

September 12, 2006

**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 6:00 p.m. on Tuesday, September 12, 2006 in City Council Chambers at Torrance City Hall.

ROLL CALL

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

Absent: None.

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

Agenda Item 18 was considered out of order at this time.

18. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 18A) Conference with Labor Negotiator; and 18B) Conference with Legal Counsel – Existing Litigation; and 18C) Real Property – Conference with Real Property Negotiator, pursuant to California Government § 54957.6, 54956.9(a), and 54956.8.

Councilmember Nowatka excused himself from the room did not participate in consideration of Item 18B (2) as he had a personal relationship with the parties involved.

The Council reconvened in Council Chambers at 7:03 p.m. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Boy Scout Troop 211, Gary Gunderson, Scoutmaster.

George Zettler, Riviera Methodist Church, 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, September 7, 2006.

MOTION: Councilmember Sutherland 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 roll call vote.

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Scotto asked that the meeting be adjourned in memory of retired City of Torrance bus operator Ron Zirpolo and Torrance resident Dick Rector.

Councilmember Nowatka announced that the Citizen Development and Enrichment Committee would hold a joint meeting with the Torrance Unified School District on Wednesday, September 13, at 3:30 p.m. in the West Annex Commission Room of City Hall to discuss topics of mutual interest, including a review of services each agency provides to the other; a discussion of business items – Plaza del Amo property, aquatics center, open space preservation; and a general discussion of co-operative opportunities.

Councilmember Nowatka announced that the 8th Annual Employee Variety show would be held on Saturday, September 16, at 7:00 p.m. at the James Armstrong Theatre with proceeds to benefit the American Cancer Society and the Wellness Community.

Mayor Scotto announced that the City Council would hold a joint meeting with the Library Commission on Tuesday, September 19, at 5:30 p.m. in the meeting room of the Katy Geissert Civic Center Library.

City Clerk Herbers announced that applications for appointment to the Planning Commission were being solicited, with appointment to be made by the City Council on November 7, 2006. She noted that Commissioner Certification Training classes are scheduled for September 27 and October 25 and that a revised commission application form is posted on the City Clerk website.

City Clerk Herbers invited staff and public to view the watercolors of Torrance Artist Guild member Charlotte Moore on display in the City Clerk's office for the month of September.

Councilmember Witkowsky announced that the Public Safety Committee would meet on Thursday, September 28, at 4:00 p.m. at City Hall to develop a plan of action for training the community on how to be self-sustaining for a period of 72 hours in the event of a major disaster.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2006-69 RE EVELYN DUNN

RESOLUTION NO. 2006-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING EVELYN DUNN UPON HER RETIREMENT FROM THE CITY AFTER THIRTY-FIVE YEARS OF SERVICE

MOTION: Councilmember Nowatka moved for the approval of Resolution No. 2006-69. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

To be presented at a later date.

6B. PROCLAMATION RE "COASTAL CLEAN UP DAY"

Mayor Scotto presented a proclamation declaring Saturday, September 16, 2006 as ***Coastal Clean Up Day*** in the City of Torrance to Leslie Cortez, Community Development Department.

6C. PROCLAMATION RE “NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH”

Mayor Scotto presented a proclamation declaring September as ***National Alcohol and Drug Addiction Recovery Month*** in the City of Torrance to Barbara Smith, National Council on Alcohol & Drug Dependence. Ms. Smith invited the public to attend special events in September, including a Dodger game and a motorcycle “Ride for Recovery” to the Ventura fairgrounds.

6D. PROCLAMATION RE RIVIERA UNITED METHODIST 50TH ANNIVERSARY

Mayor Scotto presented a proclamation commending and congratulating ***Riviera United Methodist Church***, as it celebrates 50 years of dedicated service to the community, to Charter members Doris and Bill Forrest, Darrold Kusch and George Zettler.

6E. PROCLAMATION RE TORRANCE BABE RUTH ALL-STAR TEAM

Mayor Scotto presented a proclamation commending and congratulating the ***Torrance Babe Ruth All-Star Team*** for winning the 2006 World Series title to coaches Robert Ybarra, Nader Fasheh, Juan Gonzales, and team members Jordan Fasheh, Brian McConnon, Brandon Van Reyn, Frankie Sixtos, Nathan Woerner, William Kollmeyer, Robert Ybarra Jr., Marlon Suazo, Jerrod DeCastro, Paul Plaza, Kurt Hatfield, Juan Gonzales Jr., Jason Wheeler, and Jeremy Roller. The coaches introduced team members and highlighted their accomplishments.

Mayor Scotto and Councilmembers offered congratulations to the team.

Mayor Scotto, with the concurrence of Council, requested that the Parks and Recreation Commission look into finding an appropriate location for a “Wall of Honor” to permanently recognize the outstanding accomplishments of those participating in youth sports.

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The City Council took a brief recess from 7:56 p.m. to 8:26 p.m.

7. ORAL COMMUNICATIONS #1

7A. Kris Anderson, Torrance, cited poor service from Time Warner Cable and requested assistance from the City.

8. CONSENT CALENDAR

8A. INVESTMENT REPORT FOR JULY 2006

Recommendation

The **City Treasurer** recommends that City Council accept and file the monthly investment report for the month of July 2006.

8B. APPROVAL OF FINAL TRACT MAP NO. 61655

Recommendation

The **Community Development Director** recommends that City Council approve Final Tract Map No. 61655, creating 23 residential condominium units and one commercial condominium unit, subdivided by George Krikorian, and located at 115 and 131 Palos Verdes Boulevard, which substantially conforms to and meets all conditions of approval of the Tentative Map.

8C. FUNDING AGREEMENT RE HARBOR WORKSOURCE CENTER

Recommendation

The **Human Resources Director** recommends that City Council:

- 1) Authorize the execution of the 2006-2007 Workforce Investment Act (WIA) funding agreement with the City of Los Angeles; and
- 2) Accept and appropriate the \$890,751 in revenue from this agreement to the Workforce Development Division Budget for the operation of the Harbor WorkSource Center.

8D. PURCHASE ORDER RE COMPUTER HARDWARE/SOFTWARE

Recommendation

The **Information Technology Director** recommends that City Council authorize an annual purchase order with Dell Computers, Inc. for personal computers, servers, laptops, and other miscellaneous related hardware and software for an amount not to exceed \$780,000.

8E. PURCHASE ORDER FOR ANNUAL REQUIREMENT OF PERIODICALS FOR TORRANCE PUBLIC LIBRARY SYSTEM

Recommendation

The **Community Services Director** recommends that City Council authorize a one-year extension to purchase order (PO 24085) with W.T. Cox Subscriptions of Shallotte, NC, for an amount not to exceed \$53,000 for the annual requirement of periodicals for the Torrance Public Library System for 2007.

8F. PURCHASE AGREEMENT FOR AUTOMOTIVE PARTS AND SUPPLIES

Recommendation

The **General Services Director** recommends that City Council authorize a purchase agreement with Peerless Auto Parts of Torrance, CA in the amount of \$50,000 to furnish automotive parts and supplies on an as needed basis, effective October 6, 2006 through October 5, 2007.

8G. CONTRACT RE RENOVATION OF FIRE STATION #3

Recommendation

The **General Services Director** and **Fire Chief** recommend that City Council award a contract to BOA Architecture for \$56,900 for design services with a 5% contingency of \$2,845 for the renovation of Fire Station #3.

8H. CONTRACT RE RENOVATION OF FIRE STATION #5

Recommendation

The **General Services Director** and **Fire Chief** recommend that City Council:

- 1) Award a contract to Action Contractors (B2006-28) for \$448,350 with a 5% contingency of \$22,418 for renovation of Fire Station #5 (FEAP #123); and
- 2) Authorize a 10% project management fee of \$44,835 and \$5,000 for professional services.

8I. PURCHASING AGREEMENT RE LAWNMOWER REPLACEMENT PARTS

Recommendation

The **General Services Director** recommends that City Council authorize an annual purchasing agreement with Turf Star Inc. of Brea, CA in an amount not to exceed \$40,000 to furnish Toro brand lawnmower replacement parts on an as needed basis, effective October 6, 2006 through October 5, 2007.

8J. SALE OF SURPLUS/OBSOLETE VEHICLES TO TORRANCE UNIFIED SCHOOL DISTRICT

Considered separately, see page 6.

8K. EMPLOYMENT AND TRAINING AGREEMENT WITH L.A. COUNTY DEPARTMENT OF COMMUNITY AND SENIOR SERVICES

Recommendation

The **Human Resources Director** recommends that City Council:

- 1) Authorize the execution of an employment and training agreement with the County of Los Angeles Department of Community and Senior Services; and
- 2) Accept and appropriate \$57,689 in funding from this agreement to the Workforce Development Division Budget to operate programs for unemployed adults and dislocated workers.

8L. APPROPRIATION/ALLOCATION OF ASSET FORFEITURE FUNDS FOR BULLET-RESISTANT VESTS

Recommendation

The **Interim Chief of Police** recommends that City Council appropriate and allocate \$15,500 from Police Unappropriated Asset Forfeiture and approve the purchase of trauma plates for bullet-resistant vests (FEAP #619).

8M. CONTRACT WITH VAN LINGEN TOWING RE TOWING AND STORING SERVICES

Considered separately, see page 6.

8N. CONTRACT RE PAVEMENT STRUCTURAL EVALUATION CRENSHAW BL.

Recommendation

The **Public Works Director** recommends that City Council approve a contract services agreement with Labelle-Marvin, Inc. in the amount of \$27,850 to provide a pavement structural evaluation and analysis services for the Crenshaw Boulevard Rehabilitations, T-22/T-51.

8O. CONTRACT RE INSPECTION OF STORM DRAINS

Recommendation

The **Public Works Director** recommends that City Council award a contract services agreement to Advanced Sewer Technologies in the amount of \$93,149.36 and authorize a 5% contingency in the amount of \$4,657.47 for closed circuit television inspection of 36-inch diameter and larger storm drains.

8P. CHANGE ORDER TO CONTRACT C2006-90 WITH ALL AMERICAN ASPHALT

Recommendation

The **Public Works Director** recommends that City Council:

- 1) Accept twenty-two separate cashier's checks from property owners for a combined amount of \$22,146 and appropriate funds to the Residential Street Rehabilitation Program, I-5; and
- 2) Authorize a change order in the amount of \$43,012 to contract with All American Asphalt (C2006-090) in conjunction with the North Torrance Residential Street Rehabilitation, I-5 and Kent/Galva Street Rehabilitation & Water Main Replacement, I-5/I-88.

8Q. TEMPORARY LEASE OF GROUNDWATER RIGHTS TO ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES

Recommendation

The **Public Works Director** recommends that City Council approve an agreement to temporarily lease 130 acre feet of water rights to the Roman Catholic Archbishop of Los Angeles during the remaining 2006-2007 Fiscal Year.

MOTION: Councilmember Drevno moved for the approval of Consent Calendar Items 8A through 8Q, with the exception of 8J and 8M. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

Consent Calendar Items 8J and 8M were considered separately at this time.

8J. SALE OF SURPLUS/OBSOLETE VEHICLES TO TORRANCE UNIFIED SCHOOL DISTRICT

Recommendation

The **General Services Director** recommends that City Council authorize the sale of five (5) surplus/obsolete vehicles to the Torrance Unified School District (TUSD) for a total of \$4,939.

Councilmember Brewer proposed that the surplus/obsolete vehicles be donated to the Torrance Unified School District free of charge as has been done in the past.

Councilmember Sutherland noted that the City already provides a substantial amount of assistance to the school district in the form of services and indicated that he favored charging for the vehicles to help offset the cost of replacement vehicles.

Councilmember Witkowsky also expressed support selling the vehicles to the school district rather than donating them.

MOTION: Councilmember Brewer moved to donate the vehicles to Torrance Unified School District. The motion was seconded by Councilmember Drevno and failed to pass as reflected in the following roll call vote:

AYES: Councilmembers Brewer, Drevno and Mayor Scotto.

NOES: Councilmembers McIntyre, Nowatka, Sutherland and Witkowsky.

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

8M. CONTRACT WITH VAN LINGEN TOWING RE TOWING AND STORING SERVICES

Recommendation

The **Interim Chief of Police** recommends that City Council award a contract to Van Lingen Body Shop Inc., doing business as Van Lingen Towing, to furnish vehicle towing and storage services to the Police Department on an as-needed basis, at no cost to the City (B2006-33). The recommended term of the agreement is three years, commencing September 16, 2006, with an option to extend the agreement for two additional years.

Councilmember Witkowsky commended Van Lingen Towing for doing an outstanding job of providing towing/storage services for the Torrance Police Department for many years, noting the presence of Van Lingen family members in the audience.

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

12. ADMINISTRATIVE MATTERS

12A. SAFE ROUTE TO SCHOOL PROGRAM

Recommendation

The **Public Works Director** recommends that City Council:

- 1) Authorize the budget transfer of \$61,904 of General funds from the Traffic Calming, S-12 project to the Safe Route to School Program, S-33;
- 2) Approve the plans and specifications for the Safe Route to School Program, S-33 (B2006-26); and
- 3) Award a public works agreement to Zondiros Corp. in the amount of \$299,909 and authorize a 5% contingency in the amount of \$14,995 for the Safe Route to School Program, S-33.

Project Manager Bilezerian reported that the Safe Route to School Program will provide enhancements to pedestrian and bicycle safety at 15 schools throughout the City, including flashing beacons, new signs and striping.

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

16. SECOND READING ORDINANCES

16A. SECOND AND FINAL READING OF ORDINANCE NO. 3686

ORDINANCE NO. 3686

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING A NEW ARTICLE 12 OF CHAPTER 1 OF DIVISION 6 OF THE TORRANCE MUNICIPAL CODE RELATING TO OVERSIZED VEHICLES AND TRAILERS

MOTION: Councilmember Nowatka moved for the approval of Ordinance No. 3686. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote, with Councilmember McIntyre abstaining.

In response to Councilmember Brewer's inquiry, Transportation Planning Manager Semaan discussed plans to publicize the new parking restrictions.

Councilmember Witkowsky recommended that an insert be included in water bills outlining the new restrictions.

Karen Fitch, resident, related her understanding that she is not eligible for an Oversized Vehicle Handicap Parking Permit under the new ordinance because although she is handicapped and uses her recreation vehicle as her primary vehicle, she also owns a classic car.

Deputy City Attorney Sullivan advised that a resident is eligible for an Oversized Vehicle Handicap Parking Permit, which allows a resident to park on the street 365 days a year free of charge, only if the oversized vehicle is the resident's only vehicle, therefore, Ms. Fitch would be subject to the provision limiting residents to no more than 96 parking permits per calendar year.

Councilmember Witkowsky, echoed by Councilmember Nowatka, expressed concerns that being limited to 96 permits could cause a hardship for Ms. Fitch.

Mayor Scotto requested that staff work with Ms. Fitch to try to resolve this problem.

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The Council met as the Redevelopment Agency from 8:54 to 10:07 p.m.

17. ORAL COMMUNICATIONS

17A. Councilmember Drevno noted that her orientation, as a new councilmember, included a visit to each department and staff's enthusiasm for the city and their jobs had impressed her.

17B. Councilmember McIntyre congratulated library staff on the successful Summer Reading Program, noting that over 3,000 children participated.

17C. Councilmember Nowatka read the following statement:

"The Torrance City Charter was adopted in 1948 and amended in 1956. It provides for Council compensation of \$100 per month. This provision has not been updated since adoption of the charter. With Council concurrence, I request that the City Manager be directed to bring an agenda item in two weeks proposing a process for amending the city charter to update Council compensation. I further request that this process include community involvement and a timeline that provides for the charter amendment to be before the voters in the November 2007 election."

17D. Councilmember Sutherland noted that residents have expressed concerns about the length of trains passing through Torrance recently and advised that while there is very little the City can do, the City Manager will look into this matter.

17E. Councilmember Witkowsky reported that she recently attended the League of California Cities conference in San Diego, at which there was much discussion about future population growth and the impact on the infrastructure, traffic and housing, and commented on the need for a long-term regional plan. She indicated that she would provide a more in-depth report in at a later date.

17F. Councilmember Brewer noted that he along with Councilmembers Drevno and Sutherland had toured the "green" building at Toyota and that he was very impressed and would like to see this type of building encouraged.

17G. Mayor Scotto stated that he had listened to a tape of the Planning Commission meeting recently addressed under Oral Communications and heard nothing to support the claim that a speaker was treated with disrespect, therefore, no action was required on the City's part.

17H. Mayor Scotto announced that 40 spaces are still available, as well as 4 handicap-accessible spaces, at the recently opened community gardens at Lago Seco Park, which provide an opportunity for Torrance residents to grow their own flowers, fruit and vegetables. He noted that the cost for a 20' X 20' space is \$80 for a two-year lease plus a \$100 refundable deposit and a \$10 key fee. Contact Mary Lou Weiss at 310.781.7520 for further information.

17I. On behalf of the Torrance Engineers Association, Mayor Scotto announced that SPARE - Save Pound Animals through Rescue and Education, which helps subsidize low cost spay and neuter programs, will hold a fundraiser on Wednesday, September 20, at the Comedy & Magic Club. Ticket (\$25 donation) information is available at 310.377.2988.

17J. Councilmember Nowatka, referring to Councilmember Witkowsky's earlier remarks, noted that he is the Carson/Lomita/Torrance representative for the Southern California Association of Governments, which is the agency charged with the responsibility of regional planning for this area, and that a transportation improvement plan is in place, but frequent updates are needed due to changing circumstances. He offered to work with Councilmember Witkowsky to prepare a combined report on this issue.

18. **EXECUTIVE SESSION**

Considered earlier in the meeting, see page 1.

19. **ADJOURNMENT**

At 10:20 p.m., the meeting was adjourned to Tuesday, September 19, 2006 at 5:30 p.m. for a joint meeting with the Library Commission, with the regular business commencing at 7:00 p.m.

***Adjourned in Memory of
Ron Zirpolo and Dick Rector***

Attest:

/s/ Frank Scotto

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers

City Clerk of the City of Torrance

Approved on October 24, 2006