

**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 6:26 p.m. on Tuesday, December 23, 2008 in City Council Chambers at Torrance City Hall.

ROLL CALL

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

Absent: Councilmember Brewer.

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

Mayor Scotto announced that subsequent to the posting of the agenda, the City received notice from Dow Chemical that they would accept the mediator's settlement proposal regarding the acquisition of various interests in the Dow Chemical property located at 305 Crenshaw Boulevard, Torrance, CA, to facilitate construction of the Del Amo Extension Project. The City Attorney has requested that the City Council consider adding this item to the agenda because the Council needs to take action before the next City Council meeting on January 13, 2009. In order to take action on a matter that is not on the agenda, the California Government Code requires a determination by a two-thirds vote of the Council that immediate action is necessary and that the need to take action arose subsequent to the posting of the agenda.

MOTION: Councilmember Sutherland moved to add the item to the City Council agenda as Item 12C pursuant to Government Code § 54954.2(b)(2). The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote (absent Councilmember Brewer).

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, and 18B) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code § 54956.9(a) and 54956.8.

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

2. FLAG SALUTE/INVOCATION

The flag salute was led by Deputy City Attorney Thompson-Bell.

Councilmember Rhilinger 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, December 18, 2008.

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 Numark and passed by unanimous roll call vote (absent Councilmember Brewer).

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

City Manager Jackson noted that Item 12C was added to the agenda by a vote of the Council earlier in the meeting; that Item 8D was being removed from the Consent Calendar and considered as item 12B; and that Item 8C was being deferred to a later date.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Public Works Director Jack van der Linden announced that the City will recycle Christmas trees as part of residential curbside collection beginning December 29 to January 15. He noted that trees should be cut in half, with all tinsel, ornaments and stands removed, and a separate truck will collect the trees for use as mulch and landfill cover.

Fire Chief Racowschi announced that ExxonMobil Torrance Refinery would conduct their monthly community alert siren testing on Wednesday, January 7, 2009 at approximately 11:30 a.m.

Mayor Scotto asked that the City adjourn in memory of retired Police Lieutenant Robert Wright who passed away on December 22, 2008.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2008-131 RE POLICE OFFICER RICHARD GLASS

RESOLUTION NO. 2008-131

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
HONORING POLICE OFFICER **RICHARD B. GLASS** UPON HIS RETIREMENT
FROM THE CITY AFTER THIRTY-ONE YEARS OF SERVICE

MOTION: Councilmember Sutherland moved for the adoption of Resolution No. 2008-131. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote (absent Councilmember Brewer).

To be presented at a later date.

6B. RESOLUTION NO. 2008-132 RE POLICE SERGEANT DAVID DICK

RESOLUTION NO. 2008-132

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING POLICE SERGEANT **DAVID A. DICK** UPON HIS RETIREMENT FROM THE CITY AFTER TWENTY-EIGHT YEARS OF SERVICE

MOTION: Councilmember Sutherland moved for the adoption of Resolution No. 2008-132. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote (absent Councilmember Brewer).

To be presented at a later date.

6C. RESOLUTION NO. 2003-133 RE JIMMIE WATSON

RESOLUTION NO. 2008-133

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING **JIMMIE WATSON** UPON HIS RETIREMENT FROM THE CITY AFTER TWENTY-SIX YEARS OF SERVICE

MOTION: Councilmember Sutherland moved for the adoption of Resolution No. 2008-133. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote (absent Councilmember Brewer).

To be presented at a later date.

7. ORAL COMMUNICATIONS #1

7A. Mary Hoffman, Torrance Rose Float Association, announced that the Tournament of Roses will add a new category – The People’s Choice Award and encouraged everyone to vote for the Torrance float online at www.KTLA/roseparade.com on January 1 between 10:00 a.m. and 6:00 p.m. with the winner to be announced on January 2.

8. CONSENT CALENDAR

8A. CONSULTING SERVICES AGREEMENT RE WATER CONSERVATION PROGRAMS

Considered separately, see page 4.

8B. REVISED CITY OF TORRANCE CONFLICT OF INTEREST CODE

Recommendation

Recommendation of the City Clerk that City Council adopt revisions to the City of Torrance Conflict of Interest Code.

8C. LEASE AGREEMENTS WITH VARIOUS LITTLE LEAGUES

Recommendation

Recommendation of the Community Services Director that City Council approve the amendments to the lease agreements with Central Torrance Little League (C2004-223), Riviera Little League (C2004-225), Torrance American Baseball (C2004-226), and West Torrance Little League (C2004-227) to incorporate each League's payment of a portion of their respective water bills.

Item was withdrawn.

8D. AGREEMENT TO FURNISH GASOLINE AND DIESEL FUELS

Considered as Item 12B, see pages 5-6.

8E. APPROVAL OF FINAL TRACT MAP NO 64871

Recommendation

Recommendation of the Community Development Director that City Council approve Final Tract Map No. 64871, creating 16 condominium units on a one-lot subdivision. The project, subdivided by 3915 226th Street, LLC, is located at 3915 226th Street and conforms to and meets all conditions of approval of the Tentative Map.

MOTION: Councilmember Rhilinger moved for the approval of Consent Calendar Items 8B and 8E. The motion was seconded by Councilmember Furey and passed by unanimous roll call vote (absent Councilmember Brewer).

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

8A. CONSULTING SERVICES AGREEMENT RE WATER CONSERVATION PROGRAMS

Recommendation

Recommendation of the Water Commission and the Public Works Director that City Council approve an amendment to extend a consulting services agreement with the West Basin Municipal Water District (WBMWD) (C2006-236) through June 30, 2010 to provide implementation and related support services for various commercial, industrial, institutional, and residential enhanced water conservation programs. The program will be funded by an additional appropriation of \$75,000 to augment the existing enhanced conservation FEAP #629 project resulting in a new not to exceed amount of \$190,000.

Councilmember Numark stated that he was pleased the City has various water conservation programs and encouraged staff to focus on those programs that give "the most bang for the buck."

MOTION: Councilmember Numark moved to concur with the staff recommendation. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote (absent Councilmember Brewer).

12. ADMINISTRATIVE MATTERS

12A. SUPPLEMENTAL RESOLUTION RE POLICE RECORDS TECHNICIANS SALARY RANGE

Recommendation

Recommendation of the City Manager that City Council adopt a RESOLUTION pursuant to a Memorandum of Understanding amending Resolution No. 2007-48 setting forth hours, wages, and working conditions for employees represented by the Torrance City Employees Association (TCEA) to add the 2008 and 2009 salary range for Police Records Technicians.

Management Associate Jones reported that the 2008 and 2009 salary range was inadvertently omitted when Resolution No. 2007-48 was approved in October 2007.

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

RESOLUTION NO. 2008-126

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2007-48 SETTING FORTH HOURS, WAGES AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE EMPLOYEES ASSOCIATION (TCEA)

MOTION: Councilmember Sutherland moved for the adoption of Resolution No. 2008-126. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote (absent Councilmember Brewer).

12B. AGREEMENT TO FURNISH GASOLINE AND DIESEL FUELS

Recommendation

Recommendation of the General Services Director and the Transit Director that City Council authorize a purchasing agreement with Petro-Diamond, Inc. of Long Beach, CA in an amount not to exceed \$3,300,000 annually to provide California Air Resources Board (CARB) approved Ethanol-blended (no MTBE) 87-Octane unleaded gasoline and ultra-low sulfur diesel fuel on an as requested basis (B2008-65). This agreement will cover a period of three (3) years, beginning January 1, 2009 ending December 31, 2011. (*Consent Calendar Item 8D*)

Fleet Services Manager Winnett advised that the contract does not include biodiesel fuel due to recent State legislation regarding underground storage tanks and staff is exploring the possibility of installing an above-ground biodiesel storage tank at the City Yard if the cost-benefit proves viable.

Mayor Scotto questioned whether the amount budgeted takes into account a possible increase in the cost of fuel. Fleet Services Manager Winnett explained that the figure was arrived at in consultation with Finance Department staff and is expected to be sufficient if fuel stays within the \$2.00-3.00 per gallon range, however, the cost of fuel has been very unpredictable.

Charles Deemer, Torrance, requested clarification regarding the contract and the City's fleet, which was provided by Fleet Services Manager Winnett.

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

12C. ACQUISITION OF DOW CHEMICAL RIGHT-OF-WAY FOR DEL AMO EXTENSION PROJECT

Recommendation

Recommendation of the City Manager that City Council authorize the Mayor to execute and the City Clerk to attest to all documents necessary and appropriate for the acquisition of certain rights-of-way required for the Del Amo Boulevard Extension Project.

It is further recommended that an amount of \$5.6 million be either deposited with the Court or into an escrow to conclude the transaction.

Assistant to the City Manager Sunshine reported that Dow Chemical has agreed to the mediator's settlement proposal and staff was requesting approval so the funds could be deposited, if necessary, before the next City Council meeting on January 13, 2009.

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

17. ORAL COMMUNICATIONS # 2

17A. Councilmember Furey reported that he and his wife recently rode on the Santa Float along with Torrance police officers, and commended the Torrance Police Officers Association for organizing this annual event. He wished everyone a happy holiday season.

17B. Councilmember Numark echoed holiday wishes and thanked congregation Beth Torah, Rabbi Spero, and Cantor Bernstein for the menorah lighting ceremony held earlier in the evening, with a special thanks to former Councilmember Hope Witkowsky for initiating the event.

17C. Councilmember Rhilinger reported that she has been appointed to the League of California Cities Public Safety Committee and will be serving until June 2009. She also wished everyone a happy holiday season.

17D. Councilmember Sutherland asked for City Council concurrence to have recycle bins and containers placed in public areas during city functions.

17E. Councilmember Sutherland commented on the holiday season and encouraged everyone who is able to offer a helping hand to those down on their luck.

17F. Councilmember Barnett wished everyone a joyous holiday season and a healthy and prosperous new year.

17G. Mayor Scotto asked for City Council concurrence to have staff prepare recognition for the California State University Dominguez Hills soccer team for winning the National Championship.

17H. Mayor Scotto wished Councilmember Sutherland a happy birthday.

17I. Mayor Scotto expressed gratitude to the City staff and employees for all they have done over the past year.

17J. Mayor Scotto encouraged everyone to “pay it forward” during these difficult times.

17K. City Manager Jackson extended holiday wishes from the staff and the employees.

17L. City Clerk Herbers and City Treasurer Barnett offered holiday wishes on behalf of their staffs as well.

17M. City Manager Jackson noted that City Hall will be closed on December 24, 25 and December 31, 2008 and January 1, 2009 and that most public counters will be closed on Friday, December 26.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 7:32 p.m., the meeting was adjourned to Tuesday, January 13, 2009, at 5:30 p.m. for an executive session, with regular business commencing at 7:00 p.m. in the Council Chambers. December 30, 2008 and January 6, 2009 will be Council dark nights.

***Adjourned in Memory of
Robert Wright***

Attest:

/s/ Frank Scotto
Mayor of the City of Torrance

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

Approved on February 10, 2009