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TORRANCE CITY COUNCIL – JULY 15, 2014

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At 11:24 p.m., the meeting was adjourned to Tuesday, July 22, 2014 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chamber.

**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 7:06 p.m. on Tuesday, July 15, 2014 in the Council Chamber at Torrance City Hall.

ROLL CALL

Present: Councilmembers Ashcraft, Barnett, Brewer, Furey, Sutherland, Weideman and Mayor Scotto.

Absent: None.

Present: City Manager Jackson, City Attorney Fellows, City Clerk Herbers and other staff representatives.

2. FLAG SALUTE/ INVOCATION

The flag salute was led by Councilmember Brewer.

The non-sectarian invocation was given by Councilmember Barnett.

**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, July 10, 2014.

MOTION: Councilmember Brewer 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 Barnett and passed by unanimous vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

No items were withdrawn or deferred; supplemental material was available for Item 12C.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Scotto announced that a public memorial will be held for Louis Zamperini on Thursday, July 31, at 6:00 p.m. at Torrance High School's Zamperini Stadium located at 2125 Lincoln Avenue.

OUTGOING CITY COUNCIL BUSINESS

8. CONSENT CALENDAR

8A. APPROVAL OF MINUTES

Recommendation

Recommendation of the City Clerk that City Council approve the City Council minutes of June 10, June 17, and June 24, 2014.

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

16. SECOND READING ORDINANCES

16A. SECOND AND FINAL READING OF ORDINANCE NO. 3774

ORDINANCE NO. 3774

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADOPTING PROCEDURES FOR COMPLIANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 37380 FOR LEASING PROPERTY FOR A CUMULATIVE TERM IN EXCESS OF 55 YEARS AND FOR EXTENDING THE TERM OF THE AIRPORT ATRIUM BUILDING LEASE.

MOTION: Councilmember Brewer moved to adopt Ordinance No. 3774. The motion was seconded by Councilmember Sutherland and passed by unanimous vote, with Councilmembers Furey and Weideman abstaining.

12. ADMINISTRATIVE MATTERS

12A. APPROVAL OF LEASE ASSIGNMENT AND LEASE AMENDMENT FOR CITY-OWNED PROPERTY AT 2780 SKYPARK DRIVE

Recommendation

Recommendation of the City Manager that City Council:

- 1) Adopt a California Environmental Quality Act (CEQA) Categorical Exemption pursuant Guideline 15301 (existing facilities); and
- 2) Approve Lease Assignment from current lessee Skypark RPR Associates I and Skypark RPR Associates II to WCCP Airport Atrium, LLC; and
- 3) Approve Seventh Amendment to Lease by and between the City of Torrance, a municipal corporation, ("City"), and WCCP Airport Atrium, LLC, ("Lessee") for City-owned property located at 2780 Skypark Drive.

Assistant City Manager Giordano briefly summarized the proposed lease amendment for the City-owned property located at 2780 Skypark Drive. She noted that the financial terms were reviewed by the City's real estate consultant Keyser, Marston Associates and they were determined to be reasonable and the current net value of the lease extension to the City is calculated to be \$3.8 million.

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

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2014-86 RE CITY CLERK SUE HERBERS

RESOLUTION NO. 2014-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
HONORING **CITY CLERK SUE HERBERS** UPON HER RETIREMENT
FROM THE CITY AFTER TWENTY YEARS OF SERVICE

MOTION: Councilmember Weideman moved to adopt Resolution No. 2014-86. The motion was seconded by Councilmember Furey and passed by unanimous vote.

Mayor Scotto presented the resolution to Ms. Herbers along with a plaque in recognition of her service.

City Attorney Fellows, City Manager Jackson and City Treasurer Cortez commented on their enjoyment working with Ms. Herbers and wished her well in her retirement.

Mayor Scotto and each Councilmember thanked Ms. Herbers for her service, noting the efficiency and integrity with which she has run the City Clerk's office.

Ms. Herbers thanked all who have worked with her and supported her during her term in office.

6B. RESOLUTION DECLARING RESULTS OF JUNE 3, 2014 GENERAL MUNICIPAL ELECTION

Recommendation

Recommendation of the City Clerk that City Council adopt a Resolution declaring the results of the Municipal Election consolidated on the Los Angeles County Primary Election held on June 3, 2014.

The City Clerk is prepared to give the oath of office and to make presentation of Certificates of Election to the duly elected officeholders.

Mayor Scotto announced that this was the time and place to make official the results of the June 3, 2014 General Municipal Election.

City Clerk Herbers confirmed that the Los Angeles County Registrar conducted the canvass of returns of the June 3, 2014 General Municipal Election as directed by the City Council; that all valid absentee and provisional ballots have been canvassed and included in the returns; and that the results of the voting in each precinct and in the City as a whole were accurately enumerated in Resolution No. 2014-85 declaring the results of the election.

Mayor Scotto declared the official canvass of the returns of the June 3, 2014 General Municipal Election complete.

Mayor Scotto directed the City Clerk to insert the Los Angeles County Registrar's Certificate of Canvass in the minutes of this meeting after the passage of Resolution No. 2014-85 along with the full text of Exhibit A showing the results of the election precinct-by-precinct.

City Clerk Herbers announced the results of the June 3, 2014 General Municipal Election as follows:

<u>Mayor</u>	<u>Votes</u>
Pat Furey	8,403
Tom Brewer	7,449
Bill Sutherland	4,837

Pat Furey elected to a four-year term as Mayor.

<u>City Councilmember</u>	<u>Votes</u>
Heidi Ann Ashcraft	8,815
Tim Goodrich	7,976
Kurt Weideman	7,379
Geoff Rizzo	6,530
L. Kimmel-Dagostino	5,765
Alex M. See	4,812
Milton Herring	4,721
Mike Griffiths	4,580
Aurelio Mattucci	3,748
Clint A. Paulson	2,877
Charlotte A. Svolos	2,830
Rahmat Khan	2,101
John Paul Tabakian	1,842
Ryan Mand	1,245
Norm Segel	784
Omar Navarro	634

Heidi Ashcraft, Tim Goodrich and Kurt Weideman elected to four-year terms as City Councilmember; Geoff Rizzo elected to two-year term as City Councilmember.

<u>City Clerk</u>	<u>Votes</u>
Rebecca Poirier	10,832
Gina Semana	3,019
Jay Sharfman	2,573

Rebecca Poirier elected to four-year term a City Clerk.

<u>City Treasurer</u>	<u>Votes</u>
Dana Cortez	13,535

Dana Cortez elected to four-year term as City Treasurer.

RESOLUTION NO. 2014-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD JUNE 3, 2014, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

MOTION: Councilmember Weideman moved to adopt Resolution No. 2014-85. The motion was seconded by Councilmember Furey and passed by unanimous vote.

City Clerk Herbers administered the oath of office to City Treasurer Cortez; Councilmembers Ashcraft, Goodrich, Rizzo and Weideman; Mayor Furey; and City Clerk Poirier.

Councilmember Brewer, Councilmember Sutherland and Mayor Scotto were lauded by their colleagues on the Council for their dedication and service to the community.

Councilmember Sutherland, Councilmember Brewer and Mayor Scotto commented on their experiences during their terms in office and thanked City staff and their colleagues on the Council for their support.

The City Council recessed at 8:59 p.m. and reconvened at 9:23 p.m. to conduct regular business.

REGULAR BUSINESS OF THE INCOMING CITY COUNCIL

ROLL CALL

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

Mayor Furey and each Councilmember briefly commented on the election.

7. ORAL COMMUNICATIONS #1

7A. Lloyd Brown, Torrance, thanked Councilmembers Brewer and Sutherland and Mayor Scotto for their service and welcomed new Councilmembers.

7B. David Dinnel, South Bay real estate agent, expressed concerns about Car2Go, a car sharing service now operating in Torrance, which is leaving cars parked for long periods of time in residential neighborhoods.

7C. Debbie Hays, Torrance, offered a reminder about the public memorial for Louis Zamperini on July 23 at Torrance High's Zamperini Stadium.

7C. Debbie Hays, Torrance Historical Society, invited everyone to attend the 10th annual "Rock Around the Block," a '50s themed block party, to be held on Thursday, July 17, from 5:00 – 8:00 p.m. in front of the museum at located at 1345 Post Avenue.

7D. Clint Paulson, Torrance, requested that the City Council reconsider the Optimized Street Sweeping Program.

7E. Jimmy Gow, Torrance, congratulated newly elected officials.

7F. Pamela Combar, Torrance, expressed concerns about the Optimized Street Sweeping Program.

7G. Ryan Mand, Torrance, thanked Mayor Scotto and Councilmembers Weideman and Rizzo for offering assistance during his campaign for City Councilmember.

8. CONSENT CALENDAR (continued)

8B. SUBSIDY OF RENTAL FEES FOR KEN MILLER RECREATION CENTER

Recommendation

Recommendation of the City Manager that City Council approve the subsidy of rental fees in the amount of \$846 for use of the Ken Miller Recreation Center for 2014-2015 by the Torrance Artist Guild.

8C. PAYMENT FOR ANNUAL SOFTWARE HOSTING, SUPPORT AND MAINTENANCE SERVICES

Recommendation

Recommendation of the General Services, Transit, and Information Technology Directors that City Council authorize payment to AssetWorks, Inc. of La Jolla, CA in the amount of \$67,832.95 for the annual renewal of hosting, support and maintenance service agreements of the City's FleetFocus FA™ and FuelFocus™ software systems (C2005-057), for a period of one (1) year effective August 1, 2014 through July 31, 2015.

8D. PURCHASE ORDER FOR COMPUTER SOFTWARE

Recommendation

Recommendation of the Communications and Information Technology Director that City Council authorize an annual purchase order with En Pointe Technologies Sales, Inc. of Gardena, CA, for Microsoft and other computer software on an as requested basis for an amount not to exceed \$182,000 for the period of July 15, 2014, to June 30, 2015.

8E. ACCEPTANCE/APPROPRIATION OF 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

Recommendation

Recommendation of the Chief of Police that City Council;

- 1) Authorize the acceptance of the 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$18,170;
- 2) Establish a trust fund for the deposit of grant monies; and
- 3) Appropriate and allocate the grant monies, and any interest on the funds to the Police Cadet program.

8F. AGREEMENT TO TEMPORARILY LEASE GROUNDWATER RIGHTS

Recommendation

Recommendation of the Public Works Director that City Council approve an agreement to temporarily lease 150 acre-feet of groundwater rights to the Roman Catholic Archbishop of Los Angeles, a non-profit California Corporation, at \$125 per acre-foot during the 2014-2015 fiscal year.

8G. AGREEMENT AMENDMENT RE 2011 URBAN AREA SECURITY INITIATIVE GRANT

Recommendation

Recommendation of the Chief of Police that City Council:

- 1) Approve a second amendment to the 2011 Urban Area Security Initiative (UASI) Subrecipient Agreement with the City of Los Angeles (C2012-125), reducing the award by \$10,379, for a revised total award of \$161,406; and
- 2) Authorize the City Manager as the City's signatory to the amendment.

8H. MAY 2014 MONTHLY INVESTMENT REPORT

Recommendation

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for the month of May 2014.

8I. AGREEMENT AMENDMENT RE LEGAL SERVICES

Recommendation

Recommendation of the City Attorney that City Council approve a seventh amendment to the fee agreement (C2008-212) with the law firm of Liebert Cassidy Whitmore to provide legal services in the matter of Brumbaugh v. City of Torrance, for an additional \$8,000, for a new not to exceed contract amount of \$385,000.

MOTION: Councilmember Barnett moved to approve Consent Calendar Items 8B through 8I. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

12. ADMINISTRATIVE MATTERS (continued)

12B. DECLARATION OF INTENT TO VACATE PORTION OF 234TH STREET WEST OF MADISON STREET AND SETTING OF HEARING DATE

Recommendation

Recommendation of the Community Development Director that City Council:

- 1) Adopt a Resolution declaring the intention to vacate a portion of 234th Street West of Madison Street; and
- 2) Approve setting August 5, 2014 as the date for the public hearing.

Associate Civil Engineer Symons reviewed the staff recommendation.

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

RESOLUTION NO. 2014-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING ITS INTENTION TO VACATE A PORTION OF 234TH STREET WEST OF MADISON STREET IN THE CITY OF TORRANCE; FIXING A TIME AND PLACE FOR THE HEARING THEREON AND PROVIDING FOR THE PUBLICATION OF THIS RESOLUTION

MOTION: Councilmember Barnett moved to adopt Resolution No. 2014-87. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

12C. CONTRACT AMENDMENT WITH CALPERS RE REDUCED INDUSTRIAL DISABILITY ALLOWANCE

Recommendation

Recommendation of the City Manager that City Council adopt an Ordinance approving a contract amendment between the City Council of the City of Torrance and the Board of Administration of the California Public Employees' Retirement System (CalPERS) to reduce Industrial Disability Allowance for all newly hired employees in Torrance Fire Fighters Association (TFFA), Torrance Fire Chief Officers Association (TFCOA) and Safety Management.

Assistant to the City Manager Chaparyan reported that the ordinance provides for a reduced Industrial Disability Allowance from 90% to 50% for newly hired employees represented by TFFA, TFCOA and Safety Management.

Mayor Furey asked if the savings to the City from the reduction in the Industrial Disability Allowance could be quantified and Finance Director Tsao offered to provide figures for the past year.

Mark Stephenson, Torrance, requested clarification regarding the net effect of this change, which was provided by Assistant to the City Manager Chaparyan.

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

ORDINANCE NO. 3775

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE
CITY COUNCIL OF THE CITY OF TORRANCE AND THE BOARD OF
ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT
SYSTEM

MOTION: Councilmember Weideman moved to adopt Ordinance No. 3775. The motion was seconded by Councilmember Ashcraft and passed by unanimous vote.

12D. FILLING OF VACANT COUNCIL SEAT

Recommendation

Recommendation of the City Clerk that City Council give direction to the City Clerk for filling the vacant seat (term expiring in June 2016) created by the resignation of Councilmember Pat Furey upon his election to Mayor.

City Clerk Poirier reviewed the options for filling the vacancy created by the resignation of Councilmember Pat Furey. She reported that the vacancy must be filled by August 14, 2014 or a special election must be held at a cost of at least \$200,000. She advised that the Council may make an appointment based on their own nominations or solicit applications, which has been the practice when filling previous vacancies; that the person selected will hold the office until June 2016; and that staff has prepared the necessary materials to allow the Council to make an appointment at the August 12, 2014 City Council meeting.

Councilmember Barnett expressed support for soliciting applications and using the appointment process to fill the vacancy at the August 12, 2014 Council meeting, citing the expense of a special election.

Councilmember Goodrich asked about the possibility of appointing someone who would act as a placeholder for two years.

City Attorney Fellows advised that the application could be amended to include a checkbox for candidates to indicate whether or not they intend to run for office in the future. He confirmed that such declaration by a candidate would not be legally binding.

Mayor Furey and Councilmembers Weideman and Ashcraft voiced support for soliciting applications and filling the vacancy by Council appointment.

In response to Councilmember Ashcraft's inquiry, City Clerk Poirier reported that preliminary estimates indicate that the cost for a vote-by-mail election or an election using polling places would be the same.

Councilmember Rizzo stated that he had been inclined to favor a special election for purposes of transparency, but could support the appointment process with the added checkbox discussed by City Attorney Fellows.

Mayor Furey invited public comment.

Clint Paulson, Torrance, voiced his opinion that the City should solicit firm quotes on the cost of a special election before ruling one out, suggesting that there may be cost-saving options that have not been considered.

Ryan Mand, Torrance, voiced support for a special election, stating that he believes the public should have a voice in this matter.

City Attorney Fellows clarified that according to Section 603A of the City Charter, the City Council is obligated to fill vacancies by appointment and a special election would only be held if the Council fails to make an appointment within 30 days of a resignation per Section 603B.

Janet Payne, Torrance, voiced objections to gossip that has been circulating about this issue and expressed confidence in the Council's ability to make an appropriate appointment.

Milton Herring, Torrance, also expressed confidence in the Council's ability to make an appropriate appointment.

Rick Marshall, Torrance, recommended that the City have a contingency plan for holding a consolidated election on November 4, 2014 should the Council become deadlocked and fail to make an appointment on August 12. He voiced his opinion that the candidate who finished fifth in the recent election should be appointed.

City Clerk Poirier advised that it was not possible to meet deadlines for the November 2014 election.

Mark Stephenson, Torrance, related his belief that the most qualified candidate should be appointed to fill the vacancy and the matter of whether or not he or she intends to run for office in the future was irrelevant and should not be considered.

Councilmember Goodrich proposed including a third checkbox on the application where candidates could indicate that they decline to state whether or not they intend to run for office in the future.

MOTION: Councilmember Weideman moved to solicit applications and fill the vacancy by Council appointment at the August 12, 2014 City Council meeting and direct the City Clerk to insert checkboxes above the signature line on the application for candidates to indicate whether or not they intend to run for office in the future or decline to state. The motion was seconded by Councilmember Ashcraft and passed by unanimous vote.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Barnett stated that he looked forward to working with the rest of the Council as the City continues to move in a positive direction.

17B. Councilmember Goodrich noted his intention to work with the Council, City staff and residents to make Torrance even better.

17C. Councilmember Rizzo offered congratulations to newly elected officials, noting that he was looking forward to working with City staff again.

17D. Councilmember Weideman thanked his daughter Jody, who lives in Indiana, for coming to Torrance and helping with his campaign. He encouraged everyone to attend Rock Around the Block on Thursday, July 17.

17E. Councilmember Ashcraft, with the concurrence of Council, requested that staff explore a partnership between Torrance Community Television and the Southern California Regional Occupation Center (SoCalROC) to provide group workshops and support for SoCalROC television classes.

17F. To address residents' concerns about the condition of the City's infrastructure, Mayor Furey, with the concurrence of Council, directed the Public Works Department to provide a comprehensive report/presentation at an upcoming Council meeting on the following topics:

- 1) Five-year infrastructure action plan
- 2) Review of current funding status
- 3) Review of Measure R status
- 4) Identify possible funding sources to address budget shortfalls

17G. Mayor Furey, with the concurrence of Council, assigned the issue of the redesign of the City's website to a City Council ad hoc committee for study and recommendation. He stressed the importance of creating a visually attractive, user-friendly website that engages visitors and provides relevant information with fewer click-throughs.

17H. Mayor Furey, with the concurrence of Council, directed staff to explore possible approaches to deal with view impairment caused by vegetation in the Hillside area and report back to the City Council in 60 days.

17I. City Manager Jackson welcomed new Councilmembers and invited them to contact City staff if they have any questions.

18. **EXECUTIVE SESSION** – None.

19. **ADJOURNMENT**

At 11:24 p.m., the meeting was adjourned to Tuesday, July 22, 2014 at 5:30 p.m. for an executive session, with the regular meeting 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 August 5, 2014