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TORRANCE CITY COUNCIL JULY 28, 2015

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At 8:53 p.m., the meeting was adjourned to Tuesday, August 4, 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**

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular session at 5:30 p.m. on Tuesday, July 28, 2015 in the Council Chamber at Torrance City Hall.

ROLL CALL

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

Absent: None.

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

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 agenda matters listed under 18A) Real Property - Conference with Real Property Negotiator, pursuant to California Government Code §54956.8.

The City Council reconvened at 7:00 p.m. with all members present. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/ INVOCATION

The flag salute was led by Councilmember Barnett.

The non-sectarian invocation was given by Mayor Furey.

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

City Clerk Poirier reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, July 23, 2015.

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 Griffiths and passed by unanimous vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

Item 12B was withdrawn and deferred to the August 4, 2015 City Council meeting.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Weideman reported that the Armed Forces Day Committee met earlier today to plan a Veteran's Day commemoration with special emphasis on the 50th anniversary of the Vietnam War and will be forwarding a recommendation to the full Council in the near future.

Councilmember Griffiths announced that the Community Planning and Design Committee will meet on Thursday, July 30, from 7:00-9:00 p.m. in City Hall Council Chambers to discuss the possibilities for historic preservation programs in Torrance.

Councilmember Goodrich announced that the next Commissioner Certification Training Class will be held on Tuesday, September 29, from 6:00-8:00 p.m. in the Nakano Theatre and residents may register online at www.TorranceCA.gov/CommissionerCert.htm or by calling 310-618-5880. He noted that the class must be completed to apply for a position on any City of Torrance commission or board.

Mayor Furey announced that the Torrance Education Foundation will be holding a fundraiser at the Comedy and Magic Club on Wednesday, August 26, in honor of Gene Drevno, former City Councilwoman and founding member of the TEF, with proceeds to fund a scholarship in her name, and additional information is available at 310-972-6418.

6. COMMUNITY MATTERS

6A. RECOGNITION OF ALEX HATTORI

Mayor Furey recognized recent South High graduate and two-time national yo-yo champion Alex Hattori for volunteering his time by performing at charitable fundraisers and educational events and wished him good luck as he competes in the 2015 World Yo-Yo Contest in Tokyo, Japan, in August and begins his studies at MIT in the fall.

7. ORAL COMMUNICATIONS #1

7A. Suzan Hubert, Torrance Art Museum Advocates, announced that two new exhibits are opening in the museum on August 1 - "Studio System" in Gallery 1 and "Kay Whitney: A Deceit" in Gallery 2, with additional information at www.TorranceArtMuseum.com.

7B. Debra Corwin, co-founder of Purrfect Partners, a cat rescue organization, announced a free clinic for the neutering and spaying of cats on August 28 at the Centinela Feed and Pet Store on Hawthorne Boulevard and requested that the Council consider requiring the mandatory spaying and neutering of cats and dogs.

7C. Benjamin Lee and his mother Daisy Lee, representing Southern California Live Steamers, announced that evening train rides will be offered on Saturday, August 1, from 7:00 – 9:00 p.m. in order to raise funds for the maintenance of train tracks so the Live Steamers can continue to provide free train rides at Wilson Park twice a month.

7D. Bob Chiota, Bob Chiota, Vietnam Veterans of America Chapter 53, announced a fundraiser at the Comedy and Magic Club on Wednesday, September 2, with additional information available at www.VVA53.org.

7E. David Smock, Torrance, expressed concerns that construction is taking place outside of permitted hours at the Montessori school site located at 23104 Hawthorne.

7F. Debbie Hays, Torrance Historical Society, announced that the museum will be extending its hours on Thursdays until 8:00 p.m. beginning July 30 and continuing through the month of August, noting that there will be special presentations each week and Mike the Map Man will be featured on July 30.

7G. Charles Deemer, Metro Service Council, announced that Metro is developing an Active Transportation Strategic Plan, which focuses on first and last mile access to transit, and the South Bay area workshop on this topic will be held on Monday, August 17, from 4:00 - 6:00 p.m. at the Lawndale Community Center located 14700 Burin Avenue. He encouraged residents to express their support for extending the Metro Green Line to Torrance by taking the survey on Metro's Long Range Transportation Plan at www.MoveLA.org.

8. CONSENT CALENDAR

8A. AGREEMENT RE FARMERS MARKET BOLLARD INSTALLATION

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Determine that the approval of the Farmers' Market Bollard Installation, FEAP #910 (B2015-16) is categorically exempt from environmental review pursuant to Section 15301 Class 1 of the Guidelines implementing California Environmental Quality Act (CEQA);
- 2) Approve the plans and specifications for the Farmers' Market Bollard Installation, FEAP #910 (B2015-16); and
- 3) Award a public works agreement to A.J. Fistes Corporation of Long Beach, CA, for an amount not to exceed \$194,221 to construct the Farmers' Market Bollard Installation, FEAP #910 and authorize a contingency in the amount of \$5,000.

8B. PURCHASE ORDER FOR BLUE AUTOMATED CURBSIDE RECYCLING CONTAINERS

Recommendation

Recommendation of the Public Works Director that City Council authorize a purchase order with Toter Incorporated of Statesville, NC in the amount of \$112,891.03 for the sole source purchase of 2,170 Toter blue automated 96-gallon curbside recycling containers.

8C. AGREEMENT RE POTABLE WATER, RECYCLED WATER AND WASTEWATER RATE STUDY

Considered separately, see page 4.

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

8C. AGREEMENT RE POTABLE WATER, RECYCLED WATER AND WASTEWATER RATE STUDY

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Authorize an appropriation of \$74,256 from the Water Enterprise Fund balance;
- 2) Authorize an appropriation of \$22,639 from the Wastewater Enterprise Fund balance; and
- 3) Award a consulting services agreement in the amount of \$96,895 with Raftelis Financial Consultants, Inc. (RFC) of Pasadena, CA to provide a comprehensive potable water, recycled water and wastewater rate and capital funding studies.

Councilmember Ashcraft asked about the demand the study will place on staff and about the timetable for completion of the study.

Public Works Director Beste advised that the study will be done by a consultant and completed by the fall and it will have little impact on Public Works staff, however, the City Clerk's office will be impacted if action is taken to increase rates as a result of the study via the Proposition 218 process.

Clint Paulson, Torrance, voiced his opinion that this money would be better spent on improving water infrastructure instead of being used to justify rate increases for residents. He contended that it would be unfair to increase rates at this time when residents are being asked to drastically reduce their use of water due to the drought and suggested that it was unlikely that rate increases will be approved by residents so the money spent for the study will be wasted.

Mayor Furey noted that Torrance Municipal Water customers enjoy lower rates than the majority of cities in L.A. County and rates in some nearby cities are almost double.

At Councilmember Goodrich's request, Public Works Director Beste provided an overview of past rate increases. He estimated that rate increases due to internal costs have averaged less than 1% per year over the past 20 years.

Councilmember Goodrich pointed out that rate increases have not kept up with annual cost-of-living increases, which typically range between 2-3%.

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

11. PUBLIC SAFETY

11A. EXTENSION OF AGREEMENT FOR PROVISION OF EMERGENCY AMBULANCE TRANSPORTATION AND PATIENT BILLING SERVICES

Recommendation

Recommendation of the Fire Chief that City Council approve a first amendment to the contract services agreement with Westmed Ambulance Inc., dba. McCormick Ambulance of Torrance, CA (C2014-137) for emergency ambulance transportation and patient billing services and exercise the City of Torrance's option to extend the agreement with the same terms and conditions for an additional one-year term through December 2, 2016.

Fire Captain Hudson provided background information about the City's contract with Westmed Ambulance Inc. dba McCormick Ambulance originally approved in November 2014 for

the provision of emergency transportation and patient billing services. He advised that McCormick Ambulance has met all requirements of the contract with two exceptions – the implementation of a CAD (Computer Aided Dispatch) to CAD interface and response time compliance. He explained that response time requirements (92% responses within 8 minutes) were met in December 2014 and February, March, May and June 2015 but were non-compliant for January and April 2015. He reported that the transition to McCormick Ambulance has been successful with no interruptions or decreases service and McCormick has been compliant in the key areas of staffing, vehicle maintenance, facilities, training, permits and licensing as well as legal compliance, therefore the Fire Chief was recommending that the contract with McCormick Ambulance be extended for a one-year period through December 2, 2016, after which the City will have the option of extending the agreement for up to three additional one-year periods with the same conditions and terms.

In response to Councilmember Goodrich's inquiry, Captain Hudson confirmed that response times were rated in the same manner as with the previous vendor so the report on past performances is an "apples-to-apples" comparison. He reported that the CAD-to-CAD interface was first required as part of the previous contract with Gerber Ambulance (2011-2014), but was never implemented and while McCormick did not meet the requirement that it be implemented within 90 days of the contract, a representative of Zoll, the company developing the software, recently sent an email indicating that it will be delivered between August 19-24. He explained that the main reason for the delay is that the Fire Department's CAD was designed for law enforcement agencies and there was concern about allowing access into the system for security reasons.

Councilmember Rizzo noted that although McCormick Ambulance's performance is an improvement over the previous vendor, the company still failed to comply with response time requirements for two of the first seven months of the contract. He stated that according to research he had done, the 8-minute response time was a clinical standard, which later was adopted as a performance standard for EMS (Emergency Medical Services) responses for fire departments, but he found no indication that it was applicable to ambulance services provided by a third-party vendor.

Fire Chief Racowski recalled that his predecessor Fire Chief Adams queried other agencies in the area that use third-party providers for ambulance services before arriving at the 8 minutes/92% response time standard included in the original RFP (Request for Proposal).

Councilmember Rizzo recommended that staff take another look at the response time issue for future RFPs because it appears to be problematic for third-party providers and may be unrealistic given the increase in traffic and the volume of calls.

City Manager Jackson offered to have staff survey other agencies regarding their experience with response time standards and provide an information item for the Council.

Councilmember Ashcraft asked about the reason for the lengthy delay in the implementation of the CAD-to-CAD interface.

Fire Chief Racowski advised that the previous vendor did almost nothing over the three-year term of the contract to implement the system and by the time McCormick Ambulance took over the contract, Zoll was involved in other projects that took precedence.

City Manager Jackson clarified that the CAD-to-CAD interface is a tracking device, which will assist with the calculation of response times, but it is not a critical part of the communications system.

Assistant to the City Manager Chaparyan advised that the CAD-to-CAD interface was included as a requirement in the contract to eliminate any discrepancy in the response times recorded by the fire department and response times recorded by the vendor.

Councilmember Griffiths requested clarification of the intent and the purpose of the CAD-to-CAD interface.

Captain Hudson explained that fire engines/apparatus are equipped with a computer that allows responders to time stamp and record status changes with the push of a button, thereby cutting down on radio traffic and the CAD-to-CAD interface would allow the ambulance provider to have that same capability. Additionally, he noted that ambulances would receive calls a few seconds faster via the computer screen as opposed to radio dispatch.

Councilmember Griffiths indicated that he favored retaining the existing 8 minutes/92% response time requirement.

Clint Paulson, Torrance, reported that he met with representatives of McCormick Ambulance approximately 10 days ago and toured their facility and he was very impressed. He recalled that Gerber Ambulance's failure to meet response time requirements was a major factor in the Council's decision to award the contract to McCormick Ambulance last November, and expressed concerns that the Council seems to be backing away from this issue, which creates the perception of unfairness. He noted that according to supplemental material, McCormick's response times do not include the 20-30 seconds it takes to dispatch a call and questioned whether Gerber's response times were calculated in the same way.

Fire Chief Racowski offered his assurance that all response times were calculated in the exact same way for both the previous contract with Gerber and the existing contract with McCormick.

Mr. Paulson stated that he was pleased to hear that because no company should have to contribute to a politician to get a fair shake in Torrance.

With regard to fairness, Mayor Furey noted that a reporter from a local newspaper submitted a long list of questions in an email last Friday afternoon when City Hall was closed; that he responded to the email and informed the reporter that staff would provide answers to the questions when they returned on Monday; and that the reporter did not wait for the answers and chose to go forward with a front page article with misinformation and a negative slant.

Bill Sutherland, Torrance, reported that he has personally observed McCormick ambulances responding to calls using red lights and siren when they were not permitted to do so, thereby skewing response time statistics and contended that comparing McCormick's response times with Gerber's was not an "apples-to-apples" comparison. He stated that McCormick brags about a response time compliance rate of 97% for L.A. County, but related his understanding that L.A. County has different standards.

Fire Chief Racowski advised that L.A. County standards call for a response within 8 minutes 59 seconds and ambulances are allowed to use red lights and sirens (Code 3) when

responding to a call. He clarified that ambulances are sometimes upgraded to Code 3 in Torrance depending on the condition of the patient and noted that McCormick also services surrounding cities so ambulances seen using red lights and siren could be responding to a call in another city.

Mr. Sutherland recalled that McCormick guaranteed that response time requirements would be met when the company was awarded the contract last November, and urged the Council to hold the company to its word. He stated that the CAD-to-CAD interface has always been problematic and he believes the City will be lucky if it's functional by December.

Councilmember Ashcraft asked about eliminating the requirement that the CAD-to-CAD interface be implemented within 90 days because this may not be realistic.

Fire Chief Racowski reported that he was optimistic that the system will be in place by the end of August because this is the first time Zoll has given the City a firm delivery date, and City Manager Jackson recommended that the 90-day requirement be retained.

Councilmember Rizzo indicated that he had no objection to retaining the 90-day requirement since it is clear that progress is being made.

Councilmember Griffiths stated that from everything he has seen and heard McCormick Ambulance has served the city very well, with the exception of response times and the CAD system; that he was less concerned about the CAD system after learning that it was not detrimental to the public to operate without it; and that figures for May and June indicate that the company is very close to meeting response time requirements. He suggested that all the discussion about the previous provider was not relevant to the topic at hand.

Expressing support for renewal of the contract, Councilmember Weideman indicated that he was very satisfied with the progress that has been made and believes any questions one might have about the contract were fully addressed in the supplemental material.

Councilmember Barnett thanked staff for the information provided in the supplemental material, which answered many of his questions.

MOTION: Councilmember Barnett moved to extend the agreement for an additional one-year term. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

12. ADMINISTRATIVE MATTERS

12A. APPROVAL OF CITY COUNCIL DARK NIGHT ON OCTOBER 6, 2015

Recommendation

Recommendation of the City Manager that City Council approve Tuesday, October 6, 2015 as a City Council dark night to attend the Nordstrom Del Amo Fashion Center Opening Gala.

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

12B. LEASE AMENDMENTS RE 2755 PACIFIC COAST HIGHWAY

Recommendation

Recommendation of the City Manager that City Council approve the following amendments for Torrance Towne Center Associates LLC:

- 1) Adjust the rent to reflect a Fair Market Adjustment effective January 1, 2015 with the following terms: Base rent (MBR) set at \$850,000 annually; Percentage rent set at 13% of gross rents over MBR, with an increase to 15% in 2018, and to 17% in 2024; Fair Market Adjustment on January 1, 2038; and Annual CPI with 2% floor and 5% cap;
- 2) Certain lease clean-up language; and
- 3) Consent to sub-leases with two non-retail businesses.

Item was withdrawn and deferred to the August 4, 2015 City Council meeting.

13. HEARINGS

13A. ZON12-00002, EAS12-00002: CITY OF TORRANCE

Recommendation

Recommendation of the Planning Commission and Community Development Director that City Council:

- 1) Adopt a Mitigated Negative Declaration in conjunction with developing one additional ground water well (Well #11) within undeveloped Right-of-Way between Yukon Elementary School and the west side of Yukon Avenue (APN 4087-037-901); a site access road and utility easement along the southern property line of Yukon Elementary School site at 17815 Yukon Avenue (APN 4087-037-900); and one additional ground water well (Well #10), a 3-million gallon water storage reservoir, water treatment facilities, and booster pump station on a presently vacant site (APN 4087-037-902) bounded by the I-405 Freeway to the west and south, Yukon Elementary School to the east and Southern California Edison Right-of-Way to the north. Additionally, a total of approximately 9,000 feet of associated pipelines will be installed from the well sites to Yukon Avenue and in Yukon Avenue between existing Well #9 at McMaster Park (APN 4087-033-900) to 182nd Street and the demolition of existing, deficient water pumping/storage facilities located at McMaster Park at 3624 Artesia Boulevard;
- 2) Adopt an Ordinance approving a Zone Change from A-1 (Light Agricultural) to P-U (Public Use); and
- 3) Approve an ordinance summary for publication.

Mayor Furey announced that this was the time and place for a public hearing on this matter. City Clerk Poirier confirmed that the hearing was properly advertised.

With the aid of slides, Planning Manager Lodan provided an overview of the North Torrance Well Field Project, which involves the construction of a new groundwater well facility, including a storage tank, water treatment facility and pump on-site and associated pipelines in the right-of-way along Yukon Avenue. He shared photographs of the site taken from various vantage points. He reported that the Planning Commission considered the project on June 17, 2015 and voted unanimously to approve it and also recommended approval of the Zone Change from A-1 to P-U.

Engineering Manager Dettle reported that the project is estimated to cost \$16,325,000 with grant funding of \$3,900,000. He discussed the benefits of the project, including increasing the City's water supply and ground water storage, improving water quality and stabilizing water costs. He noted that the project will increase the annual production of ground water by 4,000 acre-feet of water; that the City currently purchases 82% of its water from the MWD (Metropolitan Water District); and that this project along with the Goldsworthy Desalter expansion project will bring the amount of imported water down to approximately 50%.

Councilmember Weideman asked about the timeline for the project and about plans for the existing well at the south end of McMaster Park.

Engineering Manager Dettle reported that Well No. 6 at McMaster Park will be demolished and pavement and landscaping will be restored and the target date for completion of the project remains the end of 2017.

Mayor Furey commented positively on the project, noting that it will help the City maintain lower water rates and provide for more independence.

Charles Deemer, Torrance, requested clarification regarding the City's water storage and treatment facilities, which was provided by Public Works Director Beste.

MOTION: Councilmember Barnett moved to close the public hearing. The motion was seconded by Councilmember Griffiths and passed by unanimous vote.

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

ORDINANCE NO. 3785

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN PROPERTY IN THE CITY OF TORRANCE FROM A-1 (LIGHT AGRICULTURAL) AND DESIGNATE LAND TO PUBLIC USE (PUBLIC USE DISTRICT) (APN #4087-033-900)

MOTION: Councilmember Rizzo moved to adopt Ordinance No. 3785. The motion was seconded by Councilmember Goodrich and passed by unanimous vote.

16. SECOND READING ORDINANCES

16A. SECOND AND FINAL READING OF ORDINANCE NO. 3784

ORDINANCE NO. 3784

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING THE TORRANCE MUNICIPAL CODE RELATING TO BODY ART ESTABLISHMENTS

MOTION: Councilmember Rizzo moved to adopt Ordinance No. 3784. The motion was seconded by Councilmember Goodrich and passed by unanimous vote.

17. ORAL COMMUNICATIONS #2

17A. Mayor Furey thanked staff for restoring Hometown Heroes banners on the City's website, noting that they can be viewed at www.TorranceCa.gov/28975.htm.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 8:53 p.m., the meeting was adjourned to Tuesday, August 4, 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 of the City of Torrance

/s/ R. Poirier

Rebecca Poirier

City Clerk of the City of Torrance

Approved on August 25, 2015