

April 3, 2007

**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 6:04 p.m. on Tuesday, April 3, 2007 in the City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Brewer, Drevno, Nowatka, Sutherland, Witkowsky, and Mayor Scotto.

Absent: Councilmember McIntyre.

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 the City Attorney on agenda matters listed under 18A) Conference with Labor Negotiator, 18B) Conference with Legal Counsel – Existing Litigation, and 18C) Real Property – Conference with Real Property Negotiator, pursuant to California Government § 54957.6, 54956.9 (a), and 54956.8.

The City Council reconvened at 7:08 p.m. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Nowatka.

Councilmember Witkowsky 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, March 29, 2007.

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 Nowatka and passed by unanimous roll call vote (absent Councilmember McIntyre).

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Fire Chief Bongard announced that ExxonMobil Torrance Refinery would hold their monthly community alert siren testing on Wednesday, April 4, at approximately 11:30 a.m.

Councilmember Nowatka announced that the Community Development and Enrichment Committee would meet on Tuesday, April 10, at 4:30 p.m. in the City Manager Assembly Room to discuss 2008 Rose Float fundraising and design.

Councilmember Brewer announced that the April 17 City Council meeting would be held in the South High School Gym at 4801 Pacific Coast Highway at 7:00 p.m.

Councilmember Witkowsky announced that the Public Safety Committee would meet on Thursday, April 26, at 4:30 p.m. in the West Annex Commission Room to discuss PTA emergency preparedness, residential evacuation plans, and critical facilities within the city.

Police Chief Neu and Officer High president of the Torrance Police Officers Association shared information on donations for Officer Steve Kroesen, who was recently diagnosed with cancer. Officer High noted that a fund has been established for Officer Kroesen at the Torrance Federal Credit Union.

Mayor Scotto asked that the City Council meeting be adjourned in memory of Tom Martin, former district representative for 4th District Supervisor Don Knabe, who passed away on March 30.

Mayor Scotto asked that the City Council meeting be adjourned in memory of former City Manager Ed Ferraro, who passed away on April 2.

City Manager Jackson shared remembrances of former City Manager Ferraro.

6. COMMUNITY MATTERS

6A. RECOGNITION OF TORRANCE PANTHER'S MIGHTY MITES AND PEE WEES

Mayor Scotto, with the assistance of Kelly Ann Home, Cheer Director, Torrance American Youth Football & Cheer, recognized the Torrance Panther's Mighty Mites and Pee Wees as the 2007 JAMZ National Cheerleading Champions.

7. ORAL COMMUNICATIONS #1

7A. Travis Nation, resident, commended the Torrance Fire Department and suggested that the slogan "Excellence through Teamwork" be painted on fire department vehicles. He reported that public phones have been lowered at Torrance fire stations, however, there are no ramps for access. He stressed the importance of compliance with the Americans with Disabilities Act and called for ramps to be installed at the intersection of Terry and Cranbrook.

8. CONSENT CALENDAR

8A. SALE OF SURPLUS/OBSOLETE VEHICLES

Recommendation

The **General Services Director** recommends that City Council:

- 1) Authorize the sale of six (6) surplus/obsolete vehicles to the Torrance Unified School District (TUSD) for a total of \$1,882; and
- 2) Authorize Ken Porter Auctions, of Gardena, CA to facilitate the sale of twenty-three (23) surplus/ obsolete vehicles and miscellaneous items of equipment.

8B. AMENDMENT TO AGREEMENT FOR PACCAR/PETERBILT REPAIR PARTS

Recommendation

The **General Services Director** recommends that City Council authorize an amendment to an existing sole-source purchasing agreement with Rush Truck Center of Pico Rivera, CA, in an amount not to exceed \$60,000, for a total not to exceed expenditure of \$120,000, for purchase of Paccar/Peterbilt brand repair parts. The purchasing agreement was for a period of one year and is due to expire August 1, 2007.

8C. CONTRACT AMENDMENT FOR AIRPORT HANGAR PROJECT

Recommendation

The **General Services Director** recommends that City Council approve a contract amendment with Action Contractors (C2006-134) to extend the contract term from March 31, 2007 to December 31, 2007 for the fabrication and installation of two executive hangars at the airport.

8D. CONTRACT AMENDMENT FOR MOWER REPAIR SHOP

Recommendation

The **General Services Director** recommends that City Council approve a contract amendment with Action Contractors (C2006-089) to extend the term from March 31, 2007 to December 31, 2007 for the fabrication and installation of a mower repair shop at the City Yard.

8E. INVESTMENT REPORT FOR FEBRUARY 2007

Recommendation

The **City Treasurer** recommends that City Council accept and file the monthly investment report for the month of February 2007.

8F. LEASE OF CNG-POWERED REFUSE COLLECTION TRUCK

Considered separately, see below.

MOTION: Councilmember Drevno moved for the approval of Consent Calendar Items 7A through 7E. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmember McIntyre).

Consent Calendar Item 8F was considered separately at this time.

8F. LEASE OF CNG-POWERED REFUSE COLLECTION TRUCK

Recommendation

The **General Services Director** and the **Public Works Director** recommend that City Council:

- 1) Authorize a sole-source lease acquisition of one (1) 2007 compressed natural gas (CNG)-powered Peterbilt Model 320 Cab and Chassis, with a Heil DuraPack 7000 Automated Side-Loader Refuse Collection Truck Body attached, from Rush Truck Center of Pico Rivera, CA;
- 2) Authorize a five (5)-year Municipal Lease with PACCAR Financial Corporation, payable in ten (10) semi-annual installments of \$32,697.28, including sales tax. After payment of the tenth (10th) and final semi-annual payment, an additional residual payment of \$101 will allow the City the option of purchasing the truck. If the City elects to purchase the truck at the end of the lease, the total acquisition amount of all lease payments, including sales tax, plus lease document fees and the \$101 residual will be \$327,423.80 (preliminary amount subject to change on April 2, 2007); and
- 3) Appropriate \$33,047.28 from the Fleet Services Vehicle and Equipment Replacement fund balance for the first semi-annual payment.

Expenditure subject to change on April 2, 2007 due to fluctuations in material charges.

Mayor Scotto noted supplemental material available at the meeting, indicating that a slight interest rate adjustment has increased the "Not to Exceed" amount from \$327,423.80 to \$327, 693.20 over the five-year term of the lease.

Councilmember Brewer asked about the addition of a CNG-powered vehicle to the City's diesel-powered fleet of refuse trucks.

Fleet Services Manager Winnett advised that SCAQMD (South Coast Air Quality Management District) regulations require that any replacement or newly purchased refuse collection vehicle be powered by alternative fuels.

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

9. COMMUNITY DEVELOPMENT

9A. U.S. MAYORS CLIMATE PROTECTION AGREEMENT

Recommendation

The **Torrance Environmental Quality Commission** recommends that City Council adopt a Resolution endorsing the U.S. Mayors Climate Protection Agreement.

Deputy Community Development Director Cessna reported that the Environmental Quality Commission was recommending that the Council endorse the U.S. Mayors Climate Protection Agreement, which emphasizes a local approach to help reduce the production of greenhouse gases.

Mayor Scotto reported on the Energy Expo held earlier in the day at the Toyota headquarters building. He voiced support for the U.S. Mayors Climate Protection Agreement, noting that global warming is an issue that affects everyone regardless of their political affiliation.

Virginia Hilker, Calle de Castellana, submitted a petition in support of the U.S. Mayors Climate Protection Agreement. She reported that 438 major cities, representing 61 million Americans have endorsed the agreement, including Hermosa Beach, Manhattan Beach and Rolling Hills Estates. She thanked Deputy Community Development Director Cessna and the Environmental Quality Commission for their efforts to bring attention to this issue.

Lillian Light, president of Environmental Priorities Network, provided background information about the U.S. Mayors Climate Protection Agreement. She explained that the agreement calls for cities to pursue innovative technologies for cleaner vehicles, energy efficiency, and renewable energy in order to reduce heat trapping emissions.

Jan Kidwell, representing the Sierra Club, stressed the importance of local action to curb the production of greenhouse gases due to the absence of federal regulations.

Tom Rische, Carlow Road, noted that he attended the Energy Expo and found it to be inspirational; urged that action be taken to protect the environment for our children and grandchildren; and called attention to the financial benefits of energy conservation.

For the benefit of the public, Councilmember Witkowsky reported that the City has been involved in energy conservation efforts for a number of years, including the installation of energy saving devices throughout City Hall; the replacement of traffic signals with LED lights; and a program in conjunction with utility companies that offers energy conserving light bulbs to residents free of charge.

Councilmember Nowatka encouraged residents to visit the Energy Efficiency Center, 3868 Carson Avenue, Torrance, for replacement light bulbs and information on energy conservation.

MOTION: Councilmember Witkowsky moved to concur with the Environmental Quality Commission's recommendation. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote (absent Councilmember McIntyre).

RESOLUTION NO. 2007-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ENDORSING THE U.S. MAYORS CLIMATE PROTECTION AGREEMENT

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2007-31. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote (absent Councilmember McIntyre).

Tami Kahn, representing Assemblyman Ted Lieu, recognized the City of Torrance for its action in this matter.

12. ADMINISTRATIVE MATTERS

12A. ORDINANCE RE: REFUND POLICY FOR OVERPAID UTILITY USER TAXES

Recommendation

The **Finance Director** recommends that City Council adopt an Ordinance amending Section 225.1.15 of the Torrance Municipal Code to reduce the refund period for overpaid taxes from three years to one year.

Assistant Finance Director Flewellyn advised that staff was recommending the adoption of an Ordinance which would reduce the refund period for overpaid utility users' tax from three years to one year in line with current business practices. He noted that this action would also free up storage space and reduce contingent liability.

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 unanimous roll call vote (absent Councilmember McIntyre).

ORDINANCE NO. 3692

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 225.1.15 OF THE TORRANCE MUNICIPAL CODE RELATING TO UTILITY USERS' TAX REFUNDS

MOTION: Councilmember Brewer moved for the adoption of Ordinance No. 3692. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote (absent Councilmember McIntyre).

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The Council met as the Redevelopment Agency from 8:13 p.m. to 8:15 p.m.

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17. ORAL COMMUNICATIONS

17A. Councilmember Brewer reported that the Torrance Education Foundation dinner on March 31 was very successful and thanked everyone involved.

17B. Councilmember Brewer announced the pancake breakfast at the ATTIC teen center on Saturday, April 7, from 7:00 a.m. to 11:00 a.m.

17C. Councilmember Drevno echoed comments on the Torrance Education Foundation dinner.

17D. Councilmember Drevno commended the Torrance Youth Council for their work on the spring boutique at Wilson Park the previous Sunday.

17E. Councilmember Witkowsky noted that she recently had occasion to request emergency assistance and commended Torrance firefighters for their quick response time and professionalism.

17F. Mayor Scotto thanked Councilmembers Brewer, Drevno, Nowatka, and Sutherland for their commitment to Torrance Unified School District, noting their participation in the Torrance Education Foundation dinner.

17G. At Mayor Scotto's request, Michael Smith provided an update on the progress of implementing an electronic voting system for the Council.

17H. Mayor Scotto, with the concurrence of Council, asked staff to bring forward an item regarding the placement of signs on Madrona Avenue to make it easier to find the Cultural Arts Center.

17I. Mayor Scotto wanted to clarify that the column in the *Daily Breeze* on Sunday, April 1, which reported that he had changed his position on key issues, was an April Fool's Day joke and he had no involvement in it.

17J. City Manager Jackson commented on Tom Martin, noting that he was always very responsive to City staff when serving as a representative for L.A. County Supervisor Don Knabe and former State Senator Bob Beverly.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 8:25 p.m., the meeting was adjourned to Tuesday, April 10, 2007, 2006 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

***Adjourned in Memory of
Thomas R. Martin and Edward J. Ferraro***

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

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

Approved on June 5, 2007