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TORRANCE CITY COUNCIL APRIL 21, 2015

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At 9:48 p.m., the meeting was adjourned to Tuesday, April 28, 2015 at 5:30 p.m. for an executive session, with regular business commencing at 7:00 p.m. in the Council Chamber.

**MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL**

JOINT MEETING of City Council and Library Commission

The Torrance City Council convened in a joint meeting with the Torrance Library Commission on Tuesday, April 21, 2015 at 5:30 p.m. in the Katy Geissert Library meeting room. Topics of discussion included a commission outreach update, a report on community focus groups and survey results, a discussion of future library needs, and presentations on commission advocacy and collaboration with the Youth Council.

At 6:15 p.m., the City Council recessed to conduct regular business in the Council Chamber no earlier than 7:00 p.m.

1. CALL TO ORDER

The City Council reconvened at 7:00 p.m. in the Council Chamber.

ROLL CALL

Present: Councilmembers Ashcraft, Goodrich, Griffiths, Rizzo, Weideman and Mayor Furey.

Absent: Councilmember Barnett (excused).

Present: City Manager Jackson, Assistant City Manager Giordano, City Attorney Fellows, and other staff representatives.

2. FLAG SALUTE/ INVOCATION

The flag salute was led by Councilmember Ashcraft.

The non-sectarian invocation was given by Councilmember Goodrich.

*

Mayor Furey announced that subsequent to the posting of the agenda, the City received a settlement proposal from Jerry Butler of Fred's Carpets and the City Attorney has requested that the City Council consider adding the item to the agenda because the City Manager and the City Attorney need immediate instruction from the City Council regarding this matter. In order to take action on a matter not on the agenda, the California Government Code requires a determination by two-thirds vote of the Council that immediate action is necessary and the need to take action arose subsequent to the posting of the agenda.

MOTION: Councilmember Rizzo moved to add the item to the Executive Session agenda as 18B, sub-item 5. The motion was seconded by Councilmember Weideman and passed by unanimous vote (absent Councilmember Barnett).

**3. REPORT OF CITY CLERK ON POSTING OF THE AGENDA/ MOTION TO
WAIVE FURTHER READING**

Administrative Assistant Semana reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, April 16, 2015.

MOTION: Councilmember Rizzo 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 Weideman and passed by unanimous vote (absent Councilmember Barnett).

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

No items were withdrawn or deferred.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Furey asked that the meeting be adjourned in memory of respected volunteer and Torrance resident Kelly Doyle Gottlieb who passed away March 29 at the age of 55.

6. COMMUNITY MATTERS

6A. INTRODUCTION OF 2015 TORRANCE SISTER CITY STUDENT CULTURAL EXCHANGE PROGRAM DELEGATES

Torrance Sister City Association President Dan Fichtner provided background information about the Sister City Cultural Exchange Program with Kashiwa, Japan. He invited the public to attend the association's 43rd Annual Bunka Sai Cultural Festival on April 25 and 26 from 11:00 a.m. to 5:00 p.m. in the Ken Miller Recreation Center.

Mayor Furey presented City pins to the following 2015 Torrance Sister City Student Cultural Exchange Program delegates: Mikaela Frichtel, Chris Hsiao, Alexander Ito, Garrett Reeve, Nikola Stojic, Allison Sueyoshi, Ronan Todd, Julie Tokeshi and their adult leader Sherri Crowson.

6B. PRESENTATION OF 2015 HOMETOWN HEROES MILITARY RECOGNITION PROGRAM BANNERS

Mayor Furey provided background information about the Hometown Heroes Military Recognition Program and replicas of 2015 Hometown Heroes banners were presented to the families of William Fraser, William C. Zepeda, Nathaniel Kim, Roland Ellingson, Louie F. Alvarez, Christopher S. Smith, Brandon Livernois, Michael Gonzalez, Frank Anthony Rizzo, Jason Miyoshi, Arthur Campbell, Daniel Corral, William Kaneen, Austin Aldrich, Anthony Morales, Gary Carter, Manuel M. Cortez, and Kianna Golia.

7. ORAL COMMUNICATIONS #1

7A. Arthur Schaper, Torrance, commented on the Council's decision to remove Arthur Plourde from the Library Commission at the April 14, 2015 City Council meeting and wanted to clarify that Mr. Plourde's opinions do not reflect the opinions of the Tea Party movement of which he was identified in the press as being a member.

7B. Estelle Collins, Torrance, reiterated her concerns about unsafe traffic conditions on 182nd Street between Crenshaw Boulevard and Van Ness, noting that there was another car accident within the last couple of weeks bringing the total to four within the last 12-18 months.

7C. Charles Deemer, Torrance, questioned when the Torrance Regional Transit Center is expected to break ground and expressed an interest in serving on the South Bay Cities Council of Governments Metro Advisory Board.

Public Works Director Beste reported that groundbreaking for the transit center is expected to take place in June or July 2015.

7D. Arielle Stephenson, along with other members of the Torrance Youth Council, thanked everyone who attended their pancake breakfast at the Attic teen center last Saturday.

8. CONSENT CALENDAR

8A. APPROVAL OF MINUTES

Recommendation

Recommendation of the City Clerk that City Council approve the City Council minutes of March 17, 2015.

8B. FEE AGREEMENTS RE LEGAL SERVICES

Recommendation

Recommendation of the City Attorney that City Council approve two fee agreements with Liebert Cassidy Whitmore to provide legal services pertaining to personnel matters #A15-000205 and #A15-000206 each not to exceed \$20,000 for a total of \$40,000.

8C. AGREEMENT RE HAWTHORNE BOULEVARD AND CRENSHAW BOULEVARD WATER MAIN REPLACEMENT PROJECTS

Recommendation

Recommendation of the Public Works Director that City Council award a consulting services agreement to CivilSource Inc. of Irvine, CA in the amount of \$162,995 for design of the Hawthorne Boulevard Water Main Replacement and Crenshaw Boulevard Water Main Replacement, I-153.

8D. TORRANCE SISTER CITY ASSOCIATION 2014 ANNUAL REPORT/ APPROVAL OF GRANT

Recommendation

Recommendation of the Community Services Director that City Council:

- 1) Approve a grant in the amount of \$1,500 to the Torrance Sister City Association for 2015; and
- 2) Accept and file the Torrance Sister City Association 2014 Annual Report.

MOTION: Councilmember Griffiths moved to approve Consent Calendar Items 8A through 8D. The motion was seconded by Councilmember Weideman and passed by unanimous vote (absent Councilmember Barnett).

12. ADMINISTRATIVE MATTERS

12A. LEASE OF CITY-OWNED PROPERTY AT SUR LA BREA PARK

Recommendation

Recommendation of the City Manager that City Council:

- 1) Adopt a resolution determining certain city-owned property is not required for city purposes and that leasing the property is in the public interest; and
- 2) Approve a lease by and between the City of Torrance and Los Angeles SMSA Limited Partnership, dba Verizon Wireless, for a portion of City-owned property located at 1919 West 237th Street at Sur La Brea Park.

Assistant to the City Manager Chaparyan provided an overview of the proposed lease with Verizon for a telecommunications facility at Sur La Brea Park, noting that the lease will generate revenue of approximately \$30,000 per year for five years, with five 5-year options to extend the lease.

In response to Councilmember Weideman's inquiry, Community Services Director Jones confirmed that the first five years of revenue will be committed to improvements at Sur La Brea Park.

John Bailey, president of Southeast Torrance Homeowners Association, contended that Verizon failed to meet the requirements of Division 9, Chapter 2, Article 39 of the Torrance Municipal Code, which requires an applicant to demonstrate the following: 1) Higher priority locations are either not available or not feasible; 2) Establishment of a mono-pole is necessary to provide service; and 3) Lack of such a facility would result in prohibition of service. He noted that TMC Section 92.39.010 encourages the location of antennas in non-residential areas. He questioned whether the City was getting a fair price for the lease because it is the same as for a T-Mobile lease approved in September 2010 and *Bloomberg News* reported in February 2015 that American Tower is buying the rights to 11,324 wireless towers and purchasing 165 more from Verizon for \$5 billion.

Councilmember Ashcraft asked how the lease price was determined.

City Manager Jackson explained that staff was given guidelines by the City Council regarding the price and also did a comparative analysis of leases with other agencies and other sites within Torrance.

Assistant to the City Manager Chaparyan reported that the price is consistent with similar leases and staff believes it's an opportunity to obtain additional funding for park programs.

Councilmember Weideman noted that an appeal of a Telecommunications Committee decision was considered while he was on the Planning Commission and at the hearing, the Commission was provided with documentation confirming that the requirements mentioned by Mr. Bailey had been met, but he found no such information in this agenda item.

City Manager Jackson advised that material from the Telecommunications Committee hearing was not included in the staff report.

Robert Perez, representing Verizon Wireless, reported that justification for the site was included in the application, which indicates that there is no other site available for this facility because the surrounding area is all residential.

Councilmember Weideman recalled that at the Planning Commission hearing, the applicant was required to provide documentation showing that the facility was necessary because cell phone signals in the area were weak.

Mr. Perez stated that the necessary documentation was presented to the Telecommunications Committee in two formats, an RF (radio frequency) color-coded map and a letter from the head RF engineer for the area explaining in detail why the site was needed.

Janet Payne, Engracia Avenue, requested clarification regarding the type of facility and asked what would happen to it when the lease expires.

City Manager Jackson explained that there will be a cell tower and supporting equipment surrounded by a fence and Verizon will be required to restore the area when the lease expires.

Lowell Hardison, 236th Street, stated that he has followed the approval process for this facility for the past two-and-a-half years and believes the proposed lease is reasonable, especially since the money will be used to improve the park in the affected neighborhood.. He reported that he used to be a customer of Verizon, but changed carriers because his cell phone only worked in certain areas of his home. He explained that the building of more cell towers is inevitable due to the demand created by the growing number of devices used for both phone calls and texting;

suggested that this could be a windfall for schools and other property owners that can accommodate these facilities; and urged that regulations be devised so they are located where they will have the least impact.

Councilmember Weideman noted that according to minutes from meetings involving this application, Mr. Hardison was not happy with the location originally proposed.

Mr. Hardison explained that the original location was next to the casita building where much of the activity at the park takes place and the new location, which is in a bunker adjacent to the tennis courts, is a lot less intrusive.

Dee Hardison, 236th Street, reported that she was concerned about the initial proposal because the facility would have interfered with the use of the park, but this was no longer a concern with the new location. She related her experience that there is a need for additional coverage for cell phone users in this area.

Councilmember Goodrich asked if the proposed height of the cell tower (65 feet) was optimal in terms of coverage and blending with surrounding trees.

Mr. Perez reported that this was the lowest height that meets Verizon's requirements.

City Manager Jackson confirmed that the tower's height was consistent with trees in the park, noting that Attachment B to the staff report contains renderings of the park with the cell tower installed.

Community Services Director Jones advised that staff worked diligently with Verizon to identify the type and species of artificial tree that would best camouflage the cell tower and related his belief that the facility would have minimal impact on the park.

Councilmember Goodrich asked staff for an estimate of how many residents attended previous hearings on this application and whether the majority of them were satisfied by the revisions that were made.

Community Services Director Jones reported that 15-20 residents attended the first Parks and Recreation Commissioner hearing, and when the matter was brought back, the majority of residents were in favor of the proposal with the understanding that funds received for the first five years would be used for park renovations.

Councilmember Goodrich noted that Torrance is short on the recommended amount of green space and asked if this facility would have an impact on this issue.

City Manager Jackson responded that it would have a slight impact due to the loss of the area taken up by the equipment, but it would still be considered open space.

Assistant to the City Manager Chaparyan thanked staff members Brian Sunshine and Jason Minter who were instrumental in shepherding this application through the process.

Mayor Furey explained that this process began in early 2012 when the Council authorized staff to begin negotiations with Verizon and it involved several community outreach meetings. He related his belief that the most important aspect of the agreement was the funding it will provide for Sur La Brea Park.

Mr. Perez reported that Mr. Sunshine negotiated a rate for the lease that's significantly higher than the rate in most other cities.

MOTION: Councilmember Rizzo moved to concur with the staff recommendation. The motion was seconded by Councilmember Griffiths and passed by unanimous vote (absent Councilmember Barnett).

RESOLUTION NO. 2015-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DETERMINING THAT CERTAIN CITY-OWNED PROPERTY LOCATED AT 1919 WEST 237TH STREET IS NOT REQUIRED FOR CITY PURPOSES AND THAT LEASING THE PROPERTY IS IN THE PUBLIC INTEREST

MOTION: Councilmember Goodrich moved to adopt Resolution No. 2015-26. The motion was seconded by Councilmember Ashcraft and passed by unanimous vote (absent Councilmember Barnett).

12B. APPROVAL OF TRAVEL COSTS FOR UPCOMING CONFERENCES

Recommendation

Recommendation of the City Manager that City Council approve funding not to exceed \$2,953 from the City Council travel budget for City Council to attend the following:

- 1) Mayor Furey to attend the 2015 Legislative Action Day in Sacramento, CA on April 29, 2015;
- 2) Mayor Furey to attend to attend the U.S. Conference of Mayors 83rd Annual Meeting in San Francisco, CA from June 19 through June 22, 2015; and
- 3) Councilmember Barnett to attend the Southern California Association of Governments 2015 Regional Conference in Desert Springs, CA from May 7 through May 8, 2015.

Management Associate Hoang reported that the City Council approved the pooling of the remaining funds in the City Council travel budget for FY2014-2015 on March 10, 2015 and this item requests approval of the use of pooled funds for three upcoming events.

MOTION: Councilmember Rizzo moved to concur with the staff recommendation. The motion was seconded by Councilmember Weideman and passed by unanimous vote (absent Councilmember Barnett).

17. ORAL COMMUNICATIONS #2

17A. Councilmember Goodrich stated that he was pleased to be able to recognize Torrance's Hometown Heroes this evening, but noted that only 2 of the 18 honorees were Air Force and challenged the community to increase this number next year.

17B. Councilmember Griffiths reported that he enjoyed attending the Earth Day Fair at the Madrona Marsh last Saturday and the Youth Council's pancake breakfast at the Attic teen center. He noted that the Bunka Sai Cultural Festival and the Relay for Life will be held this weekend and he plans to attend both.

17C. Councilmember Rizzo thanked the City for the Hometown Heroes program, stating that he appreciated the opportunity to honor his father, who was a World War II veteran.

17D. Councilmember Weideman commented positively on the Hometown Heroes ceremony, which he found to be very moving.

17E. Councilmember Ashcraft echoed comments on the Hometown Heroes ceremony.

17F. Councilmember Ashcraft congratulated the *Daily Breeze* on being awarded a Pulitzer Prize for an article on the Centinela Valley School District by reporter Rob Kusnia.

17G. Mayor Furey related his belief that the Pulitzer Prize was well-deserved and noted that he sent congratulatory emails to the editorial staff, as well as the publisher and president of the Los Angeles Area News Group earlier today.

17H. Mayor Furey reported that in addition to the Earth Day Fair and Youth Council pancake breakfast, there was a beach cleanup by a Torrance Girl Scout troop at Miramar Beach and a “Pitch, Hit and Run” competition sponsored by Torrance Batting Cages and Major League Baseball.

17I. Mayor Furey offered a reminder about the Relay for Life, which kicks off on Saturday morning at 9:00 a.m. at South High, noting that he will be walking in honor of Kelly Gottlieb, who had a long history of volunteering for PTA and PTSA and will be sorely missed. He extended condolences to her family.

18. EXECUTIVE SESSION

At 9:01 p.m., the City Council recessed to closed session to confer with the City Attorney and the City Manager on the urgency item added to the agenda (see page 1) and agenda matters listed under 18A) Conference with Labor Negotiator, and 18B) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code §54957.6 and 54956.8.

The City Council reconvened at 9:48 p.m. No formal action was taken on any matter considered in closed session.

19. ADJOURNMENT

At 9:48 p.m., the meeting was adjourned to Tuesday, April 28, 2015 at 5:30 p.m. for an executive session, with regular business commencing at 7:00 p.m. in the Council Chamber.

Attest:

/s/ Patrick J. Furey

Mayor Patrick J. Furey

/s/ R. Poirier

City Clerk Rebecca Poirier, MMC

Approved on May 12, 2015