

**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 4:30 p.m. on Tuesday, November 21, 2006 in the 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, Assistant 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 City 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) Public Employee Performance Evaluation, pursuant to California Government § 54957.6 and 54957.

**JOINT MEETING WITH TORRANCE ENVIRONMENTAL QUALITY AND ENERGY  
CONSERVATION COMMISSION**

The City Council reconvened at 5:42 p.m. in joint session with the Environmental Quality and Energy Conservation Commission in the West Annex meeting room. No formal action was taken.

The City Council recessed at 6:52 p.m. and reconvened in the City Council Chambers at 7:07 p.m. for the regular meeting.

**2. FLAG SALUTE/INVOCATION**

The Pledge of Allegiance was led by City of Torrance Community Relations Associate Gesuina Paras, a newly naturalized American citizen.

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 Friday, November 17, 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 Nowatka and passed by unanimous roll call vote.

4. **WITHDRAWN OR DEFERRED ITEMS**

None.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Fire Chief Bongard reminded everyone that ExxonMobil would be conducting their monthly siren testing on Wednesday, December 6, at approximately 11:30 a.m.

Councilmember Witkowsky announced that the next Public Safety Committee meeting would be held on December 14, at 3:30 p.m. in the West Annex meeting room.

7. **ORAL COMMUNICATIONS #1**

7A. Bonnie Mae Barnard, read an article on livable communities.

7B. Pat Mooney, expressed concerns regarding illegal signage by non-Torrance businesses and asked for increased enforcement especially during the holiday shopping season.

A brief discussion ensued regarding strategies for eliminating the illegal signage.

8. **CONSENT CALENDAR**

8A. **ENVIRONMENTAL QUALITY COMMISSION 2005-2006 ANNUAL REPORT**

**Recommendation**

The **Community Development and Environmental Quality Commission** recommend that City Council accept and file the Environmental Quality Commission 2005-2006 Annual Report.

8B. **FREE CONCERT BY UNITED STATES AIR FORCE WOODWIND QUINTET**

Considered separately, see page 4.

8C. **PURCHASE AGREEMENT FOR AUTOMOTIVE HARDWARE**

**Recommendation**

The **General Services** recommends that City Council authorize a purchase agreement with Kimball Midwest of Columbus, OH in an amount not to exceed \$40,000 to furnish automotive hardware, fasteners and electrical connectors on an as needed basis for a period of one (1) year, effective December 1, 2006 through November 30, 2007 (B2006-41).

8D. **CHANGE ORDER TO CONTRACT WITH ALL AMERICAN ASPHALT**

**Recommendation**

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

- 1) Accept seven cashier's checks from property owners for a combined amount of \$5,146 and appropriate said funds to the Residential Street Rehabilitation Program, I-5;
- 2) Appropriate additional Water Enterprise funds in the amount of \$15,509 to the Kent/Galva Water Main Replacement, I-88; and
- 3) Authorize the Public Works Director to execute a change order in the amount of \$20,655 to contract with All American Asphalt (C2006-90) in conjunction with the North Torrance Residential Street Rehabilitation, I-5 and Kent/Galva Street Rehabilitation & Water Main Replacement, I-5/I-88 (B2006-12).

**8E. AGREEMENT FOR PAVEMENT STRUCTURAL EVALUATION AND ANALYSIS**

**Recommendation**

The **Public Works Director** recommends that City Council approve a contract services agreement with Labelle-Marvin, Inc. in the amount of \$13,950 to provide pavement structural evaluation and analysis services for the 190th Street Rehabilitation Project, T-49.

**8F. CONTRACTS/ PUBLIC WORKS AGREEMENT FOR FISCAL YEAR 2006-2007 CURB, GUTTER AND SIDEWALK REPLACEMENT PROGRAM, I-93**

**Recommendation**

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

- 1) Approve plans and specifications for the Fiscal Year 2006-2007 Curb, Gutter and Sidewalk Replacement Program, I-93 (B2006-37);
- 2) Award a public works agreement to S. Parker Engineering, Inc. in the amount of \$1,216,120.80 and authorize a 5% contingency in the amount of \$60,806 for construction Fiscal Year 2006-2007 Curb, Gutter and Sidewalk Replacement Program, I-93; and
- 3) Approve an amendment in the amount of \$21,040 to contract services agreement with CBM Consulting, Inc. (C2006-146) to provide for construction inspection services and extend the term until July 31, 2007. The new not to exceed amount is increased from \$37,170 to \$58,210.

**8G. AMENDMENT TO FEE AGREEMENT WITH RUTAN & TUCKER**

**Recommendation**

The **City Attorney** recommends that City Council approve the Fourth Amendment to the fee agreement with the law firm of Rutan & Tucker (C2004-179) to provide legal services in the case of Time Warner v. City of Torrance (LASC No. BC318252) in the additional amount of \$10,000 for a not to exceed total of \$129,000.

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

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

**8B. FREE CONCERT BY UNITED STATES AIR FORCE WOODWIND QUINTET**

**Recommendation**

The **Community Services** recommends that City Council:

- 1) Approve hosting a free concert performed by the U.S.A.F. Woodwind Quintet in the James Armstrong Theatre on March 19, 2007 and
- 2) Appropriate \$1,000 from the Program Contingency Fund for related City costs, including labor for the theatre, printing of tickets, and concert programs.

Councilmember Nowatka reported that U.S.A.F. Woodwind Quintet has offered to provide a free concert at the Armstrong Theatre on March 19, 2007, and that the quintet also expressed an interest in performing at Torrance elementary schools the following day. Noting concerns about audience attendance, he suggested the possibility of providing bus service from senior centers.

Councilmember Brewer noted that the possibility of involving TUSD woodwind students in the concert was also mentioned.

Community Services Director Barnett agreed to follow up on the above-mentioned items.

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

## 11. **PUBLIC SAFETY**

### 11A. **PURCHASE OF DEFIBRILLATORS**

#### **Recommendation**

The **Fire Chief** recommends that City Council:

- 1) Approve a Cardiac Care Program Equipment Agreement with County of Los Angeles to reimburse the City of Torrance for the cost of the initial purchase of 12-lead EKG equipment and the initial training associated with the equipment's use and appropriate the amount of \$188,836.05 (FEAP-627);
- 2) Authorize a purchase order be issued to ZOLL Medical Corporation in the amount of \$168,406.05 for the sole-source purchase of ten E Series 12-lead monitor defibrillators; and
- 3) Approve an expenditure of \$20,430 for the initial training of Paramedics and Emergency Medical Technicians (EMT) in the use of 12-lead EKG equipment.

Fire Chief Bongard reported that Los Angeles County has allocated \$4 million in Measure B funds to reimburse local agencies for the purchase of defibrillators and for the initial training of paramedics and emergency medical technicians in their use.

**MOTION:** Councilmember Sutherland 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. **LEAGUE OF CALIFORNIA CITIES HIRING OF CONSULTANT FOR L.A. REGIONAL WATER QUALITY CONTROL BOARD**

#### **Recommendation**

The **City Manager** recommends that City Council:

- 1) Consider the League of California Cities, Los Angeles County Division decision to hire a consultant to provide services to the Board Member representing Municipal Government on the Los Angeles Regional Water Quality Control Board, and
- 2) Authorize the City's voting delegate or alternate to execute the official ballot indicating City Council's decision.

Councilmember Witkowsky reported that the individual appointed by the governor to represent Municipal Governments on the L.A. Regional Water Quality Control Board has limited knowledge about the complex issues involved, therefore, the League of California Cities, L.A. County Division, was proposing to hire a consultant to provide assistance. While supportive of this proposal, she stressed the need for more qualified appointees in the future.

**MOTION:** Councilmember Witkowsky moved that the Council support the hiring of a consultant by the League of California Cities. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

**12B. INTRODUCTION OF TORRANCE GREEN BUILDING PROGRAM**

**Recommendation**

The **Community Development Department and Environmental Quality Commission** recommend that City Council review the plans for the introduction of the Torrance Green Building Program.

Environmental Services Administrator Cessna reviewed plans to introduce a Green Building Program in Torrance by providing an informational booklet at the Building Counter, which discusses green building guidelines, offers suggestions as how to incorporate green building features when remodeling, and includes a rating system to assess how "green" a home is.

Mayor Scotto noted that the Green Building Program was discussed in detail when the Council met jointly with the Environmental and Energy Conservation Commission earlier in the evening and that this is the first phase in efforts to encourage construction that is energy efficient and environmentally friendly.

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

**12C. AMENDMENT TO TPSA RESOLUTION TO IMPLEMENT SALARY RANGES**

**Recommendation**

The **Human Resources Director** recommends that City Council adopt a Resolution amending Resolution No. 2005-111 governing employees represented by Torrance Professional and Supervisory Association to implement the proposed salary ranges for Public Safety Communications Supervisor, Juvenile Diversion Coordinator, Juvenile Diversion Caseworker, and Assistant Producer Writer.

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

**RESOLUTION NO. 2006-89**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2005-111 SETTING FORTH CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE PROFESSIONAL AND SUPERVISORY ASSOCIATION

**MOTION:** Councilmember Nowatka moved for the adoption of Resolution No. 2006-89. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

**12D. RESOLUTION REQUIRING NEW COMMISSIONERS TO ATTEND CERTIFICATION TRAINING**

**Recommendation**

The **City Manager** recommends that City Council adopt a Resolution requiring all individuals attend the city-approved Commissioner's Certification Training prior to seeking appointment to a city commission for the first time.

City Clerk Herbers reported that 57 people have completed the Commissioner's Certification Training.

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

**RESOLUTION NO. 2006-90**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE requiring THAT ALL NEW CITY COMMISSIONERS ATTEND THE CITY-APPROVED COMMISSIONER'S CERTIFICATION TRAINING AS A PRECONDITION TO COMMISSION APPOINTMENT

**MOTION:** Councilmember Nowatka moved for the adoption of Resolution No. 2006-90. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

City Clerk Herbers announced that applications for commission vacancies must be submitted no later than 5:30 p.m. on January 3, 2007, with appointments to be made at the January 9, 2007 Council meeting.

**12E. LICENSE AGREEMENT FOR UNDERGROUND MONITORING WELLS**

**Recommendation**

The **Community Development Director** recommends that City Council authorize the Mayor to execute and City Clerk to attest to a license agreement with Equilon enterprises LLC, dba Shell Oil Products US for two (2) groundwater monitoring wells.

Community Development Director Gibson advised that the purpose of the wells is to monitor for possible groundwater contamination from the former Shell gas station at Rolling Hills Road and Crenshaw Boulevard.

Councilmember Sutherland recommended that the drilling be done after the holidays due to the disruption of traffic on Crenshaw Boulevard.

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

**12F. APPROPRIATION FOR EMERGENCY WATER MAIN/PAVEMENT REPAIRS**

**Recommendation**

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

- 1) Approve an appropriation of \$200,000 from the Water Enterprise Fund balance to the Water Operating Budget;
- 2) Authorize the City Manager to approve a payment to Valverde Construction, Inc. for a not to exceed amount of \$50,000 for emergency repairs performed on a water main in Western Avenue; and
- 3) Authorize the City Manager and Public Works Director to secure a pavement contractor for a not to exceed amount of \$150,000 to perform pavement repair to the portion of Western Avenue damaged by the ruptured water main.

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

## **12G. FIRST QUARTER 2006-2007 BUDGET REVIEW**

### **Recommendation**

The **Finance and Governmental Operations Committee** recommends that City Council concur with the following recommendations:

- 1) Accept the First Quarter 2006-2007 Budget Review Report;
- 2) Accept the City Treasurer's Investment Report;
- 3) Approve the allocation of Fiscal Year 2005-2006 carryover; and
- 4) Approve program modifications for the following departments: City Manager, Communications & Information Technology (CIT), Community Services, Finance, General Services, Human Resources, Police, and Public Works.

Finance Director Tsao reported that the Finance and Governmental Operations Committee met on November 14 and voted unanimously to approve the program modifications and the allocation of Fiscal Year 2005-2006 carryover as listed in the staff report.

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

## **12H. SETTING OF HEARING DATE FOR DEVELOPMENT IMPACT FEES FOR POLICE AND FIRE**

### **Recommendation**

The **Community Development Director** recommends that City Council:

- 1) Review and approve the amendment to the Development Impact Fee Justification Study to include Police and Fire facilities;
- 2) Hold an open and public meeting regarding the Development Impact Fee for Police and Fire facilities; and
- 3) Consider and approve the time and place for the public hearing to be held December 19, 2006 at 7:00 p.m. in the City Council Chambers, regarding the adoption of the development impact fees for Police and Fire.

Transportation Planning Manager Semaan advised that Phase I Development Impact Fees were established for utility undergrounding, transportation facilities, storm drains and sewers in October 2005 and the above actions are necessary to implement Phase II Development Impact Fees for police and fire facilities.

Responding to Mayor Scotto, Community Development Director Gibson clarified that, as proposed, single-family residences constructed on R-1 zoned property are exempt from Development Impact Fees.

Mayor Scotto, echoed by Councilmember Brewer, expressed his preference that Development Impact Fees be charged for single-family residences when they are part of a project that includes more than one residence. He asked that this be included as an option at the public hearing.

Bonnie Mae Barnard, Torrance, related her understanding that the fees were meant to apply to developers of multi-unit residential projects and expressed concern that individual property owners of R-2 lots will be subject to the fees should they wish to add a second unit.

Mayor Scotto noted that Ms. Barnard could raise this concern at the public hearing scheduled for December 19.

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

**12I. FUNDING FOR HAWTHORNE BOULEVARD LANDSCAPE PROJECT**

**Recommendation**

The **Community Development Director** recommends that City Council:

- 1) Authorize the transfer of \$115,000 from the Hawthorne Boulevard Median Landscape Project (Del Amo Boulevard to North Boundary, A-20) to Hawthorne Boulevard Median Landscape Project (Sepulveda Boulevard to Pacific Coast Highway, A-14);
- 2) Authorize the transfer of \$125,000 from the Western Avenue Median Landscape Project (190th Street to Western Way, A-19) to Hawthorne Boulevard Median Landscape Project (Sepulveda Boulevard to Pacific Coast Highway, A-14);
- 3) Approve a contract amendment with Albert Grover & Associates (C2004-152) in the amount of \$83,745 for project inspection services and extend the contract through February 28, 2006; and
- 4) Approve a contract amendment with S.H.E. Construction Group, Inc. (C2004-098) in the amount of \$81,199.17 to close outstanding invoices on the project.

Transportation Planning Manager Semaan advised that the funds are necessary for the completion of the Hawthorne Boulevard Landscape Project.

Councilmember Brewer asked about the reason for the funding shortfall. Transportation Planning Manager Semaan reported that the City had several problems with S.H.E. Construction Group, the original contractor, and some of their billing remains in dispute.

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

**13. HEARINGS**

**13A. CITY OF TORRANCE REVENUE BONDS, SERIES 2006**

**Recommendation**

**Finance Director** recommends that City Council hold a public hearing and adopt a Resolution approving bond financing to be undertaken by the City of Torrance to benefit Torrance Housing Investors, LP.

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

Finance Director Tsao reported that a public hearing is required for the issuance of the tax-exempt bonds.

As no one from the public came forward to speak, the public hearing was closed.

**MOTION:** Councilmember Sutherland moved to close the public hearing. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

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

**RESOLUTION NO. 2006-91**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE approving the ISSUANCE OF MULTIFAMILY HOUSING REVENUE REFUNDING BONDS FOR THE PURPOSE OF REFINANCING THE ACQUISITION AND CONSTRUCTION OF THE HARMONY COURT APARTMENTS. (TORRANCE SENIOR APARTMENTS)

**MOTION:** Councilmember Nowatka moved for the adoption of Resolution No. 2006-91. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

**16. SECOND READING ORDINANCES**

**16A. SECOND AND FINAL READING OF ORDINANCE NO. 3687**

**ORDINANCE NO. 3687**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, REPEALING ARTICLE 8 OF CHAPTER 3 OF DIVISION 1 OF THE TORRANCE MUNICIPAL CODE RELATING TO COMMUNITY SERVICES COMMISSION AND AMENDING ARTICLE 2 OF CHAPTER 3 OF DIVISION 1 TO SAID CODE RELATING TO THE PARKS AND RECREATION COMMISSION

**MOTION:** Councilmember Nowatka moved for the adoption of Ordinance No. 3687. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

The Council recessed from 8:00 p.m. to 8:16 p.m.

The Council met as the Redevelopment Agency from 8:16 p.m. to 9:45 p.m.

**17. ORAL COMMUNICATIONS**

**17A.** Councilmember Nowatka thanked Mr. Mooney for bringing up the issue regarding non-Torrance businesses posting signs on weekends.

**17B.** Councilmember Nowatka wished everyone a happy Thanksgiving.

**17C.** Councilmember Sutherland also expressed Thanksgiving wishes.

**17D.** Councilmember Witkowsky echoed Thanksgiving wishes.

**17E.** Councilmember Witkowsky announced that the Public Safety Committee would meet on December 14 at 3:30 p.m. in the West Annex meeting room regarding emergency preparedness.

**17F.** Councilmember Witkowsky wished her husband Mike a happy anniversary.

**17G.** Councilmember Brewer noted that Daily Breeze reporter Ian Hanigan was leaving for a new job as a public information officer in Orange County and wished him luck.

**17H.** Councilmember Brewer echoed Thanksgiving wishes.

17I. Councilmember Drevno reminded everyone that the Turkey Trot would be held Thanksgiving Day and also gave a reminder about the canned food drive.

17J. Councilmember McIntyre thanked City Attorney Fellows for the Ethics Training meeting the previous Saturday, along with City Clerk Herbers and staff for providing refreshments.

17K. Mayor Scotto wished everyone a happy and safe Thanksgiving.

17L. Mayor Scotto congratulated newly appointed Mayor of Lomita Mark Waronek and thanked Don Suminaga for serving as the previous mayor.

17M. Mayor Scotto thanked Mr. Virtue and his wife for hosting the Switzer kids Thanksgiving lunch.

17N. City Clerk Herbers thanked City Attorney staff and City Manager staff for their assistance with the Ethics Training meetings.

17O. Mary Steinkemp, Torrance asked for clarification regarding the zoning at 1620 Gramercy Avenue.

Senior Planning Associate Chun advised that the property's commercial zoning allows for mixed-use residential/commercial developments.

17P. Sharon Imel, asked that the City Council reconsider her project at 1804 Andreo, which was denied at a previous Council meeting, or waive the fees associated with the project's re-submittal.

Following a brief discussion, Councilmember Sutherland, with the concurrence of City Council, asked that staff bring forward an item to consider a fee waiver for the project at 1804 Andreo Avenue.

17R. Bonnie Mae Barnard expressed appreciation to the Mayor and City Council for the time and effort spent serving the community.

18. **EXECUTIVE SESSION**

Considered earlier in the meeting, see page 1. No formal action was taken on any matter considered in closed session.

19. **ADJOURNMENT**

At 10:06 p.m., the meeting was adjourned to Tuesday, December 12, 2006 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers. **November 28 and December 5, 2006 will be Council dark nights.**

Attest:

/s/ Sue Herbers

Sue Herbers,  
City Clerk of the City of Torrance

/s/ Frank Scotto

Mayor of the City of Torrance

Approved on February 6, 2007