

**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 6:32 p.m. on Tuesday, December 15, 2009 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.

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) Real Property – Conference with Real Property Negotiator, and 18B) Conference with Legal Counsel – Anticipated Litigation pursuant to California Government Code §54956.8 and 54956.9(c).

The City Council reconvened at 7:12 p.m. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Debbie Hays.

Rabbi Spero 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, December 10, 2009.

MOTION: Councilmember Rhilinger 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 Furey and passed by unanimous roll call vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS – None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Sutherland announced that a community meeting regarding the Ocean Avenue Sump would be held on Wednesday, December 16, at 7:00 p.m. at Anza Elementary, 21400 Ellinwood Drive.

Councilmember Furey announced that community meetings and design workshops for the Pueblo Park renovation would be held on Tuesday, December 22, at 5:30 p.m. and Wednesday, January 6, at 5:30 p.m. at the Pueblo Park Community Center, 2252 Del Amo Boulevard.

Public Works Director Beste encouraged residents to continue to conserve water and turn off automatic sprinklers during the rainy season.

Councilmember Brewer announced that a joint meeting of the Citizen Development and Enrichment Committee and the TUSD School Board would be held on Monday, December 21, at 5:00 p.m. in the West Annex Commission Room to discuss the possibility of joint elections, mail-in ballot elections, and change of election date.

Fire Chief Racowski announced that the Torrance Fire Department has been rated a Class 1 Fire Department, 1 of only 57 in the country, and thanked the Police and Public Works departments in helping to achieve this goal.

Assistant City Attorney Sullivan announced that the jury ruled in favor of the City of Torrance in the recent Gomez v. City of Torrance trial, noting the cooperation between the City Attorney's office and the Police Department.

6. COMMUNITY MATTERS

6A. RECOGNITION OF JAY SCHARFMAN

Mayor Scotto presented a proclamation and plaque to Jay Scharfman upon his retirement from the City, commending him for his dedication, professionalism, and contributions to the City Torrance.

City Manager Jackson expressed appreciation for Mr. Scharfman's dedicated service.

Former mayor Dan Walker, former mayor Dee Hardison and former council members Maureen O'Donnell, Dick Rossberg and Harvey Horwich shared remembrances of working with Mr. Scharfman as the staff liaison to the City Council and wished him well in his retirement.

6B. PROCLAMATION RE "A DAY WITHOUT A BAG"

Mayor Scotto presented a proclamation declaring December 17, 2009 as "***A Day Without a Bag***" in the City of Torrance to Paul McCabe, Environmental Quality and Energy Conservation Commission Chairman and Commissioners Gobble and Watson.

Mr. McCabe invited everyone to attend the City's 2nd annual Environmental Fair on March 27, 2010 at Madrona Marsh.

6C. GREEN PRIDE IN TORRANCE AWARD FOR 2008-2009

Mayor Scotto, with the assistance of Deputy Community Development Director Cessna, recognized the winners of the "Green is Good" coloring contest and presented them with certificates: Kenneth Alonzo, Torrance Cui, Milad Goodarzi, Navid Goodarzi, Jenny Hoang, Peyton Jensen, Nina Johnson, Jasmine Malick, Kellie Miyamoto, Jessica Rodriguez, Vani Sachdev, and Anna Thompson.

Mayor Scotto, with the assistance of Deputy Community Development Director Cessna, recognized the winners of the Green Pride in Torrance Award for 2008-2009 and presented certificates to: Mary Lou Weiss for Torrance Farmers Market, Fred Koch, Roy and Cornelia Nitzschner, Fern Ruiz, Torrance Elementary School and Karen Jackson. Unable to attend were Kristie Lanktree and Rory Lanktree.

7. ORAL COMMUNICATIONS #1

7A. Shelly Rose, Date Avenue resident, stated that due to concerns about traffic on her street, she built a fence which is blocking the public right-of-way and requested an encroachment permit until the City requires use of the property or installs a sidewalk.

7B. Bonnie Mae Barnard reported that Hope Chapel Torrance is looking for someone to lease a portion of their building, with information available by contacting Pastor Shoji at 310.972.0786. She invited everyone to attend the Heritage Holiday Home Tour, with additional information at 323.255.2700. She encouraged residents to donate to Treasure Box, which provides discounted grocery certificates, with additional information at www.treasurebox.org. She noted that she will be participating in a half marathon on her 60th birthday to raise funds for clean water in Kenya and donations can be made at www.firstgiving.com/mrsb.

7C. Dick Rossberg, Torrance, clarified remarks he made at a November City Council meeting regarding low and moderate income housing in the late 1970's and the establishment of the Barlett Center. He wished everyone a Merry Christmas.

7D. Assistant City Attorney Sullivan recognized Deputy City Attorney Thompson-Bell for her efforts on the Gomez case.

8. CONSENT CALENDAR

8A. APPROVAL OF MINUTES

Recommendation

Recommendation of the City Clerk that City Council approve the City Council minutes of October 6 and the joint City Council and T.U.S.D. meeting of November 9, 2009.

8B. ENVIRONMENTAL QUALITY AND ENERGY CONSERVATION COMMISSION 2008-2009 ANNUAL REPORT

Recommendation

Recommendation of the Community Development Director and the Environmental Quality and Energy Conservation Commission that City Council accept and file the Environmental Quality and Energy Conservation Commission 2008-2009 Annual Report.

8C. AGREEMENT RE INSPECTION SERVICES FOR DEL AMO BOULEVARD EXTENSION

Recommendation

Recommendation of the Public Works Director that City Council award a consulting services agreement in the amount of \$137,260 to PBS&J for a term of one year to perform construction inspection services for the Del Amo Blvd Extension, T-30 – Phase 1, reroute of two water and two sewer pipelines.

8D. CONTRACT RE POLICE DEPARTMENT ACCESSIBILITY UPGRADES

Recommendation

Recommendation of the General Services Director that City Council:

- 1) Award a contract to CA Construction for \$147,000 with a 5% contingency of \$7,350 for the Police Department Accessibility Upgrades (B2009-42) (FEAP #657); and
- 2) Approve a 10% project management fee of \$14,700.

8E. PURCHASE ORDER RE AUTOMATED CURBSIDE REFUSE AND RECYCLING CONTAINERS

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Appropriate \$34,680.97 from the Sanitation Enterprise Fund for the purchase of automated refuse and recycling containers; and
- 2) Authorize a purchase order with Toter Incorporated of Statesville, NC in the amount of \$34,680.97 for the sole source purchase of 636 Toter automated curbside refuse and recycling containers.

8F. ANNUAL SOFTWARE MAINTENANCE AND SUPPORT FOR CITYWIDE FINANCIAL SYSTEM

Recommendation

Recommendation of the Information Technology Director that City Council approve the purchase of annual software maintenance and support for the City-wide financial system from New World Systems of Troy, MI in the amount of \$57,476.

MOTION: Councilmember Numark moved for the approval of Consent Calendar Items 8A through 8F. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

10. PLANNING AND ECONOMIC DEVELOPMENT

10A. 2009 DRAFT GENERAL PLAN AND ENVIRONMENTAL IMPACT REPORT WORKSHOP

Considered separately, see pages 8-11.

12. ADMINISTRATIVE MATTERS

12A. APPOINTMENT OF MEMBERS TO PALOS VERDES LANDFILL CITIZENS ADVISORY COMMITTEE

Recommendation

Recommendation of the City Manager that City Council appoint members to the Palos Verdes Landfill Citizens Advisory Committee.

Mayor Scotto appointed the following members to the Los Angeles County Sanitation District Palos Verdes Landfill Citizens Advisory Committee: Councilmember Furey, Linda Cessna, and Doug Henry.

12B. AGREEMENT RE OPERATION AND MAINTENANCE OF GOLDSWORTHY GROUNDWATER DESALTER

Recommendation

Recommendation of the Water Commission and the Public Works Director that City Council approve an agreement with the Water Replenishment District of Southern California (WRD) to operate and maintain the WRD Goldsworthy Groundwater Desalter located at the City Services Yard facility. The agreement is for a five year period and provides the City with full cost reimbursement for all operational, labor, maintenance and other expenses, and will enhance the reliability of service from the facility.

Deputy Public Works Director van der Linden reported that the desalter at the City Yard has been operated and maintained by service contractors in the past and staff believes that it can be done more efficiently by City staff, with all costs fully reimbursed by the Water Replenishment District.

MOTION: Councilmember Rhilinger moved to approve the agreement. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

12C. AGREEMENT RE CONSTRUCTION OF CNG FUELING FACILITY

Recommendation

Recommendation of the City Manager that City Council approve a license agreement by and between the City of Torrance, a municipal corporation, Clean Energy, a California Corporation, and Clean Energy Construction, a California Corporation, to construct and operate a Compressed Natural Gas fueling facility on a portion of City-owned property at 20500 Madrona Avenue (City Yard).

Assistant to the City Manager Sunshine reported that the City will receive \$500 per month rent for the facility; a royalty of \$0.05 per gallon sold, excluding City-owned vehicles; and a reduced rate for fuel purchased for City vehicles. He noted that the station will be open to the public and that the existing bio-diesel fuel dispenser at the City Yard will be relocated.

In response to Councilmember Numark's inquiry, Sean Wine, business development manager for Clean Energy, confirmed that the terms of the contract were standard for this type of arrangement. He noted that the company has another CNG fueling station at Sepulveda and Figueroa and hopes to build more in the area due to the growing demand.

Councilmember Sutherland asked if the reduced rate for fuel could be extended to the Torrance Unified School District and Mr. Wine agreed to do so.

Christopher Pine, Bio-Diesel Co-op of Los Angeles, thanked the City and Clean Energy for agreeing to allow the bio-diesel fuel dispenser to remain at the City yard.

Sergio Carrillo, public affairs director for South Bay Yellow Cab and United Checker Cab, expressed support for the CNG fueling facility.

Councilmember Furey commented on the benefit to local residents who drive natural gas vehicles.

MOTION: Councilmember Rhilinger moved to approve the agreement. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

12D. AGREEMENT RE STATE GOVERNMENT CONSULTING AND ADVOCACY SERVICES

Recommendation

Recommendation of the City Manager that City Council approve a consulting services agreement with Joe A. Gonsalves & Son for government consulting and advocacy services for the period of January 1, 2010 through December 31, 2010 in the amount of \$48,000.

Assistant City Manager Giordano briefly reviewed the staff recommendation that a consulting services agreement with Joe A. Gonsalves & Son be approved for government consulting and advocacy services focusing on State legislation and grants.

Councilmember Sutherland voiced his opinion that cities should not have to hire lobbyists to receive their share of State and Federal funds.

Councilmember Numark expressed concerns that Torrance might not receive the same attention as long-standing clients.

Jason Gonsalves, Joe A. Gonsalves & Son, offered his assurance that the firm works equally hard for all clients, reporting that the company had a 90-95% success rate in obtaining State of California library grants for clients.

MOTION: Councilmember Rhilinger moved to approve the agreement. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

12E. AGREEMENT RE FEDERAL GOVERNMENT CONSULTING AND ADVOCACY SERVICES

Recommendation

Recommendation of the City Manager that City Council approve a consulting services agreement with David Turch and Associates for government consulting and advocacy services for the period of January 1, 2010 through December 31, 2010 in the amount of \$60,000.

Assistant City Manager Giordano briefly reviewed the staff recommendation that a consulting services agreement with David Turch and Associates be approved for government consulting and advocacy services focusing on Federal legislation and grants.

Councilmember Brewer questioned how the firm would handle two clients that are neighboring cities with competing interests.

Jamie Jones, David Turch and Associates, reported that the firm has several clients that are neighboring cities, including Colton and Rialto, and he believes they have been well served by having the same lobbyist.

Councilmember Numark asked about the effectiveness of involving City Council members in the pursuit of federal funds.

Mr. Jones stated that lobbying by local elected officials is very effective and he recommends that they visit Washington, D.C. sometime in late January through early March when senators and representatives are deciding on projects to support.

Mayor Scotto questioned whether the City of Redondo Beach would be concerned that Torrance was hiring the same firm since both cities are seeking funding for transit centers.

Mr. Jones related his belief that a regional approach was best and that both cities would benefit from this arrangement.

John Whipple, Torrance, requested information regarding the return on investment for hiring these two lobbying firms.

Assistant City Manager Giordano reported that staff did extensive research on the two recommended firms and they have a very good track record.

Councilmember Brewer stated that he believed there was a need for lobbyists and he discussed the two recommended firms with staff and was convinced they would be the best to represent the City of Torrance.

MOTION: Councilmember Rhlinger moved to approve the agreement. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

The City Council recessed from 8:59 p.m. to 9:14 p.m.

12F. FUNDING FOR POLICE FORENSICS IDENTIFICATION SECTION OFFICE SPACE
Considered later in the meeting, see page 8.

13. HEARINGS

13A. CITIZENS OPTIONS FOR PUBLIC SAFETY (COPS) GRANT FUNDING

Recommendation

Recommendation of the Chief of Police that City Council:

- 1) Convene a public hearing concerning Assembly Bill 3229, the 2009 Citizens Options for Public Safety (COPS) grant funding;
- 2) Receive input from staff on programs of interest to the Chief of Police and City Council as well as the public on the use of the grant funds; and
- 3) At the close of the hearing, appropriate and allocate \$33,359.90 to the recommended project.

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

Business Manager Anderson reviewed the recommendation that COPS grant funding in the amount of \$33,359.90 be allocated to reconfigure existing space in the police department facility to accommodate a Forensics Lab and office space for a team of seven Forensic Identification Specialists.

Police Chief Neu reported that having a Forensics Lab will greatly improve and expedite the police department's ability to process crime scene evidence. Additionally, he noted that civilianizing this task will allow six police officers to return to patrol.

Charles Deemer, Torrance, questioned how many other cities have Forensics Labs, and Police Chief Neu related his understanding that Torrance will be the fourth police department in L.A. County to have such a lab.

MOTION: Councilmember Rhilinger moved to close the public hearing. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote.

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

Agenda Item 12F was considered out of order at this time.

12F. FUNDING FOR POLICE FORENSICS IDENTIFICATION SECTION OFFICE SPACE

Recommendation

Recommendation of the Chief of Police that Council approve an increase in project funding (FEAP #731) to reconfigure existing space within the Police facility to establish office space for the Forensics Identification Section, including workstations and computers, for an expenditure of \$63,359.90.

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

The Redevelopment Agency met from 9:28 p.m. to 9:32 p.m.

The City Council recessed from 9:32 p.m. to 9:36 p.m.

Agenda Item 10A was considered out of order at this time.

10A. 2009 DRAFT GENERAL PLAN AND ENVIRONMENTAL IMPACT REPORT WORKSHOP

Recommendation

Recommendation of the Community Development Director that the City Council conduct a workshop to receive public comments and for the City Council to provide direction to staff on the 2009 Draft General Plan and Environmental Impact Report (EIR).

With the aid of slides, Deputy Community Development Director Cessna provided an overview of the 2009 Draft General Plan. Regarding proposed changes to Land Use Designations, she advised that based on testimony at the last workshop, staff

was now recommending that the Crenshaw/Amsler and Western Avenue South study areas be designated as General Commercial instead of Medium/Medium High Density Residential. She clarified that the Residential Office Land Use Designation proposed for the Border Avenue study area would accommodate light industrial uses and live/work lofts, which are some of the preferred uses mentioned by property owners in this area.

John Schoen, representing Pioneer Theaters dba Radium Open Air Market, voiced objections to changing the Land Use Designation for the Radium property from General Commercial to Medium Density Residential. He explained that the property owners have been operating a successful swap meet at this location for 30 years and they have no intention of selling or developing this property.

Citing concerns about overdevelopment, Councilmember Sutherland stated that he was opposed to changing the Land Use Designation for the Radium property because it would make it easier to develop it for residential use at some point in the future and he was not in favor of converting this commercial property for residential use.

Mayor Scotto indicated that he was also not in favor of changing the Land Use Designation of the Radium property.

Robert Thompson, Madrona Homeowners Association, expressed concerns about proposed changes to the Western Avenue study areas that would allow residential uses due to the impact on the infrastructure, police/emergency services and schools. He urged the Council to protect the interests of residents.

John Whipple, Torrance, recommended that an effort be made to preserve the character of existing residential neighborhoods and expressed concerns that the City's ordinance prohibiting the parking of motor homes on City streets has led to the paving of front yards for the parking of these vehicles.

Keith Pollastrini, owner of a business at 1740 Border Avenue, asked about the consequences should the General Plan be approved as proposed and the Land Use Designation for his property is changed to Residential Office.

Community Development Director Gibson advised that the new designation provides for a wider variety of uses should Mr. Pollastrini decide to sell or redevelop his property.

Mayor Scotto confirmed that Mr. Pollastrini could continue to operate his business.

Bonnie Mae Barnard, Torrance, requested that the Community Resources Element clarify that there was an industrial area in addition to the original Torrance Tract, when Torrance was founded, and asked that the section that mentions local preservation groups, include the Olmsted District Preservation Association along with Save Historic Old Torrance. She expressed concerns that changes to Land Use Designations proposed for the Western Avenue and Border Avenue study areas would allow mixed-use residential/commercial developments with an FAR of up to 1.0.

Community Development Director Gibson stressed the need to create opportunities that would allow for the building of new housing in order to comply with recent State legislation AB32 and SB375.

David Buxton, owner of Tormed Medical Building, 3440 Lomita Boulevard, reported that the proposed Hospital/Medical Land Use Designation allows a floor area ratio (FAR) ranging from 0.60 to 1.0 and urged that a maximum of 1.0 be set so people seeking to build medical offices would know exactly what is allowed. He explained that developers must pre-lease in order to make the building of medical offices financially feasible and it's impossible to pre-lease without knowing exactly how large the building will be. He read a letter from Craig Leach, president and CEO of Torrance Memorial Medical Center, in support of allowing an FAR of 1.0 for medical offices.

Community Development Director Gibson advised that while the parcel where the Tormed Medical Building is located could be suitable for higher density medical offices, this was not true for every parcel included within this designation, therefore the range in the FAR provides needed flexibility. He noted that any major medical office development would have to go through the discretionary review process to ensure its compatibility with the surrounding neighborhood.

Councilmember Brewer indicated that he was inclined to support a maximum FAR of 1.0 along Lomita Boulevard near Torrance Memorial Medical Center because there are no residences in the immediate area that would be impacted.

Mayor Scotto noted that the approval process for a medical office development would be the same regardless whether the FAR is set at a maximum of 1.0 or a range from 0.6 to 1.0.

Mr. Buxton related his belief that setting a maximum FAR of 1.0 would be an indication when future projects are considered by the Planning Commission or the City Council that this type of density was envisioned for this area.

Councilmember Sutherland indicated that he would support a maximum FAR of 1.0 for this area because it would remove a hurdle for developers and he believes this density is appropriate surrounding Torrance Memorial Hospital.

Dick Rossberg, Torrance, voiced objections to State mandates dictating how the City should be developed.

Councilmember Numark, noting that he is the Administrative Services Committee policy chair for the League of California Cities, reported that RHNA (Regional Housing Needs Assessment) allocations, AB32 and SB375 are a major source of concern for member cities, however, they are currently focused on the State's attempts to seize local funds.

Councilmember Rhilinger stressed the need to incorporate opportunities for new housing in the General Plan because SB375 includes provisions that would allow the State to make decisions on zoning if cities fail to do so. Noting that she is Torrance's representative for Southern California Association of Governments, she commented on the difficulty of repealing or amending SB375 because it enjoys support in northern California where compliance is not as onerous.

Charles Deemer, Torrance, expressed concerns about the City's ability to meet its housing quota without changing the Land Use Designations for the Radium property and the Crenshaw/Amsler study area to allow residential uses.

Christina Quinterro, Schools First Credit Union, 2409 Arlington Avenue, requested clarification regarding the ramifications of the proposed change in Land Use Designation for this property.

Councilmember Numark noted that the Crenshaw/Amsler study area was identified as an area that was underutilized and in need of revitalization during the public workshop process and recommended that an effort be made to attract new businesses to the area since the Council has decided that it is not suitable for residential development.

Mayor Scotto announced that the next General Plan Workshop will be held on Tuesday, January 19, 2010 and the focus will be the four elements that have not yet been discussed: Circulation and Infrastructure, Community Resources, Safety, and Noise.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Brewer asked staff to look into the possibility of broadcasting presentations made at the podium on Council Chamber monitors.

17B. Councilmember Numark reported that he has been in contact with an organization promoting integrated bike paths throughout the South Bay and asked staff to look into how the City could support their efforts.

17C. Councilmember Rhilinger announced that she has been appointed to represent the South Bay Cities Council of Governments on the South Bay Area Chamber of Commerce.

17D. Mayor Scotto, with the concurrence of Council, requested that an item regarding guidelines for City employees applying for commissions be sent to the Ethics and Integrity Committee for consideration along with an item establishing a gift and gratuity policy for all City commissioners.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 11:23 p.m., the meeting was adjourned to Tuesday, December 22, 2009 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chamber.

Attest: /s/ Frank Scotto
Mayor of the City of Torrance

/s/ Sue Herbers
Sue Herbers,
City Clerk of the City of Torrance

Approved on February 9, 2010