

**INDEX**  
**TORRANCE CITY COUNCIL – MARCH 8, 2011**

<b><u>SUBJECT</u></b>	<b><u>PAGE</u></b>
<b><u>OPENING CEREMONIES</u></b>	
1. Call to Order/Roll Call	1
2. Flag Salute/Invocation	1
3. Affidavit of Posting/Waive Further Reading	2
4. Withdrawn/Deferred or Supplemental Items	2
5. Council Committee Meetings and Announcements	2
<b><u>6. COMMUNITY MATTERS</u></b>	
6A. Proclamation re “California Arbor Week”	3
6B. Recognition of Yokohama National University Students	3
<b><u>7. ORAL COMMUNICATIONS #1</u></b>	
<b><u>8. CONSENT CALENDAR</u></b>	
8A. Agreement Amendment re Legal Services	3
8B. January 2011 Monthly Investment Report	3
8C. Acceptance/Appropriation of FY2008 Urban Areas Security Initiative Federal Grant for Purchase of P25 Radios	3
8D. Agreement re Janitorial Cleaning Services	4
<b><u>ADMINISTRATIVE MATTERS</u></b>	
12A. Resolutions re TME, TLEA and Crossing Guards	4-5
12B. Resolutions re Torrance Fire Fighters Association	5-6
12C. Acceptance of Real Property, Fixed Assets and Agreements from Torrance Redevelopment Agency	10-11
12D. Cooperation Agreement Between City of Torrance and Torrance Redevelopment Agency	11
<b><u>13. HEARINGS</u></b>	
13A. Appeal of Environmental Quality Commission Approval of 24-hour Operation of Oil Well	6-10, 12
<b><u>15. OTHER</u></b>	
15A. Appeal of Civil Service Commission Decision Sustaining Employee Termination	1, 12
<b><u>17. ORAL COMMUNICATIONS #2</u></b>	
<b><u>18. EXECUTIVE SESSION</u></b>	
<b><u>19. ADJOURNMENT</u></b>	

At 10:38 p.m., the meeting was adjourned to Tuesday, March 15, 2011 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

March 8, 2011

**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, March 8, 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.

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Agenda Item 15A was considered out of order at this time.

**15A. APPEAL OF CIVIL SERVICE COMMISSION DECISION SUSTAINING  
EMPLOYEE TERMINATION**

**Recommendation**

Recommendation of the City Manager that City Council conduct a hearing on the appeal of the Civil Service Commission decision sustaining the termination of Armando Trejo. (Hearing may occur in closed session per Government Code §54957)

Mayor Scotto outlined the procedure for the hearing.

The appellant, Armando Trejo, spoke on his own behalf and Gillian Studwell spoke on behalf of the City of Torrance.

At 6:25 p.m., the City Council recessed to executive session to deliberate.

The City Council reconvened in public session at 6:27 p.m.

Deputy City Attorney Thompson-Bell announced the City Council's decision to deny the appeal and uphold Armando Trejo's termination in full.

At 6:27 p.m., the City Council recessed.

City Council reconvened at 7:08 p.m. to conduct regular business.

**2. FLAG SALUTE/INVOCATION**

The flag salute was led by Youth Council member Diana Im.

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 and an addendum were posted on the Public Notice Board at 3031 Torrance Boulevard on Friday, March 4, 2011.

**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**

City Manager Jackson noted that material was available on addenda items 12C and 12D.

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Mayor Scotto announced that subsequent to the posting of the agenda on Friday, March 4, the City Attorney was advised by the City's special counsel in the matter of Delurgio v. City of Torrance et al., LASC Case No. BS129791, that the petitioner had made a formal written settlement demand and the deadline for responding to the settlement demand was 5:00 p.m. Wednesday, March 9, therefore, the City Attorney has requested that the City Council consider adding this item to the agenda to discuss and evaluate the settlement demand. In order to take action on a matter that is not on the agenda, California Government Code §54954.2(b) requires a determination by a two-thirds vote that immediate is required and that the need to take action arose subsequent to the posting of the agenda.

**MOTION:** Councilmember Sutherland moved to add the above-mentioned item to the agenda. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote.

The matter was added to the closed session agenda and considered as Item 18D pursuant to Government Code §54956.9(a).

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Mayor Scotto congratulated Councilmember Numark on being appointed to the California Council on Criminal Justice.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Councilmember Rhilinger reported that the Ad Hoc Naming of Public Facilities Committee met on March 4 to review an application that La Paloma Park be renamed the John Burt Hoffman Park and after listening to comments from the public and staff, the committee voted unanimously not to name a park after Mr. Hoffman and approved instead the placing of a plaque at the Hoffman family's expense in a park of their choice subject to the approval of the City Manager. She noted that the committee also directed staff, through the Parks and Recreation Commission, to bring back criteria for plaques in City parks to ensure uniformity.

Councilmember Numark announced that the Strategic Plan Committee will meet on Friday, March 18, at 3:30 p.m. in the Katy Geissert Civic Center Library meeting room.

**6. COMMUNITY MATTERS**

**6A. PROCLAMATION RE "CALIFORNIA ARBOR WEEK"**

Mayor Scotto presented a proclamation declaring March 7 through March 14, 2011 as **California Arbor Week** in the City of Torrance to Judy Emerson, Streetscape Manager; Tracy Drake, Nature Center Manager; Bill Arrowsmith, Friends of Madrona Marsh President; and Marcos Trinidad, Tree Care Coordinator – Tree People. He noted that to commemorate Arbor Week, the City in conjunction with the Tree People will be planting approximately 100 native trees and shrubs at southern side of the Madrona Marsh Preserve on Saturday, March 12, from 8:30 a.m. to noon and encouraged the public to participate.

**6B. RECOGNITION OF YOKOHAMA NATIONAL UNIVERSITY STUDENTS**

Mayor Scotto presented certificates to the following Yokohama National University students visiting the United States on a study tour: Yasuo Ido, Rina Kobayashi, Sho Kodama, Yoko Miyamoto, Ryoto Murakami, Hiroaki Odashima, Tatsuya Sako, Yusuke Sueda, and Tatsuya Yamazaki, and escorts Aki Tsurukame, Ryo Urano and Kimiko Uchida.

**7. ORAL COMMUNICATIONS #1**

**7A.** Debbie Hays, Old Torrance Neighborhood Association, announced that an HOA meeting will be held Wednesday, March 16, from 7:00 to 9:00 p.m., with Fire Chief Racowski as guest speaker.

**8. CONSENT CALENDAR**

**8A. AGREEMENT AMENDMENT RE LEGAL SERVICES**

**Recommendation**

Recommendation of the City Attorney that City Council approve the first amendment to the fee agreement with the law firm of Buchalter Nemer (C2010-100) to provide legal services in the matter of Sandberg, et al. v. City of Torrance, et al., Ninth Circuit Case No. 10-55608, for an additional \$15,000, for a total contract amount not to exceed \$40,000.

**8B. JANUARY 2011 MONTHLY INVESTMENT REPORT**

**Recommendation**

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for January 2011.

**8C. ACCEPTANCE/APPROPRIATION OF FY 2008 URBAN AREAS SECURITY INITIATIVE FEDERAL GRANT FOR PURCHASE OF P25 RADIOS**

**Recommendation**

Recommendation of the Fire Chief that City Council:

- 1) Accept and appropriate the additional allocation of Fiscal Year 2008 Urban Areas Security Initiative (UASI) federal grant in the amount of \$506,610 for the purchase of P25 radios; and
- 2) Approve the first amendment to the Fiscal Year 2008 UASI agreement with the City of Los Angeles (C2009-183) to increase the UASI 2008 grant amount allocated to City of Torrance by \$506,610 for a new total of \$817,326 and to extend the term of the agreement to April 30, 2011.

**8D. AGREEMENT RE JANITORIAL CLEANING SERVICES**

**Recommendation**

Recommendation of the Community Services Director, General Services Director, and the Transit Director that City Council award a contract services agreement in the amount of \$68,090 per year to American General Services Inc., of Rancho Cucamonga, CA to provide janitorial cleaning services at various City facilities (B2010-24) for a three year period with an option of two (2) additional one year extensions.

**MOTION:** Councilmember Brewer moved to approve Consent Calendar Items 8A through 8D. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote.

**12. ADMINISTRATIVE MATTERS**

**12A. RESOLUTIONS RE TORRANCE MUNICIPAL EMPLOYEES; TORRANCE LIBRARY EMPLOYEES ASSOCIATION; AND CROSSING GUARDS**

**Recommendation**

Recommendation of the City Manager that City Council:

- 1) Adopt a Resolutions pursuant to Memorandum of Understanding setting forth the hours, wages, and working conditions for employees represented by the Torrance Municipal Employees (TME-AFSCME, Local 1117) for the period of March 8, 2011 to June 30, 2012, and repealing Resolution No. 2007-78;
- 2) Adopt a Resolution pursuant to Memorandum of Understanding setting forth the hours, wages, and working conditions for employees represented by the Torrance Library Employees Association (TLEA) for the period of March 8, 2011 to June 30, 2012, and repealing Resolution No. 2007-79;
- 3) Adopt a Resolution pursuant to Memorandum of Understanding setting forth the hours, wages, and working conditions for employees represented by the Crossing Guards for the period of March 8, 2011 to June 30, 2012, and repealing Resolution No. 2008-106;
- 4) Adopt a California Public Employees Retirement System (CalPERS) Resolution to reduce Employer Paid Member Contribution (EPMC) for employees represented by TME-AFSCME, Local 1117; and
- 5) Adopt a California Public Employees Retirement System (CalPERS) Resolution to reduce Employer Paid Member Contribution (EPMC) for employees represented by TLEA.

Assistant to the City Manager Chaparyan reported that the Memoranda of Understanding for the Torrance Municipal Employees Association and the Torrance Library Employees Association provide that employees hired after February 1, 2011 will contribute the 7% employees' portion to the CalPERS retirement system pursuant to City Council action in June 2010.

**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. 2011-26**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH THE HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY TORRANCE MUNICIPAL EMPLOYEES – AFSCME, LOCAL 1117, AND REPEALING RESOLUTION NO. 2007-78. (TME-AFSCME)

**MOTION:** Councilmember Furey moved to adopt Resolution No. 2011-26. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote.

**RESOLUTION NO. 2011-27**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH THE HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE LIBRARY EMPLOYEES ASSOCIATION (TLEA), AND REPEALING RESOLUTION NO. 2007-79

**MOTION:** Councilmember Furey moved to adopt Resolution No. 2011-27. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote.

**RESOLUTION NO. 2011-28**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH THE HOURS, WAGES, AND WORKING CONDITIONS FOR CROSSING GUARD EMPLOYEES FOR THE PERIOD FROM MARCH 8, 2011 THROUGH JUNE 30, 2012 AND REPEALING RESOLUTION NO. 2008-106

**MOTION:** Councilmember Furey moved to adopt Resolution No. 2011-28. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote.

**RESOLUTION NO. 2011-29**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE IMPLEMENTING GOVERNMENT CODE SECTION 20636(C)(4) PURSUANT TO SECTION 20691 RELATING TO EMPLOYER PAID MEMBER CONTRIBUTIONS TO PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS) FOR TORRANCE MUNICIPAL EMPLOYEES (TME-AFSCME, LOCAL 1117)

**MOTION:** Councilmember Furey moved to adopt Resolution No. 2011-29. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote.

**RESOLUTION NO. 2011-30**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE IMPLEMENTING GOVERNMENT CODE SECTION 20636(C)(4) PURSUANT TO SECTION 20691 RELATING TO EMPLOYER PAID MEMBER CONTRIBUTIONS TO PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS) FOR TORRANCE LIBRARY EMPLOYEES ASSOCIATION (TLEA)

**MOTION:** Councilmember Furey moved to adopt Resolution No. 2011-30. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote.

**12B. RESOLUTIONS RE TORRANCE FIRE FIGHTERS ASSOCIATION**

**Recommendation**

Recommendation of the City Manager that City Council:

- 1) Adopt a Resolution pursuant to Memorandum of Understanding setting forth the hours, wages, and working conditions for employees represented by the Torrance Fire Fighters Association (TFFA) for the period of March 8, 2011 to December 31, 2013, and repealing Resolution No. 2009-29; and
- 2) Adopt a California Public Employees Retirement System (CalPERS) Resolution to reduce Employer Paid Member Contribution (EPMC) for employees represented by TFFA.

Assistant to the City Manager Chaparyan reported that the Memorandum of Understanding for the Torrance Fire Fighters Association provides that employees hired after March 8, 2011 will contribute the 9% employees' portion to the CalPERS retirement system and the estimated savings is approximately \$125,000 per year.

**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. 2011-31**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH THE HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE FIRE FIGHTERS ASSOCIATION (TFFA) FOR THE PERIOD FROM MARCH 8, 2011 THROUGH DECEMBER 31, 2013 AND REPEALING RESOLUTION NO. 2009-29

**MOTION:** Councilmember Furey moved to adopt Resolution No. 2011-31. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote.

**RESOLUTION NO. 2011-32**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE IMPLEMENTING GOVERNMENT CODE SECTION 20636(C)(4) PURSUANT TO SECTION 20691 RELATING TO EMPLOYER PAID MEMBER CONTRIBUTIONS TO PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS) FOR TORRANCE FIRE FIGHTERS ASSOCIATION (TFFA)

**MOTION:** Councilmember Furey moved to adopt Resolution No. 2011-32. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote.

Agenda Item 13A was considered out of order at this time.

**13A. APPEAL OF ENVIRONMENTAL QUALITY AND ENERGY CONSERVATION COMMISSION APPROVAL OF 24-HOUR OPERATION OF OIL WELL**

**Recommendation**

Recommendation of the Environmental Quality and Energy Conservation Commission and Community Development Director that City Council deny the appeal and adopt a Resolution to allow 24-hour operation of the oil well located in the parking lot of West High School at 4900 Del Amo Boulevard for a period of one year, beginning September 2, 2010 to September 2, 2011. **OIL10-00004**

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.

With the aid of slides, Deputy Community Development Director Cessna provided background information about the subject oil well site, noting that it is one of seven non-conforming oil well sites in the City, which are subject to review by the Environmental Quality and Energy Conservation Commission every three years. She explained that the well's owner requested permission to operate the well 24 hours a day in order to maximize production; reduce wear and tear that results from turning the well on and off each day; and eliminate start-up noise. She reported that the Commission approved the request

after tests for noise and vibration revealed that the well had little or no impact and this decision was subsequently appealed by neighbors. She advised that neighbors have expressed concerns about a structure that was erected without benefit of a permit to soundproof the well, however Building and Safety staff determined that a permit is not required because the structure is temporary.

Responding to questions from the Council, Deputy Community Development Director Cessna reported that some of the other non-conforming wells in Torrance are in close proximity to residences but they have not generated the same volume of complaints; that it is difficult to add landscaping to screen the well because it is located within a paved parking lot; and that a well has been at this location since the 1930s.

Mayor Scotto and each Councilmember, with the exception of Councilmember Rhilinger, disclosed that they had met with both parties and visited the well site. Councilmember Rhilinger reported that she drove by the site, but had not spoken with anyone. Mayor Scotto noted that he and Councilmembers Sutherland and Barnett observed the start up of the well so they could hear the noise it makes.

Hanif Haji, Donora Avenue, appellant, voiced objections to the 24-hour operation of the well, citing the impact on the quality of life of residents due to increased noise, additional tanker truck traffic, and added pollution from diesel fumes. He contended that the well operator has a history of failing to properly maintain the site and neighbors have been plagued by odors and noise from the well. He requested that the operation of the well be limited to the hours of 8:00 a.m. to 5:00 p.m., in accordance with the TEQEC Commission's ruling in September 2008; that the well operator be required to install landscaping behind residences at 20323, 20329 and 20333 Donora Avenue within 30-45 days; and that neighbors be notified before trucks come to the site, with no scheduling of trucks on weekends.

Responding to questions from the Council, Mr. Haji stated that he purchased his home 31 years ago and enlarged it in 1994; that he has been awakened by noise from the well three times in the last three months and sent emails documenting the incidents; and that he would like trees and potted plants installed so that the well cannot be seen from Donora residences.

John Harris, legal counsel for Power Run Oil, LLC, owner/operator of the subject well site, voiced objections to the appellant's submittal of additional information beyond the scope of the TEQEC Commission hearing. He reported that Mr. Haji has contested Power Run Oil's application every time it has come before the Commission; that independent studies have confirmed that the oil well does not exceed ambient noise or vibration levels; and that there is no evidence to support Mr. Haji's claim that the well produces a low level hum. With regard to landscaping, he stated that Power Run Oil is committed to working with neighbors to mitigate the visual impact of the well and has done much more than has been done at other well sites.

In response to Councilmember Numark's inquiry, City Attorney Fellows confirmed that this was a de novo hearing, therefore the Council was not limited to considering only information submitted at the Commission hearing.

Councilmember Numark asked about Mr. Haji's account of being awakened in the middle of the night by noise from the well. Mr. Harris explained that the noise level from the well remains constant and only becomes louder when it's starting up due to the

viscosity of the oil. He reported that a Power Run Oil representative visited the site in response to a complaint from Mr. Haji at 4:00 a.m. one morning and did not hear any noise coming from the well.

Councilmember Numark related his understanding that the oil company operated the well 24 hours a day without permission prior to submitting the application.

Mr. Harris stated that after encountering problems with the equipment and a drop in production, the company ran tests during which the well operated 24 hours a day but this was only for a limited period of time.

Councilmember Sutherland reported that Rodger Hunt, owner of Power Run Oil, told him that he operated the well 24/7 for three months before obtaining permission. He noted that he has also heard differing accounts on the landscaping issue, with Mr. Hunt stating that the resident (Ms. Yamada) cannot make up her mind and the resident stating that Power Run has failed to install landscaping as promised.

Rodger Hunt, Power Run Oil, explained that he has been working with City staff and Ms. Yamada on the landscaping issue and hopes to resolve it in the near future.

The Council briefly recessed from 8:56 p.m. to 9:08 p.m.

Mayor Scotto invited public comment.

Brian Dalziel, Donora Avenue, urged the Council to deny the Power Run Oil's request to operate 24 hours a day. He reported that odors from the well, as well as from diesel trucks that pick up the oil, interferes with the enjoyment of his backyard and allowing the well to operate 24/7 will only exacerbate the problem. He noted that the oil company has a history of not following the rules and was operating the well 24 hours a day before requesting permission and has failed to install landscaping as required when its permit was renewed in 2008.

In response to Councilmember Brewer's inquiry, Sr. Environmental Quality Officer Jones, advised that vapors/odors from the well site are regulated by the South Coast Air Quality Management District (SCAQMD). She noted that some of the odor problems were related to the transfer of oil and the oil company has installed equipment to mitigate the problem.

Councilmember Numark asked if Mr. Dalziel was amenable to having the oil company install landscaping on his property to camouflage the well, and Mr. Dalziel explained that the view of the well was not an issue for him because there is a detached garage in the rear corner of his lot adjacent to the well.

Ray Nakano, Donora Avenue, expressed concerns that tanker trucks will be visiting the site more often if the well operates 24 hours a day, explaining that the odor becomes more pronounced during the transfer of oil and the process is also very noisy.

Maureen Byrne, White Court, stated that she supports her neighbors in their opposition to the 24/7 operation of the well.

Zohra Haji, Donora Avenue, confirmed that her husband has been awakened by noise from the well and urged the Council to deny the oil company's request to operate 24 hours a day.

In response to Councilmember Rhilinger's inquiry, Mrs. Haji reported that she has not been awakened by the well because she is a sound sleeper.

Returning to the podium, Mr. Haji suggested that Power Run Oil's other well sites in Torrance have not generated the same volume of complaints because the wells either operate infrequently or they are not located next to single-family residences. He explained that he has attended every hearing at which the company's permit has been up for renewal because otherwise maintenance issues would never be addressed. He reported that the well started operating 24 hours a day in January 2010, contrary to sworn statements from the owner and the site manager, and the application to extend the hours of operation was filed in April 2010 only after he made repeated complaints to City staff.

Urging approval of the extended hours, Mr. Harris stated that he did not believe noise was an issue as evidenced by the fact that no other neighbor has complained about noise except Mr. Haji, therefore the only remaining issue is odor and this aspect of the well's operation is heavily regulated by the AQMD. He reported that Power Run tests the air quality of the well site once a week even though this is not required and has spent tens of thousands of dollars replacing tank tops to further mitigate odors. He explained that extending the well's operation to 24 hours a day requires only one more truck visit to the site per month, noting that trucks are regulated by the AQMD and are equipped with vapor control systems. He contended that the extended hours have not had any adverse impact on the community.

Councilmember Rhilinger questioned whether testing for odors has been done during the transfer process since residents have reported that odors are more pronounced at this time. Mr. Harris doubted that testing would have taken place during the transfer process since trucks are only at the site 4 or 5 times per month for approximately 1 hour and the applicant was never directed to do this.

Responding to questions from the Council, Sr. Environmental Quality Officer Jones clarified that the subject well site is a collector site for Power Run Oil and oil is transported from other well sites in Torrance via trucks or underground pipes to on-site tanks for processing and pick up.

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

Councilmember Sutherland stated that while he thought both sides had exaggerated their cases, he was inclined to side with residents as there have been too many complaints about too many issues involving this site and he favored limiting operations to the formerly approved hours of 8:00 a.m. to 5:00 p.m.

Councilmember Rhilinger indicated that she was also inclined to support residents and believed that they should not be subjected to additional noise from the well site. She noted that odors are also an issue that was cited by several neighbors and she felt that Power Run Oil should have taken the initiative to conduct testing for odors during the transfer process after they were made aware of neighbors' concerns.

Indicating that he was not in favor of extending the hours of operation, Councilmember Barnett stated that he views this as a quality of life issue. He noted that he also purchased a home adjacent to a functioning oil well and his quality of life

substantially improved when it was removed. Conceding that the oil company has made an effort to buffer noise, he reported that although he had reservations about the appearance of the soundproofing structure, he found it to be effective because noise from the well was barely perceptible from a short distance away when he visited the site.

Mayor Scotto pointed out that the Council could extend the hours without approving around-the-clock operations.

Councilmember Brewer proposed extending the evening hours to 10:00 or 11:00 p.m. for a six-month trial period during which the oil company could install landscaping and testing could be done during the transfer process to determine if residents' concerns were valid.

Councilmember Sutherland stated that he would not support extending the hours because it could interfere with residents' enjoyment of their backyards during evening hours after arriving home from work. He noted that extending the hours will not prevent wear and tear on the equipment from starting it up each day, which was the oil company's rationale for requesting 24-hour operation.

Councilmember Numark voiced his opinion that any extension of the hours should be subject to the installation of landscaping since this was a condition imposed by the TEQEC Commission in November 2008.

A brief discussion ensued regarding the wording of the motion.

**MOTION:** Councilmember Rhilinger moved to deny the appeal and approve the extension of the hours of operation to 8:00 a.m. to 8:00 p.m. until September 2011 when the permit comes up for renewal, with the following conditions: 1) That landscaping shall be installed to the satisfaction of Community Development staff prior to commencing the extended hours; and 2) That the applicant shall test for odors during the transfer process. The motion was seconded by Councilmember Brewer and passed by a 6-1 roll call vote, with Councilmember Sutherland dissenting.

Mayor Scotto noted that a Resolution reflecting the Council's action would be brought back for approval at a later date.

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The City Council convened as the Redevelopment Agency from 9:54 p.m. to 10:06 p.m.

**12C. ACCEPTANCE OF REAL PROPERTY, FIXED ASSETS AND AGREEMENTS FROM THE REDEVELOPMENT AGENCY**

**Recommendation**

Recommendation of the City Manager that City Council adopt a Resolution authorizing the Mayor to execute, the City Clerk to attest and to cause to be notarized and to record, where necessary, all documents associated with the acceptance of the conveyance of all real property, fixed assets and agreements from the Redevelopment Agency of the City of Torrance to the City of Torrance, subject to applicable covenants and restrictions required by the Community Redevelopment Law, as listed in Attachment A. (*Companion Item to Redevelopment Agency Item 4a*)

Mayor Scotto announced that he was abstaining from consideration of Agenda Items 12C and 12D due to a conflict of interest and exited the dais. Councilmember Numark, as Mayor Pro Tem, assumed the role of chair.

Community Development Director Gibson advised that staff was recommending this action to protect City assets and maintain local control due to the governor's proposal to eliminate Redevelopment Agencies as a means of addressing the State's budget deficit.

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

**RESOLUTION NO. 2011-33**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE TO ACCEPT TITLES OF REAL PROPERTY AND ACCEPT FIXED ASSET, EASEMENT, AND OTHER AGREEMENTS (FROM THE REDEVELOPMENT AGENCY)

**MOTION:** Councilmember Furey moved to adopt Resolution No. 2011-33. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote (absent Mayor Scotto).

**12D. COOPERATION AGREEMENT BY AND BETWEEN CITY OF TORRANCE AND TORRANCE REDEVELOPMENT AGENCY**

**Recommendation**

Recommendation of the City Manager that City Council adopt a Resolution authorizing the Mayor to execute, and the City Clerk to attest and deliver to the Redevelopment Agency of the City of Torrance, a Cooperation Agreement by and between the City Of Torrance and The Redevelopment Agency of the City Of Torrance for funding of capital improvement projects, affordable housing projects, publicly owned improvements, professional services and other programs, together with all documents associated with or implementing the Cooperation Agreement (*Companion Item to Redevelopment Agency Item 4b*)

Community Development Director Gibson advised that the Cooperation Agreement strengthens the City's ability to maintain control over funding for capital improvement projects, affordable housing projects and publicly owned improvements should the State abolish Redevelopment Agencies.

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

**RESOLUTION NO. 2011-34**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF TORRANCE AND THE REDEVELOPMENT AGENCY OF THE CITY OF TORRANCE FOR FUNDING OF CAPITAL IMPROVEMENT PROJECTS, AFFORDABLE HOUSING PROJECTS, PUBLICLY OWNED IMPROVEMENTS, AND PROFESSIONAL SERVICES

**MOTION:** Councilmember Furey moved to adopt Resolution No. 2011-34. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote (absent Mayor Scotto).

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At 10:11 p.m., Mayor Scotto returned to the dais.

**13. HEARINGS**

**13A. APPEAL OF ENVIRONMENTAL QUALITY AND ENERGY CONSERVATION COMMISSION APPROVAL OF 24-HOUR OPERATION OF OIL WELL**

**Recommendation**

Recommendation of the Environmental Quality and Energy Conservation Commission and Community Development Director that City Council deny the appeal and adopt a Resolution to allow 24-hour operation of the oil well located in the parking lot of West High School at 4900 Del Amo Boulevard for a period of one year, beginning September 2, 2010 to September 2, 2011. **OIL10-00004**

Considered out of order see pages 6-10.

**15. OTHER**

**15A. APPEAL OF CIVIL SERVICE COMMISSION DECISION SUSTAINING EMPLOYEE TERMINATION**

**Recommendation**

Recommendation of the City Manager that City Council conduct a hearing on the appeal of the Civil Service Commission decision sustaining the termination of Armando Trejo.

Considered out of order, see page 1.

**17. ORAL COMMUNICATIONS #2**

**17A.** Councilmember Furey reported that he had the pleasure of throwing the first pitch in the opening game of Riviera Little League last Saturday and subsequently watched his two grandchildren play in Torrance Little League games.

**17B.** Councilmember Furey noted that he along with Mayor Scotto and Councilmember Brewer will be heading to Washington, DC, tomorrow to lobby for funding for local projects.

**17C.** Councilmember Barnett wished his colleagues good luck on their trip to Washington, DC.

**17D.** Mayor Scotto noted that his grandchildren also participate in sports leagues and commended Parks and Recreation staff for well run programs.

**18. EXECUTIVE SESSION**

At 10:15 p.m., the City Council recessed to closed session to confer with the City Manager and City Attorney on urgency item 18D and agenda matters listed under 18A) Conference with Labor Negotiator, and 18B) Conference with Legal Council – Existing Litigation, and 18C) Conference with Legal Counsel – Anticipated Litigation, pursuant to California Government Code §54957.6, 54956.9(a) and 54956.9(b).

The City Council reconvened at 10:38 p.m. No action was taken on any matter considered in closed session.

**19. ADJOURNMENT**

At 10:38 p.m., the meeting was adjourned to Tuesday, March 15, 2011 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

Attest:

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Mayor of the City of Torrance

\_\_\_\_\_  
Sue Herbers  
City Clerk of the City of Torrance

Approved on April 26, 2011