

November 3, 2009

**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 7:02 p.m. on Tuesday, November 3, 2009 in City Council Chambers at Torrance City Hall.

ROLL CALL

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

Also Present: City Manager Jackson, City Attorney Fellows, City Clerk Herbers, and other staff representatives.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Ethics and Integrity Committee member Keith Montoya.

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 29, 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 WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS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 reported that the Finance and Governmental Operations Committee had met earlier and budget projections are on target and that an item would be presented to City Council at an upcoming meeting.

Councilmember Furey announced that the City Council would hold a joint meeting with the Torrance Unified School District Board of Trustees on Monday, November 9, at 7:00 p.m. in the Toyota Meeting Hall, 3330 Civic Center Drive.

Councilmember Numark announced that public hearings would be held at Anza Elementary, 21400 Ellinwood Drive, on the Ocean Avenue sump on Wednesday, November 4, at 7:00 p.m. and the Bishop Montgomery sump on Wednesday, November 18, at 7:00 p.m.

Councilmember Barnett announced that the next Ad Hoc Commission Review Committee meeting would be held on Monday, November 16, at 7:00 p.m. in the Council Chamber.

Councilmember Barnett announced that the next Centennial Committee meeting would be held Monday, November 23, at 6:00 p.m. in the Katy Geissert Civic Center Library meeting room.

Councilmember Brewer announced that the City Council would hold a joint meeting with the Youth Council on Tuesday, November 17, at 5:30 p.m. in the West Annex Commission room.

City Manager intern Elmore gave a brief summary of the Make a Difference Day event at the Madrona Marsh on October 24 and thanked the 150 volunteers along with BJ's restaurant for donating meals for the volunteers.

City Clerk Herbers announced that the polls would remain open until 8:00 p.m. and that the City Clerk's office was open until then in the event that voters need information about polling locations. She noted that results of the TUSD election would be shown on a crawl on CitiCABLE Channel 3 through November 4 and more complete area election information could be found at www.lavote.net.

City Clerk Herbers announced that applications to fill a vacancy on the Torrance Ethics and Integrity Committee would be accepted in the City Clerk's office until 5:30 p.m. on Wednesday, November 4.

7. **ORAL COMMUNICATIONS #1**
None.

8. **CONSENT CALENDAR**

8A. **SEPTEMBER 2009 MONTHLY INVESTMENT REPORT**

Recommendation

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for September 2009. (*Companion to Redevelopment Agency Item*)

8B. **APPROVAL OF FINAL TRACT MAP NO. 61985**

Recommendation

Recommendation of the Community Development Director that City Council:

- 1) Approve Final Tract Map No. 61985, creating a mixed-use development consisting of seven residential condominium units and one commercial condominium unit on a one lot subdivision. The project, subdivided by Michael Mulligan, is located at 1620 Gramercy Avenue, which substantially conforms to and meets all conditions of approval of the Tentative Map;
- 2) Accept a 2.5' wide public street easement for the length of the east side of the project along the west side of the alley; and
- 3) Accept a 10' corner cut-off at the west corner of the lot.

8C. **FEE AMENDMENT FOR LEGAL SERVICES**

Recommendation

Recommendation of the City Attorney that City Council approve the second amendment to the fee agreement with the law firm of Liebert Cassidy Whitmore (C2007-064) to provide legal services in a civil service matter for an additional \$45,000 for a contract total not to exceed amount of \$89,000.

8D. FEE AMENDEMENT FOR LEGAL SERVICES

Recommendation

Recommendation of the City Attorney that the City Council approve the Second Amendment to Fee Agreement (C2008-211) with the law firm of Liebert Cassidy Whitmore to provide legal services in the matter of Nazir v. City of Torrance, Los Angeles Superior Court Case No. BS115581, for an additional \$30,000 for a contract total not to exceed amount of \$75,000.

8E. ACCEPTANCE/APPROPRIATION OF 2009 HOMELAND SECURITY GRANT PROGRAM FUNDS

Recommendation

Recommendation of the Police Chief that City Council:

- 1) Authorize the acceptance of the 2008 State Homeland Security Grant Program award in the amount of \$23,112 and approve a subrecipient agreement with the County of Los Angeles;
- 2) Appropriate and allocate the grant funds for the Police License Plate Recognition project; and
- 3) Authorize a purchase order to PIPS Technology of Anaheim, CA, not to exceed \$23,112 for a license plate recognition system.

8F. RECOGNITION AND ATTORNMENT AGREEMENTS RE TORRANCE TOWNE CENTER

Recommendation

Recommendation of the City Manager that City Council approve Recognition and Attornment agreements with: Howard's Appliances, Inc., a California Corporation; and Goodwill Serving the People of Southern Los Angeles County, a non-profit organization for City-owned property located at northeast corner of Pacific Coast Highway and Crenshaw known as Torrance Towne Center.

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.

12. ADMINISTRATIVE MATTERS

At 7:12 p.m., the City Council convened in joint session with the Public Financing Authority and PFA Agenda Item 4a was considered concurrently with City Council Agenda Item 12A.

12A. AUTHORIZATION OF 2009 CERTIFICATES OF PARTICIPATION

Recommendation

Recommendation of the Finance Director that City Council approve the preliminary official statement and adopt a Resolution authorizing and directing the issuance of 2009 Certificates of Participation (the "2009 COP") in the amount not to exceed \$28,000,000. (*Companion to Pubic Finance Authority item 4a*)

Finance Director Tsao reported that the 2009 Certificates of Participation would be used to fund the purchase of property at 465 Crenshaw Boulevard and to refund 1998 Certificates of Participation, noting that the 1998 COP will be refunded only if significant savings in the annual debt service can be achieved.

Charles Deemer, Torrance, requested information regarding other outstanding Certificates of Participation, which was provided by Finance Director Tsao.

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

RESOLUTION NO. 2009-103

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING, AUTHORIZING, AND DIRECTING EXECUTION OF CERTAIN LEASE FINANCING DOCUMENTS, APPROVING SALE OF CERTIFICATES, APPROVING A PRELIMINARY OFFICIAL STATEMENT, AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO

MOTION: Councilmember Barnett moved for the adoption of Resolution No. 2009-103. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

The meeting of the Public Financing Authority was adjourned at 7:22 p.m.

12B. AGREEMENT FOR CONSTRUCTION OF WELL NO. 9 AT MCMASTER PARK

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Approve the plans and specifications for Construction of Well No. 9, Wellhead Facilities in McMaster Park, CIP No. I-105 (B2009-41) on file in the Public Works Department;
- 2) Release the apparent low bidder, Atom Engineering Construction, from his bid due to an error in his submittal;
- 3) Award a public works agreement, with a 12-month term commencing December 2009 through June 2010, to the second lowest bidder MG Enterprises, Inc. in the amount of \$556,952; and
- 4) Authorize a 5% contingency in the amount of \$27,847.60 for the Construction of Well No. 9, Wellhead Facilities, I-105.

Engineering Manager Ringland reported that this project will significantly increase the production of Well No. 9, which has been declining for several years. He noted the staff was recommending that the low bidder be released from his bid due to a clerical error and that a contract be approved with the second lowest bidder MG Enterprises, Inc.

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 Council met as the Redevelopment Agency from 7:27 p.m. to 7:30 p.m.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Barnett commended Community Services staff for the successful Halloween Carnival held at Wilson Park on Saturday, October 31, noting that over 3000 people attended.

17B. Councilmember Barnett, with the concurrence of Council, requested that staff arrange to have Torrance Kendo Club Team USA recognized for their achievements at the 14th Annual Kendo World Championship.

17C. Councilmember Barnett requested that staff look into residents' complaints that large trucks are traveling on restricted segments of Del Amo Boulevard.

17D. Councilmember Brewer encouraged everyone to vote, noting that there was still 30 minutes before the polls close.

17E. Councilmember Furey noted that he attended the Halloween Carnival at Wilson Park and it was a great event.

17F. Councilmember Furey invited everyone to participate in the 30th annual Turkey Trot, a three-mile fun run, to be held on Thursday, November 26, beginning at 8:00 a.m. in the Sam's Club parking lot on Skypark Drive, with additional information available at www.TorranceCA.gov or 310.618.2720.

17G. Councilmember Numark encouraged everyone to participate in the torch relay benefiting the Children's Miracle Network in conjunction with the Children's Hospital of Los Angeles on Sunday, November 8, beginning at 8:45 a.m. at Miramar Park, with additional information available at www.TorranceCA.gov/events.

17H. Councilmember Numark reported that he has been appointed as Policy Chair of the Administrative Services Committee for the League of California Cities.

17I. Councilmember Sutherland encouraged people to vote, noting that one or two votes can make a difference.

17J. Mayor Scotto also encouraged people to vote.

18. EXECUTIVE SESSION

None.

19. ADJOURNMENT

At 7:35 p.m., the meeting was adjourned to Monday, November 9, 2009 at 7:00 p.m. for a joint meeting with the Torrance Unified School District Board of Trustees in the Toyota Meeting Hall at the Torrance Cultural Arts Center, 3330 Civic Center Drive. The next regular meeting will be held on Tuesday, November 10, 2009 at 5:30 p.m. for an executive session with regular business 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 January 12, 2010