

INDEX
TORRANCE CITY COUNCIL NOVEMBER 17, 2015

<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 Withdrawn, Deferred or Supplemental Items	1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	2
<u>COMMUNITY MATTERS</u>	
6A. Special Presentation from Southern California Kendo Federation	2
6B. Proclamation re "Small Business Saturday"	2
6C. Proclamation re "Torrance Education Foundation Month"	2
7. <u>ORAL COMMUNICATIONS #1</u>	2-3
<u>CONSENT CALENDAR</u>	
8A. Approval of Minutes	3
8B. Agreement Amendment re Legal Services	3
8C. Consulting Agreement re Madrona Marsh Nature Center Improvements	3
8D. Services Contract for Dedicated Fiber Optic Connectivity	3
8E. Premium Adjustment for Excess Workers' Compensation Insurance	4
<u>COMMUNITY SERVICES</u>	
9A. Ordinance Amending Torrance Certified Farmers' Market Rules and Regulations	4-5
<u>ADMINISTRATIVE MATTERS</u>	
12A. 2015-16 1 st Quarter Budget Review Report and Investment Report	6
12B. Resolution Establishing Other Post-Employment Benefits Trust	6
12C. Acceptance of Dedication for Street Easement	7
12D. Purchase Orders for Custodial Chemicals, Paper Goods, Supplies and Equipment	7
<u>SECOND READING ORDINANCES</u>	
16A. Second and Final Reading of Ordinance No. 3790	8
17. <u>ORAL COMMUNICATIONS #2</u>	8
18. <u>EXECUTIVE SESSION</u>	1, 8
19. <u>ADJOURNMENT</u>	8

At 8:39 p.m., the meeting was adjourned to Tuesday, November 24, 2015 at 4:00 p.m. for City Council Harassment Prevention Training, followed by non-televised Oral Communications at the conclusion of the Training at approximately 6:00 p.m. in the Council Chamber. There will be no regular City Council meeting on November 24. Tuesday, December 1, 2015 will be a Council dark night.

November 17, 2015

**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, November 17, 2015 in the Council Chamber at Torrance City Hall.

ROLL CALL

Present: Councilmembers Barnett, Goodrich, Griffiths, Rizzo, Weideman and Mayor Furey.

Absent: Councilmember Ashcraft.

Present: City Manager Jackson, Assistant City Manager Giordano, City Attorney Fellows, City Clerk Poirier and other staff representatives.

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 the City Attorney on agenda matters listed under 18A) Conference with Legal Counsel – Existing Litigation, and 18B) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code §54956.9(d)(1) and 54956.8.

The City Council reconvened at 7:01 p.m. with all members present except Councilmember Ashcraft. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/ INVOCATION

The flag salute was led by Councilmember Barnett.

The non-sectarian invocation was given by Councilmember Goodrich.

3. REPORT OF CITY CLERK ON POSTING OF THE AGENDA/ MOTION TO WAIVE FURTHER READING

City Clerk Poirier reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, November 12, 2015.

MOTION: Councilmember Barnett 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 Griffiths and passed by unanimous vote (absent Councilmember Ashcraft).

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

No items were withdrawn or deferred; supplemental material was available for Items 8C, 9A and 12D.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Rizzo announced that the Torrance City Council Transportation Committee met earlier today and discussed Torrance Transit April 2016 Service Changes, the Rubber Wheel Trolley Circulator and the timeline for construction of the Torrance Regional Transit Center and a report will be forwarded to the City Council in the near future.

6. COMMUNITY MATTERS

6A. SPECIAL PRESENTATION FROM SOUTHERN CALIFORNIA KENDO FEDERATION

Former Assemblyman George Nakano, Tim Yuge, and Chris Yang, representing Southern California Kendo Federation, presented Councilmember Gene Barnett with a plaque in appreciation for his dedication to the advancement of Kendo.

6B. PROCLAMATION RE "SMALL BUSINESS SATURDAY"

Mayor Furey presented a proclamation declaring Saturday, November 28, 2015 as **Small Business Saturday** in the City of Torrance to Jack Walser, Michelle Bourque, and Maria Applegate.

6C. PROCLAMATION RE "TORRANCE EDUCATION FOUNDATION MONTH"

Mayor Furey presented a proclamation declaring November 2015 as **Torrance Education Foundation Month** in the City of Torrance to Kevin O'Brien, TEF president, and Susan Swinburne, TEF executive director.

7. ORAL COMMUNICATIONS #1

Jim Dawson, Jeffrey Dill, Steven Steach, Tim Beck, Debbie Hayes, Janet Payne, and Joyce Neu spoke.

8. CONSENT CALENDAR

8A. APPROVAL OF MINUTES

Recommendation of the City Clerk that City Council approve the City Council minutes of October 13 and October 20, 2015.

8B. AGREEMENT AMENDMENT RE LEGAL SERVICES

Recommendation of the City Attorney that City Council approve a second amendment to the fee agreement with Rutan & Tucker, LLP of Costa Mesa, CA (C2014-111) to provide legal services to the City regarding Katie Bassilios v. City of Torrance, for an additional \$100,000, for a new not to exceed contract amount of \$315,000.

8C. CONSULTING AGREEMENT RE MADRONA MARSH NATURE CENTER IMPROVEMENTS

Recommendation of the General Services Director and Community Services Director that City Council award a consulting agreement with SAA Associates of Pasadena, CA in the amount of \$ 43,500 for the Madrona Marsh Nature Center Improvements (FEAP838/RFP B2015-28).

8D. SERVICE CONTRACT FOR DEDICATED FIBER OPTIC CONNECTIVITY

Recommendation of the Communications & Information Technology Director that City Council award a service contract with Time Warner Cable of Cerritos CA in the amount of \$35,760 (\$7,152 annually) to provide a dedicated fiber optic network connection for the Madrona Marsh for 5 years from service start.

8E. PREMIUM ADJUSTMENT FOR EXCESS WORKERS' COMPENSATION INSURANCE

Recommendation

Recommendation of the Finance Director that City Council approve an adjustment of the Excess Workers' Compensation Insurance premium from CSAC Excess Insurance Authority, through Alliant Insurance Services in the amount of \$13,362 for the period of July 1, 2014 to July 1, 2015 policy period.

MOTION: Councilmember Weideman moved to approve Consent Calendar Items 8A, 8B, 8C, 8D and 8E. The motion was seconded by Councilmember Rizzo and passed by a 6-0 vote (absent Councilmember Ashcraft).

9. COMMUNITY SERVICES

9A. ORDINANCE AMENDING TORRANCE CERTIFIED FARMERS' MARKET RULES AND REGULATIONS

Recommendation Community Services Director that City Council adopt an ordinance amending the rules and regulations of the Torrance Certified Farmers' Market.

Cultural Services Manager Rappoport provided background information about the Torrance Certified Farmers' Market, noting that it is one of the oldest, largest and well-attended farmers' markets in California. She reported that staff determined it was necessary to update the market's rules and regulations, which were last amended in 2003, to comply with changes in State law and L.A. County Health Department regulations. She briefly reviewed the most significant changes to the regulations, including the creation of an Expressive Conduct Users Zone and the establishment of penalties for violations of rules and regulations by vendors or members of the public. She noted supplemental material available at the meeting.

Councilmember Rizzo recommended that Section III, Subsection 4, of the Torrance Certified Farmers' Market Rules and Regulations be amended under "Admission of Expressive Conduct Users" for purposes of clarity as follows: "Prospective Expressive Conduct Users will be considered for participation in the Market by the Market Manager **add: subject to the conditions as listed in A through H.**"

Referring to Section III, Subsection 4, Item G, which states that market staff will accept applications for any unfilled Expressive Conduct User spaces between 7:00-7:30 a.m. and the space will be filled on a first-come first-served basis, Councilmember Goodrich related his belief that someone who reserves an Expressive Conduct User space should not lose that space just because he or she does not want to be at the market that early and recommended that this item be amended to add more flexibility.

City Attorney Fellows clarified that the intent of Item G was to allow Expressive Conduct User spaces that have not already been reserved to be filled on the day of the market.

Councilmember Goodrich recommended replacing the word "unfilled" with "unreserved" in Item G for purposes of clarity.

Noting that vendors are required to be at the market by 7:30 a.m., City Attorney Fellows suggested that it may be necessary to require those using Expressive Conduct Users spaces to set up at this time too to avoid disrupting the market.

Farmers' Market Manager Chan reported that this has not been a problem.

Janet Payne, Torrance, suggested that people who reserve an Expressive Conduct User space should be required to notify the Farmers' Market Manager if they're not going to use the space as vendors are required to do. She recommended that the "Expressive Conduct Users Zone" simply be called the "Community Zone" or something a little more user-friendly.

City Attorney Fellows indicated that he was open to suggestions, however the term "Community Zone" was not descriptive enough for the area.

Bob Habel, Torrance resident/farmers' market volunteer, voiced his opinion that spaces at the farmers' market should be reserved for vendors only.

Hans Grumman thanked the City for allowing a free speech area at the farmers' market, relating his belief that it was appropriate to allow public discourse at a community gathering place like this.

Councilmember Goodrich recommended that something be included in the Ordinance that would give the Market Manager the authority to deny an application for an Expressive Conduct User space if that person/group repeatedly reserves a space and fails to show up.

City Attorney Fellows advised that this was not included in the Ordinance because it would require very specific language and he thought it was unlikely to be a problem due to the limited number of spaces available.

Farmers' Market Manager Chan noted that it would cause her added work if she had to keep track of how often people do not show up for a reserved space and she would prefer to focus her time on the farmers, the vendors and the customers.

MOTION: Councilmember Barnett moved to concur with the staff recommendation with the following amendments:

- 1) Section III, Subsection 4, under Admission of Expressive Conduct Users: "Prospective Expressive Conduct Users will be considered for participation in the Market by the Market Manager **add: subject to the conditions as listed in A through H.**"
- 2) Section III, Subsection 4, Item G, replace "unfilled" spaces with "unreserved" spaces.

The motion was seconded by Councilmember Griffiths and passed by a 6-0 vote (absent Councilmember Ashcraft).

ORDINANCE NO. 3791

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE,
CALIFORNIA, ESTABLISHING RULES AND REGULATIONS FOR OPERATION
OF THE TORRANCE CERTIFIED FARMERS' MARKET**

MOTION: Councilmember Rizzo moved to adopt Ordinance No. 3791 as amended. The motion was seconded by Councilmember Goodrich and passed by unanimous vote (absent Councilmember Ashcraft).

MOTION: Councilmember Rizzo approved an ordinance summary for publication. The motion was seconded by Councilmember Goodrich and passed by a 6-0 vote (absent Councilmember Ashcraft).

12. ADMINISTRATION MATTERS

12A. 2015-2016 FIRST QUARTER BUDGET REVIEW REPORT/ INVESTMENT REPORT

Recommendation

Recommendation of the Finance and Governmental Operations Committee that City Council accept and file the 1st Quarter 2015-2016 Budget Review Report and the City Treasurer's Investment Report.

Councilmember Barnett, chair of the Finance and Governmental Operations Committee, stated that the Committee met on November 10 to review the 1st Quarter 2015-2016 Budget Report and the Investment Report and voted unanimously to accept them. He advised that the City's budget remains balanced as both revenues and departmental expenditures are within budgetary projections and there are positive signs in the economy, including the revitalization of Del Amo Fashion Center, new automobile dealerships and increased hotel usage.

MOTION: Councilmember Barnett moved to accept and file the reports. The motion was seconded by Councilmember Griffiths and passed by a 6-0 vote (absent Councilmember Ashcraft).

12B. RESOLUTION ESTABLISHING OTHER POST-EMPLOYMENT BENEFITS TRUST

Recommendation

Recommendation of the Finance Director that City Council:

- 1) Adopt a Resolution approving the Agreement and Election of the City of Torrance to prefund Other Post-Employment Benefits through California Public Employees' Retirement System/California Employers' Retirement Benefit Trust (CalPERs/CERBT); and
- 2) Approve the Delegation of Authority to Request Disbursements, and authorize the City Manager or his designee to take any additional actions necessary to participate in the CERBT program.

Finance Director Tsao advised that Other Post-Employment Benefits (OPEB) refer to medical benefits for retired employees and staff was recommending the establishment of an OPEB Trust, which will allow the \$5.6 million in assets that have been accumulated to prefund this liability to be invested in higher yielding investments.

MOTION: Councilmember Barnett moved to concur with the staff recommendation. The motion was seconded by Councilmember Griffiths and passed by 6-0 vote (absent Councilmember Ashcraft).

RESOLUTION NO. 2015-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
APPROVING AN AGREEMENT AND ELECTION TO PREFUND OTHER
POST-EMPLOYMENT BENEFITS THROUGH CALPERS

MOTION: Councilmember Rizzo moved to adopt Resolution No. 2015-84. The motion was seconded by Councilmember Goodrich and passed by unanimous vote (absent Councilmember Ashcraft).

12C. ACCEPTANCE OF DEDICATION FOR STREET EASEMENT

Recommendation of the Community Development Director that City Council accept a portion of an Irrevocable Offer of Dedication for Street Easement on the west side of Hawthorne Boulevard north of the City Boundary and adopt a Resolution of Acceptance. The easement is located at 25515 Hawthorne Boulevard.

Associate Civil Engineer Symons reported that this easement was granted in conjunction with the construction of the Sunrise senior living facility and will eventually be used for a dedicated right-turn lane, however only a portion will be used at this time for a wheelchair ramp along the driveway apron.

MOTION: Councilmember Barnett moved to concur with the staff recommendation. The motion was seconded by Councilmember Griffiths and passed by 6-0 vote (absent Councilmember Ashcraft).

RESOLUTION NO. 2015-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AUTHORIZING THE MAYOR AND THE CITY CLERK TO ACCEPT A PORTION
OF AN IRREVOCABLE OFFER OF DEDICATION FOR STREET PURPOSES ON THE
WEST SIDE OF HAWTHORNE BOULEVARD AND NORTH OF THE SOUTH CITY
BOUNDARY

MOTION: Councilmember Rizzo moved to adopt Resolution No. 2015-85. The motion was seconded by Councilmember Goodrich and passed by unanimous vote (absent Councilmember Ashcraft).

12D. PURCHASE ORDERS FOR CUSTODIAL CHEMICALS, PAPER GOODS, SUPPLIES AND EQUIPMENT

Recommendation of the General Services Director that City Council:

- 1) Award a purchase order to Abbot Industrial Supplies of North Hollywood, CA;
- 2) Award a purchase order to P&R Paper Supply Co. of Redlands, CA;
- 3) Award a purchase order to Unisource Worldwide of La Palma, CA; and
- 4) Award a purchase order to Gale Supply Company of Los Angeles, CA to furnish various custodial chemicals, paper goods, supplies and equipment on an as requested basis for a period of three (3) years effective December 1, 2015 through November 30, 2018 (B2015-34) in a combined total not to exceed \$674,871.89.

Fleet Services Manager Botiller reported that these purchase orders will provide for custodial supplies on an as-needed basis for all city facilities for a period of three years and each supplier is the lowest responsible bidder in that category.

MOTION: Councilmember Barnett moved to concur with the staff recommendation. The motion was seconded by Councilmember Griffiths and passed by 6-0 vote (absent Councilmember Ashcraft).

16. SECOND READING ORDINANCES

16A. SECOND AND FINAL READING OF ORDINANCE NO. 3790

ORDINANCE NO. 3790

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN PROPERTIES IN THE CITY OF TORRANCE LOCATED AT 23625-23649 ARLINGTON AVENUE FROM C-5 (CONDITIONAL COMMERCIAL DISTRICT) TO R-P (RESIDENTIAL PROFESSIONAL DISTRICT)

MOTION: Councilmember Rizzo moved to adopt Ordinance No. 3790. The motion was seconded by Councilmember Goodrich and passed by unanimous vote (absent Councilmember Ashcraft).

17. ORAL COMMUNICATIONS

Councilmember Griffiths, Councilmember Rizzo, Councilmember Weideman, Councilmember Barnett,

Mayor Furey provided information about TorranceAlerts, a notification system that allows residents to receive information from the City in the event of an emergency, and encouraged residents to sign up using the icon on the City's website.

18. EXECUTIVE SESSION

Considered earlier, see page 1.

19. ADJOURNMENT

At 8:39 p.m., the meeting was adjourned to Tuesday, November 24, 2015 at 4:00 p.m. for City Council Harassment Prevention Training, followed by non-televised Oral Communications at the conclusion of the Training at approximately 6:00 p.m. in the Council Chamber. There will be no regular City Council meeting on November 24. Tuesday, December 1, 2015 will be a Council dark night.

Attest:



Rebecca Poirier
City Clerk of the City of Torrance



Mayor of the City of Torrance

Approved on December 15, 2015