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TORRANCE CITY COUNCIL – DECEMBER 6, 2016

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At 10:28 p.m., the City Council adjourned to Tuesday, December 13, 2016 at 5:30 p.m. for a closed session, with regular business 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 5:45 p.m. on Tuesday, December 6, 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, Deputy City Clerk Parker and other staff representatives.

*

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

14. CLOSED SESSION

City Attorney Fellows announced that Item 14B) Conference with Legal Counsel – Existing Litigation had been withdrawn.

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 Labor Negotiator pursuant to California Government Code §54957.6.

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 Ashcraft.

The non-sectarian invocation was given by Councilmember Goodrich.

The Torrance Civic Chorale performed a medley of holiday songs.

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

Deputy City Clerk Parker reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard and on the City's website on Thursday, December 1, 2016.

MOTION: Councilmember Ashcraft moved that after the Deputy 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 7-0 vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

Item 14B was withdrawn; supplemental material was available for Items 10A and 10E (2).

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Weideman announced that the Finance and Governmental Operations Committee met earlier to discuss the 2016-17 First Quarter Budget Review and Investment Portfolio Report and will be forwarding an item to the City Council for approval at the December 13, 2016 Council meeting.

Councilmember Griffiths announced that free public Wi-Fi is now available in the Council Chamber during City Council meetings. w

Fire Chief Serna announced that the monthly testing of the Torrance Refining Company community alert siren will take place on Wednesday, December 7, 2016 at 11:30 a.m.

Mayor Furey announced that the Federal Legislative Advocacy Committee will meet on Tuesday, December 13, 2016 in the Third Floor Assembly Room at 2:00 p.m. to discuss the 2017 Priority Projects.

Mayor Furey announced that the Torrance Education Foundation will host a New Year's Eve Celebration on Saturday, December 31, 2016 at the Double Tree Hotel in Torrance from 8:00 p.m. until the early hours of 2017, with additional information available at www.torranceeducationfoundation.org.

6. COMMUNITY MATTERS

6A. QUARTERLY UPDATE FROM SOUTH BAY WORKFORCE INVESTMENT NETWORK

Chris Cagle, Regional Affairs Manager for South Bay Workforce Investment Network, provided a quarterly update on services provided to the community.

7. ORAL COMMUNICATIONS #1

The following 10 people spoke: Denise Miller, Andy Zander, Kevin Tyler, Brian Nguyen, Linda McGonegal, Elaine Wilson, Sandra Viera, Mark Stephenson, Charles Deemer and Annay Picazo.

8. CONSENT CALENDAR

8A. APPROVAL OF MINUTES

Recommendation of the City Clerk that City Council approve the City Council minutes of November 15, 2016 and November 22, 2016.

8B. OCTOBER 2016 MONTHLY INVESTMENT REPORT

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for the month of October 2016.

8C. AGREEMENT RE SOFTWARE SUPPORT FOR CITY-WIDE FINANCIAL SYSTEM

Recommendation of the Communications & Information Technology Director and Finance Director that City Council approve an annual support agreement with Tyler Technologies of Troy, MI in the amount of \$65,170 for software maintenance and support of the City-wide financial system from January 1, 2017 to December 31, 2017.

8D. APPROPRIATION OF FUNDS FOR UNDERGROUNDING OF UTILITIES AND STREET LIGHTS

Recommendation of the Public Works Director that City Council appropriate \$23,787.46 of Utility Underground Impact Fee Funds to the Undergrounding of Overhead Utilities and Installation of Underground Streetlights along Del Amo Blvd between Henrietta and Victor; and Van Ness, I-114 for a new not-to-exceed budget of \$226,404.21.

8E. PURCHASE ORDERS FOR 2017 GMC TRUCKS FOR STREETScape MAINTENANCE

Recommendation of the Public Works Director that City Council:

- 1) Award a purchase order to Courtesy Chevrolet of San Diego, CA (B2016-52) in the amount of \$62,157.25 for one (1) Model Year 2017 GMC Sierra 1500HD 2WD Regular Cab Long Box and for one (1) Model Year 2017 GMC Sierra 3500HD 2WD Regular Cab with Rugby Eliminator LP 3-yard dump body; and
- 2) Award a purchase order to Reynolds Buick/GMC/Isuzu Inc. of Covina, CA (B2016-52) in the amount of \$111,942.00 for three (3) Model Year 2017 GMC Sierra 2500HD 2WD Double Cab with Pacific Body Model 840790 Utility Body.

8F. REJECTION OF BID FOR 2017 FREIGHTLINER CNG M2-106 WITH AERIAL DEVICE

Recommendation of the Public Works Director that City Council reject the bid received for one (1) Model Year 2017 Freightliner CNG M2-106 with Versalift Model Articulating Overcenter Aerial Device (B2016-45).

MOTION: Councilmember Rizzo moved for the approval of Consent Calendar Items 8A, 8B, 8C, 8D, 8E and 8F. The motion was seconded by Councilmember Griffiths and passed by 7-0 vote.

9. ADMINISTRATIVE MATTERS

9A. SUSPENSION OF PARKING ENFORCEMENT FOR STREET SWEEPING VIOLATIONS DURING 2016-17 HOLIDAY SEASON

Recommendation of the Police Chief and Public Works Director that City Council:

- 1) Suspend parking enforcement for street sweeping violations during the 2016-2017 holiday season beginning December 18, 2016 and ending January 1, 2017; and
 - 2) Maintain weekly street sweeping operations during this period; and
 - 3) Uphold this practice for future street sweeping schedule during the holiday season.
- Police Lieutenant Goffney reviewed the staff recommendation.

Councilmember Griffiths thanked the Police Department for bringing this item forward per his request so out-of-town guests who are not aware of parking restrictions will not be ticketed during the holiday season.

MOTION: Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

9B. APPOINTMENT OF WEST VECTOR CONTROL DISTRICT REPRESENTATIVE

Recommendation of the City Manager that Mayor Furey appoint Councilmember Kurt Weideman as the representative to the West Vector Control District Board of Los Angeles County for a two-year appointment from January 1, 2017 through December 31, 2018.

MOTION: Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by 6-1 vote, with Councilmember Griffiths voting no.

9C. 2017 STATEMENT OF INVESTMENT POLICY

Recommendation of the City Treasurer that City Council adopt a Resolution establishing the 2017 Statement of Investment Policy.

City Treasurer Cortez provided a brief summary of the staff report.

MOTION: Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

MOTION: Councilmember Weideman moved to adopt Resolution No. 2016-92. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

9D. REPORT ON PURCHASE OF SCE STREET LIGHTING SYSTEM

Recommendation of the City Manager and the Public Works Director that City Council receive and file a report and determine that the City will not proceed to purchase the street lighting system offered for sale by the Southern California Edison Company (SCE).

Engineering Manager Finton reviewed the staff recommendation.

Public Works Director Beste explained that SCE recently completed approximately \$20 million in improvements to the street lighting system so the price to purchase it is currently quite high therefore staff was recommending that the City not proceed with the purchase, however the City may wish to revisit this issue in 20 years when these improvements have depreciated.

Councilmember Griffiths expressed disappointment that it was not feasible to go forward with the purchase at this time. He related his belief that the City could do a better job of maintaining the streetlights, noting that SCE has been slow to convert to LED lights and there are many non-functioning streetlights, for which the City still must pay.

Councilmember Goodrich echoed concerns about the quality of service being provided by SCE. He recommended that staff explore the conversion of streetlights to LED fixtures through SCE's LS-1 Option E program as discussed in the staff report because in addition to being more energy efficient, LED lights offer a better quality of light with less light pollution.

Engineering Manager Finton reported on the potential benefits of the LS-1 Option E program.

City Manager Jackson advised that staff will continue to explore options with SCE, as well as opportunities to replace SCE's streetlights with its own streetlights wherever possible.

Councilmember Rizzo requested that staff return with an update on these options in February 2017.

Councilmember Griffiths encouraged people to report non-functioning streetlights via the "My SCE" app on their smartphones.

Charles Deemer requested clarification regarding costs for the City's streetlight system, which was provided by staff.

MOTION: Councilmember Ashcraft moved to concur with the staff recommendation and direct staff to return with an update on options in February 2017. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

10. HEARINGS

10A. CITY OF TORRANCE REVENUE NOTES (TORRANCE MEDICAL CENTER)

Recommendation of the Finance Director that City Council:

- 1) Conduct a public hearing to approve the issuance of revenue notes by the City of Torrance for the benefit of the Torrance Memorial Medical Center, Series 2016A and 2016B; and
- 2) Adopt a Resolution approving the issuance of revenue notes by the City of Torrance for the benefit of the Torrance Memorial Medical Center, Series 2016A and 2016B.

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

Mayor Furey invited public comment, and no one came forward. He asked if any written comments had been received on this matter prior to the hearing, and Deputy City Clerk Parker reported that no comments had been received.

MOTION: Councilmember Weideman moved to close the public hearing. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

MOTION: Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

MOTION: Councilmember Weideman moved to adopt Resolution No. 2016-93. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

10B. APPROVAL OF RATE INCREASES FOR SEWER COLLECTION SERVICE CHARGES

Recommendation of the Public Works Director that City Council:

- 1) Conduct a public hearing on a series of annual rate increases; and
- 2) Adopt a Resolution approving a series of annual rate increases in the City of Torrance sewer (wastewater) collection service charges for the five-year period of 2017 through 2021. Specifically, the Resolution authorizes a new rate structure, re-aligns rates to conform to cost of service criteria as required under Proposition 218 and provides for annual adjustment in rates through 2021; and
- 3) Maintain the discount rate for low income senior and disabled customers; and
- 4) Approve January 1, 2017 as the effective date for the sewer (wastewater) collection service rate increase.

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

City Attorney Fellows provided a brief overview of the process required to comply with Proposition 218.

With the aid of slides, Public Works Director Beste explained the budget gap that has necessitated increases in sewer collection service rates; provided an overview of the process used to determine the proposed rate structure; reviewed average rate increases for residential, commercial and industrial customers; and discussed customer options for reducing sewer charges.

Responding to questions from the Council, Public Works Director Beste provided clarification regarding the proposed rate structure and reported on ways multi-unit residential complexes could reduce their costs.

Mayor Furey emphasized the importance of preventative maintenance in order to avoid the major damage that can occur as a result of sewer backups.

Mayor Furey invited public comment.

Glen Musicer urged the Council to reject the proposed rate structure because he believes it unfairly burdens condominium owners. He called for each household to be charged the same fixed amount whether it is a single-family residence, condominium or apartment.

Kyle Devine voiced objections to the proposed rate increase, relating her belief that it would disproportionately affect those who have made an effort to conserve water.

Richard Windish urged the Council to reconsider the proposed rate structure, which he believes is inequitable to those who live in multi-family complexes.

In response to Councilmember Goodrich's inquiry, Public Works Director Beste confirmed that the per unit increase for a multi-family complex would be approximately the same or slightly less than a single-family residence under the proposed rate structure. He noted that staff is available to work with multi-family complexes with high water usage to help them find ways to lower their costs.

Mark Stephenson contended that the CPI (Consumer Price Index) adjustments for inflation included in the rate structure are not allowed per the California Government Code.

Public Works Director Beste advised that the rate structure was reviewed by outside legal counsel with expertise in this area, who confirmed that the methodology used was appropriate.

Charles Deemer requested clarification regarding the CPI model to be used and sewer treatment costs, which was provided by staff.

Elaine Wilson requested information about the number of the protest cards received, and Mayor Furey reported that the number will be announced at the conclusion of the hearing.

Ross Kotain expressed concerns that the analysis on which the rate structure was based is flawed and asked that the decision on this matter be delayed so he could discuss this with staff.

Mayor Furey announced that this was the last opportunity to submit a written protest, and no one came forward to do so.

MOTION: Councilmember Weideman moved to close the public hearing. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

At 9:34 p.m., the City Council recessed to allow the Deputy City Clerk to tally the protest ballots received.

The Council reconvened at 9:43 p.m.

Deputy City Clerk Parker announced that 1,342 protest ballots were received, which is not enough to affect the Council's action.

Councilmember Weideman voiced support for the proposed rate structure.

Referring to Mr. Kotain's comments, Councilmember Ashcraft explained that notice of the proposed rate increase was mailed to residents 45 days prior to this hearing to allow time for them to discuss their concerns with staff and the Council in advance of the hearing and many had done so.

Councilmember Griffiths commended staff for their efforts, pointing out that the City's rates are very low as compared to other cities in the region.

Mayor Furey also commended staff for their prudent management. He noted that the City goes beyond the requirements of Proposition 218 in terms of notifying the public about proposed rate increases and facilitating the filing of a protest.

MOTION: Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Griffiths and passed by 7-0 vote.

MOTION: Councilmember Weideman moved to adopt Resolution No. 2016-94. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

10C. ADOPTION OF 2016 CALIFORNIA BUILDING CODE AND LOCAL AMENDMENTS

Recommendation of the Community Development Director that City Council:

- 1) Conduct a public hearing on the 2016 California Building Code; and
- 2) Adopt a Resolution with Finding of Fact in support of certain City of Torrance local amendments to the 2016 California Building Code; and
- 3) Adopt an Ordinance adopting the 2016 California Building Code with local amendments; and
- 4) Approve an Ordinance Summary for publication.

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

Mayor Furey invited public comment, and no one came forward to speak.

MOTION: Councilmember Weideman moved to close the public hearing. The motion was seconded by Councilmember Griffiths and passed by 7-0 vote.

MOTION: Councilmember Weideman moved to adopt Resolution No. 2016-95. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

MOTION: Councilmember Weideman moved to adopt Ordinance No. 3806. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

10D. PRE15-00010: 2602 PACIFIC COAST HIGHWAY – BEN AGARWAL (KHURANA)

Recommendation of the Planning Commission and the Community Development Director that City Council:

- 1) Deny the appeal and approve a Precise Plan of Development to allow the construction of a two-unit residential development on property located within the Hillside Overlay District in the R3-PP Zone.*This project is Categorically Exempt from CEQA per Guidelines Section 15303 – New Construction; and
- 2) Adopt a Resolution denying the appeal.

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

With the aid of slides, Planning Associate Martinez briefly reviewed the proposed project; shared photographs taken from various vantage points in the neighborhood; and reported that the Planning Commission voted to approve the project on August 17, 2016 with a condition that the height be reduced by 4 feet for a maximum height of 25.71 feet.

Councilmember Rizzo asked if the Planning Commission considered requiring sill heights of windows facing the property to the rear to be raised to address privacy concerns, and Planning Associate Martinez reported that this was not discussed.

Councilmember Ashcraft disclosed that she met with property owners at City Hall and had driven by the property; Councilmember Goodrich disclosed that he also met with the property owners when they visited City Hall; Councilmember Rizzo disclosed that he met with the property owners and had driven by the property; Councilmember Griffiths disclosed that he met with the property owners at City Hall and had visited the property earlier today and drove around the neighborhood to view the silhouette from different angles; Councilmember Weideman disclosed that he met with the property owner; Councilmember Herring disclosed that he met with the property owner; and Mayor Furey disclosed that he met with the property owners some time ago and drove by the property, but did not speak with anyone.

Michael Aguirre, appellant, explained that he lives to the rear of the project and has never been opposed to it, but filed the appeal because it was unclear as to whether the project has been reduced 4 feet in height as required by the Planning Commission because the silhouette remains unchanged.

Planning Associated Martinez confirmed that the project will be reduced 4 feet in height as required by Condition Nos. 3 and 4.

Ben Agarwal, representing the property owner, reported that he tried to explain that the height would be lowered, but Mr. Aguirre did not understand.

Councilmember Rizzo noted that landscaping currently provides a privacy screen for Mr. Aguirre's property, but that could change should the proposed Landscaping Ordinance be

adopted. He asked if Mr. Agarwal would be amenable to raising the sill height of second-story windows facing Mr. Aguirre's property.

Mr. Agarwal doubted that there would be any view into properties to the rear due to the difference in elevation and related his belief that the project would not impact privacy.

Planning Associate Martinez advised that the sill height of the rear window in Bedroom 4 could be raised, however it would be problematic to change the sill height of the window in Bedroom 3 due to light and ventilation requirements.

Gloria Davenport reported that she lives next door to the subject property and expressed concerns about the project's impact on her quiet neighborhood.

Mayor Furey noted a scrivener's error in Resolution No. 2016-96.

MOTION: Councilmember Goodrich moved to close the public hearing. The motion was seconded by Councilmember Weideman and passed by 7-0 vote.

MOTION: Councilmember Weideman moved to deny the appeal and approve PRE15-00010. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

MOTION: Councilmember Weideman moved to adopt Resolution No. 2016-96 as corrected. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

10E. ADOPTION OF 2016 CALIFORNIA FIRE CODE AND LOCAL AMENDMENTS

Recommendation of the Fire Chief that City Council:

- 1) Conduct a public hearing on the 2016 California Fire Code; and
- 2) Adopt a Resolution with Finding of Fact in support of certain City of Torrance local amendments to the 2016 California Fire Code; and
- 3) Adopt an Ordinance adopting the 2016 California Fire Code with local amendments; and
- 4) Approve an Ordinance Summary for publication.

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

Mayor Furey invited public comment, and no one came forward to speak.

MOTION: Councilmember Weideman moved to close the public hearing. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

MOTION: Councilmember Weideman moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

MOTION: Councilmember Weideman moved to adopt Resolution No. 2016-97. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

MOTION: Councilmember Weideman moved to adopt Ordinance No. 3807. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

11. APPEALS – None scheduled.

12. SECOND READING ORDINANCES

12A. SECOND AND FINAL READING OF ORDINANCE NO. 3805

Second and Final reading of Ordinance No. 3805 repealing and replacing Article 8 of Chapter 3 of Division 4 of the Torrance Municipal Code relating to waste reduction and recycling requirements for construction and demolition projects.

MOTION: Councilmember Weideman moved to adopt Ordinance No. 3805. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

13. ORAL COMMUNICATIONS #2

Councilmember Herring spoke.

Councilmember Rizzo spoke.


14. CLOSED SESSION

Considered earlier, see page 1.

15. ADJOURNMENT

At 10:28 p.m., the City Council adjourned to Tuesday, December 13, 2016 at 5:30 p.m. for a closed session, with regular business 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 January 10, 2017