

**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 5:36 p.m. on Tuesday, May 12, 2009 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.

Mayor Scotto announced that on Friday, May 8, 2009, subsequent to the posting of the agenda, the City received a proposal from DCH Auto Group regarding the terms and conditions of the leases at 2909 Pacific Coast Highway and 2955 Pacific Coast Highway and the City Attorney has requested that the City Council consider adding this item to the agenda because immediate instruction is needed. In order to take action on a matter not on the agenda, the California Government Code requires a determination by a two-thirds vote of the Council that immediate action is necessary and that the need to take action arose subsequent to the posting of the agenda.

MOTION: Councilmember Barnett moved to add the item to the closed session agenda pursuant to Government Code § 54954.2(b)(2) and 54956.8. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote

Mayor Scotto announced that on Tuesday, May 12, 2009, subsequent to the posting of the agenda, the City received a proposal from PPG Industries regarding the terms and conditions of the City's proposed acquisition of real property at 645 Crenshaw Boulevard and the City Attorney has requested that the City Council consider adding this item to the agenda because immediate instruction is needed.

MOTION: Councilmember Barnett moved to add the item to the closed session agenda pursuant to Government Code § 54954.2(b)(2) and 54956.8. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote

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 City Attorney on the above-mentioned items.

The City Council reconvened at 7:04 p.m. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Art Callen, Commission on Aging.

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, May 7, 2009.

MOTION: Councilmember Barnett 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 Rhilinger and passed by unanimous roll call vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

Agenda Item 8B was withdrawn and Item 13A was continued indefinitely.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Sutherland announced that budget workshops/public hearings will be held on Tuesday, June 2, and Tuesday, June 9, no earlier than 7:00 p.m. in the Council Chambers as part of the regularly scheduled City Council meetings.

Fire Chief Racowski reported on the Torrance Fire Department's involvement in assisting with the Santa Barbara fire.

City Clerk Herbers reminded the public that polls will be open on Election Day Tuesday, May 19, from 7:00 a.m. to 8:00 p.m. and recommended that voters verify their polling location as it may have changed since the last election. She noted that the City Clerk's office was prepared to answer any questions at 310.618.2870 or that voters could visit www.LAVote.net for information on status of voter registration, absentee ballots or polling locations. She advised that absentee ballots must be received at the polls or at the L.A. County Registrar's office no later than 8:00 p.m. on Election Day.

City Clerk Herbers invited staff and the public to view the oils and acrylics of Torrance Artist Guild member Ray Brickman on display in the City Clerk's office for the month of May.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2009-38 RE POLICE OFFICER RICHARD KERBER

RESOLUTION NO. 2009-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING POLICE OFFICER **RICHARD KERBER** UPON HIS RETIREMENT FROM THE CITY AFTER TWENTY-NINE YEARS OF SERVICE

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-38. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

To be presented at a later date.

6B. RESOLUTION NO. 2009-39 RE 50TH ANNUAL ARMED FORCES DAY PARADE AND CELEBRATION

RESOLUTION NO. 2009-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING MAY 15 THROUGH MAY 17, 2009 FOR OBSERVANCE OF THE 50TH ANNUAL **ARMED FORCES DAY PARADE AND CELEBRATION**

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-39. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

Mayor Scotto presented the Resolution to Police Chief John Neu.

6C. RESOLUTION NO. 2009-40 RE REAR ADMIRAL LEENDERT HERING, SR.

RESOLUTION NO. 2009-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING APPRECIATION TO **REAR ADMIRAL LEENDERT "LEN" HERING, SR.** OF THE UNITED STATES NAVY FOR SERVING AS GRAND MARSHAL OF THE 50TH ANNUAL ARMED FORCES DAY PARADE AND OBSERVANCE

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-40. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

To be presented at a later date.

6D. RESOLUTION NO. 2009-41 RE SHAWN PARR

RESOLUTION NO. 2009-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING APPRECIATION TO **SHAWN PARR** FOR SERVING AS CELEBRITY GRAND MARSHAL OF THE 50TH ANNUAL ARMED FORCES DAY PARADE AND OBSERVANCE

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-40. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

To be presented at a later date.

6E. PROCLAMATION RE “BLUE RIBBON WEEK”

Mayor Scotto presented a proclamation declaring the week of May 10 through May 16, 2009 as *Blue Ribbon Week* in the City of Torrance to Torrance Police Services Officer Luz Aceves.

Officer Aceves highlighted major accomplishments of the Torrance Police Department over the past year; urged residents to show their support of law enforcement by wearing and/or displaying blue ribbons during the week of May 10-16; and invited attendance at the Police Memorial Ceremony on Wednesday, May 13, at 10:00 a.m. in front of the Torrance Police Department.

6F. PROCLAMATION RE “NATIONAL HISTORIC PRESERVATION MONTH”

Mayor Scotto presented a proclamation declaring the month of May as *National Preservation Month* in the City of Torrance to Gene Higginbotham, Debbie Hays, Sue Herbers, Cliff Numark, Janet Payne, and Ann Smisek of the Torrance Historical Society.

6G. PROCLAMATION RE “OLDER AMERICANS MONTH”

Mayor Scotto presented a proclamation declaring the month of May as *Older Americans Month* in the City of Torrance to Chet Craft, Commission on Aging Chairman, and commission members Kimmel-Dagostino, Kraemer, and Callen.

6H. RECOGNITION OF 2009 OLDER AMERICAN AWARD RECIPIENTS

Mayor Scotto presented plaques to 2009 Older American Award recipients Jackie LaBouff, Dale Sato, and Merla Wilson. He highlighted their accomplishments, including Ms. LaBouff’s many years of service as a volunteer for Torrance schools, St. Catherine Laboure Church, and civic organizations; Ms. Sato’s dedication to researching and documenting the history of Japanese-Americans in the South Bay and sharing this information with the public; and Ms. Wilson’s service as a longtime volunteer at Torrance Memorial Medical Center and the St. Lawrence Martyr Church food pantry.

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Mayor Scotto, along with Councilmembers, presented a certificate and a 15-year service pin to City Clerk Herbers commemorating her years of service to the City.

7. ORAL COMMUNICATIONS

7A. Steve Kroesen, Torrance Police Officer, expressed appreciation to the Mayor, Council and City staff for the support given to him and his family in the two years since he was diagnosed with Hodgkin’s lymphoma, noting that he is currently in remission and looks forward to returning to work. He discussed the stem cell/bone marrow drive, which resulted in 2,000 people registering as donors, and how two lives have been saved including his.

7B. Aileen Yoon, Torrance Youth Council, encouraged residents to participate in the North Torrance High School “Get Up and Go” 5K run/walk on Sunday, May 31, at 8:00 a.m. at Columbia Park, 4045 W. 190th Street, which benefits student programs.

7C. Brad Moylan, Torrance Youth Council, thanked Councilmembers for attending the Beat the Odds dinner and reported that six \$1,000 scholarships were awarded to graduating seniors.

Noting that he attended the Beat the Odds event along with Councilmembers Brewer and Sutherland, Councilmember Barnett stated that he was impressed by the Beat the Odds scholarship recipients and believes it is very worthwhile program. He commended the Youth Council for their efforts.

Councilmember Brewer echoed comments regarding the Beat the Odds event, noting that some of the scholarship recipients have overcome extreme adversity.

8. CONSENT CALENDAR

8A. APPROVAL OF FREE TRANSIT FARES FOR ACTIVE MILITARY PERSONNEL DURING ARMED FORCES DAY CELEBRATION

Recommendation

Recommendation of the Transit Director that City Council approve a free fare on the Torrance Transit System for all active military personnel during the Armed Forces Day Weekend of May 15 through May 17, 2009. Expenditure: \$1,000.

Considered separately, see page 6.

8B. PURCHASE OF 2009 TOYOTA CAMRY SEDANS

Recommendation

Recommendation of the General Services Director that City Council:

- 1) Authorize a purchase order to Carson Toyota in Carson, CA in the amount of \$76,774.84 including sales tax and tire fees, to furnish three (3) 2009 Toyota Camry Sedans (B2009-14); and
- 2) Appropriate \$76,774.84 from the Fleet Services Vehicle and Equipment Replacement Fund.

Item was withdrawn.

8C. PURCHASE OF 2009 NISSAN ALTIMA SEDANS

Recommendation

Recommendation of the General Services Director that City Council:

- 1) Authorize a purchase order to Power Nissan in Torrance, CA in the amount of \$78,204.48 including sales tax and tire fees, to furnish three (3) 2009 Nissan Altima Sedans (B2009-13); and
- 2) Appropriate \$78,204.48 from the Fleet Services Vehicle and Equipment Replacement Fund.

8D. SEWER RELOCATION AGREEMENT RE DEL AMO BLVD. EXTENSION

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Approve an amendment to Sewer Relocation Agreement with the County Sanitation District No. 5 of Los Angeles County (C2009-050) to incorporate language that addresses federal requirements for the City to relocate an existing sewer pipeline for the Del Amo Boulevard Extension Project, T-30; and
- 2) Authorize a not to exceed expenditure of \$35,000 to be paid to the County Sanitation District No. 5 of Los Angeles County for construction inspection services.

MOTION: Councilmember Furey moved for the approval of Consent Calendar Items 8C and 8D. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote.

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

8A. APPROVAL OF FREE TRANSIT FARES FOR ACTIVE MILITARY PERSONNEL DURING ARMED FORCES DAY CELEBRATION

Recommendation

Recommendation of the Transit Director that City Council approve a free fare on the Torrance Transit System for all active military personnel during the Armed Forces Day Weekend of May 15 through May 17, 2009. Expenditure: \$1,000.

Councilmember Furey noted that this item was brought forward at the request of the Mayor and Council as token of appreciation for military personnel during the City's Armed Forces Day celebration.

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

12. ADMINISTRATIVE MATTERS

12A. RESOLUTIONS RE LIGHTING DISTRICT 99-1 PROCEEDINGS TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2009-2010

Recommendation

Recommendation of the Finance Director that City Council:

- 1) Adopt a Resolution initiating proceedings to levy assessments within the City of Torrance Lighting District No. 99-1 for Fiscal Year 2009-2010;
- 2) Adopt a Resolution approving the Fiscal Year 2009-2010 Engineer's Report for the City of Torrance Lighting District No. 99-1; and,
- 3) Adopt a Resolution of Intention to levy assessments within the City of Torrance Lighting District No. 99-1 for Fiscal Year 2009-2010 setting date of June 9, 2009 for public hearing.

For the benefit of the public, Councilmember Sutherland noted that this assessment has been levied for a number of years and is not a new fee.

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

RESOLUTION NO. 2009-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1 FOR FISCAL YEAR 2009-2010 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE AND AS PROVIDED BY ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-42. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

RESOLUTION NO. 2009-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THE REPORT OF THE ENGINEER IN CONNECTION WITH THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1 FOR FISCAL YEAR 2009-2010 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE AND AS PROVIDED FOR IN ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-43. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

RESOLUTION NO. 2009-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1 FOR FISCAL YEAR 2009-2010 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE AND AS PROVIDED FOR IN ARTICLE XIID OF THE CALIFORNIA CONSTITUTION, APPOINTING A TIME AND PLACE FOR PUBLIC HEARING

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-44. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

12B. CONTRACT RE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT APPLICATIONS

Recommendation

Recommendation of the City Manager and General Services Director that City Council:

- 1) Approve a contract for consulting services to Johnson Controls, Inc. for Energy Efficiency and Conservation Block Grant (EECBG) applications in an amount not to exceed \$15,000; and
- 2) Appropriate \$15,000 from the Energy Reserve Fund.

Facility Services Manager Landis reported that staff was recommending that a consultant be hired to assist with the preparation of Energy Efficiency and Conservation Block Grant applications, noting that the city has been authorized to receive a \$1.4 million formula based grant and another \$600 million is available nationwide on a first-come, first-served basis. He advised that potential projects identified for grant funding include LED street lighting, retrofitting of air conditioning systems to improve efficiency, and solar heating at the Benstead Plunge.

Councilmember Numark requested that staff explore the possibility of including the Torrance Unified School District in the energy audit to be conducted in the initial phase of the contract.

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

13. HEARINGS

13A. PRE08-00032, WAV08-00016: 5018 VISTA DEL VEGAS – LANE BUILDING DESIGNS (SCOTT AND RHONDA STELZER)

Recommendation

Consider appeal of Planning Commission denial of Precise Plan of Development to allow first and second story additions to an existing one-story single family residence in conjunction with a Waiver to allow less than the required rear yard setback, on property located in the Hillside Overlay District of the R-1 Zone at 5018 Vista del Vegas.

Hearing was continued indefinitely.

17. ORAL COMMUNICATIONS

17A. Councilmember Rhilinger reported that she attended a General Assembly meeting, as representative of Torrance, Carson, and Lomita on the Southern California Association of Governments Regional Council and presented a booklet with a demographic profile of the City of Torrance to Mayor Scotto.

17B. Councilmember Sutherland encouraged everyone to attend the Armed Forces Day Celebration and Observance, May 15 -17, which will include a concert on May 15; the 50th annual parade on May 16, and static displays at the Del Amo Fashion Center throughout the weekend.

17C. Councilmember Barnett noted his attendance at the Switzer Learning Center 10th Annual South Bay Women of the Year awards program honoring Sue Carter, Gen Gorciak, Mary Sereno, and Debbie Phillips for their outstanding service to Torrance and the South Bay.

17D Councilmember Barnett, with the concurrence of Council, requested that outgoing Youth Council members be recognized at an upcoming meeting and that a joint meeting of the City Council and the Youth Council be scheduled after the new Youth Council has been sworn in.

17E. Councilmember Brewer echoed comments encouraging everyone to attend the Armed Forces Day festivities over the weekend.

17F. Councilmember Furey stated that he was pleased to present 18 scholarships to graduating Torrance students on behalf of the Torrance Education Foundation last Thursday.

17G. Councilmember Furey reported that the Torrance Education Foundation will be conducting the summer school program for Torrance schools this year beginning in late July and over 1,500 students have already enrolled, with information available at www.tefsbea.org.

17H. Councilmember Numark noted that Assembly Bill 811 enables homeowners to install solar panels with financing available through property taxes and with the concurrence of Council, he requested that staff look into what the administrative cost would be to offer this in Torrance.

17I. Councilmember Numark, with the concurrence of Council, requested that staff look into the possibility of regulating/restricting handbills and other materials left on doorsteps if there is appropriate signage.

17J. Councilmember Sutherland reported that 43 posters made by fourth graders will be displayed on the Fern Elementary School fence for the Armed Forces celebration, with five to be displayed at Torino Plaza in the City Hall complex. He also noted that the winner of the poster contest will be riding in the parade on Saturday.

17K. Mayor Scotto echoed comments regarding the Armed Forces Day celebration and encouraged everyone to come out and show their support

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 8:20 p.m., the meeting was adjourned to Tuesday, May 19, 2009 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

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Attest:

/s/ Frank Scotto

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers,
City Clerk of the City of Torrance

Approved on July 7, 2009