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TORRANCE CITY COUNCIL – SEPTEMBER 13, 2011

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At 8:20 p.m., the meeting was adjourned to Tuesday, September 20, 2011 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

September 13, 2011

**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 5:31 p.m. on Tuesday, September 13, 2011 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.

Mayor Scotto requested an excused absence from the regular portion of the City Council meeting commencing at 7:00 p.m., and the Council concurred with his request.

*

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) Legal Counsel – Existing Litigation, pursuant to California Government Code § 54957.6 and 54956.9(a).

Mayor Pro Tem Sutherland reconvened the City Council meeting 7:03 p.m. with all members present except Mayor Scotto. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The flag salute was led by former City Councilwoman Maureen O'Donnell.

The non-sectarian invocation was given by Salvation Army Captain Neil Navarro.

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, September 8, 2011.

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 Barnett and passed by unanimous vote (absent Mayor Scotto).

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

City Manager Jackson announced that Agenda Item 8M had been removed from the Consent Calendar and will be considered as Agenda Item 11A.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Councilmember Rhilinger announced that the City Council Transportation Committee had met earlier in the afternoon to discuss the South Bay Bicycle Master Plan and an item will be forwarded to the City Council for future consideration.

Councilmember Rhilinger announced that the City Council Transportation Committee will meet on Tuesday, September 27, from 4:00 – 5:30 p.m. in the West Annex Commission Meeting Room to discuss the Transit Center project and Rapid bus design.

Councilmember Furey reported that mosquitoes infected with West Nile Virus have been detected in Torrance and encouraged residents to wear protective clothing and apply insect repellent containing DEET when engaging in outdoor activities and to eliminate all standing water of their property. He noted that dead birds should be reported to the West Vector Control District at 310.915.7370 or www.lawestvectorcontrol.org.

City Clerk Herbers invited staff and the public to view the watercolors of Torrance Artist Guild Member Eileen Jaynes on display in the City Clerk's office for the month of September.

6. **COMMUNITY MATTERS**

6A. **RESOLUTION NO. 2011-85 RE ELISABETH COLLIER**

RESOLUTION NO. 2011-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING ELISABETH COLLIER UPON HER RETIREMENT FROM THE CITY OF TORRANCE AFTER THIRTY-SEVEN YEARS OF SERVICE

MOTION: Councilmember Barnett moved for the adoption of Resolution No. 2011-85. The motion was seconded by Councilmember Furey and passed by unanimous vote (absent Mayor Scotto).

Mayor Pro Tem Sutherland presented the Resolution to Elisabeth Collier, who accepted with appreciation.

Police Chief Neu commended Ms. Collier for her dedicated service and wished her well in her retirement.

6B. **RESOLUTION NO. 2011-87 RE SHIRLEY GREEN**

RESOLUTION NO. 2011-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING SHIRLEY GREEN UPON HER RETIREMENT FROM THE CITY OF TORRANCE AFTER TWENTY-FIVE YEARS OF SERVICE

MOTION: Councilmember Barnett moved for the adoption of Resolution No. 2011-87. The motion was seconded by Councilmember Furey and passed by unanimous vote (absent Mayor Scotto).

To be presented at a later date.

6C. **PROCLAMATION RE "COASTAL CLEAN UP DAY"**

Mayor Pro Tem Sutherland presented a proclamation declaring Saturday, September 17, as **Coastal Clean Up Day** in the City of Torrance to team captains John Dettle and Jeff Kidd, along with representatives from American Honda and Torrance Area Chamber of Commerce. Mr. Dettle invited residents to participate in Coastal Clean Up Day on Saturday, September 17, at Miramar Park from 9:00 a.m. to noon.

7. ORAL COMMUNICATIONS #1

7A. Captain Neil Navarro, Torrance Salvation Army, provided information about upcoming events and programs. He announced that the 19th Annual Health and Resource Fair will be held on Saturday, September 17, from 10:00 a.m. to 2:00 p.m. at 4233 Emerald Street; that the Salvation Army's Academy of the Sun afterschool program began last week and was accepting K through 5 students; and that "His House" family social service center is currently under construction in the Lomita area and is expected to open in two months. He encouraged the community to support the Salvation Army's charitable activities during the upcoming holidays and thanked Sam's Club for assisting with a recent nationwide fundraising effort.

7B. Debbie Hays, Torrance Historical Society, announced that they were seeking volunteers to assist with a field survey of structures in old Torrance, noting that volunteers must attend a short training session that will be offered on September 17, 18, 24 and 25, with additional information available by calling the museum at 310.328.5392.

7C. Hope Witkowsky, Torrance, stated that she was very impressed by the City's 9/11 memorial service held last Sunday and was particularly moved by the display of the American flag on fire trucks and requested that consideration be given to equipping each fire truck with an American flag.

7D. Suzan Hubert, Bobbie Snyder and Mary Garrity, Friends of Madrona Marsh, invited staff and the public to attend "Starlight Magic," a fundraiser to be held on Saturday, October 1, at the Madrona Marsh from 5:00 – 10:00 p.m.

7E. Larry Weber, Hidden Hills, invited everyone to attend Hidden Hills' 50th anniversary celebration on Saturday, September 24, and congratulated Torrance on its upcoming 100th anniversary.

8. CONSENT CALENDAR

8A. DONATION OF USED TELEPHONE SYSTEM EQUIPMENT

Recommendation

Recommendation of the Information Technology Director that City Council authorize the donation of a surplus telephone system equipment cabinet and contents to the Torrance Unified School District for emergency spares or other uses.

8B. JULY 2011 MONTHLY INVESTMENT REPORT

Recommendation

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for July 2011.

8C. SUBSIDY OF RENTAL FEES FOR TEAGUE FAMILY FOUNDATION EVENT

Recommendation

Recommendation of the City Manager that City Council approve the subsidy of rental fees for the use of the Ken Miller Recreation Center in the amount of \$753.25 for a foster youth holiday event sponsored by the Teague Family Foundation on Saturday, December 3, 2011.

Considered separately, see page 6.

8D. CONTRACT FOR CITY HALL-EAST ANNEX CHILLER AND COOLING TOWER REPLACEMENT

Recommendation

Recommendation of the General Services Director that City Council:

- 1) Award a contract with Precision Refrigeration & Air Conditioning for \$219,411 with a 10% contingency of \$21,941 for the City Hall-East Annex Chiller and Cooling Tower Replacement (B2011-28) as part of the Energy Efficient Conservation Block Grant (EECBG – FEAP #745) and (FEAP #610); and
- 2) Approve a 10% project management fee of \$21,941.

8E. PURCHASE OF 2012 CNG-FUELED PETERBUILT CHASSIS CAB WITH VACTOR TRUCK BODY

Recommendation

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

- 1) Authorize issuance of a purchase order to Haaker Equipment Company of La Verne, CA in the amount of \$439,231.47 including sales tax and tire fees, to furnish one (1) new and unused 2012 CNG-fueled Peterbilt 320 Chassis Cab with Vactor Model 2110 Truck Body as a cooperative purchase with the City of Whittier, CA (Ref: City of Whittier Purchase Order # 11000323); and
- 2) Appropriate and transfer \$119,895.15 from the Sewer Enterprise Fund to the Fleet Services Vehicle and Equipment Replacement Fund.

8F. ACCEPTANCE/ALLOCATION OF 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FOR POLICE CADET PROGRAM

Recommendation

Recommendation of the Chief of Police that City Council:

- 1) Accept the 2011 Edward Byrne Memorial Justice Assistance Grant in the amount of \$27,464;
- 2) Establish a trust fund for the deposit of grant monies; and
- 3) Appropriate and allocate the grant monies, and any interest on the funds to the Police Cadet program.

8G. AGREEMENT RE TOWING AND STORAGE SERVICES

Recommendation

Recommendation of the Chief of Police that City Council authorize a contract services agreement to Van Lingen Body Shop Inc. of Torrance CA, doing business as Van Lingen Towing Inc., to furnish vehicle towing and storage services on an as needed basis, at no cost to the City, for the term of September 16, 2011 to September 15, 2014, with an option to extend the agreement for two additional years with the same terms and conditions.

8H. AGREEMENT FOR INSPECTION SERVICES RE SEWER AND STORM DRAIN VIDEO INSPECTION

Recommendation

Recommendation of the Public Works Director that City Council approve a consulting services agreement to Bureau Veritas North America, Inc. in the amount of \$60,420 to perform inspection services for the Sewer and Storm Drain Video Inspection, I-70, for a fifteen month term beginning September 13, 2011 through December 31, 2012.

8I. CHANGE ORDER/AGREEMENT RE MADRONA MARSH RESTORATION AND ENHANCEMENT PROJECT

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Appropriate \$101,000 from the Sewer Enterprise Fund balance to the Madrona Marsh Restoration and Enhancement Project, C.I.P. No. I-77;
- 2) Authorize a change order in the amount of \$54,000 to the public works agreement with Clarke Contracting Corp. (C2011-108) for the removal of sediment and debris from the Madrona Marsh sump; and
- 3) Approve a consulting services agreement with Project Partners, Inc. in the amount of \$47,000 for construction inspection services.

8J. AGREEMENT FOR DESIGN SERVICES RE RESIDENTIAL STREET REHABILITATION, I-94

Recommendation

Recommendation of the Public Works Director that City Council award a consulting services agreement to Onward Engineering in the amount of \$200,525 to perform design services for the Residential Street Rehabilitation, I-94, for a two year term beginning September 13, 2011 through September 13, 2013.

8K. 2009-2010 NON-PROFIT SOCIAL SERVICES AGENCY GRANT RECIPIENT REPORTS AND REALLOCATION OF UNUSED FUNDS

Recommendation

Recommendation of the Parks and Recreation Commission and the Community Services Director that City Council:

- 1) Accept and file Completed Financial and Narrative Reports from the 2009-2010 Non-Profit Social Services Agency grant recipients;
- 2) Approve the request for reimbursement of \$1,000 awarded funds from the Retired Senior Volunteer Program (RSVP) and \$1,000 awarded funds from Project Touch, and
- 3) Reallocate any returned funds to the 2011-2012 Grant Program.

8L. APPROVAL OF GROUP DENTAL AND VISION INSURANCE RATES

Recommendation

Recommendation of the Acting Human Resources Director that City Council:

- 1) Approve the renewal rates for dental insurance with the current carrier Delta Dental, at \$38.22 for single coverage; \$76.44 two-party, and \$131.87 family coverage for the Dental Preferred Option (DPO) program; and \$17.47 for single coverage; \$31.54 two-party, and \$46.64 family coverage for the Dental Health Maintenance (DHMO) program beginning January 1, 2012 until December 31, 2012, for a total expenditure of \$1,100,623.44 per year; and
- 2) Approve the renewal rates vision insurance with the current carrier EyeMed, at \$3.23 for single coverage, \$6.10 two-party, and \$8.92 family coverage with a four year guarantee rate beginning January 1, 2012 until December 31, 2015, for a total expenditure of \$50,000.40 per year.

8M. REJECTION OF BIDS/PURCHASE ORDER FOR MOBILE AND PORTABLE RADIOS

Recommendation

Recommendation of the Fire Chief and Information Technology Director that City Council:

- 1) Reject the bids from Williams USA Inc of Windsor, CA, Relm Wireless Corporation of West Melbourne, FL, Bassett Sales of Burbank, CA, and 911 Vehicle of Chino, CA, as non-responsive; and

- 2) Accept the bid from and authorize a purchase order to Motorola Solutions of San Diego, CA, in the amount of \$495,121.99 (including sales tax) for the purchase of Project 25 compliant UHF and VHF mobile and portable radios for the Torrance Fire Department (B2011-32).

Item was removed and considered as Agenda Item 11A, see page 8.

8N. PURCHASE ORDER FOR SOFTWARE HOSTING AND MAINTENANCE SERVICES

Recommendation

Recommendation of the General Services, Transit, and Information Technology Directors that City Council authorize a purchase order to AssetWORKS, Inc. of La Jolla, CA in the amount of \$59,735, for annual renewal of the hosting services and software licensing and maintenance services agreements for the City of Torrance *FleetFocus FA™* and *FuelFocus™* fleet and fuel management software systems.

MOTION: Councilmember Brewer moved for the approval of Consent Calendar Items 8A, 8B, 8D through 8L and 8N, with the exception of 8C and 8M. The motion was seconded by Councilmember Furey and passed by unanimous vote (absent Mayor Scotto).

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

8C. SUBSIDY OF RENTAL FEES FOR TEAGUE FAMILY FOUNDATION EVENT

Recommendation

Recommendation of the City Manager that City Council approve the subsidy of rental fees for the use of the Ken Miller Recreation Center in the amount of \$753.25 for a foster youth holiday event sponsored by the Teague Family Foundation on Saturday, December 3, 2011.

In response to Mayor Pro Tem Sutherland's inquiry, Management Associate Jones confirmed that residents of Torrance would be among the attendees at this event.

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

9. COMMUNITY SERVICES

9A. APPROVAL OF CONCEPTUAL DESIGN PLANS FOR TORRANCE CENTENNIAL PLAZA AT EL PRADO PARK

Recommendation

Recommendation of the Parks and Recreation Commission and the Community Services Director that City Council approve the Torrance Centennial Committee conceptual design plans for the Centennial Plaza at El Prado Park.

Sr. Business Manager Minter reported that the Parks and Recreation Commission reviewed and unanimously approved the conceptual design plans for the Centennial Plaza at El Prado Park, which include the display of a time capsule commemorating Torrance's first 100 years and walkways that incorporate donor bricks to help offset the project's cost. He noted that the Public Works Department will oversee the bidding process and construction of the project with an estimated completion date of August 2012.

Don Lee, Centennial Committee project manager, shared a rendering of the project and a sample donor brick.

Responding to questions from the Council, Mr. Lee reported that the Centennial Committee's goal is to sell 600 bricks at \$150 each and should this goal not be met, the project will be downsized accordingly.

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

11. PUBLIC SAFETY

11A. REJECTION OF BIDS/PURCHASE ORDER FOR MOBILE AND PORTABLE RADIOS

Recommendation

Recommendation of the Fire Chief and Information Technology Director that City Council:

- 1) Reject the bids from Williams USA Inc of Windsor, CA, Relm Wireless Corporation of West Melbourne, FL, Bassett Sales of Burbank, CA, and 911 Vehicle of Chino, CA, as non-responsive; and
- 2) Accept the bid from and authorize a purchase order to Motorola Solutions of San Diego, CA, in the amount of \$495,121.99 (including sales tax) for the purchase of Project 25 compliant UHF and VHF mobile and portable radios for the Torrance Fire Department (B2011-32).

Mayor Pro Tem Sutherland noted supplemental material available at the meeting.

Larry Weber, representing Relm Wireless Corporation, reported that staff was recommending that the company's bid be rejected as non-responsive because it did not meet the delivery deadline specified, however, they have revised their delivery date to October 21, 2011 per the letter included in the supplemental material.

Assistant City Attorney Sullivan advised that companies may not make material changes to bids after they have been opened; that Relm's proposal to change the delivery date from 120 days to 30 days represents a material change; and that staff continues to recommend that the bid be rejected as non-responsive.

Assistant Fire Chief Serna reported that staff did not evaluate the radio equipment specified in Relm's bid after it was determined that the company could not meet the deadline.

In response to Councilmember Rhilinger's inquiry, Jerry Edwards, CIT Department, provided clarification regarding the two addendums to the bid.

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

12. ADMINISTRATIVE MATTERS

12A. RESOLUTION RE TORRANCE FIRE CHIEF OFFICERS ASSOCIATION

Recommendation

Recommendation of the City Manager that City Council adopt a Resolution pursuant to a Memorandum of Understanding setting forth the hours, wages, and working conditions for employees represented by the Torrance Fire Chief Officers Association (TFCOA) for the period September 13, 2011 to December 31, 2013, and repealing Resolution 2009-37.

Assistant to the City Manager Chaparyan reported that the proposed Resolution would extend the contract for Torrance Fire Chief Officers Association until December 31, 2013 and includes no increases in wages or benefits.

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

RESOLUTION NO. 2011-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE FIRE CHIEF OFFICERS ASSOCIATION (TFCOA) FOR THE PERIOD FROM SEPTEMBER 13, 2011 UNTIL DECEMBER 31, 2013, AND REPEALING RESOLUTION NO. 2009-37

MOTION: Councilmember Barnett moved for the adoption of Resolution No. 2011-88. The motion was seconded by Councilmember Furey and passed by unanimous vote (absent Mayor Scotto).

12B. ORDINANCE GRANTING PIPELINE FRANCHISE

Recommendation

Recommendation of the City Manager that City Council adopt an Ordinance granting Shell California Pipeline LLC, a California Limited Partnership a new franchise for an existing pipeline for the balance of the repealed and expired Franchise Ordinance No. 3448 to construct, lay, operate, test, maintain, use, renew, repair, replace, move, change the size and number of, and remove or abandon in place a system of pipelines and appurtenances, for the purpose of conducting, transporting, conveying and carrying gas, oil, petroleum products and water, on, along, in, under and across public streets, ways, alleys and places within the City of Torrance.

Assistant to the City Manager Sunshine advised that the proposed Ordinance grants a new franchise for an existing pipeline, which is a "common carrier" pipeline with the rates set by the Public Utilities Commission.

MOTION: Councilmember Brewer moved to concur with the staff recommendation and approve an Ordinance Summary for publication. The motion was seconded by Councilmember Rhilinger and passed by unanimous vote (absent Mayor Scotto).

ORDINANCE NO. 3751

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE GRANTING TO SHELL CALIFORNIA PIPELINE COMPANY LLC, A FRANCHISE, TO CONSTRUCT, LAY, OPERATE, TEST, MAINTAIN, USE, RENEW, REPAIR, REPLACE, MOVE, CHANGE THE SIZE AND NUMBER OF, AND REMOVE OR ABANDON IN PLACE A SYSTEM OF PIPELINES AND APPURTENANCES, FOR THE PURPOSE OF CONDUCTING, TRANSPORTING, CONVEYING AND CARRYING GAS, OIL, PETROLEUM PRODUCTS AND WATER ON, ALONG, IN, UNDER AND ACROSS PUBLIC STREETS, WAYS, ALLEYS, AND PLACES WITHIN THE CITY OF TORRANCE

MOTION: Councilmember Barnett moved for the adoption of Ordinance No. 3751. The motion was seconded by Councilmember Furey and passed by unanimous vote (absent Mayor Scotto).

17. ORAL COMMUNICATIONS

17A. Councilmember Brewer invited residents to sign up on the City's website for "Lights, Camera, Action," the opening event for Torrance's Centennial Celebration at Wilson Park on November 6, 2011, noting that the cost is \$5, which includes a Pelican flashlight and a commemorative photo.

17B. Councilmember Brewer announced that the Torrance Cultural Arts Foundation will be presenting "A Class Reunion to Die For," an audience participation play, on Saturday, September 24, at the Miyako Hybrid Hotel.

17C. Councilmember Brewer announced that the Fall Bazaar will be held on Saturday, September 17, at the Torrance Cultural Arts Center from 9:00 a.m. to 4:00 p.m.

17D. Councilmember Furey thanked those involved in the Torrance Employee Variety Show held the previous Saturday, which benefited the American Cancer Society.

17E. Councilmember Furey commended staff for the 9/11 Memorial Service held the previous Sunday.

17F. Councilmember Numark echoed comments on the Torrance Employee Variety Show and the 9/11 Memorial Service.

17G. Councilmember Numark requested that staff look into his earlier suggestion about creating an e-newsletter to promote City events such as the upcoming Centennial Celebration.

17H. Councilmember Rhilinger echoed comments about the Torrance Variety Show and the 9/11 Memorial Service.

17I. Councilmember Rhilinger announced that applications for Centennial events must be submitted by Friday, September 23, in order to be included on the list.

17J. Mayor Pro Tem Sutherland related his understanding that this was the first time Mayor Scotto has missed a meeting and commended him for his dedication.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 8:20 p.m., the meeting was adjourned to Tuesday, September 20, 2011 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, CMC
City Clerk of the City of Torrance

Approved on October 11, 2011