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**TORRANCE CITY COUNCIL – NOVEMBER 20, 2012**

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At 8:51 p.m., the meeting was adjourned to Tuesday, December 4, 2012 at 7:00 p.m. for regular business in the Council Chamber. **Tuesday, November 27 will be a Council dark night.**

**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 5:32 p.m. on Tuesday, November 20, 2012 in the Council Chamber at Torrance City Hall.

**ROLL CALL**

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

Absent: Councilmember Rhilinger.

Also Present: City Manager Jackson, Deputy City Attorney Thompson-Bell, City Clerk Herbers 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 Labor Negotiator, 18B) Conference with Legal Counsel – Existing Litigation, and 18C) Conference with Legal Counsel – Anticipated Litigation, pursuant to California Government Code §54957.6, 54956.9(a) and 54956.9(c).

The City Council reconvened at 7:00 p.m. with all members present except Councilmember Rhilinger. No formal action was taken on any matter considered in closed session.

**2. FLAG SALUTE/ INVOCATION**

The flag salute was led by Fire Chief Racowschi.

The non-sectarian invocation was given by Mayor Scotto.

Mayor Scotto introduced David Burks, Chorale Director, and the Torrance Civic Chorale who performed a preview of their holiday concert "Peace on Earth" to be held December 14 and 15 at the Armstrong Theatre.

**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, November 15, 2012.

**MOTION:** Councilmember Furey 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 vote (absent Councilmember Rhilinger).

**4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS**

No items were withdrawn or deferred. Supplemental material was available for Agenda Items 12A and 12D.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Councilmember Sutherland announced that the Finance and Governmental Operations Committee will meet on Tuesday, December 4, at 5:30 p.m. in the Council Chamber to review the 1<sup>st</sup> Quarter of the 2012-2013 Budget.

Councilmember Barnett announced that a City Council Community Outreach meeting will be held on Tuesday, December 11, at 7:00 p.m. in the Dee Hardison Sports Center at Wilson Park located at 2400 Jefferson Street.

City Clerk Herbers announced that all candidates for municipal office are required to observe Political Reform Act requirements and invited any interested member of the public - especially those interested in seeking an elected position in the 2014 Torrance municipal election - to attend a Candidate/Treasurer Seminar at 7:00 p.m. on Monday, December 17, in Redondo Beach City Hall. She noted that the class is free but reservations are required to ensure that materials are available and those who would like to attend should call 1.866.275.3772 to RSVP or email [seminars@fppc.ca.gov](mailto:seminars@fppc.ca.gov) as soon as possible with date and location of seminar, name, number of attendees, email address and telephone number.

Mayor Scotto asked that the meeting be adjourned in memory of former Councilman George Surber who passed away November 12 at the age of 91.

**6. COMMUNITY MATTERS**

**6A. PRESENTATION ON CAR2GO PROGRAM**

Walter Rosenkranz provided background information about car2go, a membership-based car sharing program, and briefly reviewed the company's proposal to establish a regional car2go program in the South Bay area.

City Manager Jackson advised that an agenda item will be brought back in the future regarding the car2go proposal because there are parking issues that must be addressed before such a program can go forward.

**6B. RECOGNITION OF VOLUNTEER KATHY YOUNG**

Mayor Scotto presented a certificate to Kathy Young in recognition of her service as a City of Torrance volunteer at the South Bay Environmental Services Center of the South Bay Cities Council of Governments.

**6C. ACCEPTANCE/APPROPRIATION OF EXXONMOBIL FOUNDATION DONATION FOR LIBRARY SYSTEM**

**Recommendation**

Recommendation of the Community Services Director that City Council accept a \$3,000 donation from ExxonMobil Foundation and appropriate the donation to the following programs:

- 1) \$1,000 to the North Torrance Library under FEAP #727 ExxonMobil Anniversary Grant to purchase math and science materials to supplement the ExxonMobil Math & Science Homework Center;
- 2) \$1,000 in support of 2013 Science Month; and
- 3) \$1,000 in support of the 2013 Summer Reading Program.

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

Wade Maxwell, ExxonMobil Process Division Manager, presented the donation to City Librarian Hillary Theyer, who accepted with appreciation.

**6D. ACCEPTANCE/APPROPRIATION OF EXXONMOBIL CORPORATION DONATION TO SPONSOR 8<sup>TH</sup> GRADE LEADERSHIP PROGRAM**

**Recommendation**

Recommendation of the Police Chief that City Council accept and appropriate a \$5,000 donation from ExxonMobil Corporation to sponsor the 8th Grade Leadership Program.

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

Wade Maxwell, ExxonMobil Process Division Manager, presented the donation to Police Chief John Neu and Juvenile Diversion Coordinator Shannon Flannery, who accepted with appreciation.

**7. ORAL COMMUNICATIONS #1**

**7A.** Mark Stephenson, Californians Aware, expressed concerns that only a small sampling of City of Torrance employees' CalPERS records are reviewed every 10 years. He stated that the most recent audit of the records of 20 City employees from 2000 through 2010 revealed costly deficiencies, which implies that a large number of the unaudited records contain transactional errors. He urged the City to conduct internal audits of employees' CalPERS records to ensure their accuracy.

**7B.** Teena Roshini, Youth Council, thanked the Mayor and Councilmembers for inviting the Youth Council to the Centennial Birthday Bash.

**8. CONSENT CALENDAR**

**8A. APPROVAL OF MINUTES**

**Recommendation**

Recommendation of the City Clerk that City Council approve the City Council minutes of October 23, 2012.

**8B. APPROVAL OF FINAL PARCEL MAP NO. 71745**

**Recommendation**

Recommendation of the Community Development Director that City Council:

- 1) Approve Final Parcel Map No. 71745;
- 2) Accept a 10' wide by approximately 462' long street easement on Crenshaw Boulevard with a 30' corner radius street easement at the southeast corner of Crenshaw Boulevard and 208th Street;
- 3) Accept 5' wide by various lengths of street easements at three different driveways on 208th Street and Madrid Avenue; and
- 4) Accept a 5' wide by approximately 251' long street easement on Dominguez Street with a 25' corner radius street easement at the northeast corner of Crenshaw Boulevard and Dominguez Street.

This project, owned by CREA/XISC Torrance Industrial, LLC is located at 500 Crenshaw Boulevard. This Final Parcel Map will subdivide one lot into two parcels and substantially conforms to and meets all conditions of approval of the Tentative Map.

**8C. AGREEMENT AMENDMENT RE GRANT FUNDING FOR DEL AMO BOULEVARD EXTENSION/GRADE SEPARATION**

**Recommendation**

Recommendation of the Public Works Director that City Council approve Amendment No. 4 to Amended and Restated Memorandum of Understanding/Letter of Agreement, MOU/ LOA.P0004314S with the Los Angeles County Metropolitan Transportation Authority (C2007-102) that extends from June 30, 2012 to June 30, 2013 the lapse date of grant funding for the Del Amo Boulevard Extension/Grade Separation, T-30.

**8D. PURCHASE ORDERS FOR CUSTODIAL CHEMICALS, PAPER GOODS, SUPPLIES AND EQUIPMENT**

**Recommendation**

Recommendation of the General Services Director that City Council award purchase orders to the following companies to furnish various custodial paper goods, chemicals, supplies, and equipment on an as requested basis, for a period of 3 years effective December 1, 2012 through November 30, 2015 (B2012-27) for a combined total not to exceed \$513,000 (including sales tax):

- 1) Abbott Industrial Supplies of North Hollywood, CA in an amount not to exceed \$76,500;
- 2) Waxie Sanitary Supply Co. of Ontario, CA in an amount not to exceed \$58,500; and
- 3) Unisource Worldwide of La Palma, CA, in an amount not to exceed \$378,000.

**8E. FEE AGREEMENT RE LEGAL SERVICES**

**Recommendation**

Recommendation of the City Attorney that City Council approve a fee agreement with the law firm of Rutan & Tucker, LLP to provide legal services in the case of Jon Carpenter v. City of Torrance for a total amount not to exceed \$35,000.

**8F. PURCHASE OF 2011 FORD CROWN VICTORIA POLICE INTERCEPTOR SEDANS**

**Recommendation**

Recommendation of the General Services Director that City Council authorize the sole-source purchase of ten (10) model year 2011 Ford Crown Victoria Police Interceptor (CVPI) patrol sedans to Wondries Fleet Group of Alhambra, CA in the amount of \$250,185.80 (including sales tax, tire, and delivery fees).

**8G. AGREEMENT RE LARGE WATER METER TESTING, REPAIR, REMOVAL AND INSTALLATION OF UNITIZED MEASURING ELEMENTS**

**Recommendation**

Recommendation of the Public Works Director that City Council accept the proposal submitted by Golden Meters Services Inc. and award a contract services agreement for a three year term in the amount of \$151,200 for services related to performing large water meter testing, repair (including repair parts) and removal and installation of unitized measuring elements (UME) (RFP B2012-37).

**8H. APPROPRIATION OF FUNDS FOR PUEBLO PARK RENOVATION**

**Recommendation**

Recommendation of the Community Services Director that the City Council:

- 1) Authorize a new Facility Equipment Automation Project (FEAP) for the renovation of Pueblo Park;
- 2) Appropriate \$150,000 funds from the Proposition A-Los Angeles County Regional Park Open Space District grant to the new FEAP; and
- 3) Approve a contract for \$82,736.90 with Dave Bang and Associates, Inc. of Tustin, CA for the purchase and installation of new play equipment.

**MOTION:** Councilmember Numark moved to approve Consent Calendar Items 8A through 8H. The motion was seconded by Councilmember Brewer and passed by unanimous vote (absent Councilmember Rhilinger).

**10. PLANNING AND ECONOMIC DEVELOPMENT**

**10A. RESOLUTION DENYING PRE12-00007: JOHN YANKOSKY/SAM LEUNG – 5356 DORIS WAY**

**Recommendation**

Recommendation of the Community Development Director that City Council adopt a Resolution reflecting City Council decision at the November 6, 2012 meeting to deny without prejudice a Precise Plan of Development to allow first and second story additions to an existing two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 5356 Doris Way.

Community Development Director Gibson advised that the resolution reflects the City Council's action at the November 6, 2012 meeting.

**RESOLUTION NO. 2012-81**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE GRANTING THE APPEAL AND DENYING WITHOUT PREJUDICE A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW FIRST AND SECOND STORY ADDITIONS TO AN EXISTING TWO-STORY SINGLE FAMILY RESIDENCE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 5356 DORIS WAY. **PRE12-00007: JOHN J. YANKOSKY (SAM LEUNG)**

**MOTION:** Councilmember Barnett moved for the adoption of Resolution No. 2012-81. The motion was seconded by Councilmember Brewer and passed by unanimous vote (absent Councilmember Rhilinger).

**12. ADMINISTRATIVE MATTERS**

**12A. DISPLAY OF UNITED STATES FLAG ON FIRE APPARATUS**

**Recommendation**

Recommendation of the Fire Chief that City Council approve maintaining the current system for displaying the United States of America flag on fire apparatus on selected days.

Councilmember Sutherland stated that he asked that this item be brought forward because he finds the sight of an American flag on a fire truck reassuring and does not believe this display of patriotism should be reserved for special occasions.

Councilmember Furey expressed support for allowing the flag to be displayed on fire trucks on an everyday basis.

Councilmember Brewer voiced concerns about allowing the Fire Department to display the flag on their vehicles when other City departments would not have the same opportunity and about the cost of installing and maintaining the flags.

Councilmember Sutherland clarified that other City departments have not requested that they be allowed to display the flag on City vehicles, therefore this action pertains to the Fire Department only. He related his believe that the cost of installing and maintaining the flags pales in comparison to the sacrifice of American soldiers who have fought and died to preserve our ability to hoist the flag.

Steve Waggoner, retired Torrance firefighter, urged the Council to allow the display of the flag on Fire Department vehicles on an everyday basis.

Jim Ellingson, retired Torrance firefighter, stated that he was pleased that the Torrance Fire Fighters Association was pursuing this issue and encouraged the Council to allow the display of the flag. He reported that he displayed the American flag on a fire engine after observing flags being displayed in this way by the New York Fire Department following the 9/11 terrorist attacks and he was reprimanded for doing so.

Councilmember Brewer expressed concerns about potential liability issues should a flag become dislodged from a fire engine and cause an accident or injury.

Ryan Rasnick, president of Torrance Fire Fighters Association, reported that it's very unlikely that a flag would become dislodged since the flags will be securely fastened to the fire engine with bolted brackets and the flag pole is flexible and designed not to break. He confirmed that TFFA was willing to pay for the initial cost of the flags and to pay for their replacement when necessary.

Fire Chief Racowski advised that command staff and the executive board of TFFA will develop guidelines for the proper maintenance of the flags.

**MOTION:** Councilmember Numark moved to approve changing the current system of displaying the United States of America flag to allow the flag to be displayed every day on fire apparatus, with Torrance Fire Fighters Association to pay for the cost and replacement of flags. The motion was seconded by Councilmember Furey and passed by unanimous vote (absent Councilmember Rhilinger).

## **12B. LICENSE AGREEMENT RE COMPRESSED NATURAL GAS FUELING FACILITY**

### **Recommendation**

Recommendation of the City Manager that City Council authorize the execution of a license agreement by and between the City of Torrance, a municipal corporation ("City"), Clean Energy, a California corporation ("CE") and Clean Energy Construction, a California corporation ("CECI") for the construction and operation of a compressed natural gas fueling facility within the Torrance City Yard complex located at 20500 Madrona Avenue for the exclusive use of the City of Torrance for fueling city vehicles.

Assistant to the City Manager Sunshine briefly outlined the terms of the agreement with Clean Energy for the construction and operation of a compressed natural gas fueling facility within the Torrance City Yard. He reported that Clean Energy will pay for the construction of the facility, with the cost to be offset by compression fees; that the facility will be used exclusively to fuel City vehicles; and that the term of the agreement is 10 years with 5 five-year extensions.

In response to Councilmember Numark's inquiry, a Clean Energy representative, confirmed that the existing CNG station in Torrance that is open to the public will remain in operation.

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

**12C. CONTRACT RE COMPRESSED NATURAL GAS FUELING STATION**

**Recommendation**

Recommendation of the Transit Director that City Council approve a contract with the South Coast Air Quality Management District (AQMD) and to appropriate \$175,000 to assist in the funding of a Compressed Natural Gas (CNG) fueling station.

Transit Administration Manager Mills reported that this grant from the AQMD will be used to offset the cost of constructing the CNG fueling station at the City Yard, which will allow the City to receive a reduction in compression fees associated with the use of the station.

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

**12D. RESOLUTION AMENDING THE CITY OF TORRANCE CONFLICT OF INTEREST CODE**

**Recommendation**

Recommendation of the City Clerk that City Council adopt a Resolution amending the City of Torrance Conflict of Interest Code.

Deputy City Clerk Poirier advised that the City's Conflict of Interest Code must be reviewed biennially and it was determined that the current code adopted in 2010 requires amendment to include title changes, additional filing requirements, position additions/deletions, and departmental position shifts.

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

**RESOLUTION NO. 2012-82**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING THE CITY'S CONFLICT OF INTEREST CODE WHICH INCORPORATES BY REFERENCE THE FAIR POLITICAL PRACTICES COMMISSION'S STANDARD MODE CONFLICT OF INTEREST CODE

**MOTION:** Councilmember Barnett moved for the adoption of Resolution No. 2012-82. The motion was seconded by Councilmember Brewer and passed by unanimous vote (absent Councilmember Rhilinger).

**12E. RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION FOR RUBBERIZED ASPHALT CONCRETE**

**Recommendation**

Recommendation of the Public Works Director that City Council:

- 1) Adopt a Resolution authorizing the submittal of a grant application to the State of California, Department of Recycling and Recovery, for a CalRecycle Grant in the amount of \$250,000 for the use of Rubberized Asphalt Concrete (RAC) in the Crenshaw Blvd Rehabilitation, I-120, and Palos Verdes Blvd Rehabilitation, I-121;
- 2) Authorize, upon approval of the grant, the appropriation of grant funds in an amount not to exceed \$110,257 to the Crenshaw Blvd Rehabilitation (between Sepulveda Blvd and Skypark Blvd, Pacific Coast Highway south to south City limits), I-120; and
- 3) Authorize, upon approval of the grant, the appropriation of grant funds in an amount not to exceed \$139,743 to the Palos Verdes Blvd Rehabilitation (between Pacific Coast Highway south to south city limits), I-121.

Associate Engineer Reis reported that CalRecycle provides grants up to \$250,000 for rubberized asphalt concrete projects in order to divert waste tires from landfill disposal, prevent illegal tire dumping and promote the use of recycled-tire products. She noted that rubberized asphalt concrete is durable, skid resistant and reduces tire noise and it was used successfully for the Torrance Boulevard and Sepulveda Boulevard Rehabilitation Projects.

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

**RESOLUTION NO. 2012-83**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING SUBMITTAL OF APPLICATIONS FOR ALL CALRECYCLE GRANTS FOR WHICH CITY OF TORRANCE IS ELIGIBLE

**MOTION:** Councilmember Barnett moved for the adoption of Resolution No. 2012-83. The motion was seconded by Councilmember Brewer and passed by unanimous vote (absent Councilmember Rhilinger).

**17. ORAL COMMUNICATIONS #2**

**17A.** Councilmember Brewer reminded the public that the annual Turkey Trot will be held on Thursday, November 22, with additional information on the City's website.

**17B.** Councilmember Brewer announced that Torrance Transit will be offering free Shopper's Special bus service along the Hawthorne Boulevard corridor on weekends beginning Sunday, November 24, through Sunday, December 23, from 10:00 a.m. to 6:00 p.m.

**17C.** Councilmember Brewer wished residents a happy Thanksgiving.

**17D.** Councilmember Furey also wished everyone a happy Thanksgiving.

**17E.** Councilmember Numark requested an excused absence for the December 4, 2012 City Council meeting.

**17F.** Councilmember Numark echoed Thanksgiving wishes to residents.

**17G.** Councilmember Sutherland asked staff to follow up on an email he received about excessive littering at Yukon Avenue and Artesia Boulevard.

**17H.** Councilmember Sutherland encouraged people to count their blessings on Thanksgiving.

**17I.** Councilmember Barnett wished everyone a happy Thanksgiving.

**17J.** Mayor Scotto challenged people to commemorate the week of Thanksgiving by performing an act of kindness for someone in need.

**17K.** Mayor Scotto wished City employees a happy Thanksgiving and thanked them for doing an outstanding job throughout the year.

**18. EXECUTIVE SESSION**

Considered earlier in the meeting, see page 1.

**19. ADJOURNMENT**

At 8:51 p.m., the meeting was adjourned to Tuesday, December 4, 2012 at 7:00 p.m. for regular business in the Council Chamber. **Tuesday, November 27 will be a Council dark night.**

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 January 15, 2013