

**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 6:01 p.m. on Tuesday, June 19, 2007 in the City Council Chambers at Torrance City Hall.

ROLL CALL

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

Absent: Councilmember Nowatka.

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 Attorney received information regarding Cook vs California Public Employees Retirement System and City of Torrance Case No. YC054798 and that the City Attorney has requested that the City Council consider adding this item to the agenda because he needs immediate instruction from the Council regarding this matter. In order to take action on a matter that is not on the agenda, the California Government Code requires 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 above-mentioned item to the agenda. The motion was seconded by Councilmember Drevno and passed by unanimous roll call vote (absent Councilmember Nowatka).

The matter was added to the closed session agenda and considered pursuant to Government Code § 54954.2(b)(2) and 54956.9(a).

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 the above-mentioned item and agenda matters listed under 18A) Conference with Labor Negotiator; 18B) Conference with Legal Counsel – Initiation of Litigation; and 18C) Real Property – Conference with Real Property Negotiator, pursuant to California Government § 54957.6, 54956.9(c), and 54956.8.

The City Council reconvened at 7:05 p.m. No formal action was taken on any matter considered in closed session (Item 18C was withdrawn).

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Community Development Director Gibson.

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 Thursday, June 14, 2007.

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 Witkowsky and passed by unanimous roll call vote (absent Councilmember Nowatka).

4. WITHDRAWN OR DEFERRED ITEMS

City Manager Jackson announced that Agenda Items 8Q and 18C had been withdrawn.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Scotto asked that the meeting be adjourned in memory of Jack Carlson, former city employee, who passed away June 12.

Acting Community Services Director Weiner announced that the Annual Old Fashioned 4th of July Celebration will take place from 11:00 a.m. to 9:00 p.m. on Wednesday, July 4 with a spectacular fireworks display at Charles Wilson Park located at 2200 Crenshaw Boulevard. There will be a \$5.00 fee for on-site parking and free parking at designated locations in the Del Amo Fashion Center and Torrance Civic Center with free shuttle service.

Fire Chief Bongard reminded everyone that although fireworks may be sold in neighboring cities, they are illegal in the City of Torrance.

Public Works Director Beste, on behalf of the Metropolitan Water District, reminded residents to conserve water this summer due to water shortage.

Public Works Director Beste reported there has been great participation in the green waste trial program with only one person declining to accept a container. He also reminded those participating to make sure the green waste is loose in the containers and not in plastic bags.

City Clerk Herbers announced that applications were being accepted for appointment to fill the vacancy on the City Council. Information is online or in the City Clerk's office. All applications are due in the City Clerk's office no later than 5:30 p.m. on Wednesday, June 20 with appointment to be made on Tuesday, June 26.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2007-63 RE PHILIP DE SOUZA

RESOLUTION NO. 2007-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING PHILIP DE SOUZA FOR HIS SERVICE AS THE 2006-2007 CHAIRMAN OF THE TORRANCE AREA CHAMBER OF COMMERCE

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2007-63. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote (absent Councilmember Nowatka).

To be presented at a later date.

7. ORAL COMMUNICATIONS #1

7A. Joni Gang, Friends of Torrance Animals, noted they are continuing the Adopt a Classroom Program which supplies humane education materials to the Torrance schools at no cost, with information available on their website www.friendsoftorranceanimals.org or call 877.571.4189. She thanked the Torrance Police Department Animal Control Division for hosting a vaccination/license clinic on June 6 and announced that another vaccination/license clinic would be held Wednesday, June 20, from 7:00 p.m. - 8:30 p.m. located in the parking lot of Wilson Park near the tennis courts.

7B. Joni Gang reported that Lieutenant Jon Megeff was seeking adult volunteers interested in joining the Torrance Police Department Animal Disaster Team, for more information contact Lt. Megeff at 310.618.5725. She also reminded everyone to make sure pets have legible and updated I.D. tags as many pets end up in shelters on July 5.

7C. Joni Gang, on behalf of Friends of Torrance Animals, extended thoughts and prayers to Councilmember McIntyre and family and expressed appreciation for the support she provided in the creation of the Animal Control program in Torrance.

7D. Bonnie Mae Barnard, Save Historic Old Torrance, announced that an Old Torrance Historic Home Tour would be held on July 14 and July 15. She noted that tickets were available at www.savehistoricaldtorrance.com or by calling 310.320.0239.

7E. Janet Payne, Torrance Historical Society, announced that a free walking tour of Downtown Torrance would be held Sunday, June 24, at 1:30 p.m. starting at the museum, located at 1345 Post Avenue, and lasting approximately 1 1/2 hours.

8. CONSENT CALENDAR

8A. APPROVAL OF MINUTES

Recommendation

The **City Clerk** recommends that City Council approve minutes of April 24 and May 1, 2007.

8B. AGREEMENT AMENDMENT WITH ALBERT GROVER & ASSOCIATES

Recommendation

The **Community Development Director** recommends that City Council approve an amendment in the amount of \$10,000 to contract services agreement with Albert Grover & Associates (C2006-237) for a new not to exceed amount of \$92,650 to provide design services for median landscaping on Hawthorne Boulevard and Western Avenue.

8C. CONTRACT SERVICES AGREEMENT WITH FIT KIDS GYMNASTIC CENTER

Recommendation

The **Acting Community Services Director** recommends that City Council approve a contract services agreement with Fit Kids Gymnastics Center, Inc., to provide fee offset gymnastics classes at the Wilson Parks Sports Center, in an amount not to exceed \$44,100.

8D. REVENUE SHARING AGREEMENT WITH SUSAN MANN

Recommendation

The **Acting Community Services Director** recommends that City Council approve a two-year agreement with Susan Mann to provide adult and youth Polynesian dance classes at the Torrance Cultural Arts Center, for an amount not to exceed \$59,345. Expenditure will be fully reimbursed by class fees.

8E. REVENUE SHARING AGREEMENT WITH DORENE COLES

Recommendation

The **Acting Community Services Director** recommends that City Council approve a two-year agreement with Dorene Coles to provide adult Yoga classes at the Torrance Cultural Arts Center, for an amount not to exceed \$95,760. Expenditure will be fully reimbursed by class fees.

8F. PURCHASE ORDER FOR TURNOUT COATS AND PANTS

Recommendation

The **Fire Chief** recommends that City Council authorize a purchase order be issued to L. N. Curtis & Sons, Oakland, CA, in the amount of \$49,249.96 (includes sales tax) for the sole-source purchase of Globe MILLENIA GXTREME turnout coats and pants.

8G. PURCHASE ORDER FOR TRAFFIC CONTROL EQUIPMENT

Recommendation

The **Public Works Director** recommends that City Council authorize a purchase order to be issued to Econolite Control Products of Anaheim, CA, in the amount not to exceed \$100,000, for the sole source purchase of traffic control equipment and signal hardware on an as needed basis from August 1, 2007 to July 31, 2008.

8H. PURCHASE ORDER FOR PERVO BRAND TRAFFIC PAINT

Recommendation

The **Public Works Director** recommends that City Council authorize a purchase order be issued to Pervo Paint of Los Angeles, CA, in the amount not to exceed \$60,000, for the sole source purchase of Pervo brand traffic paint on an as needed basis, from July 1, 2007 through June 30, 2008.

8I. PURCHASE ORDER FOR BOBCAT SKID-STEER LOADER

Recommendation

The **General Services Director** and **Public Works Director** recommend that City Council authorize a purchase order with the Bobcat Company of West Fargo, ND in the amount of \$47,120.14, including sales tax and delivery fee for Bobcat S250 Skid-Steer Loader. Pricing is based upon a cooperative purchasing agreement with the State of California, for which a 1.98% service charge is payable to the State in the amount of \$932.98. (FEAP #579)

8J. PUBLIC WORKS AGREEMENT WITH SOUTHWEST COATINGS, INC.

Recommendation

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

- 1) Appropriate additional gas tax funds in the amount of \$40,000 to the restoration and painting of the Prairie Avenue pedestrian overcrossing, (FEAP #344);
- 2) Approve the plans and specifications for the restoration and painting of the Prairie Avenue pedestrian overcrossing, (B2007-21); and
- 3) Award a public works agreement in the amount of \$102,000 to Southwest Coatings, Inc. for the restoration and painting of the Prairie Avenue pedestrian overcrossing (FEAP #344).

8K. REVISED AGREEMENT WITH WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA

Recommendation

The **Public Works Director** recommends that City Council approve a revised agreement with the Water Replenishment District of Southern California (WRD) to provide treated potable water supplies from the Goldsworthy Desalter Project for the remainder of calendar 2007 through calendar 2009, with an option to extend the agreement for two additional years, through 2011. The revisions are technical language changes that do not have any material impact on the terms of the original agreement previously approved by City Council on April 10, 2007.

8L. CONTRACT SERVICES AGREEMENT WITH BRIGADIER CORPORATION

Recommendation

The **Transit Director** recommends that City Council approve a one-year service agreement with Brigadier Corporation to provide bus cleaning services for an amount not to exceed \$158,080, with the term beginning July 1, 2007 and ending June 30, 2008. (B2007-12)

8M. AMENDED MOU/LOA WITH L.A. COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

Recommendation

The **Public Works Director** recommends that City Council approve the amended and restated Memorandum of Understanding/Letter of Agreement, MOU/ LOA. P0004314S with the Los Angeles County Metropolitan Transportation Authority in conjunction with the Del Amo Boulevard Extension/ Grade Separation, T-30.

8N. REVENUE SHARING AGREEMENT WITH SUPERKIDS

Recommendation

The **Acting Community Services Director** recommends that City Council approve a two-year agreement with SuperKids to provide youth gymnastics classes at the Torrance Cultural Arts Center, for an amount not to exceed \$128,520. Expenditure will be fully reimbursed by class fees.

80. CONTRACT FOR SENIOR CITIZEN EXCURSIONS

Recommendation

The **Community Services Director** recommends that City Council approve a contract with Main Street Tours in the amount of \$30,708; and American Travel Tours in the amount of \$12,000 for senior citizens program excursions planned for the months of July through December, 2007.

8P. RENEWAL OF CONTRACT WITH SEA CLEAR POOLS

Recommendation

The **Acting Community Services Director** recommends that City Council authorize a contract renewal with Sea Clear Pools for the annual pool maintenance of the Benstead Plunge for Fiscal Year 2007-2008 in the amount of \$33,971.25.

8Q. PURCHASE ORDER FOR SUPERCAB AND CHASSIS FOR PARAMEDIC TRUCK

Recommendation

The **General Services Director** and the **Fire Chief** recommend that City Council authorize a purchase order to South Bay Ford of Hawthorne, CA, in the amount of \$36,410.23 including sales tax and applicable tire fees, to furnish one (1) 2008 Ford F450 Supercab and Chassis. This cab and chassis will be used to build an additional fire rescue paramedic truck for Torrance Fire Department.

Item was withdrawn.

MOTION: Councilmember Drevno moved for the approval of Consent Calendar Items 8A through 8P. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmember Nowatka).

10. PLANNING AND ECONOMIC DEVELOPMENT

10A. HAWTHORNE BOULEVARD MEDIAN LANDSCAPE PROJECT

Recommendation

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

- 1) Adopt a Resolution authorizing the Mayor to execute and the City Clerk attest to a revised Administering Agency-State Master Agreement No. 07-5249R and Program Supplement No. N008 with Caltrans for Federal-Aid funds for the Hawthorne Boulevard Landscape Median Project;
- 2) Approve the plans and specifications for the construction of Median Island Improvements for the Beautification of Hawthorne Boulevard from Del Amo Boulevard to Redondo Beach Boulevard (B2007-24); and
- 3) Award a public works agreement to Marina Landscape in the amount of \$694,337 and authorize a 5% contingency in the amount of \$34,716.85 for this project.

Transportation Planning Manager Semaan advised that the Master Agreement will allow the City to seek reimbursement from the State for the Hawthorne Boulevard Median Landscape Project.

Responding to questions from the Council, Mr. Semaan confirmed that efforts have been made to ensure that problems encountered with the contractor for the first phase of the project – Hawthorne Boulevard between Pacific Coast Highway and Torrance Boulevard – will not be repeated.

Mayor Scotto expressed concerns that some of the trees selected for the median landscaping will drop debris on the roadway. City Manager Jackson advised that the trees have been approved by Caltrans and will not present a safety hazard.

Patrick Furey, president of Northwest Torrance Homeowners Association, thanked the Council for moving forward with the project, which he believes will be a great improvement for the area.

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

RESOLUTION NO. 2007-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE REVISIONS TO THE MASTER AGREEMENT NO. 075249R AND PROGRAM SUPPLEMENT AGREEMENT NO. N008 TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 07-5249 BETWEEN THE CITY OF TORRANCE AND THE STATE OF CALIFORNIA

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2007-64. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote (absent Councilmember Nowatka).

12. ADMINISTRATIVE MATTERS

12A. MOU FOR CROSSING GUARD EMPLOYEES

Recommendation

The **City Manager** recommends that City Council adopt a Resolution pursuant to Memorandum of Understanding setting forth the hours, wages, and working conditions for employees represented by Crossing Guard Employees for the period of July 1, 2007 to June 30, 2008. Expenditure: 4% Fiscal Year 2007-2008.

Assistant to the City Manager Sunshine reported that the Memorandum of Understanding was within the parameters established by the City Council.

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

RESOLUTION NO. 2007-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH HOURS, WAGES, AND WORKING CONDITIONS FOR CROSSING GUARD EMPLOYEES FOR THE PERIOD FROM JULY 1, 2007 THROUGH JUNE 30, 2008 AND REPEALING RESOLUTION NO. 2006-73

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2007-65. The motion was seconded by Councilmember Drevno and passed by unanimous roll call vote (absent Councilmember Nowatka).

12B. FIFTH ADDENDUM TO WORLDPORT, LLC LEASE

Recommendation

The **City Manager** recommends that City Council authorize a fifth addendum to lease, (the "Fifth Addendum") by and between Worldport LLC, a Delaware limited liability (successor-in-interest to California Drive-In Theatres, Inc.) ("Landlord"), and The City of Torrance, a municipal corporation, for CLT Worksource Investment Network (WIN) (formerly known as "The City of Torrance, a municipal corporation, for CLT Private Industry Council") ("Tenant"), with reference to that certain Lease dated June 26, 1998 between California Drive-In Theatres, Inc., as landlord, and Tenant for property located at 1891 North Gaffey Street San Pedro, California.

Assistant to the City Manager Sunshine briefly reviewed the terms of the Fifth Addendum to the Worldport, LLC lease per written material of record.

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

13. HEARINGS

13A. CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1

Recommendation

The **Finance Director** recommends that City Council take the following actions:

- 1) Hold a public hearing on the proposed levy of assessments within the City of Torrance Lighting District No. 99-1 for Fiscal Year 2007-2008; and,
- 2) Adopt a Resolution confirming the diagram and assessment for Fiscal Year 2007-2008 and ordering the improvements in connection with the City of Torrance Lighting District No. 99-1. Expenditure: \$2,486,938.

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.

Rick Marshall, resident, urged the Council to repeal this assessment or grant a one-year waiver, relating his understanding that revenue the City receives from Utility Users Tax has increased enough to cover this expense.

City Manager Jackson advised that repealing this assessment would require a significant cut in City services to maintain a balanced budget.

Mayor Scotto noted that the City's contribution will be \$1,188,927, which is over \$300,000 more than last year, with no increase in the rates levied from property owners.

MOTION: Councilmember Sutherland moved to close the public hearing. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmember Nowatka).

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

RESOLUTION NO. 2007-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE CONFIRMING A DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2007-2008 IN CONNECTION WITH THE CITY OF TORRANCE LIGHTING DISTRICT NO. 99-1 PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, AND AS PROVIDED BY ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2007-66. The motion was seconded by Councilmember Drevno and passed by unanimous roll call vote (absent Councilmember Nowatka).

*

The City Council met as the Redevelopment Agency from 7:39 p.m. to 7:40 p.m.

17. ORAL COMMUNICATIONS

17A. Councilmember Drevno noted she had attended the Shery High School graduation and congratulated the graduates.

17B. Councilmember Sutherland thanked those who participated in the Torrance Saves Lives blood drive, noting that 90 employees donated, and that the police department would be holding a blood drive later in the week.

17C. Councilmember Witkowsky reported that she had attended Torrance Day at Dodger Stadium on June 16 and commented on Councilmember Sutherland throwing the first pitch to Councilmember Brewer.

17D. Councilmember Witkowsky thanked Janet Payne of the Torrance Historical Society for sharing a scrapbook titled Touring Torrance that was put together by Torrance 3rd grader Brittany Plunkett.

17E. Councilmember Witkowsky reminded everyone to enter ICE – In Case of Emergency contact information on cell phones to assist first responders.

17F. Councilmember Brewer recognized Pat Furey as the President of the Torrance Education Foundation for 2007-2008.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 7:45 p.m., the meeting was adjourned to Tuesday, June 26, 2007 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

***Adjourned in Memory of
Jack Carlson***

Attest:

/s/ Frank Scotto
Mayor of the City of Torrance

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

Approved on August 21, 2007