSource Center from July 1, 2007, to September 30, 2007 with the City of Long Beach as operator of the center.

8E. **AMENDMENT TO CARDIAC CARE PROGRAM EQUIPMENT AGREEMENT**

Considered separately, see page 5.

8F. **EXTENSION OF LEASE FOR RIDESHARE VANS**

Recommendation

The **General Services Director** and the **Human Resources Director** recommend that City Council approve a two-year extension with VPSI for the lease of five (5) vehicles and liability insurance for eleven (11) vehicles currently operating in the City's Vanpool Program, for the period of October 1, 2007 through September 30, 2009, in an amount not to exceed \$113,000 and appropriate these funds to the Rideshare/Vanpool fund.

8G. **PURCHASE ORDER FOR GREEN WASTE AUTOMATED CURBSIDE CONTAINERS**

Considered separately, see page 4.

8H. AGREEMENT AMENDMENT FOR LARGE METER TESTING AND REPAIR

Recommendation

The **Public Works Director** recommends that City Council approve an amendment to contract services agreement with Wheeler Meter Maintenance (C2006-113) extending the term through July 1, 2008 for providing testing and repair services for large meters.

8I. EXTENSION OF AGREEMENT FOR THE MAINTENANCE OF BUS SHELTERS

Recommendation

The **Transit Director** recommends that City Council approve a three-month extension of the agreement between Torrance Transit System and CBS Outdoor, Inc. (C90-099) for the maintenance of bus shelters, for the period from September 5, 2007 through December 4, 2007.

MOTION: Councilmember Witkowsky moved to concur with Consent Calendar Items 8A through 8I, with the exception of 8E and 8G. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

Consent Calendar Items 8E and 8G were considered separately at this time.

8E. AMENDMENT TO CARDIAC CARE PROGRAM EQUIPMENT AGREEMENT

Recommendation

The **Fire Chief** recommends that City Council:

- 1) Approve an amendment to Cardiac Care Program equipment agreement with County of Los Angeles (C2006-223) extending the term through September 30, 2007 and appropriate the amount of \$33,501.21 (FEAP #627); and
- 2) Authorize a purchase order be issued to ZOLL Medical Corporation in the amount of \$33,501.21 for the sole-source purchase of two E Series 12-lead monitor defibrillators.

Fire Division Chief Dumais reported that L.A. County Measure B funds will allow the City to upgrade cardiac care equipment by purchasing two additional 12-lead monitor defibrillators for a total of 12.

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

8G. PURCHASE ORDER FOR GREEN WASTE CURBSIDE CONTAINERS

Recommendation

The **Public Works Director** recommends that City Council:

- 1) Appropriate \$124,656 from the Sanitation Enterprise Fund for the purchase of automated green waste containers; and
- 2) Authorize a purchase order with Toter Incorporated of Statesville, NC in the amount of \$124,656 for the sole source purchase of 2,544 Toter automated curbside green waste containers. These additional containers are needed to expand the green waste collection pilot program with two additional routes.

Sanitation Services Manager Knapp reported that the additional containers will allow the green waste pilot program to be expanded to approximately 2000 more residences on Tuesdays and Thursdays.

Councilmember Witkowsky asked about the timeline for expanding the program to the rest of the city. Sanitation Services Manager Knapp advised that staff was trying to optimize collection with the one existing truck so they can better assess what will be needed to expand the program citywide.

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

12. ADMINISTRATIVE MATTERS

12A. RESOLUTION FOR APPROVAL OF PRE06-00041 - 5109 NEWTON STREET

Recommendation

The **Community Development Director** recommends that City Council adopt a Resolution reflecting City Council decision on August 21, 2007 approving a Precise Plan of Development to allow the construction of first and second story additions to an existing one story single family residence on property located in the R-1 Zone in the Hillside Overlay District at 5108 Newton Street.

Community Development Director Gibson advised that the Resolution reflects the Council's action at the August 21 meeting and includes the two conditions added by the Council.

RESOLUTION NO. 2007-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF FIRST AND SECOND STORY ADDITIONS TO AN EXISTING ONE STORY SINGLE FAMILY RESIDENCE ON PROPRERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 5108 NEWTON STREET

MOTION: Councilmember Sutherland moved for the adoption of Resolution No. 2007-84. The motion was seconded by Councilmember Drevno and passed by a 4-3 roll call vote, with Councilmembers Barnett, Nowatka and Witkowsky dissenting.

Commenting on her vote, Councilmember Witkowsky stated that she voted against the project at the previous meeting because she believed the height of the attic was excessive and unnecessary for the purpose of storage and she was concerned that the attic could be converted into living space.

12B. ELECTED OFFICIALS 2007 RESOLUTION

Recommendation

The **City Manager** recommends that City Council adopt a Resolution setting forth hours, wages, and working conditions and new health insurance coverage for Elected Officials effective August 19, 2007 and repeal Resolution No. 2005-121.

Councilmember Barnett announced that he was abstaining from consideration of this item because it involves the City Treasurer's compensation and exited the dais.

Assistant to the City Manager Chaparyan advised that the Resolution sets forth compensation for the City Clerk and the City Treasurer and implements new health insurance coverage.

Charles Deemer, resident, requested, and was provided, clarification regarding the cities surveyed to determine the salary range for City Clerk and City Treasurer.

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

RESOLUTION NO. 2007-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH THE HOURS, WAGES, AND WORKING CONDITIONS FOR ELECTED OFFICIALS BEGINNING AUGUST 28, 2007 AND REPEALING RESOLUTION NO. 2005-121

MOTION: Councilmember Sutherland moved for the adoption of Resolution No. 2007-86. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmember Barnett).

Councilmember Barnett returned to the dais.

12C. AGREEMENT FOR GOVERNMENT CONSULTING AND ADVOCACY SERVICES

Recommendation

The **City Manager** recommends that City Council approve a consulting services agreement with Rice/Englander & Associates for government consulting and advocacy services in the amount of \$42,000 for the period September 1, 2007 through August 31, 2008.

Assistant City Manager Giordano advised that the City currently participates in advocacy efforts as part of organizations such as the League of California Cities and South Bay Cities Council of Governments and staff was recommending the hiring of a consultant to expand advocacy efforts to legislative issues specific to the City of Torrance.

In response to Councilmember Witkowsky's inquiry, Tony Rice, Rice/Englander & Associates, confirmed that he will be collaborating with lobbyists for other local organizations on a regular basis to maximize legislative efforts.

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

12D. CALPERS TWO-YEAR SERVICE CREDIT FOR DELETED POSITION

Recommendation

The **City Manager** recommends that City Council adopt a Resolution to grant a designated period for two-year additional service credit under the California Public Employees Retirement System (CalPERS).

Human Resources Director Winer advised that the adoption of the Resolution is the second part of a two-step process to allow an employee in a deleted position to purchase a two-year service credit under CalPERS.

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

RESOLUTION NO. 2007-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE TO GRANT ANOTHER DESIGNATED PERIOD FOR TWO YEARS ADDITIONAL SERVICE CREDIT

MOTION: Councilmember Sutherland moved for the adoption of Resolution No. 2007-87. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote.

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The Council met as the Redevelopment Agency from 7:43 p.m. to 7:44 p.m.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Sutherland wished everyone an enjoyable Labor Day weekend.

17B. Councilmember Witkowsky encouraged attendance at the 9th Annual Employee Variety Show on Saturday, September 15, benefiting the American Cancer Society.

17C. Councilmember Barnett noted that children will be returning to schools in the next few weeks and urged residents to use caution when driving.

17D. Councilmember Barnett congratulated the Torrance Symphony for an outstanding concert at Wilson Park the previous Sunday.

17E. Councilmember Drevno reminded everyone that Martin Short, who has appeared on Saturday Night Live, will be performing at the Armstrong Theatre on Friday, September 28.

17F. Councilmember Nowatka noted that attendees braved the rain on Sunday for the concert at Wilson Park and were very generous in their donations to the Torrance Symphony. He reminded everyone to conserve water as the drought continues despite the rain, noting that 19% of energy used in California is related to the movement of water.

17G. Mayor Scotto noted a recent incident in Torrance involving an attack on a postman by a pit bull and directed the City Attorney to research ways of strengthening the City's Vicious Dog Ordinance, including harsher penalties for violators. He related his understanding that while it was not possible to ban specific breeds of dogs, there are other options for addressing this issue.

17H. Councilmember Witkowsky read the following email from a resident into the record:
"Councilmembers, I understand you will be discussing pit bulls at Tuesday's Council meeting, here's another story for you. Three weeks ago my neighbor's two daughters and two granddaughters were on the strand in Redondo Beach sitting on a bench. The youngest granddaughter, ten years old, had her head in her mother's lap. A young man was walking a pit bull on a leash on the strand when it suddenly bit the youngest granddaughter on the top of the head. Needless to say, she went to Little Company of Mary emergency with puncture wounds to her head. I understand Redondo animal control impounded this dog and may still be awaiting a hearing as to what action to take. The Torrance postman didn't deserve to be attacked either. He'll be suffering the rest of his

life. Several years back, my homeowners' insurance company sent me a list of dog breeds they wouldn't insure us for if an accident occurred. I have none of those breeds in our house. I strongly urge that you adopt the same list of dogs on any ordinance you may decide to adopt or make it a felony in Torrance for owners of dogs if their dog bites a human unjustifiably. Regardless of the breed, impound the dog, have a hearing, destroy the dog, and fine or jail the owner. A wake up call is needed."

17I. Pat Wren, Animal Control Supervisor, reviewed the current process for dealing with vicious dogs. He noted that a hearing has been tentatively scheduled for September 10 for the dog involved in August 20th attack on the postman. He confirmed that the dog is currently impounded and under quarantine at the L.A. County shelter.

City Manager Jackson reviewed the penalties as listed in TMC §41.9.12 for harboring vicious dogs.

Mayor Scotto noted that 7,340 dogs are currently licensed in the City, with possibly an equal number of unlicensed dogs, and suggested that the City may need to increase efforts to enforce licensing requirements.

17J. Karen Fitch, resident, related an incident in which her dog died as a result of a dog attack and suggested that owners of vicious dogs be subject to the same penalties when their pets cause injuries as vehicle owners are for damage done by their vehicles.

18. EXECUTIVE SESSION

None.

19. ADJOURNMENT

At 8:03 p.m., the meeting was adjourned to Tuesday, September 11, 2007 at 5:30 p.m. for an executive session with the regular meeting commencing at 7:00 p.m. 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 October 9, 2007