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TORRANCE CITY COUNCIL – SEPTEMBER 13, 2016

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At 9:27 p.m., the City Council adjourned to Tuesday, September 20, 2016 at 5:30 p.m. for a closed session, with the regular meeting commencing at 7:00 p.m. in the Council Chamber.

**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 5:31 p.m. on Tuesday, September 13, 2016 in the Council Chamber at Torrance City Hall.

ROLL CALL

Present: Councilmembers Ashcraft, Goodrich, Griffiths, Herring, Rizzo, Weideman and Mayor Furey.

Absent: None.

Present: City Manager Jackson, Assistant City Manager Giordano, City Attorney Fellows, City Clerk Poirier and other staff representatives.

Agenda Item 14 was considered out of order at this time.

14. CLOSED SESSION

The City Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 14A) Conference with Legal Counsel – Anticipated Litigation, and 14B) Conference with Legal Counsel – Existing Litigation, pursuant to California Government Code § 54956.9(d)(4) and § 54956.9(d)(1).

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

2. FLAG SALUTE/ INVOCATION

The flag salute was led by Councilmember Herring.

The non-sectarian invocation was given by Councilmember Rizzo.

3. REPORT OF CITY CLERK ON POSTING OF THE AGENDA/ MOTION TO WAIVE FURTHER READING

City Clerk Poirier reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard and on the City's website on Thursday, September 8, 2016 and an addendum was posted on Friday, September 9, 2016.

MOTION: Councilmember Ashcraft 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 Goodrich and passed by unanimous vote.

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 **WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS**

No items were withdrawn or deferred.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Councilmember Weideman announced that a report from L.A. County West Vector Control District was recently received confirming positives for West Nile Virus at Madrona Marsh and in response, warning signs have been posted on the fence surrounding the marsh and all evening walks and activities will be curtailed.

Councilmember Rizzo announced that the Community Planning and Design Committee met on Tuesday, September 13, 2016 to discuss the refurbishment of the front of City Hall and after reviewing concepts, recommended certain enhancements to the design and changes will be brought back to the next committee meeting.

Councilmember Ashcraft announced that the Los Angeles County Registrar-Recorder/County Clerk will mail sample ballot pamphlets beginning on September 20 through October 18 and vote-by-mail ballots will be mailed beginning October 11, with additional information available at www.LAvote.net.

Councilmember Griffiths announced that the Los Angeles County Registrar-Recorder will be hosting National Voter Registration Day at their Norwalk headquarters on Tuesday, September 27, which will include opportunity drawings, food trucks and music.

City Clerk Poirier invited staff and the public to view the acrylic artwork of Kathie Reis on display in the City Clerk's office for the month of September.

City Clerk Poirier announced that the City Clerk's office is accepting applications for the Civil Service Commission, noting that applicants must have completed a two-hour Commissioner Certification Training class and be an elector of the City of Torrance to apply and applications are due by Tuesday, September 27, on or before 5:00 p.m.

City Clerk Poirier announced that the Los Angeles County Registrar-Recorder/County Clerk is seeking poll workers for the November 8 Presidential Election who are fluent in Japanese and Korean and interested parties may contact the County Clerk at 800-815-2666, Option 7 or register online at www.LAvote.net.

6. **COMMUNITY MATTERS**

6A. **PROCLAMATION RE "COASTAL CLEANUP DAY"**

Mayor Furey presented a proclamation declaring Saturday, September 17, 2016 as Coastal Cleanup Day in the City of Torrance to Sarah Wiltfong from Assemblyman David Hadley's office, Chris Travers (Beach Captain), Hilda Colcasure and Wendy Wolfe (Co-Captains), Sonya Vicerra and Paul Mejia of American Honda, and Donna Duperron of the Torrance Chamber of Commerce.

6B. RECOGNITION OF TORRANCE ADOPTIVE AND FOSTER FAMILY

Mark and Denise Cramer, Torrance residents, were recognized for their efforts to help orphaned children locally and around the world.

Mayor Furey announced that L.A. County Department of Children and Family Services will be hosting an information session on becoming a foster or adoptive parent on Saturday, September 17, 2016 from 11:00 a.m. to 1:00 p.m. at the Toyota Auto Museum.

Dr. Edwina Lewis, Supervisor of L.A. County Department of Children and Family Services, encouraged the public to attend the information session, noting that there is a great need for foster parents in Torrance.

7. ORAL COMMUNICATIONS #1

The following 6 people spoke: Jane Knauss, Brian Katoaka, Tom Bryan, Carol Giles, Kathryn Endo-Roberts and Lynn Robinson.

8. CONSENT CALENDAR

8A. APPROVAL OF MINUTES

Recommendation of the City Clerk that City Council approve the City Council minutes of August 9, 2016, August 16, 2016, and August 23, 2016.

8B. PARKS AND RECREATION COMMISSION 2015-2016 ANNUAL REPORT

Recommendation of the Parks and Recreation Commission and the Community Services Director that City Council accept and file the 2015-2016 Parks & Recreation Commission annual report.

8C. JULY 2016 INVESTMENT REPORT

Recommendation of the City Treasurer that City Council accept and file the monthly Investment Report for the month of July 2016.

8D. COMMISSION ON AGING COMMISSION 2015-2016 ANNUAL REPORT

Recommendation of the Commission on Aging and the Community Services Director that City Council accept and file the 2015-2016 Commission on Aging annual report.

8E. CULTURAL ARTS COMMISSION 2015-2016 ANNUAL REPORT

Recommendation of the Cultural Arts Commission and the Community Services Director that City Council accept and file the 2015-2016 Cultural Arts Commission annual report.

8F. ALLOCATION OF 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS

Recommendation of the Chief of Police that City Council:

- 1) Authorize the acceptance of the 2016 Edward Byrne Memorial Justice Assistance Grant in the amount of \$14,193; and
- 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 and Fair and Impartial Policing training.

8G. AGREEMENT RE LEVEL 2 ELECTRIC VEHICLE CHARGING STATIONS

Considered separately, see pages 4-5.

8H. BUS DISPATCHING AND SCHEDULING SOFTWARE LICENSE AND MAINTENANCE

Considered separately, see page 5.

8I. CONSULTING SERVICES AGREEMENT FOR PLAN REVIEW SERVICES

Recommendation of the Community Development Director that City Council approve a consulting services agreement with California Code Check of Westlake Village, CA for an amount not to exceed \$400,000 for plan review services on an as needed basis from July 1, 2016 to June 30, 2018.

8J. FEE AGREEMENT RE LEGAL SERVICES

Recommendation of the City Attorney that City Council:

- 1) Approve a fee agreement with Liebert Cassidy Whitmore of Los Angeles, CA in the amount of \$35,000 to provide legal services pertaining to the administrative appeal of personnel matter #A16-000568; and
- 2) Appropriate \$35,000 from funding from the Self-Insurance Reserve Fund.

8K. AGREEMENT AMENDMENT RE PURCHASE OF RECYCLABLE MATERIAL

Considered separately, see page 5.

MOTION: Councilmember Rizzo moved for the approval of Consent Calendar Items 8A through 8F, 8I and 8J. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

Consent Calendar Items 8G, 8H and 8K were considered separately at this time.

8G. AGREEMENT RE LEVEL 2 ELECTRIC VEHICLE CHARGING STATIONS

Recommendation of the Transit Director that City Council approve an agreement with the South Coast Air Quality Management District for the construction of eight, Level 2, Electric Vehicle Charging stations.

Administrative Analyst Lee reviewed the staff recommendation.

Councilmember Goodrich suggested that consideration be given to installing Level 1 Electric Vehicle (EV) charging stations instead of Level 2, which can charge an EV in 2-3 hours, since they are to be installed at the Torrance Regional Transit Center Park & Ride lot where commuters leave their vehicles parked for a good portion of the day. As an alternative, he suggested configuring the charging stations so that two parking spaces will have access to each station so that once a vehicle has been charged, another vehicle will be able to use it.

Administrative Analyst Lee agreed to explore these suggestions, noting that the AQMD is very flexible in the use of these grant funds.

Transit Director Turner advised that staff will research how other agencies are utilizing EV charging stations at Park & Ride lots and report back to the Council.

Charles Deemer suggested that having some type of valet service to move a vehicle once it has been charged might allow EV charging stations to be more effectively utilized.

MOTION: Councilmember Goodrich moved to concur with the staff recommendation. The motion was seconded by Councilmember Griffiths and passed by unanimous vote.

8H. BUS DISPATCHING AND SCHEDULING SOFTWARE LICENSE AND MAINTENANCE

Recommendation of the Transit Director that City Council:

- 1) Approve annual payments to Trapeze Software Group, Incorporated of Scottsdale, AZ in an amount not-to-exceed \$180,000 (approximately \$60,000 per year) for continued use of bus scheduling, planning and dispatching software; and
- 2) Authorize payment of current invoices totaling \$23,757.

Administrative Analyst Lee reviewed the staff recommendation.

Councilmember Ashcraft noted that \$23,757 of the requested funding was for agreements that had lapsed and asked about steps to avoid this in the future.

Administrative Analyst Lee advised that the Transit Department has asked to be notified by the Finance Department when purchase orders are near expiration.

Councilmember Griffiths related his understanding that the City did not incur any late fees or interest charges as a result of the lapsed agreements, and this was confirmed by Administrative Analyst Lee.

MOTION: Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by unanimous vote.

8K. AGREEMENT AMENDMENT RE PURCHASE OF RECYCLABLE MATERIAL

Recommendation of the Public Works Director that City Council:

- 1) Approve a third amendment to contract services agreement with WestRock CP, LLC (C2007-115) to cease delivery of recyclable material to their Torrance facility and to pay the City the difference of their contracted rate of \$65 per ton and Potential Industries' rate of \$30 per ton until July 11, 2017; and
- 2) Approve an agreement with Potential Industries, Inc. of Wilmington, California to purchase the City's recyclable material for \$30 per ton for an initial four-year term beginning September 14, 2016 and ending September 13, 2022 with two (2) one-year renewal options.

Sanitation Services Manager Skinner reviewed the staff recommendation.

Charles Deemer asked about the reduction in the amount paid to the City for recyclable material and if this would lead to an increase in trash pick-up rates for residents.

Sanitation Services Manager Skinner reported that the reduction was due to the protracted softening of the recycling market and that staff was in the process of reviewing the financial implications.

MOTION: Councilmember Rizzo moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by unanimous vote.

9. **ADMINISTRATIVE MATTERS**

9A. **2016 GENERAL ELECTION BALLOT MEASURES**

Recommendation of the City Council State Legislative Advocacy Committee that City Council approve and concur with the Committee's position on the state measures on the 2016 General Election scheduled for November 8, 2016.

Mayor Furey reported that the State Legislative Advocacy Committee met on August 30, 2016 to review the measures on the 2016 General Election ballot; discussed the criteria used to determine if the City should take a position on a measure; and provided a brief summary of the ballot measures and the Committee's recommendations.

Proposition 57 – Criminal Sentences. Juvenile Criminal Proceedings and Sentencing. Committee Recommendation: Oppose

MOTION: Councilmember Ashcraft moved to concur with the Committee's recommendation. The motion was seconded by Councilmember Griffiths and passed by unanimous vote.

Proposition 62 – Death Penalty. Committee Recommendation: Support (2-1 vote)

Mike Farrell urged the Council to support Proposition 62, which would repeal the death penalty and replace it with life imprisonment without the possibility of parole.

Councilmember Herring voiced his opinion that it was important to have the death penalty because it serves as a deterrent and instead of repealing it, the justice system should be changed to expedite the process.

Councilmember Ashcraft noted her concurrence with the Police Department's recommendation that the Council oppose Proposition 62.

Councilmember Goodrich agreed that it was important to have a deterrent, but voiced his opinion that having to spend life in prison was actually a worse penalty than being sentenced to death.

MOTION: Councilmember Weideman moved to concur with the Committee's recommendation to support Proposition 62. The motion was seconded by Councilmember Goodrich and failed as reflected in the following vote:

YES: Councilmembers Goodrich and Weideman and Mayor Furey
NOES: Councilmembers Ashcraft, Griffiths, Herring and Rizzo

MOTION: Councilmember Rizzo moved to oppose Proposition 62. The motion was seconded by Councilmember Ashcraft and passed as reflected in the following vote:

YES: Councilmembers Ashcraft, Griffiths, Herring and Rizzo.
NOES: Councilmembers Goodrich and Weideman and Mayor Furey

Proposition 63 – Firearms, ammunition sales. Committee Recommendation: Neutral

In response to Councilmember Rizzo's inquiry, Police Chief Matsuda reported this proposition prohibits the possession of large-capacity ammunition magazines and there are no exemptions for retired police officers who may have such magazines in their possession.

MOTION: Councilmember Ashcraft moved to remain neutral on Proposition 63. The motion was seconded by Councilmember Griffiths and passed by a 6-1 vote, with Councilmember Rizzo voting no.

Proposition 64 – Marijuana Legalization. Committee Recommendation: Oppose

MOTION: Councilmember Ashcraft moved to oppose Proposition 64. The motion was seconded by Councilmember Herring and passed by unanimous vote.

Proposition 65 – Carry-Out Bags. Committee Recommendation: Oppose

MOTION: Councilmember Ashcraft moved to concur with the Committee recommendation to oppose Proposition 65. The motion was seconded by Councilmember Goodrich and passed by unanimous vote.

Proposition 66 – Death Penalty Procedures. Committee Recommendation: Support

MOTION: Councilmember Ashcraft moved to concur with the Committee recommendation to support Proposition 66. The motion was seconded by Councilmember Herring and passed by unanimous vote.

Proposition 67 – Referendum to Overturn Ban on Single-Use Plastic Bags. Committee Recommendation: Support

MOTION: Councilmember Ashcraft moved to concur with the Committee recommendation to support Proposition 67. The motion was seconded by Councilmember Herring and passed by unanimous vote.

Proposition 56 – Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research and Law Enforcement.

Mayor Furey reported that staff determined that Proposition 56 does not meet the City's criteria for taking a position on a ballot measure, however Councilmember Goodrich requested that staff review the matter.

Police Chief Matsuda advised that staff views this proposition primarily as a public health matter and was recommending that the City remain neutral on it. He noted that other law enforcement groups have opposed this measure and similar ones due to fears that driving up the cost of cigarettes will result in an unregulated black market and there's also great concern that the money raised by this tax won't be used as advertised.

Councilmember Goodrich related his understanding that millions of dollars will be made available from the cigarette tax to local law enforcement to aid in the public safety aspect of making sure that minors do not get illegal possession of cigarettes.

Police Chief Matsuda reported that the Police Department does not pursue the illegal sale of cigarettes to minors.

Councilmember Goodrich stated that he would like the Police Department to pursue this because too many lives have been ruined by cigarettes and he believes this proposition is worthy of support.

MOTION: Councilmember Goodrich moved to support Proposition 56, and the motion died for lack of a second.

Measure M – Metropolitan Transportation Authority/Los Angeles County Traffic Improvement Plan.

Mayor Furey reported that no action was required because the Council voted to oppose Measure M at the June 28, 2016 City Council meeting.

Measure A – Regional Park and Open Space District/ The Safe, Clean Neighborhood Parks and Beaches.

Mayor Furey noted that Councilmember Griffiths requested additional information at the Committee meeting about this measure, which was provided in Attachment D to the staff report.

Councilmember Griffiths reported that information provided by staff indicates that Torrance would receive approximately \$0.36 for every \$1.00 contributed as a result of this measure, which in his opinion is far too low, and he believes there would be other options available should this measure not pass that would provide a better return for the support of city parks.

Councilmember Weideman explained that he opposed Measure M because of the low return for Torrance taxpayers and he will also be opposing this measure to be consistent and he believes there are other ways to get money for parks.

Mayor Furey stated that the Community Services Department supports this measure because it would provide a reliable stream of funding and expressed concerns that there was no other way to provide this level of funding for parks if the measure fails other than raising taxes.

Councilmember Griffiths suggested that if Torrance implements its own tax measure, the City would receive all of the proceeds and have full control over how it is spent and the burden on Torrance taxpayers could be reduced while providing more funding for parks.

Councilmember Herring reported that while he shares concerns about the low percentage of return, he would support Measure A because during his recent campaign for office, he heard from residents that they were strongly opposed to any increase in taxes, so he thought it would be very difficult to gain voter approval for a City of Torrance measure.

Mayor Furey noted that the Council's opposition to Measure M was based on the fact that the local return would be only approximately 17%, which is a lot less than the 36% local return the City would receive from this measure. He stressed the need for new park facilities and repairs.

Charles Deemer voiced his opposition to Measure A.

Indicating that he thought both sides of this argument had merit, Councilmember Goodrich asked if there were plans to provide the necessary funding for Torrance parks should Measure A fail to pass.

Community Services Director Jones emphasized that Torrance has greatly benefited from previous measures over the past 20 years and expects to receive approximately \$14 million over the lifespan of this measure. He expressed concerns that there is no other potential source of funding for Torrance parks and approximately \$250 million in needs have been identified.

Councilmember Weideman reiterated his opposition to this measure, noting that a similar measure failed to be approved by voters two years ago and the League of California Cities has recommended a 75% local return.

Noting that he would like the parks to have more than the \$14 million provided by Measure A, Councilmember Griffiths stated that he would support a City of Torrance bond measure and believes that residents would get behind it if it's presented in the proper manner because they care about our parks.

Councilmember Goodrich noted his intention to support Measure A since no other plan to provide the necessary funding has been brought forward.

MOTION: Councilmember Griffiths moved to oppose Measure A. The motion was seconded by Councilmember Weideman and failed to pass as reflected in the following vote:

YES: Councilmembers Griffiths, Rizzo and Weideman

NOES: Councilmembers Ashcraft, Goodrich, Herring and Mayor Furey

MOTION: Councilmember Goodrich moved to support Measure A. The motion was seconded by Councilmember Herring and passed as reflected in the following vote:

YES: Councilmembers Ashcraft, Goodrich, Herring and Mayor Furey

NOES: Councilmembers Griffiths, Rizzo and Weideman

9B. LEAGUE OF CALIFORNIA CITIES RESOLUTION

Recommendation of the City Council State Legislative Advocacy Committee that City Council approve and concur with the Committee's position on the League of California Cities resolution being presented at their annual conference in Long Beach, CA, on October 5 through October 7, 2016.

Mayor Furey reported that the State Legislative Advocacy Committee also considered the League of California Cities resolution "Vision Zero" at their August 30, 2016 meeting and after a presentation by staff and Jeff Kiernan, Regional Public Affairs Manager for the League of California Cities, voted to concur with the recommendation to support this resolution.

Councilmember Weideman related his understanding that there will be vote on Proposition 57 at the League of California Cities annual conference and questioned whether the Council should authorize Councilmember Goodrich, who will be the City's representative, to vote in line with the position taken by the Council.

City Attorney Fellows advised that the Council may not take action on the Proposition 57 matter because it was not included on this meeting's agenda and recommended that it be brought back next week.

MOTION: Councilmember Rizzo moved to concur with the Committee's recommendation. The motion was seconded by Councilmember Ashcraft and passed by unanimous vote.

9C. RESOLUTION RE USE OF FEDERAL TRANSIT ADMINISTRATION GRANT FUNDS

Recommendation of the Transit Director that City Council approve an updated Authorizing Resolution allowing the Transit Department to apply for, receive, and utilize Federal Transit Administration grant funds.

Administrative Analyst Lee reviewed the staff recommendation.

MOTION: Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

MOTION: Councilmember Weideman moved to adopt Resolution No. 2016-80. The motion was seconded by Councilmember Herring and passed by unanimous vote.

9D. REVIEW OF E-NEWSLETTER AND SOCIAL MEDIA POLICY

Recommendation of the City Manager that City Council review the guidelines for publication of the "Torrance eNewsletter" and information on social media.

Cable & Community Relations Manager Smith provided an overview of Torrance eNewsletter and social media guidelines. He noted that an article by the Torrance Refining Company was included in the August 4, 2016 newsletter, which should not have been included given its content, and that he takes full responsibility for this and published an apology in the subsequent edition of the newsletter.

A brief discussion ensued and staff was directed to amend the guidelines to define what type of third-party information is appropriate for posting, procedures for vetting, and a two-step approval process.

9E. RESOLUTION VACATING A PUBLIC UTILITY EASEMENT

Recommendation of the Community Development Director that City Council approve and adopt a Resolution summarily vacating a public utility easement on the east side of Hawthorne Boulevard south of 182nd Street.

Associate Civil Engineer Symons reviewed the staff recommendation.

MOTION: Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by unanimous vote.

MOTION: Councilmember Weideman moved to adopt Resolution No. 2016-81. The motion was seconded by Councilmember Herring and passed by unanimous vote.

9F. AGREEMENT RE DENTAL COVERAGE FOR EMPLOYEES

Recommendation of the City Manager that City Council approve an agreement with Delta Dental of San Francisco, CA in the amount of \$1,110,466 for insurance and group rates for employee Preferred Provider Organization (PPO) dental coverage at \$38.22 single party, \$76.44 two-party, and \$131.87 family for a one-year period beginning January 1, 2017 and ending January 1, 2018.

Sr. Management Associate Rowe viewed the staff recommendation.

MOTION: Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by unanimous vote.

10. HEARINGS – None scheduled.

11. APPEALS – None scheduled.

12. SECOND READING ORDINANCES – None scheduled.

13. ORAL COMMUNICATIONS #2

Councilmember Weideman, with the concurrence of Council, requested that staff bring forward an item for discussion regarding the possibility of reducing the \$43 fine for violating street sweeping no parking restrictions.

Councilmember Ashcraft spoke.

Councilmember Griffiths spoke.

Mayor Furey spoke.


14. CLOSED SESSION

Considered earlier, see page 1.

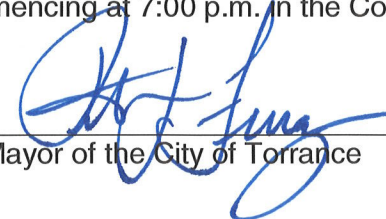
15. ADJOURNMENT

At 9:27 p.m., the City Council adjourned to Tuesday, September 20, 2016 at 5:30 p.m. for a closed session, with the regular meeting commencing at 7:00 p.m. in the Council Chamber.

Attest:



Rebecca Poirier
City Clerk of the City of Torrance



Mayor of the City of Torrance

Approved on September 20, 2016