

**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 6:02 p.m. on Tuesday, September 23, 2008 in City Council Chambers at Torrance City Hall.

ROLL CALL

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

Absent: Councilmember Rhilinger.

Also Present: City Manager Jackson, City Attorney Fellows, City Clerk Herbers, and other staff representatives.

Mayor Scotto announced that subsequent to the posting of the agenda, the City of Torrance and Torrance Police Officer Rehan Nazir were served with a lawsuit, Elliott Dugan v. City of Torrance et al, Case No. CV08-04157 ABC (SSx), and the City Attorney has requested that this item be added to the agenda because he needs immediate instruction from the City Council on this matter.

In order to take action on a matter that is not on the agenda, the California Government Code requires a determination by a two-thirds vote of the Council that immediate action is necessary and that the need to take action arose subsequent to the posting of the agenda.

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

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 the above mentioned item and agenda matters listed under 18A) Conference with Legal Counsel – Existing Litigation, 18B) Liability Claim, and 18C) Real Property - Conference with Real Property Negotiator, pursuant to California Government Code §54956.9(a), 54956.95 and 54956.8.

The City Council reconvened at 7:04 p.m. No formal action was taken on any item considered in closed session.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Councilmember Numark.

Councilmember Furey 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, September 18, 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 Numark and passed by unanimous roll call vote (absent Councilmember Rhilinger).

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

Mayor Scotto noted that supplemental material was available on Agenda Items 8C, 8H, 8J, 8K and 12A.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Brewer announced an Ad Hoc Legislative Committee meeting on Thursday, October 2, 2008 at 4:00 p.m. in the 3rd Floor Assembly Room at City Hall for review of November 4 ballot measures.

Councilmember Brewer announced a Citizens Development and Enrichment Committee meeting on Monday, October 27, 2008 at 4:30 p.m. in the 3rd Floor Assembly Room to discuss the design of the newly acquired corner of the Madrona Marsh (Sepulveda Boulevard/Madrona Avenue) and a possible message board at this location.

Councilmember Sutherland announced a Finance and Governmental Operations Committee meeting on Tuesday, October 14, 2008 at 5:30 p.m. in Council Chambers to review the First Quarter Budget.

Councilmember Numark requested an excused absence for the October 7, 2008 City Council meeting.

City Clerk Herbers announced that Commissioner Certification Training was scheduled for Wednesday, October 22, 2008 and reservations are required, with applications available at www.tornet.com/commissionercert.htm or in the City Clerk's office. She noted that residents must be certified before they can apply for a position on any City commission.

Community Development Director Gibson invited the public to attend the Noise Abatement Center Open House at Torrance Airport – Zamperini Field, 3301 Airport Drive, on Saturday, October 4, 2008 from 10:00 a.m. to 2:00 p.m.

Assistant to the City Manager Sunshine encouraged the public to attend the 10th Annual City of Torrance Employee Variety Show on Saturday, September 27, 2008 at the Armstrong Theatre, noting that tickets are available for \$10 with the proceeds to benefit the American Cancer Society's Relay-for-Life taking place in April 2009.

Fire Chief Racowski announced that the monthly Exxon Mobil Torrance refinery Community Alert Siren testing would take place on Wednesday, October 1, 2008 at approximately 11:30 a.m.

6. COMMUNITY MATTERS

**6A. RECOGNITION OF NORTH HIGH SCHOOL GIRLS SOFTBALL CIF
CIF DIVISION V CHAMPIONS**

Mayor Scotto congratulated the North High School Girls Softball Team on winning the CIF Division V Championship and recognized Head Coach, Howard Miller; Players: Bailee Haberman, Hayley Rodriquez, Alexis Vernon, Olivia Alvarez, Amanda Wondergem, Celina Thorton, Marissa Merced, Melissa Shearer, Danielle Castro, Alex Perez, Valerie Rodriquez, Sammy Alvillar, Amanda Fernandez, Veronica Cobos, Chloe Wilson, Jen Crawford, and Monique Gonzales; and Assistant Coaches, Tom Louviere, Bryce Hadley, and Joe Rodriquez.

6B. DONATION OF BLUE STAR MARKER FROM RIVIERA GARDEN CLUB

Mayor Scotto expressed appreciation to the Riviera Garden Club for donating the Blue Star Memorial Highway marker to be located at the corner of Calle Mayor and Pacific Coast Highway to honor our Armed Forces and to celebrate the garden club's 50th anniversary.

Geneva Martin, co-president of Riviera Garden Club, provided background information about the garden club and invited the public to attend the club's Garden Tour on Saturday, October 18, featuring eight unique gardens.

George Unrine, Riviera Garden Club member and California Blue Star Chairman, reported on the Blue Star Memorial Highway Marker program, noting that this will be the first highway marker in Torrance and the only the third in LA County.

Wendy Tsuje, co-president of Riviera Garden Club, noted that the club would like to organize and host a formal dedication of the highway marker in spring 2009.

6C. LAUNCH OF TORRANCE EVENTS CALENDAR

Recommendation

Recommendation of the City Manager that the Mayor and City Council officially launch Torrance Events Calendar (<http://www.torrnet.com/events>) on the City of Torrance's website.

Michael Smith, Cable and Community Relations Manager, reported on the new comprehensive calendar of events on the City of Torrance website, noting that only City-hosted events are included at this time, however, Torrance-based non-profit organizations will be invited to submit their events for listing on the calendar in the future. He commended Community Relations Specialist Gesuina Paras, CIT Systems Analyst Steven Favey, Webmaster Mark Iinuma, CIT Manager Ryon Lee, Department Head Rick Shigata and City Manager Jackson for their efforts. Community Relations Specialist Paras gave a brief demonstration of how to access the calendar and its features

6D. INVESTMENT PORTFOLIO STATUS REPORT

Recommendation

Recommendation of the City Treasurer that City Council review the Investment Portfolio Status Report.

With the aid of slides, City Treasurer Barnett reviewed the status of the City's Investment Portfolio. She noted that the City's Investment Policy does not allow the purchase of equities/stocks, however, it does allow the purchase of fixed-income securities/bonds. She reported that the City's investments are in a good, stable position, with no holdings in troubled companies such as Lehman Brothers, Washington Mutual or AIG.

7. ORAL COMMUNICATIONS #1

7A. Marco Sandoval, St. Catherine Laboure Church, invited everyone to attend the church's annual Fiesta, which will include carnival rides, food, entertainment and a raffle of cash and prizes, to be held at 3846 Redondo Beach Boulevard on October 3-5, 2008.

7B. Debbie Hays, Torrance Historical Society, announced a free walking tour of downtown Torrance starting at the Historical Museum, 1345 Post Avenue, on Sunday, September 28, 2008 at 1:30 p.m.

8. CONSENT CALENDAR

8A. APPROVAL OF MINUTES

Recommendation

Recommendation of the City Clerk that City Council approve City Council minutes of July 15, July 22, and July 31, 2008.

8B. FEE AMENDMENT FOR LEGAL SERVICES

Recommendation

Recommendation of the City Attorney that City Council approve the fourth amendment to fee agreement (C2005-145) with the law firm of Liebert Cassidy Whitmore to provide legal services relating to a personnel termination appeal proceeding for an additional \$25,000 for a total contract not to exceed \$174,000.

8C. EXTENSION OF AGREEMENT FOR GENERAL PLAN UPDATE

Recommendation

Recommendation of the Community Development Director that City Council execute a Third Amendment to the existing Consulting Services Agreement (C2004-197) with Hogle-Ireland, Inc. to extend its services to October 31, 2009 for the general plan update.

8D. APPROVAL OF RELEASE OF SUBDIVISION BONDS

Recommendation

Recommendation of the Community Development Director that City Council approve release of subdivision bonds for Tract Maps No. 53064 and 53272. The Community Development Director recommends that City Council approve the release of three subdivision bonds for Tract Maps No. 53064 and 53272, which were subdivided by Centex Homes and located at 2850 Monterey Street

8E. AGREEMENT FOR YOUTH THEATRE PRODUCTIONS, CAMPS, CLASSES

Recommendation

Recommendation of the Community Services Director that City Council approve a one year contract services agreement with StarLight Productions for a not to exceed amount of \$111,774.40 to provide youth theatre classes, camps and theater productions.

8F. APPROPRIATION OF FUNDS FROM SELF-INSURANCE FUND

Considered separately, see page 6.

8G. PURCHASE OF DATA NETWORK EQUIPMENT FOR POLICE DEPARTMENT

Recommendation

Recommendation of the Police Chief and Information Technology Director that Council:

- 1) Appropriate \$159,630 from the Computer Replacement Fund for the purchase of data network equipment; includes a 10% contingency to account for any additional equipment that may be required to maximize network efficiency;
- 2) Authorize a purchase order not to exceed \$74,482 to Network Hardware Resale of Santa Barbara, CA for used Cisco 6905 core switch (1), supervisor modules (2), 24-port modules (3), 48-port modules (2), and SFP connectors (48); and
- 3) Authorize a purchase order not to exceed \$70,641 to CDW-G of Vernon Hills, IL for new Cisco 2960 Gigabit switches (12) and SFP connectors (54), Cisco 2821 router (1) and T1 DSU modules (5), and Cisco 5510 firewall (1).

8H. ACCEPTANCE OF FUNDS FROM EXXONMOBIL FOR SUPPLEMENTAL ENVIRONMENTAL PROJECTS

Recommendation

Recommendation of the City Manager that City Council:

- 1) Accept and appropriate \$50,000 from ExxonMobil Corporation for Supplemental Environmental Projects (SEP) identified in the New Source Review (NSR) Settlement between ExxonMobil and the United States Environmental Protection Agency (US EPA) to provide retrofit equipment to reduce emissions on certain off-road diesel powered equipment in the City Fleet; and
- 2) It is further recommended that an additional \$200,000 be accepted and appropriated in January 2009 to conclude the funding requirement of US EPA from ExxonMobil to the City of Torrance for the diesel emission reduction program.

8I. CHANGE ORDER TO FUEL CONTRACT

Considered separately, see page 6-7.

8J. CONSULTING AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS, INC.

Recommendation

Recommendation of the City Manager that City Council approve a second year consulting services agreement with Townsend Public Affairs, Inc. to pursue funding from the State and other public sector sources for the development, enhancement and expansion of projects and programs for the period October 1, 2008 through September 30, 2009.

8K. MEMORANDUM OF AGREEMENT RE UNDERGROUND UTILITY IMPROVEMENTS ON JEFFERSON STREET

Recommendation

Recommendation of the Community Development Director that City Council approve a Memorandum of Agreement with Standard Pacific Corporation for the construction and payment of underground utility improvements along Jefferson Street between Oak Street and the easterly terminus of Jefferson Street.

MOTION: Councilmember Furey moved for the approval of Consent Calendar Items 8A through 8K, with the exception of Items 8F and 8I. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote (absent Councilmember Rhilinger).

Consent Calendar Items 8F and 8I were considered separately at this time.

8F. APPROPRIATION OF FUNDS FROM SELF-INSURANCE FUND

Recommendation

Recommendation of the Human Resources Director that City Council approve the appropriation of \$1,000,000 from the Self-Insurance Reserve Fund for liability claims.

Risk Manager Sellers stated that staff was recommending that \$1,000,000 be appropriated from the Self-Insurance Reserve Fund to pay for a recent settlement in a liability lawsuit and to cover fees for an outside law firm to defend two lawsuits.

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

8I. CHANGE ORDER TO FUEL CONTRACT

Recommendation

Recommendation of the General Services Director that City Council authorize a change order to the City's existing purchasing agreement with SC Fuels of Orange, California, extending the term of service for an additional ninety (90) days and increasing the original contract amount by \$2,431,460.35, for a total not to exceed amount of \$5,486,251, for purchase of CARB-approved 87-Octane unleaded gasoline, B20 biodiesel, and ultra-low sulfur diesel fuel.

General Services Director Ballew reported that staff was recommending that the existing purchasing agreement with SC Fuels be extended to December 31, 2008 in order to allow time for the City to obtain clarification regarding how recent legislation will impact fuel storage.

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

12. ADMINISTRATIVE MATTERS

12A. AMENDMENT TO 1999 MOBIL AGREEMENT

Recommendation

Recommendation of the City Manager that City Council authorize the Mayor to execute and the City Clerk to attest to Amendment No. 1 to an existing Agreement (C1999-100) by and between the City of Torrance, California, a municipal corporation ("City") and ExxonMobil Oil Corporation ("ExxonMobil"), a New York corporation, as the successor company to Mobil Oil Corporation that will: * Increase ExxonMobil's contribution to the Del Amo Extension by an amount up to \$4 million; and * Require City of Torrance to cover \$5.5 million (reimbursable through Federal Grant Funds) to ExxonMobil for on-site capital expenditures related to Project; and * Allow for the City to consider a ten percent (10%) increase in maximum total input for the Refinery, including a total maximum average annual input of crude at 176 Thousand Barrels per Day ("TBPD") and intermediate feedstock for a total not to exceed 220 TBPD, excluding external blend components.

Assistant to the City Manager Sunshine briefly reviewed the proposed amendments to the 1999 Mobil Agreement per written material of record.

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

12B. SUPPLEMENTAL MEMORANDUM OF UNDERSTANDING FOR TORRANCE POLICE OFFICERS ASSOCIATION

Recommendation

Recommendation of the City Manager that City Council adopt a Resolution pursuant to a Memorandum of Understanding amending Resolution 2008-56 setting forth hours, wages and working conditions for employees represented by the Torrance Police Officers Association (TPOA). Expenditure: \$26,000.

Assistant to the City Manager Chaparyan reported that the proposed resolution would extend the 5% premium for Police Officer in Charge (OIC) to Public Safety Dispatchers.

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

RESOLUTION NO. 2008-105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AMENDING RESOLUTION NO. 2005-56 SETTING FORTH CHANGES
REGARDING WAGES, HOURS AND WORKING CONDITIONS FOR
EMPLOYEES REPRESENTED BY TORRANCE POLICE OFFICERS
ASSOCIATION (TPOA)

MOTION: Councilmember Sutherland moved for the adoption of Resolution No. 2008-105. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote (absent Councilmember Rhilinger)

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The Council met as the Redevelopment Agency from 8:08 p.m. to 8:10 p.m.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Barnett invited the public to attend Torrance Library's "Family Storytime" featuring Dodger legend Wes Parker on Tuesday, September 30, at 7:00 p.m. at the Katy Geissert Civic Center Library.

17B. Councilmember Barnett announced that he will be absent from the October 7 and October 14, 2008 City Council meetings due to family commitments that could not be rescheduled.

17C. Councilmember Brewer commended City staff who participated in "Coastal Cleanup Day" at Torrance Beach the previous Saturday.

17D. Councilmember Brewer announced that Torrance Unified School District will hold open houses at West High, Torrance High, South High and Magruder Middle School on Saturday, October 4, from 9:00 a.m. to noon so residents could see firsthand the condition of schools and decide whether or not to support TUSD Bond Measures Y & Z.

17E. Councilmember Furey encouraged attendance at the Employee Variety Show on Saturday, September 27, and announced that battery powered votive candles will be sold prior to the beginning of the show to benefit the American Cancer Society Relay-for-Life.

17F. Councilmember Numark invited the public to enjoy the political humor of the Capital Steps, who will be performing at the Cultural Arts Center on Friday, October 3 and Saturday, October 4.

17G. Mayor Scotto announced the following forums to discuss TUSD Bond Measures Y & Z: Monday, October 6, 7:00 p.m., at Anza Elementary School sponsored by Southwest Torrance and West Torrance Homeowners Associations; Wednesday, October 8, 7:00 p.m., at Calle Mayor Middle School sponsored by Southwest Riviera and Seaside Homeowners Associations; and Thursday, October 23, 7:00 p.m., at North High School sponsored by North Torrance Homeowners Association.

18. **EXECUTIVE SESSION**

Considered earlier in the meeting, see page 1.

19. **ADJOURNMENT**

At 8:17 p.m., the meeting was adjourned to Tuesday, October 7, 2008, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers. Tuesday, September 30, 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 December 16, 2008