

July 24, 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 6:03 p.m. on Tuesday, July 24, 2007 in the City Council Chambers at Torrance City Hall.

ROLL CALL

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

Absent: None.

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

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Mayor Scotto announced that subsequent to the posting of the agenda, the City Attorney received a claim for damages from Lilian Mitchel and Joy Bedford pursuant to California Government Code Section 910. Based on existing facts and circumstances which are known to the potential plaintiffs, the City Attorney believes that the City faces a significant exposure to litigation and needs to take immediate action, therefore, he has requested that the City Council consider adding this item to the agenda. In order to take action on a matter that is not on the agenda, the California Government Code requires 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 Witkowsky moved to add the above-mentioned item to the agenda. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

The matter was added to the closed session agenda and considered pursuant to Government Code § 54954.2(b)(2) and 54956.9(b)(1).

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 the above-mentioned item and agenda matters listed under 18A) Conference with Labor Negotiator, pursuant to California Government § 54957.6.

The City Council reconvened at 7:02 p.m.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Transit Administration Manager Mills.

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, July 19, 2007.

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 Witkowsky and passed by unanimous roll call vote.

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Police Chief Neu announced that a large-scale training exercise was underway, involving the police department, state and local governments and the military. He noted that the exercise was designed to help coordinate response in the event of a major disaster and that military helicopters would be landing at Torrance Airport as part of the exercise, which will conclude on Wednesday, July 25.

Fire Chief Bongard reminded everyone that ExxonMobil would be conducting their monthly community alert siren testing on Wednesday, August 1, at approximately 11:30 a.m.

Public Works Director Beste reminded everyone to continue to conserve water.

Mayor Scotto announced that a memorial service for Councilwoman Pat McIntyre would be held on Thursday, July 26, at 10:30 a.m. at the Toyota Meeting Hall of the Torrance Cultural Arts Center.

State Senator Jenny Oropeza expressed condolences to the McIntyre family. Senator Oropeza reported on the status of the un-adopted state budget, noting that no new taxes or fees are anticipated, but voiced concerns about cuts in funding for transit. She advised that \$2 billion in Proposition 1B funds have been allocated for much needed roadway improvements; reported that state legislators are focusing on healthcare problems; encouraged everyone to continue conserving water; and discussed a current bill she is sponsoring that would set regulations for massage therapy as a healing art.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2007-68 HONORING COUNCILWOMAN PAT MCINTYRE

RESOLUTION NO. 2007-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING THE MEMORY OF COUNCILWOMAN PAT MCINTYRE FOR HER MANY YEARS OF DEDICATED SERVICE TO THE COMMUNITY.

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2007-68. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote.

To be presented at memorial service.

6B. RECOGNITION OF DEL AMO ROTARY CLUB CULTURAL EXCHANGE STUDENTS FROM JAPAN

Mayor Scotto presented certificates to Kanako Kojima and Yukiji Aoyama, who were visiting from Japan as part of the Del Amo Rotary Club's Cultural Exchange Program.

7. ORAL COMMUNICATIONS #1

7A. Titus Henry played an audio tape regarding an incident that occurred involving Torrance police officers, which he claimed contradicted the written report of that event.

7B. Patrick Furey, Northwest Torrance Homeowners Association, thanked the City and the Community Services Department for setting up a successful movie night at McMaster Park.

7C. Debbie Hays, Torrance Historical Society, thanked everyone who attended the 3rd Annual Rock Around the Block event, noting that it was a huge success.

8. CONSENT CALENDAR

8A. APPROVAL OF MINUTES

Recommendation

The **City Clerk** recommends that City Council approve the City Council minutes of June 5, 2007.

8B. FY2007-08 CLAIM FOR TRANSPORTATION DEVELOPMENT ACT AND STATE TRANSIT ASSISTANCE FUNDS

Recommendation

The **Transit Director** recommends that City Council approve submittal of the annual claim to the Los Angeles County Metropolitan Transportation Authority (METRO) for \$5,361,139 in Transportation Development Act (TDA) funding and \$711,081 in State Transit Assistance (STA) funding for the Torrance Transit System for Fiscal Year 2007-2008.

8C. TORRANCE TRANSIT'S DBE GOAL FOR FISCAL YEAR 2007-2008

Recommendation

The **Transit Director** recommends that City Council approve the Overall Annual Disadvantaged Business Enterprises (DBE) goal of 4% for Federal Fiscal Year (FFY) 2007-2008, for submission to the Federal Transit Administration (FTA).

8D. CONTRACT FOR CARPET REPLACEMENT RE CULTURAL ARTS CENTER

Considered separately, see pages 4-5.

8E. AMENDMENT TO CONTRACT WITH L.A. CONSERVATION CORPS

Recommendation

The **Public Works Director** and the **Acting Community Services Director** recommend that City Council approve an amendment to contract with the Los Angeles Conservation Corps (C2006-137) for an additional \$1,500, for a total not to exceed amount of \$24,000, to cover costs due to the installation of additional recycling containers in the City's parks.

8F. APPROPRIATION AND CONTRACT FOR PARKS RECYCLING PROGRAM

Recommendation

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

- 1) Approve the appropriation of a grant in the amount of \$39,096 from the Department of Conservation that will be used to fund the contract with the Los Angeles Conservation Corps; and
- 2) Approve a contract services agreement in the amount of \$32,000 with the Los Angeles Conservation Corps to provide operation and maintenance of the City's parks and special event recycling program.

8G. AGREEMENT RE FY2007-2008 RESIDENTIAL CURB, GUTTER & SIDEWALK REPLACEMENT

Recommendation

The **Public Works Director** recommends that City Council award a consulting services agreement in the amount of \$76,830 to CBM Consulting, Inc. of Gardena, CA to perform design and construction inspection services for the Fiscal Year 2007-2008 Residential Curb, Gutter & Sidewalk Replacement, I-93.

8H. AMENDMENT RE CITYWIDE ENGINEERING AND TRAFFIC SURVEYS

Recommendation

The **Community Development Director** recommends that City Council review and approve the modification to the indemnification language of the consultant services agreement with Albert Grover and Associates, Inc. (C2007-087) for the Citywide Engineering and Traffic (Speed) Surveys, as requested by the Consultant and as approved by the City Attorney.

8I. AGREEMENT AMENDMENT RE ADDITIONAL ENGINEERING SERVICES

Recommendation

The **Public Works Director** recommends that City Council approve an amendment to agreement with Moffatt & Nichol Engineers (C2005-027) that extends the term until December 31, 2008 and increases the amount from \$1,475,116 to \$1,609,462 (an increase of \$134,346) to provide additional engineering services for the Del Amo Boulevard Extension/Grade Separation, T-30.

8J. PURCHASE ORDER/AGREEMENT FOR GIS SOFTWARE AND MAINTENANCE

Recommendation

The **Information Technology Director** recommends that City Council:

- 1) Award a purchase order in the amount of \$32,475 to Orion Technology, Inc., of Richmond Hill, Ontario, Canada, for Orion OnPoint-Professional and Orion Pictometry GIS software and maintenance; and
- 2) Approve a consulting services agreement with Orion Technology, Inc. of Richmond Hill, Ontario, Canada, in the amount of \$21,200 for implementation of Orion OnPoint-Professional and Orion Pictometry GIS software.

MOTION: Councilmember Witkowsky moved for the approval of Consent Calendar Items 8A through 8C and 8E through 8J. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

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

8D. CONTRACT FOR CARPET REPLACEMENT RE CULTURAL ARTS CENTER

Recommendation

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

- 1) Award a contract with Fred's Carpets Plus for \$76,203.57 with a 5% contingency of \$3,810;
- 2) Approve a 10% project management fee of \$ 7,620; and
- 3) Appropriate \$2,593.57 from the Cultural Arts Enterprise Fund to the Carpet Replacement at the Torrance Cultural Arts Center FEAP #555 (B2007-26).

Councilmember Witkowsky expressed concerns about the lack of durability of the existing carpeting in the Cultural Arts Center.

Facility Services Manager Landis reported that durability was a key factor in the selection of the new carpeting and noted the carpeting has low VOCs (Volatile Organic Compounds) and is composed of 50% recycled material.

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

12. ADMINISTRATION MATTERS

12A. AMENDMENT TO RECORDS RETENTION PROGRAM – POLICE DEPARTMENT

Recommendation

The **City Clerk** recommends that City Council adopt a Resolution authorizing revisions to the City of Torrance Records Retention Schedule amending Resolution No. 2001-01 Attachment 17 and approving destruction of certain Police Department records.

City Clerk Herbers advised that the proposed revisions involve changes to the Record Retention Schedule for the Police Department's Emergency Services Division, Personnel, and Records Division, and the destruction of certain unneeded Police Department records. She noted that this was the first of a series of amendments to be brought forward to update records retention procedures for various City departments.

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

RESOLUTION NO. 2007-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AMENDING RESOLUTION NO. 2001-01 CITY OF TORRANCE
RECORDS RETENTION POLICY ATTACHMENT 17- POLICE

MOTION: Councilmember Sutherland moved for the adoption of Resolution No. 2007-73. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote.

12B. MODIFICATION OF EXECUTIVE & MANAGEMENT EMPLOYEES PAY RESOLUTION

Recommendation

The **City Manager** recommends that City Council adopt a Resolution amending the Executive & Management Employees pay resolution modifying the reference point for the Workers' Compensation Administrator position.

Assistant to the City Manager Chaparyan reported that the proposed Resolution corrects the reference point for the Workers' Compensation Administrator position, which was incorrectly stated in Resolution No. 2007-67.

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

RESOLUTION NO. 2007-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AMENDING RESOLUTION NO. 2007-67 SETTING FORTH CHANGES
REGARDING THE HOURS, WAGES, AND WORKING CONDITIONS FOR
EXECUTIVE AND MANAGEMENT EMPLOYEES

MOTION: Councilmember Sutherland moved for the adoption of Resolution No. 2007-74. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote.

12C. ASSIGNMENT OF CHAIRS AND MEMBERS FOR CITY COUNCIL COMMITTEES

Recommendation

The **City Manager** recommends that City Council appoint chairs and members to the following City Council Committees and Boards:

1. Standing Committees
2. Outside Regional Boards and Agencies
3. Ad Hoc Committees
4. City Council Liaisons

1. Standing Committees – Councilmembers chose committees based on seniority.

Committee	Chair	Members (2)
Citizen Development and Enrichment	Nowatka	Drevno Brewer
Community Planning and Design	Drevno	Sutherland Nowatka
Employee Relations	Barnett	Witkowsky Sutherland
Finance and Governmental Operations	Sutherland	Barnett Witkowsky
Public Safety	Witkowsky	Nowatka Brewer
Transportation	Brewer	Drevno Barnett

2. Outside Regional Boards and Agencies – The following appointments were made:

Board	Voting Delegate	Alternate
South Bay Cities Council of Governments (SBCCOG)	Nowatka	Brewer
South Bay Economic Development Partnership (SBEDP)	Mayor Scotto	Barnett
Independent Cities Association	Brewer	Drevno
Municipal Area Express (MAX)	Brewer	Sutherland
LA County Sanitation District	Mayor Scotto	Nowatka
LA County West Vector Control District	Witkowsky (<i>effect. 1/1/07</i>) <u>Appointment for 2-year term</u>	
So. Calif. Association of Governments (SCAG)	Approved by Council Action Mayor Scotto	Approved by Council Action Sutherland
League of California Cities – LA Division	Approved by Council Action Witkowsky	Approved by Council Action Sutherland

MOTION: Councilmember Brewer moved to confirm the appointments. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

3. Ad Hoc Committees – Due to its ongoing status, Council designated the Armed Forces Day Committee as a special standing committee. The following appointments were made:

Special Standing Committee

Committee	Chair	Members
Armed Forces Day	Nowatka	Sutherland Brewer

MOTION: Councilmember Sutherland moved to confirm the appointments. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote.

Legislative Ad Hoc Committee

The Legislative Committee functions well as an ad hoc committee, as legislation tends to cross the business functions of all standing committees. This committee is designated by the Mayor and appointments will be made at the time this committee is needed.

Naming of Public Facilities Ad Hoc Committee

This ad hoc committee was created at the request of Council to develop guidelines and a policy for Council to be used for the future naming of public facilities. The following appointments were made:

Committee	Chair	Members
Naming of Facilities Ad Hoc	Sutherland	Nowatka Barnett

MOTION: Councilmember Sutherland moved to confirm the appointments and policies as stated. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote.

4. City Council Liaisons

The following appointments were made:

Organization	Liaison	Alternate
Sister City Association	Barnett	Nowatka

MOTION: Councilmember Sutherland moved to confirm the appointments. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote.

12D. AMENDMENT TO RESOLUTION FOR CERTAIN FULL TIME SALARIED AND HOURLY EMPLOYEES RE AREA G EXECUTIVE DIRECTOR

Recommendation

The **City Manager** recommends that City Council adopt a Resolution amending the pay resolution for Certain Full-Time Salaried and Hourly Employees to implement a salary increase for the Area G Executive Director.

Assistant to the City Manager Chaparyan reported that the Area G Executive Board approved a 5% pay increase for the Executive Director position on June 20, 2007 to be funded by dues paid by the 14 Area G cities.

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

RESOLUTION NO. 2007-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2007-045 SETTING FORTH CHANGES REGARDING THE HOURS, WAGES, AND WORKING CONDITIONS FOR CERTAIN FULL-TIME SALARIED AND HOURLY EMPLOYEES

MOTION: Councilmember Sutherland moved for the adoption of Resolution No. 2007-75. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote.

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The City Council convened as the Redevelopment Agency at 8:01 p.m. and Redevelopment Agency Item 4A was considered concurrently with Agenda Item 12E.

12E. STATEMENT OF REDEVELOPMENT AGENCY EMINENT DOMAIN PROGRAMS

Recommendation

The **Community Development Director** recommends that City Council adopt Ordinances describing the Redevelopment Agency's existing eminent domain program in acquiring real property within the Skypark, Industrial, and Downtown Torrance Redevelopment Projects to comply with SB 53. No changes to the programs are proposed.

Sr. Planning Associate Chun reported that SB 53 requires that all legislative bodies adopt an ordinance describing their Redevelopment Agency's eminent domain program.

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

ORDINANCE NO. 3695

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DESCRIBING THE REDEVELOPMENT AGENCY'S EXISTING EMINENT DOMAIN PROGRAM IN ACQUIRING REAL PROPERTY WITHIN THE SKYPARK REDEVELOPMENT PROJECT

MOTION: Councilmember Sutherland moved for the adoption of Ordinance No. 3695. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote.

ORDINANCE NO. 3696

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DESCRIBING THE REDEVELOPMENT AGENCY'S EXISTING EMINENT DOMAIN PROGRAM IN ACQUIRING REAL PROPERTY WITHIN THE TORRANCE INDUSTRIAL REDEVELOPMENT PROJECT

MOTION: Councilmember Sutherland moved for the adoption of Ordinance No. 3696. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote.

ORDINANCE NO. 3697

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DESCRIBING THE REDEVELOPMENT AGENCY'S EXISTING EMINENT DOMAIN PROGRAM IN ACQUIRING REAL PROPERTY WITHIN THE DOWNTOWN TORRANCE REDEVELOPMENT PROJECT

MOTION: Councilmember Sutherland moved for the adoption of Ordinance No. 3697. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote.

The Redevelopment Agency meeting was adjourned at 8:07p.m., and the City Council meeting continued in regular agenda order.

17. ORAL COMMUNICATIONS

17A. Councilmember Brewer announced that the next free concert of the Wild Wednesday series would be held on July 25 from 11:30 a.m. – 1:15 p.m. in the Torino Plaza of the Torrance Cultural Arts Center with a performance by reggae band Detour Posse.

17B. Councilmember Drevno announced the birth of her grandson and 29th grandchild Liam Drevno.

17C. Councilmember Witkowsky reported that the West Vector Control District had its first positive West Nile virus pool confirmed near Playa Vista Freshwater Marsh and reminded everyone that excess water run-off creates a breeding ground for mosquitoes in gutters and storm drains. She noted that birds and squirrels act as host carriers of the disease and urged residents to report dead birds or squirrels to the Health Department at 877.968.2473.

18. EXECUTIVE SESSION

At 8:12 p.m., the City Council recessed to closed session to continue consideration of matters listed on the agenda under 18A Executive Session.

City Council reconvened at 8:36 p.m.

City Manager Jackson announced that with previous action by City Council, the Memoranda of Intent for employees represented by TME-AFSCME and TLEA had been agreed upon.

19. ADJOURNMENT

At 8:36 p.m., the meeting was adjourned to Tuesday, August 7, 2007 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers. **Tuesday, July 31 will be a Council dark night.**

Attest:

/s/ Frank Scotto
Mayor of the City of Torrance

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

Approved on September 11, 2007