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TORRANCE CITY COUNCIL – APRIL 12, 2011

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At 8:12 p.m., the meeting was adjourned to Tuesday, April 19, 2011 at 6:00 p.m. for an executive session, with regular business commencing at 7:00 p.m. in the Council Chambers. The Finance and Governmental Operations Committee will meet at 5:30 p.m. in the Council Chamber for the 2010-2011 mid-year budget review.

April 12, 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 7:01 p.m. on Tuesday, April 12, 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.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Farmer's Market volunteer Jerry Herbers.

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, April 7, 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 WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

Agenda Items 12C and 18 were withdrawn.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Sutherland announced that the Finance and Governmental Operations Committee will meet to discuss the mid-year budget review on Tuesday, April 19, at 5:30 p.m. in Council Chambers.

Councilmember Brewer announced that a joint meeting of the Citizen Development and Enrichment Committee and the Torrance Unified School District will be held on Thursday, April 21, at 4:30 p.m. in the T.U.S.D. Board Room at 2336 Plaza Del Amo.

City Clerk Herbers announced that the deadline to register to vote in the 36th Congressional District election on May 17 is Monday, May 2; that Official Sample Ballot booklets will be mailed between Thursday, April 7, through Saturday, May 7; and that voters may apply for Vote by Mail ballots from Saturday, April 23, through Tuesday, May 10. She noted that additional information about the special election can be found at www.LAVote.net and a link is also provided on the City Clerk webpage.

Mayor Scotto asked that the meeting be adjourned in memory of retired Fire Captain Robert Myers, who passed away March 25.

Mayor Scotto asked that the meeting also be adjourned in memory of retired Fire Captain Wesley Christian, who passed away April 3.

6. COMMUNITY MATTERS

6A. PROCLAMATION RE “NATIONAL LIBRARY WEEK”

Mayor Scotto presented a proclamation declaring the week of April 10 through April 16 as **National Library Week** in the City of Torrance to Flo Stapleton, Library Commission Chair, and Jeannie Moorman, Torrance Library Employees Association President.

6B. PROCLAMATION RE “NATIONAL VOLUNTEER WEEK”

Mayor Scotto presented a proclamation declaring the week of April 10 through April 16 as **National Volunteer Week** in the City of Torrance to John P. Kemper, Torrance Amateur Radio Association – Disaster Preparedness.

With the aid of slides, City of Torrance Volunteer Coordinator Laura Lohnes highlighted the efforts of the following volunteers and Mayor Scotto presented them with certificates of appreciation: Barbara Hill, Terry Bass, Teri Kuwahara, Monica Stephens, Jerry Herbers, Anne Bromley, Jeannine Madden, John Kemper, Bob Feldman, Marcy Taguchi, Joan Risse, Joe Dinicola, Gerald Cole, Olivia Lopez, and Rachel Todd.

7. ORAL COMMUNICATIONS #1

None.

8. CONSENT CALENDAR

8A. PURCHASE ORDER FOR CISCO DATA NETWORK SWITCHES

Recommendation

Recommendation of the Communication and Information Technology Director that City Council authorize a purchase order with H.C.O. Computer Products, dba Think CP Technologies of Irvine, CA to replace older, unsupported data network switches with new upgraded data network switches in the amount of \$52,294.74.

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

10. PLANNING AND ECONOMIC DEVELOPMENT

10A. LICENSE AGREEMENT FOR USE OF CITY-OWNED PARKING LOT

Recommendation

Recommendation of the Community Development Director that City Council authorize entering into a license agreement with MOD, Inc. for the use of nineteen parking spaces located in the subterranean parking structure at 1231-1261 Cabrillo Avenue in conjunction with the operation of a restaurant located at 1321 Sartori Avenue.

In response to Mayor Scotto's inquiry, Planning Assistant Martos provided clarification regarding the number of spaces available for lease in the City-owned parking structure.

Councilmember Numark questioned whether the City could require employees of the restaurant leasing the spaces to park in the parking structure due to the lack of available street parking.

City Attorney Fellow recommended that the agreement remain as written.

Mayor Scotto requested that City staff send a letter to all downtown businesses asking that they have their employees park in the parking structure.

Councilmember Brewer suggested installing more signage in the downtown area to direct people to the parking structure and Councilmember Rhilinger recommended that public spaces in the structure be more clearly marked.

Community Development Director Gibson reported that staff was exploring options for improving signage in the downtown area and agreed to follow up on Mayor Scotto's request.

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

12. ADMINISTRATIVE MATTERS

12A. ORDINANCE CREATING PROCESS FOR COLLECTION OF DELINQUENT SOLID WASTE COLLECTION FEES

Recommendation

Recommendation of the Finance Director that City Council adopt an Ordinance adding a new Section 43.2.14 to the Torrance Municipal Code, creating a process for collection of delinquent solid waste collection fees.

Assistant Finance Director Flewellyn reported that Section 43.2.14 would allow the City to add seriously delinquent accounts for rubbish collection to property tax bills.

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 vote.

ORDINANCE NO. 3745

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE
ADDING A NEW SECTION 43.2.14 OF THE TORRANCE MUNICIPAL
CODE, CREATING A PROCESS FOR COLLECTION OF DELINQUENT
SOLID WASTE COLLECTION FEES

MOTION: Councilmember Numark moved to adopt Ordinance No. 3745. The motion was seconded by Councilmember Furey and passed by unanimous vote.

12B. ORDINANCE AMENDING TMC RE FIRE DEPARTMENT PERSONNEL

Recommendation

Recommendation of the Fire Chief that City Council:

- 1) Adopt an Ordinance authorizing Fire Department personnel to exercise the powers of arrest while enforcing provisions of the California Fire Code, California Building Code, California Health & Safety Code, California Penal Code, California Vehicle Code, and Torrance Municipal Code; and
- 2) Approve an ordinance summary for publication.

Fire Marshal Carter reported that the proposed ordinance will add Fire Department personnel to the list of City employees authorized to exercise the powers of arrest.

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 vote.

ORDINANCE NO. 3746

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING ARTICLE 2, CHAPTER 1, DIVISION 1, SECTION 5 OF THE TORRANCE MUNICIPAL CODE RELATING TO ENFORCEMENT PERSONNEL

MOTION: Councilmember Numark moved to adopt Ordinance No. 3746. The motion was seconded by Councilmember Furey and passed by unanimous vote.

12C. RESOLUTION ADVOCATING SOUTH BAY CITIES AS SINGLE COMMUNITY AS PERTAINS TO REDISTRICTING

Recommendation

Recommendation of the City Manager that City Council adopt a Resolution to advocate the South Bay cities as a single community as it pertains to redistricting under Proposition 11. The South Bay cities include: Lomita, Torrance, Palos Verdes Estates, Rancho Palos Verdes, Rolling Hills, Rolling Hills Estates, Redondo Beach, Hermosa Beach, Manhattan Beach and El Segundo.

Item was withdrawn.

12D. ORDINANCE AMENDING TMC RE IMPASSE ON AGREEMENT TERMS

Recommendation

Recommendation of the City Manager that City Council adopt an Ordinance to amend Article 8 (Employer-Employee Relations), Section 14.8.24 (Resolution of Impasse on Agreement Terms) of the Torrance Municipal Code to include time restrictions on mediation and fact finding.

Assistant to the City Manager Chaparyan reported that the proposed ordinance would place time restrictions on mediation (60 days) and fact finding (120 days). He noted that notice was sent on January 12, 2011 to employee groups that might be impacted by the change and the majority of them have concurred with the proposed time restrictions. He stated that the Civil Service Commission reviewed the proposed amendment on March 28 and April 11, 2011 and recommended the following: 1) That the City Council consider redefining the term "impasse" and 2) That the Council consider eliminating the fact-finding or make fact-finding a pre-requisite to mediation. He advised that staff informed the commission that redefining impasse was outside the scope of the proposed amendment and that staff had originally recommended eliminating fact-finding, but the recommendation was changed after employee groups expressed overwhelming support for the current mediation and fact-finding process.

Jeannie Moorman, AFSCME, Local 1117, reported that her organization was not in favor of the elimination of the fact-finding process and supports the ordinance as proposed.

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 vote.

ORDINANCE NO. 3747

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 14.8.24 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE RESOLUTION OF IMPASSE ON AGREEMENT TERMS

MOTION: Councilmember Numark moved to adopt Ordinance No. 3747. The motion was seconded by Councilmember Furey and passed by unanimous vote.

12E. RESOLUTIONS RE POLICE AND FIRE TRAINEES

Recommendation

Recommendation of the City Manager that City Council:

- 1) Adopt a Resolution regarding hours, wages, and working conditions for Police and Fire Trainees effective April 12, 2011 and repealing Resolution No. 2007-103; and
- 2) Adopt a California Public Employees Retirement System (CalPERS) Resolution to reduce the Employer Paid Member Contribution (EPMC) for Police and Fire Trainees.

Assistant to the City Manager Chaparyan reported that the proposed Police and Fire Trainees Resolution provides that employees hired after the effective date will contribute the 7% employees' portion to the CalPERS retirement system and it does not include any pay raises or benefit enhancements.

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

RESOLUTION NO. 2011-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH HOURS, WAGES, AND WORKING CONDITIONS FOR POLICE AND FIRE TRAINEES BEGINNING APRIL 12, 2011 AND REPEALING RESOLUTION NO. 2007-103

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-40. The motion was seconded by Councilmember Furey and passed by unanimous vote.

RESOLUTION NO. 2011-41

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 POLICE AND FIRE TRAINEES

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-41. The motion was seconded by Councilmember Furey and passed by unanimous vote.

12F. RESOLUTION RE TORRANCE PROFESSIONAL PARK & RECREATION EMPLOYEES ASSOCIATION

Recommendation

Recommendation of the City Manager that City Council adopt a Resolution pursuant to Memorandum of Understanding setting forth the hours, wages, and working conditions for employees represented by the Torrance Professional Park & Recreation Employees Organization (TPPREO) for the period of April 12, 2011 to June 30, 2012, and repealing Resolution No. 2010-110.

Assistant to the City Manager Chaparyan reported that the proposed Torrance Professional Park & Recreation Employees Organization Resolution extends the term of the contract to June 30, 2012 so that it will be aligned with other General Employee contracts and it does not include any changes to wages or benefits.

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

RESOLUTION NO. 2011-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE PROFESSIONAL PARK AND RECREATION EMPLOYEES ORGANIZATION (TPPREO), AND REPEALING RESOLUTION NO. 2010-110

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-42. The motion was seconded by Councilmember Furey and passed by unanimous vote.

12G. RESOLUTIONS RE TORRANCE CITY EMPLOYEES ASSOCIATION AND TORRANCE RECURRENT RECREATIONAL EMPLOYEES ORGANIZATION

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 City Employees Association (TCEA) for the period of April 12, 2011 to June 30, 2012, and repealing Resolution No. 2011-17; and
- 2) Adopt a Resolution pursuant to Memorandum of Understanding setting forth the hours, wages, and working conditions for employees represented by the Torrance Recurrent Recreation Employee Organization (TRREO) and repealing Resolution No. 2007-49.

Assistant to the City Manager Chaparyan reported that the proposed Torrance City Employee Association Resolution and Torrance Recurrent Recreation Employee Organization Resolution extends the term of the contracts to June 30, 2012 so that they will be aligned with other General Employee contracts and it does not include any changes to wages or benefits. He noted the TCEA contract allows the organization to explore the implementation of a Retirement Health Savings Plan at no cost to the City.

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

RESOLUTION NO. 2011-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE CITY EMPLOYEES ASSOCIATION (TCEA), AND REPEALING RESOLUTION NO. 2011-17

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-43. The motion was seconded by Councilmember Furey and passed by unanimous vote.

RESOLUTION NO. 2011-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE RECURRENT RECREATION EMPLOYEES ORGANIZATION (TRREO) FOR THE PERIOD OF APRIL 12, 2011 THROUGH JUNE 30, 2012, AND REPEALING RESOLUTION NO. 2007-49

MOTION: Councilmember Numark moved to adopt Resolution No. 2011-44. The motion was seconded by Councilmember Furey and passed by unanimous vote.

16. SECOND READING ORDINANCES

16A. SECOND AND FINAL READING OF ORDINANCE NO. 3744

ORDINANCE NO. 3744

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE GRANTING TO EXXONMOBIL OIL CORPORATION A FRANCHISE TO CONSTRUCT, LAY, OPERATE, TEST, MAINTAIN, USE, RENEW, REPAIR, REPLACE, MOVE, CHANGE THE SIZE AND NUMBER OF, AND REMOVE OR ABANDON IN PLACE A SYSTEM OF PIPELINES AND APPURTENANCES, FOR THE PURPOSE OF CONDUCTING, TRANSPORTING, CONVEYING AND CARRYING GAS, OIL, PETROLEUM PRODUCTS AND WATER, ON, ALONG, IN, UNDER AND ACROSS PUBLIC STREETS, WAYS, ALLEYS AND PLACES WITHIN THE CITY OF TORRANCE

MOTION: Councilmember Numark moved for the adoption of Ordinance No. 3744. The motion was seconded by Councilmember Furey and passed by unanimous vote.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Brewer requested that staff explore possible enhancements to the City's iconic bridge for the upcoming Centennial Celebration in 2012.

17B. Councilmember Numark invited the public to bring their toddlers and pre-schoolers to "Musical Mornings" on April 23, at 10:30 a.m. at the Katy Geissert Civic Center Library.

