

INDEX
TORRANCE CITY COUNCIL – JANUARY 25, 2011

<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 Withdrawn/Deferred or Supplemental Items	2
5. Council Committee Meetings and Announcements	2
<u>6. COMMUNITY MATTERS</u>	
6A. Resolution No. 2011-08 re Robert Van Lingen	2
6B. Resolution No. 2011-09 re James Sheldon	2
6C. Resolution No. 2011-10 re Tim Stark	2
6D. Recognition of South High School Varsity Football Team	3
<u>7. ORAL COMMUNICATIONS #1</u>	
<u>8. CONSENT CALENDAR</u>	
8A. 2010-2011 Grant Funding for Non-Profit Social Services	3
8B. Traffic Commission 2010 Year in Review	3
8C. Appropriation of Grant Funds for Promotion of Beverage Container Recycling	4
8D. Consulting Services Agreement re Del Amo Boulevard Extension	4
8E. Data Network Equipment Maintenance Services	4
8F. Fee Agreement for Legal Services	4
8G. Agreement Amendments re Analysis of Water Samples	4
<u>12. ADMINISTRATIVE MATTERS</u>	
12A. Ordinance Dissolving Ethics and Integrity Committee	5
12B. Resolution Establishing Election and Candidates Ethics Committee	5-6
12C. Ordinance Eliminating the Disaster Council	6-7
12D. South Bay Measure R Program Early Action Project List	8
12E. Western Avenue Median Landscaping Project	8-9
<u>17. ORAL COMMUNICATIONS #2</u>	
<u>18. EXECUTIVE SESSION</u>	
	1, 9
<u>19. ADJOURNMENT</u>	
	9

At 8:55 p.m., the meeting was adjourned to Tuesday, February 1, 2011 at 5:30 p.m. for an executive session, with regular business 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 5:32 p.m. on Tuesday, January 25, 2011 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) Conference with Labor Negotiator, 18B) Conference with Legal Counsel – Existing Litigation, and 18C) Threat to Public Services or Facilities – Consultation with City of Torrance Police Chief, pursuant to California Government Code §54957.6, 54956.9(a) and 54957.

The City Council reconvened at 7:02 p.m. No action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Community Services Director Jones.

The non-sectarian invocation was given by Councilmember Rhilinger.

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, January 20, 2010.

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 Brewer and passed by unanimous roll call vote.

4. **WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS** – None.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

City Clerk Herbers announced that the last day to register to vote in the Special Election on February 15 to fill the 28th District State Senate seat is January 31. She noted that additional Information can be found at the L.A. County Registrar website www.LAVote.net or check the City Clerk webpage for links at www.TorranceCA.gov.

Mayor Scotto requested that the meeting be adjourned in memory of Torrance resident Travis Nation who passed away on January 16 at the age of 62.

6. **COMMUNITY MATTERS**

6A. **RESOLUTION NO. 2011-08 RE ROBERT VAN LINGEN**

RESOLUTION NO. 2011-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING RESERVE POLICE OFFICER **ROBERT VAN LINGEN** UPON HIS RETIREMENT AFTER THIRTY-THREE YEARS OF SERVICE

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-08. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

To be presented at a later date.

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

6C. **RESOLUTION NO. 2011-10 RE TIM STARK**

RESOLUTION NO. 2011-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING POLICE OFFICER **TIM STARK** UPON HIS RETIREMENT AFTER TWENTY-ONE YEARS OF SERVICE

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-10. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

To be presented at a later date.

6B. **RESOLUTION NO. 2011-09 RE JAMES SHELDON**

RESOLUTION NO. 2011-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING **JAMES D. SHELDON** UPON HIS RETIREMENT AFTER TWENTY-EIGHT YEARS OF SERVICE

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-09. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

Mayor Scotto presented the Resolution to Mr. Sheldon who accepted with appreciation.

6D. RECOGNITION OF SOUTH HIGH SCHOOL VARSITY FOOTBALL TEAM

Mayor Scotto recognized the South High School Varsity Football Team for competing in the CIF finals for the first time in the school's 53-year history and presented certificates to: Jesurun Wright, Preston Falmoe, Anthony Aguilar, Ryan Dobie, Kevin Haworth, Thomas Flanigan, Hayden Finley, Ian Campbell, James Pallitto, Terrence Pinks, John Sico, Kurtis Heinemann, Chris Aldape, Roberto Parsa, Seamus McNulty, Justin Concetti, Kevin Williams, James Pakzad, Cale Dester, Dylan Redondo, Orion Gould, Dylan Tobin, Keith Mitsuchi, John Marcopoulos, Colton Glandorff, Joe Compton, Armin Haghanimanesh, Drew Lawrence, Eric Capacchione, James Hapgood, Kevin McMahon, Kevin Park, Karl Panzer, Jordan White, Jake Hood, Julian Blood, Seth Baumann, Rheid Thill, Alex Lee, Brandon Loera, Malik Johnson, Nick Campbell, Tyler Glandorff, Kurt Lipar, and Brent Malone, head coach Josh Waybright and assistant coaches: Chris Hyduke, Louie Pastor, Shane Gonzales, Michael Mandel, Johnny Garcia, Justin Hapgood, Dwon Drummer, Ed Hyduke, Nick Sanders, and Gene Moran.

7. ORAL COMMUNICATIONS #1

7A. Melissa Wright, Torrance, expressed appreciation to everyone involved from conception to completion of the new Seaside Heroes Park and commended City staff for the dedication ceremony held the previous Saturday.

7B. June Lee, Torrance, Torrance, thanked nearby residents, the Council and Mayor, and City staff for their efforts to create the new Seaside Heroes Park, as well as those who assisted with the design and crafting of the memorial wall.

7D. Charles Deemer, Torrance, noted that people commonly ride bicycles on the sidewalk rather than using bike lanes on Torrance Boulevard and questioned whether this violates any City laws and Police Chief Neu confirmed that this is a violation.

7E. Charles Deemer, Torrance, requested clarification of the results of the Torrance Transit survey regarding the re-routing of buses, and Transit Director Turner offered to discuss the matter with Mr. Deemer after the meeting.

8. CONSENT CALENDAR

8A. 2010-2011 GRANT FUNDING FOR NON-PROFIT SOCIAL SERVICES

Recommendation

Recommendation of the Parks and Recreation Commission and the Community Services Director that City Council approve a total of \$20,942.06 for thirteen applicants for 2010-2011 Grant Program for Non-Profit Social Services Agencies.

8B. TRAFFIC COMMISSION 2010 YEAR IN REVIEW

Recommendation

Recommendation of the Community Development Director that City Council accept and file the Traffic Commission 2010 Year in Review.

8C. APPROPRIATION OF GRANT FUNDS FOR PROMOTION OF BEVERAGE CONTAINER RECYCLING

Recommendation

Recommendation of the Public Works Director that City Council approve the appropriation of \$20,700.74 of CalRecycle beverage container recycling grant funds for the promotion of beverage container recycling.

8D. BUDGET TRANSFER/CONSULTING SERVICES AGREEMENT RE DEL AMO BOULEVARD EXTENSION

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Appropriate \$285,389.86 from the Transportation Impact Fee Program Fund to the Del Amo Boulevard Extension, T-30;
- 2) Approve a budget transfer of \$285,389.86 of General funds from the Del Amo Boulevard Extension, T-30 to the City's slurry seal program; and
- 3) Award a consulting services agreement in the amount of \$84,060 to Labelle-Marvin, Inc. to perform materials testing and paving inspection services for the Del Amo Boulevard Extension, T-30; Federal Project No. ESPLRSTP 5249-(021) for a term through December 31, 2013.

8E. DATA NETWORK EQUIPMENT MAINTENANCE SERVICES

Recommendation

Recommendation of the Information Technology Director that City Council approve the purchase of a SmartNet maintenance service agreement from Cisco Systems, Inc. of San Jose, CA for data network equipment maintenance services in the amount of \$73,266.05.

8F. FEE AGREEMENT FOR LEGAL SERVICES

Recommendation

Recommendation of the City Attorney that City Council approve a fee agreement with the law firm of Buchalter Nemer to provide legal services to the City in the case of Andrew Nishimoto v. City of Torrance, et al., USDC Case No. CV09-08328 SVW (AJWx), for a total contract amount not to exceed \$25,000.

8G. AGREEMENT AMENDMENTS RE LABORATORY ANALYSIS/TESTING OF WATER SAMPLES

Recommendation

Recommendation of the Public Works Director that City Council approve amendments with Test America Laboratories, Inc. to extend the term of agreements C2010-011 and C2010-012 to February 28, 2012 for laboratory analysis and testing of water samples for:

- 1) Contract C2010-011 pertaining to services for City contract operation of the Goldsworthy Desalination Facility owned by the Water Replenishment District of Southern California; and
- 2) Contract C2010-012 pertaining to services for City-owned water facilities.

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

12. ADMINISTRATIVE MATTERS

12A. ORDINANCE DISSOLVING THE TORRANCE ETHICS AND INTEGRITY COMMITTEE

Recommendation

Recommendation of the City Manager that City Council adopt an Ordinance repealing Article 20 of Chapter 3 of Division 1 of the Torrance Municipal Code and dissolving the Torrance Ethics and Integrity Committee and approve an ordinance summary for publication.

Management Associate Hoang reported that this item was brought forward at the request of the Council due to concerns about the Ethics and Integrity Committee's ability to complete the task of developing materials to encourage ethical campaign practices in time for June 2012 municipal election, therefore the committee was being dissolved and a smaller more efficient committee was being created to focus on ethical campaign practices (*Companion to Item 12B*).

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

ORDINANCE NO. 3740

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE
REPEALING ARTICLE 20 OF CHAPTER 3 OF DIVISION 1 OF THE
TORRANCE MUNICIPAL CODE AND DISSOLVING THE TORRANCE
ETHICS AND INTEGRITY COMMITTEE

MOTION: Councilmember Numark moved to adopt Ordinance No. 3740. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

12B. RESOLUTION ESTABLISHING ELECTION AND CANDIDATES ETHICS COMMITTEE

Recommendation

Recommendation of the City Manager that City Council adopt a Resolution creating the Election and Candidates Ethics Committee for a fixed term and providing for the appointment of its members and its chair, and designating the Committee's powers and duties.

Management Associate Hoang reported that in accordance with direction from the Council, the Resolution creates an Election and Candidates Ethics Committee; provides for the appointment of members; details the committee's powers and duties; and sets a sunset date of October 25, 2011.

Charles Payne, former member of the Ethics and Integrity Committee, suggested that the committee develop guidelines for voters to be printed on a small card for distribution and that the City establish a hotline for the reporting of possible ethics violations.

Charles Deemer, Torrance, questioned whether TUSD School Board candidates would be subject to the ethics policy to be developed by the committee, and Mayor Scotto advised that they would not.

Marty Gallagher, Torrance, former member of the Ethics and Integrity Committee, explained that the committee was unable to live up to its full potential because of the way that it was structured and stressed the need to establish clear expectations and to provide a forum that allows more flexibility and encourages creative thinking.

Mayor Scotto thanked Mr. Payne and Mr. Gallagher for their service on the Ethics and Integrity Committee.

Councilmember Numark, with the concurrence of Council, requested that the new committee consider Mr. Payne's suggestions.

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

City Attorney Fellows reported that concerns have been expressed about holding the first meeting at the end of February due to the short tenure of this committee and proposed amending Section 1, Subsection 4 of Resolution No. 2011-14 to state, "The Committee will normally meet on the fourth Wednesday of each month at 6:30 p.m. in the West Annex commission meeting room unless other meeting dates and times are selected by majority vote of the committee. The committee's first meeting will be called by its chair."

RESOLUTION NO. 2011-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
CREATING THE ELECTION AND CANDIDATES ETHICS COMMITTEE,
PROVIDING FOR THE APPOINTMENT OF ITS MEMBERS AND ITS POWER
AND DESIGNATING ITS POWERS AND DUTIES

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-14 amending Section 1, Subsection 4 as proposed. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

12C. ORDINANCE ELIMINATING THE DISASTER COUNCIL

Recommendation

Recommendation of the City Manager and Police Chief that City Council adopt an Ordinance to amend Division 1, Chapter 6, Article 2, Section 16 of the Torrance Municipal Code by eliminating the Disaster Council and approve an ordinance summary for publication.

Deputy Police Chief Browne reported that staff was recommending that the Disaster Council be eliminated due to organizational changes and because its mission has been fulfilled.

Caroline Elam, Torrance, related her belief that the Disaster Council plays a vital role in educating the public about disaster preparedness; noted that representatives from local hospitals, the Torrance Unified School District and various industries attend Disaster Council meetings; and urged the City Council not to disband it.

Hope Witkowsky, Torrance, noting that she is a member of CERT (Community Emergency Response Team) and TARA (Torrance Amateur Radio Association), voiced her opinion that it was important to maintain some type of committee or club to act as a conduit between volunteers and the police and fire departments.

Deputy Chief Browne explained that a meeting with Disaster Service Volunteers is held every month and staff also meets with the Torrance Unified School District, local hospitals and ExxonMobil on a regular basis.

Councilmember Numark expressed concerns that by eliminating the Disaster Council, residents would no longer have a forum for providing input on disaster response/emergency preparedness.

City Manager Jackson advised that policy decisions that were formerly considered by the Disaster Council have been superseded by State and Federal mandates. He noted that the City's Emergency Plan specifically calls for the involvement of volunteers, including CERT and TARA, and they most recently participated in the earthquake drill the Great Shakeout.

MOTION: Councilmember Sutherland moved to concur with the staff recommendation and approve an ordinance summary for publication. The motion was seconded by Councilmember Brewer and passed by a 6-1 roll call vote, with Councilmember Numark dissenting.

ORDINANCE NO. 3741

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE
REPEALING AND RESTATING ARTICLE 2 OF CHAPTER 6 OF DIVISION 1 OF
THE TORRANCE MUNICIPAL CODE RELATED TO ORGANIZATION OF THE
CITY OF TORRANCE DISASTER COUNCIL

MOTION: Councilmember Brewer moved to adopt Ordinance No. 3741. The motion was seconded by Councilmember Barnett and passed by a 6-1 roll call vote, with Councilmember Numark dissenting.

12D. MEASURE R HIGHWAY PROGRAM EARLY ACTION PROJECT LIST

Recommendation

Recommendation of the City Manager and Public Works Director that City Council adopt a Resolution in support of recommended South Bay Measure R Highway Program Early Action Project List, and approval of Torrance projects within the list, to be acted on by the South Bay Council of Governments Board on January 27, 2011, and submitted to the Metro Board for their action in February, 2011 for funding allocation approval.

Public Works Director Beste briefly reviewed the four Torrance projects on the South Bay Measure R Highway Program Early Action Project List totaling \$43 million over a period of five years, to be funded by the one-half cent sales tax approved by voters in 2008 for transportation improvements in L.A. County.

Councilmember Rhilinger reported that South Bay Cities Council of Governments is coordinating the implementation plan for Measure R funding since it is a regional program and commended Public Works, Community Development and City Manager's Office staff for compiling the necessary information and working with their counterparts in other South Bay cities to prioritize the projects.

Mayor Scotto noted that Measure R funding will greatly benefit Torrance by creating jobs as well as improving the flow of traffic.

Charles Deemer, Torrance, requested clarification regarding the scope of the Torrance projects, which was provided by Public Works Director Beste.

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

RESOLUTION NO. 2011-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
IN SUPPORT OF THE SOUTH BAY MEASURE R HIGHWAY PROGRAM
EARLY ACTION PROJECT LIST

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-15. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote.

12E. WESTERN AVENUE MEDIAN LANDSCAPING PROJECT

Recommendation

Recommendation of the Community Development Director that City Council:

- 1) Appropriate \$413,746.49 of Prop C funds to the Western Avenue Median Landscaping project, (CIP A-19);
- 2) Award a public works agreement to KASA Construction, Inc. in the amount of \$617,766.35 and authorize a 5% contingency in the amount of \$30,888.32;
- 3) Award a contract service agreement to Bureau Veritas North America, Inc. in the amount of \$54,660 to perform construction inspection services; and
- 4) Authorize the Mayor to execute and the City Clerk to attest to said agreements.

Transportation Planning Manager Semaan briefly reviewed the staff recommendation.

Councilmember Sutherland questioned whether this money might be better spent resurfacing Western Avenue rather than landscaping the median.

City Manager Jackson advised that the project will benefit the City in terms of economic development and honors commitments made to Toyota and the new Miyako Hybrid Hotel regarding perimeter improvements.

