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TORRANCE CITY COUNCIL AUGUST 18, 2015

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At 7:55 p.m., the meeting was adjourned to Tuesday, August 25, 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, August 18, 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) Conference with Legal Counsel – Existing Litigation, pursuant to California Government Code §54956.9(d)(1).

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 Rizzo.

The non-sectarian invocation was given by Councilmember Weideman.

**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, August 13, 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 WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

No items were withdrawn or deferred; supplemental material was available for Items 8E, 12A and 13A.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Weideman announced that the Armed Forces Day Committee met earlier today to discuss the plans for the 2016 Armed Forces Day Parade and Celebration.

City Clerk Poirier announced that a Commissioner Certification Training Class will be held on Tuesday, September 29, from 6:00-8:00 p.m. in the Nakano Theatre. She noted that residents may register online at www.torranceca.gov/commissioner_cert.htm or by calling 310-618-5880 and the deadline to register is September 23.

Mayor Furey, with Council concurrence, requested that staff return with an item to subsidize the fees for use of the Ken Miller Recreation Center for the monthly meetings of the Torrance Artists Guild from July 1, 2015 through June 30, 2016.

Mayor Furey, with Council concurrence, requested that staff return with an item to subsidize the fees for a free concert by Mystic Wave at Columbia Park on Sunday, September 27, from 3:00-5:00 p.m.

6. COMMUNITY MATTERS

6A. APPROVAL OF TORRANCE YOUTH COUNCIL MEMBERS FOR 2015-2016

Recommendation

Recommendation of the Community Services Director that City Council appoint 18 members to the 2015-2016 City of Torrance Youth Council and have them officially sworn in by the City Clerk.

Debbie Reed, Youth Council staff liaison, reviewed the selection process and Torrance Youth Council members for 2015-2016 introduced themselves.

City Clerk Poirier administered the oath of office.

7. ORAL COMMUNICATIONS #1

7A. Suzanne Kellner-Zink, San Pedro, discussed the devastating effects of underage drinking and urged adoption of the Social Host Ordinance, which would hold adults who provide alcohol to minors legally responsible.

Mayor Furey, with Council concurrence, requested that staff return with an item on the Social Host Ordinance.

7B. Julie Dojiri, civic affairs chair for New Horizons, thanked Police Department and Animal Control staff for their presentations at a recent Neighborhood Watch meeting, which were very helpful to New Horizons' residents.

7C. Amy Josephek, Torrance, thanked the Council for protecting the safety of residents by cancelling a banner tow contract with Aviad Corporation at Torrance Airport this past year, noting that the company was the owner of the tow plane that crashed at Compton Airport earlier this month resulting in a fatality.

8. CONSENT CALENDAR

8A. PURCHASE ORDER FOR HEAVY DUTY AUTOMOTIVE BRAKE PARTS

Recommendations

Recommendation of the General Services Director that City Council award a purchase order to Traction Heavy Duty Parts of Rancho Dominguez, CA in an amount not to exceed \$100,000 to furnish heavy duty automotive brake parts on an as needed basis for a period of two (2) years effective September 1, 2015 through August 31, 2017.

8B. PURCHASE ORDER FOR FIRE APPARATUS REPAIR PARTS

Recommendation

Recommendation of the General Services Director that City Council award a sole-source purchase order to Seagrave Fire Apparatus LLC of Clintonville, WI in an amount not to exceed \$81,000 to furnish Seagrave brand fire apparatus repair parts on an as needed basis for a period of 3 years effective September 1, 2015 through August 31, 2018.

8C. PURCHASE ORDER FOR ELGIN BRAND STREET SWEEPER REPAIR PARTS

Recommendation

Recommendation of the General Services Director that City Council award a sole-source purchase order to Haaker Equipment Company of La Verne, CA in an amount not to exceed \$144,000 to furnish Elgin brand street sweeper repair parts on an as needed basis for a period of 3 years effective September 1, 2015 through August 31, 2018.

8D. PURCHASE ORDER FOR JOHNSTON BRAND STREET SWEEPER REPAIR PARTS

Recommendation

Recommendation of the General Services Director that City Council award a sole-source purchase order to Nixon-Egli Equipment Company of Ontario, CA in an amount not to exceed \$56,000 to furnish Johnston brand street sweeper repair parts on an as needed basis for a period of 3 years effective September 1, 2015 through August 31, 2018.

8E. PURCHASE ORDER FOR PURCHASE/INSTALLATION OF PLAYGROUND EQUIPMENT AT HICKORY PARK

Considered separately, see page 4.

8F. PURCHASE ORDERS FOR MISCELLANEOUS AUTOMOTIVE REPAIR PARTS

Recommendation

Recommendation of the General Services Director that City Council:

- 1) Award a purchase order to Peerless Auto Parts, Inc. of Torrance, CA;
- 2) Award a purchase order to Torrance Auto Parts of Torrance, CA;
- 3) Award a purchase order to O'Reilly Auto Parts of Torrance, CA; and
- 4) Award a purchase order to Completes Plus of Torrance, CA to furnish miscellaneous automotive repair parts and supplies on an as requested basis for a period of three (3) years in a combined total amount not to exceed \$396,000 effective September 1, 2015 through August 31, 2018.

8G. APPROVAL OF ANNUAL YOUTH COUNCIL WORKSHOP

Recommendation

Recommendation of the Community Services Director that City Council authorize the Torrance Youth Council to conduct their annual workshop on Saturday, September 12, 2015, at The ATTIC Teen Center, 2320 West Carson Street.

8H. PURCHASE ORDER FOR SILK SCREENED APPAREL

Recommendation

Recommendation of the Community Services Director that City Council award a purchase order to Custom Embroidery & Screen Printing by Icon of Torrance, CA (B2015-14) for the purchase of silk screened apparel for a period of 5 years beginning September 1, 2015 through August 31, 2020 in a total amount not to exceed \$484,950 (\$96,990 annually).

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

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

8E. PURCHASE ORDER FOR PURCHASE/INSTALLATION OF PLAYGROUND EQUIPMENT AT HICKORY PARK

Recommendation

Recommendation of the Parks and Recreation Commission and the Community Services Director that City Council authorize a purchase order with Dave Bang and Associates, Inc. of Tustin, CA, in the amount of \$120,130.73 for the purchase and installation of new playground equipment for Hickory Park located at 2850 232nd Street.

Sr. Business Manager Minter reported that residents were invited to share their opinions about what type of playground equipment should be installed at Hickory Park at three community meetings, which included discussion of whether the existing rocket ship should remain, and based on this input, the Parks and Recreation Commission voted to approve Option A, which provides for the refurbishment of the rocket ship and the replacement of play equipment around it.

Councilmember Ashcraft stated that she asked that this item be considered separately because she wanted to emphasize that the community had input on this decision.

Sr. Business Manager Minter reported that 10-20 people attended each of the community meetings and the same process was followed when playground equipment was replaced at other parks.

Councilmember Griffiths commented that he was pleased the rocket ship will be retained because it has historical significance and is a unique feature at two Torrance Parks and it also reflects the community's ties to the aerospace industry.

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

12. ADMINISTRATIVE MATTERS

12A. CONTRACT FOR UTILITY BILLING SERVICES FOR WATER, SEWER AND REFUSE ACCOUNTS

Recommendation

Recommendation of the Finance Director that Council approve a contract with Minol Inc., from August 18, 2015 to April 30, 2021 with a sole option to renew for an additional 5 years to provide utility billing services for the City's water, sewer and refuse services as follows:

- 1) Year one expenditure: \$600,000, plus postage, plus one-time implementation cost of \$200,000;
- 2) Year two expenditure: \$600,000, plus 3% escalator, plus postage;
- 3) Year three expenditure: 2nd year annual amount, plus 3% escalator, plus postage;
- 4) Year four expenditure: 3rd year annual amount, plus 3% escalator, plus postage;
- 5) Year five expenditure: 4th year annual amount, plus 3% escalator, plus postage.
- 6) Authorize staff to enforce section 4.A of Contract # C2010-201 and C2012-167 and issue a Termination for Convenience without cause letter to Global.

Finance Director Tsao provided background information regarding staff's recommendation that the City change contractors for utility billing services. He explained that the existing provider (Global) had expressed dissatisfaction with its current contract, therefore staff began exploring other options and selected Minol Inc. after doing their due diligence, which included a site visit to the company's headquarters in Texas.

Councilmember Goodrich noted that he and other residents had expressed concerns about the service provided by Global and he personally found their email communications to be confusing and unclear. He asked what was being done to ensure that the new company does not have the same problems.

Finance Director Tsao advised that staff will work with Minol during the 9-10 month implementation period on setting up accounts and refining the various methods of communication to ensure a smooth transition when the company takes over billing services around May 2016. He noted that Minol was selected because they are very flexible and understand that the City has definite views regarding how webpages bearing Torrance's name should look and function.

Arthur Plourde, Torrance, urged the Council to reject the proposed contract and to direct staff to explore other options, including negotiating a modified contract with Global and looking into how utility billing is being handled in surrounding cities. He voiced his opinion that the contract was too expensive and the process to award it was flawed because Minol was the only company considered.

City Manager Jackson explained that Torrance's utility billing needs are unusual due to its size and because it has its own water department and billing must cover water, sewer and refuse services. He reported that staff negotiated extensively with the current provider, researched service providers used by other agencies, and conducted a thorough analysis before arriving at the current proposal.

Finance Director Tsao reported that the cost to remain with Global would be substantially higher than the cost negotiated with Minol.

In response to Commissioner Rizzo's inquiry, Finance Director Tsao clarified that Minol would receive approximately \$300,000 for FY2015-2016, which includes the \$200,000 for

implementation, which will take 9-10 months, and 2 months of billing (May and June) at approximately \$50,000 per month.

Councilmember Ashcraft noted that the staff report mentions that Global has complained that it is losing money and has started charging the City additional fees for routine items, while at the same time many residents have expressed their dissatisfaction with the service being provided.

In response to Councilmember Griffiths' inquiry, Assistant Finance Director Flewellyn clarified that the payment for postage covers only the actual cost and that bulk rate mail will be used.

Councilmember Griffiths expressed concerns that there may be some overlap in providers because the Termination for Convenience requires the City to give Global 12 months' notice and Minol is scheduled to begin billing in May 2016, which is only 8 months away.

Finance Director Tsao related his understanding that Global would like to get out of the contract as soon as possible because it is losing money.

Councilmember Griffiths pointed out that there is no guarantee that Global will agree to an earlier termination so there could potentially be an overlap of four months.

City Attorney Fellows advised that the 12-month period is specified in the contract because the process of changing providers is long and involved and related his belief that it was worth the small risk of having an overlap rather than running the risk of not having a provider.

Assistant Finance Director Flewellyn reported that he just spoke with a representative and Minol has agreed to delay implementation if Global decides not to terminate early so there would be no overlap.

Councilmember Weideman stated that he was pleased that staff had taken this action because anecdotal evidence indicates that Global was not doing a very good job for Torrance residents.

Mayor Furey stated that the Council has received many complaints over the life of this contract and he looks forward to working with a new company.

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

12B. LOCAL PREPAID MOBILE TELPHONY SERVICES COLLECTION ACT

Recommendation

Recommendation of the Finance Director that Council:

- 1) Adopt a Resolution authorizing the Finance Director to execute an agreement with the State Board of Equalization to implement the Local Prepaid Mobile Telephony Services Collection Act; and
- 2) Adopt a Resolution authorizing Staff within the City to examine prepaid mobile telephony Services Surcharge and local charge records.

Audit Manager McDonough reported that this agreement will allow the City to collect Utility Users Tax on prepaid mobile telephone services sold at retail establishments in the same way sales tax is collected beginning January 1, 2016.

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

RESOLUTION NO. 2015-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AUTHORIZING THE FINANCE DIRECTOR OF THE CITY OF TORRANCE TO
EXECUTE AN AGREEMENT WITH THE STATE BOARD OF EQUALIZATION FOR
IMPLEMENTATION OF THE LOCAL PREPAID MOBILE TELEPHONY SERVICES
COLLECTION ACT

MOTION: Councilmember Rizzo moved to adopt Resolution No. 2015-61. The motion was seconded by Councilmember Goodrich and passed by unanimous vote.

RESOLUTION NO. 2015-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AUTHORIZING THE EXAMINATION OF PREPAID MOBILE TELEPHONY
SERVICES SURCHARGE AND LOCAL CHARGE RECORDS

MOTION: Councilmember Rizzo moved to adopt Resolution No. 2015-62.. The motion was seconded by Councilmember Goodrich and passed by unanimous vote.

13. HEARINGS

13A. PRE15-00002, WAV15-00009: 5207 PASEO DE LAS TORTUGAS –KENT HOLTRE

Recommendation

Recommendation of the Community Development Director that City Council grant the applicants' request to continue the hearing to September 22, 2015 City Council meeting to consider appeal of Planning Commission denial of a Precise Plan of Development to allow a new two-story single family residence with basement level, in conjunction with a Waiver of the fence height requirement, on property located within the Hillside Overlay District in the R-1 Zone at 5207 Paseo de las Tortugas. The project is categorically exempt from CEQA per Guidelines Sections 15303 - New Construction and 15305 - Minor Alterations

Community Development Director Gibson reported that the applicants have requested a continuance so the project's design can be modified and they can do more outreach to adjacent neighbors.

Mayor Furey requested that neighbors receive notification of the rescheduled hearing since this matter has been continued twice.

Councilmember Goodrich asked about the possibility the applicants may request another continuance, which would mean the money spent to re-notify residents would be wasted.

Conceding that was a possibility, Community Development Director Gibson explained that there is no codified limit on the number of continuances that may be requested and staff encourages applicants to try to resolve neighbors' concerns before coming before the Council.

MOTION: Councilmember Barnett moved to continue the hearing to September 22, 2015. The motion was seconded by Councilmember Griffiths and passed by unanimous vote.

17. ORAL COMMUNICATIONS

17A. Councilmember Ashcraft reported that last weekend she attended the play *Hairspray* at the Armstrong Theatre and thought it was very well done and encouraged those who had not seen it to attend one of the final performances this weekend.

17B. Councilmember Barnett announced that the annual Aquacade synchronized swim program will be held on Friday, August 21, and Saturday, August 22, at the Benstead Plunge.

17C. Councilmember Griffiths wished a happy birthday to former Councilmember/current TUSD board member Don Lee whose birthday is today and to former Mayor Ken Miller, who will be celebrating his 93rd birthday this week.

17D. Mayor Furey announced that the groundbreaking ceremony for the Torrance Regional Transit Center will be held on September 8, and the grand opening of Nordstrom's will be held on October 9.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 7:55 p.m., the meeting was adjourned to Tuesday, August 25, 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 September 15, 2015