

INDEX
TORRANCE CITY COUNCIL – NOVEMBER 2, 2010

<u>SUBJECT</u>	<u>PAGE</u>
<u>OPENING CEREMONIES</u>	
1. Call to Order/Roll Call	1
2. Flag Salute/Invocation	1
3. Affidavit of Posting/Waive Further Reading	1
4. Withdrawn/Deferred or Supplemental Items	1
5. Council Committee Meetings and Announcements	1-2
<u>COMMUNITY MATTERS</u>	
6A. Resolution No. 2010-102 Re Minda Sandberg	2
6B. Proclamation re “National Indian Heritage Month”	2
<u>ORAL COMMUNICATIONS #1</u>	
<u>CONSENT CALENDAR</u>	
8A. Agreement re Compressed Natural Gas	2
8B. Appropriation of Unclaimed Funds for Animal Control Truck	3
8C. Purchase Order re Animal Control Truck	3
8D. September 2010 Monthly Investment Report	3
8E. Youth Council 2009-2010 Annual Report	3
8F. Agreement re Inspection Services for Del Amo Blvd. Extension	3
8G. Agreement re Inspection Services for Wellhead Facilities	3
<u>HEARINGS</u>	
13A. Ordinance No. 3733 Amending Ordinance No. 3732 re Massage/Acupuncture Establishment Moratorium	4-5
<u>ORAL COMMUNICATIONS #2</u>	
<u>EXECUTIVE SESSION</u>	
<u>ADJOURNMENT</u>	

At 7:38 p.m., the meeting was adjourned to Tuesday, November 9, 2010 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

**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, November 2, 2010 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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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, pursuant to California Government Code § 54957.6.

The City Council reconvened at 7:05 p.m. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Human Resources Director Winer.

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 Thursday, October 28, 2010.

MOTION: Councilmember Numark 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 Brewer and passed by unanimous roll call vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

City Manager Jackson announced that Agenda Item 8C had been withdrawn and would be brought back at a later date.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Scotto noted that the polls were still open for today's statewide election until 8:00 p.m.; reviewed the positions taken by the Council on ballot measures; and encouraged those who had not voted to do so.

Fire Chief Racowschi announced that ExxonMobil would be conducting their monthly community alert siren testing on Wednesday, November 3, at approximately 11:30 a.m.

Councilmember Brewer announced that the Armed Forces Day Committee will meet on Monday, November 8, at 4:00 p.m. in the Third Floor Assembly room to discuss the budget for the Armed Forces Day Parade.

City Clerk Herbers announced that the City Clerk's office would remain open until 8:00 p.m. at 310.618.2870 to assist voters with questions about voting locations; that Vote-By-Mail Ballots may be dropped off at any precinct and must be received by 8:00 p.m. to be counted; and that election results could be found online at Los Angeles County website www.LAVote.net or at Secretary of State website <http://www.sos.ca.gov/elections>.

City Clerk Herbers invited staff and public to view the works of Torrance Artist Guild member David Wolfram on display in the City Clerk's office for the month of November.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2010-102 RE MINDA SANDBERG

RESOLUTION NO. 2010-102

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING MINDA SANDBERG UPON HER RETIREMENT FROM THE CITY AFTER TWENTY-TWO YEARS OF SERVICE

MOTION: Councilmember Furey moved to adopt Resolution No. 2010-102. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote.

To be presented at a later date.

6B. PROCLAMATION RE "NATIONAL INDIAN HERITAGE MONTH"

Mayor Scotto presented a proclamation declaring November as **National American Indian Heritage Month** in the City of Torrance to American Indians Chapter Chairman Sandra Bourassa and Regent Donna Grogan on behalf of the California State Society Daughters of the American Revolution, El Redondo Chapter.

7. ORAL COMMUNICATIONS #1

None.

8. CONSENT CALENDAR

8A. AGREEMENT RE COMPRESSED NATURAL GAS

Recommendation

Recommendation of the General Services Director that City Council authorize a sole-source purchasing agreement with Clean Energy Fuels Corporation of Seal Beach, CA, in an amount not to exceed \$55,000 to furnish compressed natural gas (CNG) on an as needed basis for a period of one year from November 1, 2010 to October 31, 2011.

8B. APPROPRIATION OF UNCLAIMED FUNDS FOR ANIMAL CONTROL TRUCK

Recommendation

Recommendation of the City Treasurer and Chief of Police that City Council:

- 1) Approve the transfer of \$69,678.67 of unclaimed funds from the Trust and Agency Fund; and
- 2) Appropriate and allocate \$69,678.67 to support the purchase of an additional animal control truck.

8C. PURCHASE ORDER RE ANIMAL CONTROL TRUCK

Recommendation

Recommendation of the General Services Director and Chief of Police that City Council:

- 1) Award a purchase order to Carmenita Truck Center of Santa Fe Springs, CA in the amount of \$41,080.73 including sales tax and tire fees, to furnish one (1) model year 2011 Ford F350 truck with a Pacific Truck Equipment animal control body attached (B2010-15), and,
- 2) Authorize transfer of \$41,080.73 from the Police operating budget to the Fleet Vehicle Replacement Fund.

Item was withdrawn and deferred to a later date.

8D. SEPTEMBER 2010 MONTHLY INVESTMENT REPORT

Recommendation

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for September 2010.

8E. YOUTH COUNCIL 2009-2010 ANNUAL REPORT

Recommendation

Recommendation of the Youth Council and the Community Services Director that City Council accept and file the Youth Council 2009-2010 Annual Report.

8F. AGREEMENT AMENDMENT RE INSPECTION SERVICES FOR DEL AMO BOULEVARD EXTENSION

Recommendation

Recommendation of the Public Works Director that City Council approve an amendment to the consulting services agreement with PBS&J (C2009-230) to increase the amount from \$137,260 to \$147,130 (an increase of \$9,870) to provide additional inspection services for the Del Amo Boulevard Extension, T-30, Phase 1 – Reroute of Two Water and Two Sewer Pipelines.

8G. AGREEMENT AMENDMENT RE INSPECTION SERVICES FOR WATER WELL NO. 9 WELLHEAD FACILITIES

Recommendation

Recommendation of the Public Works Director that City Council approve a fourth amendment to the consulting services agreement with AECOM USA, Inc. (C2008-012) to increase the amount from \$409,508 to \$431,808 (an increase of \$22,300) for construction management support and inspection services for the construction of the Water Well No. 9 Wellhead Facilities in McMaster Park, I-105.

MOTION: Councilmember Brewer moved to approve Consent Calendar Items 8A, 8B and 8D through 8G. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote.

13. HEARINGS

13A. INTERIM URGENCY ORDINANCE AMENDING ORDINANCE NO. 3732

Recommendation

Recommendation of the City Attorney that City Council:

- 1) Adopt an interim urgency Ordinance amending Ordinance No. 3732 and enacting limited classes of exemptions from the moratorium on the issuance of any permits or licenses for new massage and acupuncture establishments; and
- 2) Approve a summary of the interim urgency ordinance for publication.

Mayor Scotto announced that this was the time and place for a public hearing on this matter. City Clerk Herbers confirmed that it was properly advertised.

City Attorney Fellows advised that the proposed urgency Ordinance amends Ordinance No. 3732 by establishing a limited series of exemptions as directed by the Council at the October 26, 2010 meeting. He reported that the exemption categories were as follows: 1) Persons who had filed applications for a massage/acupuncture establishment on or before September 13, 2010, but had not completed processing or received License Review Board approval prior to the initial imposition of the moratorium on September 14, 2010; 2) Persons who had obtained a land use entitlement, a tenant-improvement building permit or other permit or entitlement on or before September 13, 2010 that unambiguously demonstrates the intent to obtain a massage/acupuncture establishment business license; 3) current licensees who wish to transfer an ownership or real property interest to another prospective operator during the moratorium; and 4) current licensees who wish to relocate their existing business to another location within the City.

John Papadakis, San Pedro, requested that the City approve Business Licenses for two of his tenants who have spent thousands of dollars on improvements to tenant spaces in anticipation of opening massage establishments. He explained that these tenants intend to operate legitimate businesses and their leases include language that makes it very clear that no illegal activity will be tolerated. He submitted copies of the leases.

City Attorney Fellows advised that Mr. Papadakis's tenants would have to show that they had obtained some type of permit or entitlement on or before September 13, 2010 that unambiguously demonstrates their intent to obtain a massage establishment business license in order to obtain an exemption.

As no one else from the public wished to be heard, the public hearing was closed.

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

ORDINANCE NO. 3733

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING INTERIM URGENCY ORDINANCE NO. 3732 TO ESTABLISH A LIMITED SERIES OF EXEMPTIONS TO THE CITY'S MORATORIUM ON ISSUANCE OF BUSINESS LICENSES FOR MASSAGE AND ACUPUNTURE ESTABLISHMENTS PURSUANT TO GOVERNMENT CODE SECTION 65858 AND SECTION 7 OF ARTICLE XI OF THE CALIFORNIA CONSTITUTION

MOTION: Councilmember Furey moved to adopt Ordinance No. 3733. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote.

MOTION: Mayor Scotto moved to approve an ordinance summary for publication. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote.

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The City Council met as the Redevelopment Agency from 7:32 p.m. to 7:34 p.m.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Brewer announced that the City will be hosting a vaccination clinic, sponsored by the Los Angeles County Department of Public Health, on Wednesday, November 10, from 10:00 a.m. to 3:00 p.m. at the Dee Hardison Sports Center Complex at Wilson Park and vaccinations for the flu, whooping cough and pneumonia will be offered free of charge.

17B. Councilmember Brewer announced that the South High cheer squad will be holding a holiday crafts festival on Wednesday, November 3, in the South High cafeteria from 6:00-9:00 p.m.

17C. Councilmember Furey announced that the Torrance Police Department Community Affairs Division will be holding a "Tip-a-Cop" fundraiser benefiting the South Bay Special Olympics on Thursday, November 18, from 5:00-9:00 p.m. at Romano's Macaroni Grill located at 25352 Crenshaw Boulevard.

17D. Councilmember Numark announced that the Torrance Police Department will be offering the third seminar in the series "Seniors Don't Be Scammed" on Tuesday, November 16, at 10:00 a.m. at the Katy Geissert Civic Center Library on the topic of street scams and pigeon drops.

17E. Councilmember Numark announced that the Torrance Chamber of Commerce will be holding a job fair on Thursday, November 4, at 9:00 a.m. at the Toyota Meeting Hall.

17F. Councilmember Rhilinger commended Parks and Recreation staff and volunteers for the Halloween Carnival at Wilson Park.

17G. Mayor Scotto reminded the public that there was still time to vote.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 7:38 p.m., the meeting was adjourned to Tuesday, November 9, 2010 at 5:30 p.m. for an executive session, with regular business commencing at 7:00 p.m. 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 December 21, 2010

Sue Sweet
Recording Secretary