

October 17, 2006

**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 5:30 p.m. on Tuesday, October 17, 2006 in City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Brewer, Drevno, McIntyre, 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 Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 18A) Conference with Labor Negotiator and 18B) Public Employee Evaluation, pursuant to California Government § 54957.6 and 54957.

The Council reconvened in Council Chambers at 7:07 p.m.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by North High School JROTC, Sergeant Major Duran.

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, October 12, 2006.

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 Witkowsky and passed by unanimous roll call vote.

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember McIntyre announced that the Finance and Governmental Operations Committee would meet on Tuesday, November 14, 2006 in the City Council Chambers for the 1st Quarter Budget Review.

City Clerk Herbers announced that applications were being accepted to fill the vacancy on the Planning Commission with the appointment to be made at the November 7, 2006 City Council meeting.

City Clerk Herbers announced the following:

- Last day to register to vote is Monday, October 23.
- Early electronic voting will begin in Carson and Redondo Beach on October 25.
- Those interested in serving as poll workers can still apply by calling Registrar Recorder's office 1-800-815-2666 option #7.

6. COMMUNITY MATTERS

6A. PROCLAMATION RE "RED RIBBON WEEK"

Mayor Scotto presented a proclamation declaring the week of October 23 through October 27, 2006 as ***Red Ribbon Week*** in the City of Torrance to Torrance Council PTA President Patricia Carney and Ribbon Week Chair Martha Deutsch.

Ms. Deutsch encouraged everyone to participate in Red Ribbon Week by wearing and displaying red ribbons.

6B. PROCLAMATION RE "PTA MEMBERSHIP ENROLLMENT MONTH"

Mayor Scotto presented a proclamation declaring the month of October 2006 as ***PTA Membership Enrollment Month*** in the City of Torrance to West High PTA President Cheryl Pivovarov and Membership Chair Caren Dutton.

Ms. Dutton noted that this year's theme for membership enrollment month is "Children First" and thanked Mayor Scotto and Councilmember McIntyre for joining all three PTA units in Torrance.

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

6D. PRESENTATION OF "MAKING A DIFFERENCE AWARD"

Daily Breeze Publisher Art Wible, along with Dee Hardison, chairwoman, and Peggy Dowell, president, of the Torrance Performing Arts Consortium, presented a 12-inch bronze sculpture of a silver medal to commemorate the 1st Annual Daily Breeze and Torrance Performing Arts Consortium "Making A Difference" award. The award will be presented to outstanding young performers from each TPAC member group, with the first presentation to take place on Saturday, October 21, at the Torrance Symphony concert at the James Armstrong Theater. Also present Kay Blanchard, Dale Korman, Debbie Price, Mary P. Miller, Mary Ann Golden, Lloyd Adams, Byron Stefferud, Linda Dryer, and the creator of the sculptures, artist Cinthia Joyce.

6C. APPOINTMENT TO BLUE RIBBON COMMITTEE

Recommendation

The **City Manager** recommends that Councilwoman Pat McIntyre appoint a member to the Blue Ribbon Committee to study ethics and integrity in City Government to replace Keri Botello.

Councilmember McIntyre appointed Paul McCabe to the Blue Ribbon Committee.

MOTION: Councilmember McIntyre moved to confirm Paul McCabe's appointment to the Blue Ribbon Committee on ethics and integrity. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

City Clerk Herbers gave the oath of office to Mr. McCabe.

7. ORAL COMMUNICATIONS #1

7A. Patrick Furey, Torrance Education Foundation, invited the community to attend a fundraiser on Wednesday, October 25, from 5:30 - 8:30 p.m. at Sammy's Woodfire Pizza.

7B. Debbie Hays, Torrance Historical Society, thanked Councilmembers who served as docents at the recent home tour and all those who supported the event. She also reminded everyone the last walking tour of the year would be October 22 at 1:30 p.m. beginning at the museum.

8. CONSENT CALENDAR

8A. APPROVAL OF FINAL TRACT MAP NO. 62099

Recommendation

The **Community Development Director** recommends that City Council:

- 1) Approve Final Tract Map No. 62099, creating two separate three-unit attached condominiums on two lots, subdivided by Stillion & Schloeder, and located at 2440 - 2444 Andreo Avenue, which substantially conforms to and meets all conditions of approval of the Tentative Map; and
- 2) Accept a 15' corner radius street easement at the northeast corner of Andreo Avenue and Lincoln Avenue.

8B. SHORT RANGE TRANSIT PLAN FY 2007-2009

Recommendation

The **Transit Director** recommends that City Council approve the Fiscal Year 2007-2009 Short Range Transit Plan (SRTP) for submission to the Los Angeles County Metropolitan Transportation Authority (Metro).

8C. ESTOPPEL AGREEMENT RE 2837 PACIFIC COAST HIGHWAY

Recommendation

The **City Manager** recommends that City Council authorize the Mayor to execute and the City Clerk to attest to a Lender's Estoppel Agreement for the property located at 2837 Pacific Coast Highway, known as the Town and Country Shopping Center.

8D. CONTRACT FOR RENOVATION OF WILSON PARK MAINTENANCE BUILDING

Recommendation

The **General Services Director** recommends City Council award a contract to BOA Architecture for \$24,900 for Renovation of the Wilson Park Maintenance Building (FEAP #340).

8E. SUBLEASE RE HARBOR WORKSOURCE CENTER

Recommendation

The **Human Resources Director** recommends that Council authorize:

- 1) Authorize a sublease by and between the City of Torrance and Catholic Charities of Los Angeles, Inc. - from October 1, 2006 to December 31, 2007 (for space utilized at the Harbor WorkSource Center); and
- 2) Authorize a sublease by and between the City of Torrance and Community Connection Resource Center - from October 1, 2006 to December 31, 2007 (for space utilized at the Carson WorkSource Center).

8F. CHANGE ORDER TO VENDOR CONTRACT FOR ASPHALT PLANT MIX

Recommendation

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

- 1) Authorize a change order to vendor contract with Sully-Miller Contracting (#887) in the amount of \$45,000 for a new not to exceed amount of \$395,000; and
- 2) Authorize a new purchase order to be issued to Sully-Miller Contracting Company of Anaheim, CA, in the amount not to exceed \$229,000, for the sole source purchase of asphalt plant mix on an as needed basis, from October 18, 2006 through October 17, 2007.

8G. GENERAL WASTE DISCHARGE REQUIREMENTS NOTICE OF INTENT

Recommendation

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

- 1) Approve filing a Notice of Intent to comply with the General Waste Discharge Requirements of the State Water Resources Control Board Order No. 2006-0003;
- 2) Authorize the Public Works Director to sign the Notice of Intent; and
- 3) Approve the expenditure of \$4,676 for the payment of the initial filing fee.

8H. FISCAL YEAR 2006-2007 FTA URBANIZED FORMULA GRANT APPLICATION

Recommendation

The **Transit Director** recommends that City Council authorize the City Manager to apply for and the Transit Department to submit on his behalf, Torrance Transit System's Fiscal Year 2006-2007 Federal Transit Administration (FTA) Urbanized Formula Grant Application for an amount not to exceed \$3,028,750.

8I. AMENDMENTS TO YOUTH SERVICE AGREEMENTS

Recommendation

The **Human Resources Director** recommends that City Council authorize the execution of amendments to service agreements with Los Angeles Unified School District (C2005-139), Southern California Regional Occupational Center (C2005-140) and Joint Efforts, Incorporated (C2005-141) to add funding (\$183,173 in Workforce Investment Act Youth funds) and extend the term of the contracts to December 31, 2007.

8J. CONTRACT FOR REPAIRS TO WEST ANNEX COOLING TOWER

Recommendation

The **General Services Director** recommends City Council:

- 1) Award a contract to American Cooling Tower Inc. for \$17,617 with a 5 % contingency of \$881 for repairs to West Annex cooling tower (FEAP #624); and,
- 2) Appropriate \$18,498 from the Capital Project Maintenance Fund.

8K. MEMORANDUM OF UNDERSTANDING RE HYBRID GASOLINE ELECTRIC BUSES

Recommendation

The **Transit Director** recommends that City Council approve and authorize the Mayor to execute and City Clerk to attest to a Memorandum of Understanding (MOU) for participation by the Transit Department in a Cooperative Procurement Pilot Program to purchase hybrid gasoline electric buses.

MOTION: Councilmember Drevno moved for the approval of Consent Calendar Items 7A through 7K. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

12. ADMINISTRATIVE MATTERS

12A. NOVEMBER 7, 2006 GENERAL ELECTION BALLOT MEASURES

Recommendation

The **Legislative Ad Hoc Committee** recommends that City Council concur with the November 7, 2006 ballot positions recommended by the Committee and take a position on the thirteen (13) initiatives.

Councilmember Brewer, chair of the Legislative Ad Hoc Committee, reported that the Committee met on October 11 to review the 13 initiatives on the November 7 election ballot and thanked staff for providing background information. He noted that the agenda item lists positions taken by the League of Women Voters, League of California Cities, Torrance Chamber of Commerce, South Bay Cities Council of Governments and City departments, along with the committee's recommendations.

Sr. Management Associate Lopez briefly reviewed the Committee's recommendations.

MOTION: Councilmember Brewer moved to concur with the Committee's recommendation to take a neutral position on the following ballot measures:

- 1C** (Housing and Emergency Shelter Trust Fund Act of 2006),
- 1D** (Kindergarten-University Public Education Facilities Bond Act of 2006),
- 1E** (Disaster Preparedness and Flood Prevention Bond Act of 2006),
- 84** (Water Quality, Safety and Supply, Flood Control, Natural Resource Protection. Park Improvements Bonds),
- 85** (Waiting Period and Parental Notification Before Termination of Minor's Pregnancy),
- 86** (Tax on Cigarettes),
- 88** (Education Funding. Real Property Parcel Tax), and
- 89** (Political Campaigns. Public Financing. Corporate Tax Increase. Campaign Contributions and Expenditure Limits).

The motion was seconded by Councilmember McIntyre and passed by a 6-1 roll call vote, with Councilmember Witkowsky dissenting.

Councilmember Witkowsky noted that the League of California Cities strongly supports Propositions 1A through 1E and felt it was important that the City also support them as a show of unity.

Councilmember Brewer explained that the Committee recommended a neutral position on 1C, 1D and 1E because these measures did not meet the criteria used to determine whether the City should take a position as they would have no fiscal impact on the City and they would not affect local control or public safety.

Sr. Management Association Lopez advised that Torrance would receive approximately \$600,000 annually if Proposition 1A is approved and \$4.5 million for transportation projects if Proposition 1B is approved.

MOTION: Councilmember Sutherland moved to concur with the Committee's recommendation to support Proposition **1A** (Transportation Funding Protection). The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

MOTION: Councilmember McIntyre moved to concur with the Committee's recommendation to support Proposition **1B** (Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006). The motion was seconded by Councilmember Drevno and passed by unanimous roll call vote.

Sr. Management Association Lopez reported that Proposition 83 increases penalties for violent and habitual sex offenders, prohibits residence near schools and parks and requires Global Position System monitoring of registered sex offenders.

MOTION: Councilmember Sutherland moved to concur with the Committee's recommendation to support Proposition **83** (Sex Offenders, Sexually violent Predators: Punishment, Residence Restrictions and Monitoring). The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

Mayor Scotto stated that while developing alternative energy sources is a commendable goal, he believed Proposition 87 was ill-conceived and would result in skyrocketing fuel prices.

MOTION: Councilmember Sutherland moved to concur with the Committee's recommendation to oppose Proposition **87** (Alternative Energy, Research, Production, Incentives. Tax on California Oil Producers). The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote, with Councilmember Witkowsky abstaining.

Sr. Management Association Lopez advised that Proposition 90 limits state and local governments' authority to acquire property through eminent domain and would require that the City compensate property owners should their property be down-zoned.

City Attorney Fellows discussed the potential impact Proposition 90 would have on the City, including a greater exposure to litigation.

Councilmember Witkowsky noted that the League of California Cities strongly opposes Proposition 90.

Councilmember Sutherland stated that, as a homeowner, he favors limiting the government's authority in this area.

MOTION: Councilmember Witkowsky moved to concur with the Committee's recommendation to oppose Proposition **90** (Government Acquisition, Regulation of Private Property). The motion was seconded by Councilmember Nowatka and passed by a 6-1 roll call vote, with Councilmember Sutherland dissenting.

Mayor Scotto urged everyone to vote in the upcoming election.

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Redevelopment Agency met from 8:06 p.m. to 8:09 p.m.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Brewer asked, with City Council concurrence, to have staff evaluate offering concerts on a rotating basis in city parks during the summer as part of the budget discussions.

17B. Councilmember Brewer asked for information to be brought back to the Council regarding current revenues from filming in Torrance and the possibility of more actively pursuing this type of venture. Councilmember Sutherland asked that citizen complaints also be included in the report.

17C. Councilmember Drevno reported that she greatly enjoyed working as a docent during the Historical Society home tour.

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17D. Councilmember McIntyre stated that she also enjoyed being a docent at the Smith house and commended Debbie Hays and the Historical Society for their efforts.

17E. Councilmember Nowatka echoed comments about the docent experience.

17F. Councilmember Sutherland asked for information about a Los Angeles County Library program that waives late fees for low income children.

17G. Councilmember Witkowsky congratulated the Torrance Historical Society on a successful home tour and commented on young property owners' enthusiasm for the Old Torrance area.

17H. Councilmember Witkowsky thanked the Transit Department for producing signs advising seniors of reimbursement for transportation to City Council outreach meetings.

17I. Mayor Scotto announced that the first City Council outreach meeting would be held on Tuesday, October 24, at the North High School Library at 7:00 p.m.

17J. Mayor Scotto asked, with City Council concurrence, to have an item brought back for City Council action to have the chairs of the Transportation Committee and the Community Planning and Design Committee switch places.

17K. Mayor Scotto reported that the Old Torrance Neighborhood Association has scheduled a clean-up day for their neighborhood and issued a challenge to all Torrance homeowner associations to do the same, with the City to provide trash bags and have them collected.

18. EXECUTIVE SESSION

At 8:20 p.m. City Council recessed to continue discussion of items listed under Item 18 Executive Session.

City Council reconvened at 9:34 p.m. No formal action was taken on any matter considered in closed session.

19. ADJOURNMENT

At 9:35 p.m., the meeting was adjourned to Tuesday, October 24, 2006 for the regular meeting commencing at 7:00 p.m. at the North Torrance High School Library at 3620 West 182nd Street.

Attest:

/s/ Frank Scotto

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers

City Clerk of the City of Torrance

Approved on January 9, 2007