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**TORRANCE CITY COUNCIL – AUGUST 28, 2012**

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At 8:05 p.m., the meeting was adjourned to Tuesday, September 11, 2012 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chamber.

August 28, 2012

**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 7:03 p.m. on Tuesday, August 28, 2012 in the Council Chamber at Torrance City Hall.

**ROLL CALL**

Present: Councilmembers Barnett, Brewer Numark, Rhilinger, Sutherland and Mayor Scotto.

Absent: Councilmember Furey.

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

**2. FLAG SALUTE/ INVOCATION**

The flag salute was led by Youth Council member Joseph Roh.

The non-sectarian invocation was given by Councilmember Rhilinger.

**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, August 23, 2012.

**MOTION:** Councilmember Rhilinger 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 Brewer and passed by unanimous vote (absent Councilmember Furey).

**4. WITHDRAWN, DEFERRED OR SUPPLMENTAL ITEMS**

None.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Deputy Fire Chief Dumais announced that ExxonMobil will be conducting their monthly Community Alert Siren testing on Wednesday, September 5, at approximately 11:30 a.m., with additional information available at 310.212.4756.

Councilmember Sutherland announced that the City Council will be holding two community outreach meetings on Tuesday, September 18, in the North Torrance High School Library and on Tuesday, December 11, in the Dee Hardison Gymnasium at Wilson Park.

City Clerk Herbers announced that the next free Commissioner Certification Training class will be held on Tuesday, October 30, and is required to be eligible to seek appointment to any Torrance commission in January 2013 and is valid for two years, with additional information available by calling the City Clerk's office at 310.618.2870.

City Clerk Herbers advised that anyone interested in seeking an elected position in Torrance must file campaign finance papers with the City Clerk's office prior to raising and/or spending money towards that goal. She reported that basic information may be found at <http://www.torranceca.gov/20102.htm> and <http://www.torranceca.gov/20115.htm> and questions can be directed to the City Clerk's office at 310.618.2870. She noted that additional information will be available after Labor Day about educational forums for candidates and the general public.

**6. COMMUNITY MATTERS**

**6A. RESOLUTION NO. 2012-67 RE ROBERT GEBEL**

**RESOLUTION NO. 2012-67**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING FIRE CAPTAIN ROBERT GEBEL UPON HIS RETIREMENT FROM THE CITY OF TORRANCE AFTER THIRTY-NINE YEARS OF SERVICE

**MOTION:** Councilmember Barnett moved for the adoption of Resolution No. 2012-67. The motion was seconded by Councilmember Brewer and passed by unanimous vote (absent Councilmember Furey).

*To be presented at a later date.*

**6B. RESOLUTION NO. 2012-68 RE STEPHEN WAGGONER**

**RESOLUTION NO. 2012-67**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING FIREFIGHTER STEPHEN WAGGONER UPON HIS RETIREMENT FROM THE CITY OF TORRANCE AFTER TWENTY-SEVEN YEARS OF SERVICE

**MOTION:** Councilmember Barnett moved for the adoption of Resolution No. 2012-67. The motion was seconded by Councilmember Brewer and passed by unanimous vote (absent Councilmember Furey).

Mayor Scotto presented the resolution to Stephen Waggoner, who accepted with appreciation.

Deputy Fire Chief Dumais commended Mr. Waggoner for his dedicated service and wished him well in his retirement.

**7. ORAL COMMUNICATIONS #1**

**7A.** Bob Flores reported that he is in a run-off election for Congress in November and thanked Torrance voters for supporting him.

**7B.** Lisa Schumacher announced that the South Bay Cities Genealogical Society will be presenting a Centennial event "Torrance Who Do You Think You Are?" on Wednesday, September 19, at 7:00 p.m. at the Armstrong Theatre.

**7C.** Albert Wang, resident, announced that his nephew Hsiang John Tu, a graduate of Julliard with a doctoral of musical arts, will be giving a solo piano recital on Friday, September 7, at 7:30 p.m. at the Armstrong Theatre.

7D. Janet Payne, Torrance Historical Society, announced that the museum will be open until 8:00 p.m. on Thursday, August 28, and will feature Judi Gerber, author of *Farming in Torrance* as guest speaker.

7E. Janet Payne, Torrance Centennial Committee, announced that applications are available online at [www.TorranceCentennial.org](http://www.TorranceCentennial.org) for those who would like to reserve booth space at the Birthday Bash on Sunday, October 28, at Wilson Park.

8. **CONSENT CALENDAR**

8A. **APPROVAL OF LANDLORD ESTOPPEL CERTIFICATE AND AGREEMENT RE NORTHEAST CORNER OF PACIFIC COAST HWY. AND CRENSHAW BLVD.**

**Recommendation**

Recommendation of the City Manager that City Council approve a Landlord Estoppel Certificate and Agreement ("Agreement") made and entered by the City of Torrance, a municipal corporation ("Landlord"), for the benefit of The United States Life Insurance Company in the City of New York, a New York corporation ("Lender") for City-owned property located on the northeast corner of Pacific Coast Highway and Crenshaw known as Rolling Hills Plaza Shopping Center.

8B. **PURCHASE ORDER FOR HD-5 BULK PROPANE**

**Recommendation**

Recommendation of the General Services and Public Works Directors that City Council authorize the award of a purchase order to Mutual Propane of Gardena, CA in the amount of \$88,000 per year for a period of 2 years for the purchase of HD-5 Bulk Propane on an as needed basis.

8C. **CONTRACT RE HENDERSON LIBRARY ACCESSIBILITY UPGRADES**

**Recommendation**

Recommendation of the General Services Director that City Council:

- 1) Award a contract with Action Contractors for \$116,270 with a 5% contingency of \$5,814 for the Henderson Library Accessibility Upgrades (B2012-19/FEAP#7111); and,
- 2) Approve a 10% project management fee of \$11,627 and \$3,000 for abatement monitoring and inspection services.

8D. **ACCEPTANCE/APPROPRIATION OF 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT**

**Recommendation**

Recommendation of the Chief of Police that City Council:

- 1) Authorize the acceptance of the 2012 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$21,861;
- 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.

**8E. PROPOSITION C 40% DISCRETIONARY FUNDS MEMORANDUM OF UNDERSTANDING**

**Recommendation**

Recommendation of the Transit Director that City Council approve a Memorandum of Understanding (MOU) with the Los Angeles County Metropolitan Transportation Authority (Metro) for the allocation of Proposition C 40% Discretionary funds for the period from July 1, 2012 to June 30, 2022.

**8F. PROPOSITION C 5% TRANSIT SECURITY FUNDS MEMORANDUM OF UNDERSTANDING**

**Recommendation**

Recommendation of the Transit Director that City Council approve a Memorandum of Understanding (MOU) with the Los Angeles County Metropolitan Transportation Authority (Metro) for the allocation of Proposition C 5% Security funds for the period from July 1, 2012 to June 30, 2013.

**8G. REJECTION OF BIDS RE CITY HALL COMPUTER ROOM AIR CONDITIONING UNIT AND WEST ANNEX CONDENSER UNIT**

**Recommendation**

Recommendation of the General Services Director that City Council reject all bids received for the Replacement of the City Hall Computer Room Air Conditioning Unit and West Annex Condenser Unit (B2012-20/FEAP #751).

**8H. AGREEMENT RE DISPOSAL OF NON-HAZARDOUS SOLID WASTE FILL MATERIALS**

**Recommendation**

Recommendation of the Public Works Director that City Council approve a contract services agreement for the disposal of non-hazardous solid waste fill materials to Chandler's Palos Verdes Sand and Gravel Corporation in an amount not to exceed \$150,000 for a one (1) year term from August 28, 2012 through August 27, 2013, with the option to extend the term a maximum of two (2) one-year terms.

**8I. PURCHASE ORDER FOR AUTOMATED RECYCLING AND REFUSE CONTAINERS**

Considered separately, see page 5.

**8J. CHANGE ORDER RE SUBSCRIPTION TO NOVELIST SELECT FOR LIBRARY ONLINE CATALOG SYSTEM**

**Recommendation**

Recommendation of the Community Services Director that City Council approve a change order for the purchase of a subscription to Novelist Select from EBSCO Publishing (PO #2013-002) for an amount of \$7,160.38, for a new not to exceed total of \$45,286.38, to provide electronic content management services for the Library online catalog system for a term ending June 30, 2013.

**MOTION:** Councilmember Numark moved for the approval of Consent Calendar Items 8A through 8H and 8J. The motion was seconded by Councilmember Barnett and passed by unanimous vote (absent Councilmember Furey).

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

**8I. PURCHASE ORDER FOR AUTOMATED RECYCLING AND REFUSE CONTAINERS**

**Recommendation**

Recommendation of the Public Works Director that City Council:

- 1) Appropriate \$60,832.63 from the Sanitation Enterprise Fund balance for the purchase of automated refuse and recycling containers; and
- 2) Authorize a purchase order with Toter Incorporated of Statesville, NC in the amount of \$60,832.63 for the sole source purchase of 1,290 Toter automated curbside recycling and refuse containers.

In response to Councilmember Brewer's inquiry, Public Works Director Beste reported that the final phase of the city-wide green waste program will be implemented by the end of the week.

**MOTION:** Councilmember Brewer moved to concur with the staff recommendation. The motion was seconded by Councilmember Barnett and passed by unanimous vote (absent Councilmember Furey).

**12. ADMINISTRATIVE MATTERS**

**12A. APPROVAL OF COMMITTEE POSITION ON LEAGUE OF CALIFORNIA CITIES RESOLUTIONS**

**Recommendation**

Recommendation of the City Council Ad Hoc State Legislative Advocacy Committee that City Council approve and concur with the Committee's position on each of the five League of California Cities resolutions being presented at their annual conference on September 5 - September 7, 2012.

Mayor Scotto, chair of the City Council Ad Hoc State Legislative Advocacy Committee, briefly reviewed the five resolutions that will be under consideration at the League of California Cities annual conference September 5 – September 7, 2012, noting that the Committee has recommended that the City support all of the resolutions. He reported that Councilmember Sutherland will be representing the City at the conference and will be voting on the City's behalf.

**Resolution 1** – Calls for the Governor and legislature to enact legislation to correct inefficiencies in the audit system, distribution system, and inequities in the formula for distributing court ordered arrest and citation fines, fees and assessments generated by local government.

Mayor Scotto reported that the amount of money the City receives from traffic citations and arrest fines is minimal and Resolution 1 calls for this inequity to be corrected.

**MOTION:** Councilmember Rhilinger moved to concur with the Committee's recommendation to support Resolution 1. The motion was seconded by Councilmember Barnett and passed by unanimous vote (absent Councilmember Furey).

**Resolution 2** – Calls upon cities to raise public awareness and support tougher laws related to internet crimes against children.

Police Chief Neu reported that internet crimes against children are increasing and there's a great need for public awareness.

**MOTION:** Councilmember Rhilinger moved to concur with the Committee's recommendation to support Resolution 2. The motion was seconded by Councilmember Barnett and passed by unanimous vote (absent Councilmember Furey).

**Resolution 3** – An emergency management mission for California cities.

Deputy Fire Chief Dumais advised that it is recommended that residents be prepared to be self-reliant for 5-7 days in the event of a disaster.

Councilmember Numark noted that the American Red Cross predicts that hundreds of thousands of people in Southern California will be homeless when "the big" earthquake strikes.

**MOTION:** Councilmember Rhilinger moved to concur with the Committee's recommendation to support Resolution 3. The motion was seconded by Councilmember Barnett and passed by unanimous vote (absent Councilmember Furey).

**Resolution 4** – Encourages cities to oppose the California Desert Protection Act of 2011.

Councilmember Numark noted his disagreement with the Committee's position on Resolutions 4 and 5, relating his belief that no position should be taken on these items because they have no fiscal impact on the city, they do not affect local control, and they do not impact public safety.

**MOTION:** Councilmember Rhilinger moved to concur with the Committee's recommendation to support Resolution 4. The motion was seconded by Councilmember Barnett and passed by a 5-1 vote, with Councilmember Numark dissenting (absent Councilmember Furey).

**Resolution 5** – Consider suspension of implementation or revision of California Global Warming Solutions Act (AB32 of 2006).

**MOTION:** Councilmember Rhilinger moved to concur with the Committee's recommendation to support Resolution 5. The motion was seconded by Councilmember Barnett and passed by a 5-1 vote, with Councilmember Numark dissenting (absent Councilmember Furey).

**12B. AGREEMENT AMENDMENT RE RECORDKEEPING AND COMMUNICATION SERVICES FOR THE DEFERRED COMPENSATION PROGRAM**

**Recommendation**

Recommendation of the City Treasurer, as the Plan Administrator; that City Council:

- 1) Approve a contract with Great West Life & Annuity Insurance Company to be the City of Torrance Deferred Compensation Program retirement plan vendor for a period of five (5) years beginning September 1, 2012 through August 31, 2017 with automatic renewal for successive one (1) year periods unless either Plan Sponsor or Great-West provides ninety (90) days written notice prior to the expiration of the period; and
- 2) Adopt a Resolution approving Amendment No. 1, Agreement for Recordkeeping and Communication Services with Great West Life & Annuity Insurance Company related to the 457 Deferred Compensation Plans and the 401(a) Defined Contribution Plans for the City of Torrance Employees.

City Treasurer Cortez reported that Great West Life & Annuity Insurance Company has met performance benchmarks, therefore staff was recommending that their contract be renewed for five years.

**MOTION:** Councilmember Rhilinger moved to concur with the staff recommendation. The motion was seconded by Councilmember Barnett and passed by unanimous vote (absent Councilmember Furey).

**RESOLUTION NO. 2012-71**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A SERVICE AGREEMENT AMENDMENT NO. 1 ANNUITY CONTRACTS AND LETTER AGREEMENT WITH GREAT WEST LIFE AND ANNUITY INSURANCE COMPANY RELATED TO THE 457 DEFERRED COMPENSATION PLANS AND THE 401(a) DEFINED CONTRIBUTION PLANS FOR THE CITY OF TORRANCE EMPLOYEES

**MOTION:** Councilmember Barnett moved for the adoption of Resolution No. 2012-71. The motion was seconded by Councilmember Numark and passed by unanimous vote (absent Councilmember Furey).

**12C. APPOINTMENT OF MEMBERS TO OUTSIDE BOARDS**

**Recommendation**

Recommendation of the City Manager that City Council:

- 1) Concur with the appointments made by the Mayor to the Independent Cities Association, League of California Cities, Municipal Area Express, South Bay Cities Council of Governments, and Los Angeles County West Vector Control District;
- 2) Appoint the Mayor to the Sanitation District of Los Angeles County and the Southern California Association of Governments; and
- 3) Direct the City Manager to update and post Form 806 on the City’s website.

<b>Board</b>	<b>Voting Delegate</b>	<b>Alternate</b>
Independent Cities Association	Tom Brewer	Susan Rhilinger
League of California Cities – LA County Division	Bill Sutherland	Cliff Numark
Municipal Area Express (MAX)	Tom Brewer	Bill Sutherland
Sanitation Districts of LA County	Mayor Frank Scotto	Cliff Numark
So. Calif. Association of Governments (SCAG)	Mayor Frank Scotto	Tom Brewer
South Bay Cities Council of Governments (SBCCOG)	Susan Rhilinger	Tom Brewer
West Vector Control District of LA County	Pat Furey (Effective 01/01/13 – 12/31/14)	

**MOTION:** Councilmember Rhilinger moved to concur with the staff recommendation. The motion was seconded by Councilmember Barnett and passed by unanimous vote (absent Councilmember Furey).

**12D. AGREEMENT RE DESIGN SERVICES FOR PACIFIC COAST HIGHWAY AT HAWTHORNE BOULEVARD INTERSECTION IMPROVEMENTS**

**Recommendation**

Recommendation of the Public Works Director that City Council award a consulting services agreement to Harris & Associates of Los Angeles, CA in the amount of \$956,995 to perform design services, right of way assessments and acquisitions, project development including obtaining Caltrans permits for the Measure R project F-51 – Pacific Coast Highway at Hawthorne Boulevard Intersection Improvements Project (B2012-09).

Transportation Planning Manager Semaan reported that staff was recommending that Harris & Associates be awarded the contract to perform design services for intersection improvements at Pacific Coast Highway and Hawthorne Boulevard, noting that it is expected to take approximately 18 months before the project will be ready to proceed due to the need for Caltrans approvals.

**MOTION:** Councilmember Rhilinger moved to concur with the staff recommendation. The motion was seconded by Councilmember Barnett and passed by unanimous vote (absent Councilmember Furey).

**12E. PURCHASE ORDER FOR COMPRESSED NATURAL GAS BUSES**

**Recommendation**

Recommendation of the Transit Director that City Council approve a contract and purchase order with New Flyer of America to purchase nine (9) Compressed Natural Gas buses at a cost not to exceed \$4,997,741.

Transit Administration Manager Mills reported that this purchase is part of the Transit Department's fleet modernization program, which will replace all of the City's diesel-powered buses with alternative fuel buses by FY 2015; that no General Funds will be used for this purchase; and that the buses are expected to arrive in October 2012.

**MOTION:** Councilmember Rhilinger moved to concur with the staff recommendation. The motion was seconded by Councilmember Barnett and passed by unanimous vote (absent Councilmember Furey).

**16. SECOND READING ORDINANCES**

**16A. SECOND AND FINAL READING OF ORDINANCE NO. 3759**

**ORDINANCE NO. 3759**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 61.9.2 OF THE TORRANCE MUNICIPAL CODE RELATED TO TRUCK ROUTES.

**MOTION:** Councilmember Barnett moved for the adoption of Ordinance No. 3759. The motion was seconded by Councilmember Brewer and passed by unanimous vote (absent Councilmember Furey).

**17. ORAL COMMUNICATIONS #2**

**17A.** Councilmember Rhilinger announced that the Centennial Committee was seeking groups who would like to perform on the community center stage during the Birthday Bash on Sunday, October 28, and that interested parties should send an email to [kenziefitz95@aol.com](mailto:kenziefitz95@aol.com) or fill out the form on the Centennial website.

**17B.** Councilmember Sutherland announced that the 14<sup>th</sup> annual Torrance Employee Variety Show benefiting the American Cancer Society Relay for Life will be held on Saturday, September 15, at the Armstrong Theatre, with additional information available at 310.619.5990.

**17C.** Councilmember Barnett requested an excused absence for the September 11, 2012 City Council meeting.

**17D.** Councilmember Brewer encouraged residents to visit the Calendar of Events on the City's website.

**17E.** Councilmember Numark provided information about the cooling centers being operated this summer at the Bartlett Center, 1318 Cravens Avenue, and the Katy Geissert Civic Center Library, 3301 Torrance Boulevard, with additional information available at 310.618.5880 or on the City's website.

**17F.** Mayor Scotto offered a reminder about the Centennial Community Parade scheduled for Sunday, September 16, starting at noon in downtown Torrance.

**18. EXECUTIVE SESSION**  
None.

**19. ADJOURNMENT**  
At 8:05 p.m., the meeting was adjourned to Tuesday, September 11, 2012 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/ Frank Scotto  
Mayor of the City of Torrance

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

Approved on October 2, 2012