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**TORRANCE CITY COUNCIL – JANUARY 14, 2014**

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At 10:26 p.m., the meeting was adjourned to Tuesday, January 28, 2014 at 5:30 p.m. for an executive session, with regular business commencing at 7:00 p.m. in the Council Chamber.

**Tuesday, January 21 will be a Council dark night.**

January 14, 2014

**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 5:30 p.m. on Tuesday, January 14, 2014 in the Council Chamber at Torrance City Hall.

**ROLL CALL**

Present: Councilmembers Ashcraft, Barnett, Brewer, Furey\*, Sutherland, Weideman and Mayor Scotto.

\*arrived at 5:35 p.m.

Absent: None.

Present: City Manager Jackson, 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 Legal Counsel – Existing Litigation, and 18B) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code §54956.9(d)(1) and §54956.8.

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 Leilani Kimmel-Dagostino.

The non-sectarian invocation was given by Councilmember Weideman.

**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 Wednesday, Thursday, January 9, 2014.

**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 Brewer and passed by unanimous vote.

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 WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS**

No items were withdrawn or deferred; supplemental material was available for Items 12A, 12C and 12F.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Mayor Scotto announced that the City Council Ad Hoc Federal Legislative Advocacy Committee will meet on Thursday, January 16, at 4:30 p.m. in the City Manager Assembly room to receive an update from the Pacific Gateway Workforce Investment Network.

City Clerk Herbers invited staff and public to view the pastels of Torrance Artist Guild member Mary Pichette on display in the City Clerk's office for the month of January.

City Clerk Herbers announced that the deadline to submit commission applications is Wednesday, January 22, at 5:30 p.m., with appointments to fill vacancies on various commissions and advisory boards to be made at the January 28, 2014 City Council meeting.

Mayor Scotto announced that there are various levels of sponsorship available for the Maple Avenue sports fields currently under construction, which include a listing on the donor wall, with additional information available at 310.618.5807.

**6. COMMUNITY MATTERS**

**6A. RESOLUTION NO. 2014-04 RE GEORGE JAX**

**RESOLUTION NO. 2014-04**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING FIREFIGHTER **GEORGE JAX** OF THE TORRANCE FIRE DEPARTMENT UPON HIS RETIREMENT FROM THE CITY OF TORRANCE AFTER THIRTY YEARS OF SERVICE

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2014-04. The motion was seconded by Councilmember Furey and passed by unanimous vote.

Mayor Scott presented the resolution to George Jax, who accepted with appreciation.

Fire Chief Racowschi commended Firefighter Jax for his dedicated service and wished him well in his retirement.

**6B. RESOLUTION NO. 2014-05 RE DONALD NASH**

**RESOLUTION NO. 2014-05**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING **DONALD NASH** OF THE PUBLIC WORKS DEPARTMENT UPON HIS RETIREMENT FROM THE CITY OF TORRANCE AFTER TWENTY-FOUR YEARS OF SERVICE

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2014-05. The motion was seconded by Councilmember Furey and passed by unanimous vote.

Mayor Scott presented the resolution to Donald Nash, who accepted with appreciation.

Public Works Director Beste commended Mr. Nash for his dedicated service and wished him well in his retirement.

**7. ORAL COMMUNICATIONS #1**

**7A.** Joel Massa, Western Museum of Flight, announced that the museum will be presenting a lecture on the Mercury Manned Space Program on Saturday, January 18, at 11:00 a.m., with additional information available at [www.WMOF.com](http://www.WMOF.com).

**7B.** Robin Pardy , resident, expressed concerns about a hospice facility planning to locate in residence on El Dorado Street due to the impact on traffic and parking, noting that there are three schools in the immediate area. She requested that the business license for this facility be held until an environmental impact study is completed.

**7C.** Mario Obejas, resident, recommended that the commissioner certification program be made easier for residents to volunteer and participate. His suggestions included providing training a few weeks prior to appointments, offering web-based and/or video versions of the training, and allowing commission appointees to complete the training after being appointed.

**7D.** Debbie Hays, Torrance Historical Society, invited the public to a presentation on the Goodyear blimp featuring John Creighton who piloted the craft for 37 years on Sunday, January 19, at 2:00 p.m. in the museum located at 1345 Post Avenue.

**7E.** Janet Payne, Old Torrance Neighborhood Association, invited the public to attend the association's first meeting of the year featuring Mayor Frank Scotto on Wednesday, January 15, at 7:00 p.m. in the Bartlett Center, located at 1318 Cravens Avenue.

**8. CONSENT CALENDAR**

**8A. APPROVAL OF MINUTES**

**Recommendation**

Recommendation of the City Clerk that City Council approve the City Council minutes of November 26, December 3, and December 10, 2013.

**8B. NOVEMBER 2013 MONTHLY INVESTMENT REPORT**

**Recommendation**

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for November 2013.

**8C. AGREEMENT AMENDMENT RE GRANT WRITING SERVICES**

**Recommendation**

Recommendation of the City Manager that City Council approve the first amendment to the amended and restated agreement with Blais & Associates (C2013-101) to increase agreement in the amount of \$25,000 with a not to exceed amount of \$64,500 for grant writing services through June 30, 2014.

**8D. CLASS SPECIFICATION FOR LEAD AIRPORT WORKER POSITION**

**Recommendation**

Recommendation of the Human Resources Administrator and the Civil Service Commission that City Council approve the proposed class specification for lead airport worker position.

**8E. AGREEMENT AMENDMENT RE 2012 URBAN AREA SECURITY INITIATIVE GRANT**

**Recommendation**

Recommendation of the Chief of Police that City Council

- 1) Approve a first amendment to the 2012 Urban Area Security Initiative (UASI) subrecipient agreement with the City of Los Angeles (C2013-171); and
- 2) Authorize the City Manager as the city signatory for the amendment.

**MOTION:** Councilmember Brewer moved for the approval of Consent Calendar Items 8A through 8E. The motion was seconded by Councilmember Barnett and passed by unanimous vote.

**10. PLANNING AND ECONOMIC DEVELOPMENT**

**10A. APPROVAL OF RELEASE OF RFP FOR INSTALLATION OF PUBLIC ELECTRIC VEHICLE CHARGING STATIONS**

**Recommendation**

Recommendation of the Community Development Director and Torrance Environmental Quality and Energy Conservation Commission that City Council approve the release of a Request for Proposal (RFP) document seeking a qualified vendor to install, operate, and maintain public electric vehicle charging stations at various locations throughout the city.

With the aid of slides, Sr. Planning Associate Santana provided background information about the proposal to expand the electric vehicle infrastructure by installing 14 charging stations in six public parking lots in Torrance and discussed the recommended rate structure, time limits and signage for the EV charging stations. He stated that with the Council's approval, staff will prepare a Request for Proposal (RFP) seeking a qualified vendor to install, manage and maintain the charging stations. He reported that the City has received \$112,000 from a 50% matching grant program to offset the cost of installing the charging stations. He noted that the Environmental Quality and Energy Conservation Commission held a public hearing on November 7, 2013 to review the proposal and it was met with enthusiastic support.

In response to Councilmember Brewer's inquiry, Sr. Planning Associate Santana confirmed that the proposal is revenue neutral, with the vendor to install, manage and maintain the stations as no cost to the City and that the 2 existing EV charging stations will have the same time limits and rate structure as the 14 new ones.

A brief discussion ensued regarding staff's recommendation that the RFP allow for a range of pricing between \$1.50 – \$3.00 per hour for charging stations so that vendors have some flexibility in drafting their proposals. There was also discussion as to whether vehicles that exceed the four-hour time limit for charging stations should be towed or issued citations.

Mayor Scotto invited public comment.

Mike Griffiths, chair of the Environmental Quality and Energy Conservation Commission, reported that the commission strongly supports the proposal and hopes the City's action will encourage businesses to install EV charging stations in their parking lots.

Mario Obejas, resident, suggested that staff contact local businesses that have installed EV charging stations so the City can learn from their experience. He related his understanding that the charging stations were not successful at Costco.

Mayor Scotto recommended that the RFP allow vendors the option of including a fast-charging station (Level III) at a higher rate per hour. He indicated that he favored allowing a range of pricing for the other EV charging stations, such as \$1.50 - \$2.50.

Councilmember Brewer preferred the \$1.50 - \$3.00 range recommended by staff since narrowing it might discourage vendors from bidding and result in fewer proposals.

Councilmember Sutherland expressed concerns that allowing a range of pricing could lead to a bidding war and cause vendors to cut corners. He proposed limiting the cost to \$1.50 per hour. He recommended that vehicles that exceed the four-hour limit be towed because the vendor will make no money if vehicles remain at charging stations for extended periods after they are fully charged.

Sr. Planning Associate Santana clarified that vehicles parked at charging stations will continue to be charged the per hour fee even after the vehicle is fully charged.

In response to Commissioner Weideman's inquiry, Sr. Planning Associate Santana confirmed that proposals will not be evaluated solely on the basis of per hour pricing and various factors will be considered, including the vendor's track record.

Councilmember Furey suggested the possibility of a variable rate structure, which would allow vendors to charge a higher hourly rate during peak hours and offer a reduced rate at times when there is less demand.

**MOTION:** Councilmember Brewer moved to approve the release of an RFP for the installation/operation/maintenance of 14 EV charging stations in 6 locations and the upgrade of 2 existing EV charging stations, with the options to include rates per hour between \$1.50- \$3.00, a variable rate structure, and one Level III charging station. The motion was seconded by Councilmember Furey and passed by unanimous vote.

Mayor Scotto requested that the City Attorney's office work with the Police Department to draft appropriate regulations concerning the enforcement of EV charging station time restrictions.

## **12. ADMINISTRATIVE MATTERS**

### **12A. 2013-1018 FIVE-YEAR CAPITAL BUDGET PLAN FOR GENERAL FUND PROJECTS**

#### **Recommendation**

Recommendation of the Finance Director that City Council adopt the 2013-2018 five-year Capital Budget Plan for General Fund Projects.

Finance Director Tsao reported that on November 19, 2013, the City Council deferred action on the 2013-2018 five-year Capital Budget Plan for projects requiring funding from the

General Fund pending additional information on three projects - Bluff Street Storm Drain/Gutter Improvements, Del Amo Boulevard Median Landscape Upgrade, and Madrona Right-of-Way Improvements – which has been provided in the agenda material.

Mayor Scotto invited public comment.

Krishna Nand, Madrona Avenue resident, stated that he and other residents who live near the Madrona right-of-way support Option C (installation of ornamental grass with irrigation system and concrete bike/walking path: cost \$450,000 + \$27,000 annual maintenance).

Sarada Nilakantan, 227<sup>th</sup> Street resident, expressed support for Option C, relating her belief that it would greatly enhance the quality of life for nearby residents. She suggested installing landscaping similar to Seaside Heroes Park to reduce maintenance costs.

Voicing support for Option C, Derek Ellis, 227<sup>th</sup> Street resident, reported that the right-of-way has been an eyesore for many years and is in great need of maintenance.

Brian Demeules, 227<sup>th</sup> Street resident, stated that he supports Option C because it would provide a place for people to walk/jog other than the street and a place for children to play since there are no parks within walking distance of the neighborhood.

Lee Ybarra, Del Amo Boulevard resident, urged that the Council approve the median landscape upgrade for Del Amo Boulevard.

Norm Segel, Bluff Street resident, called for the Council to fund Bluff Street storm drain/gutter improvements as a matter of safety, noting the City's potential liability should someone slip and fall due to the accumulation of algae.

City Manager Jackson advised that while all three are worthy projects, other projects that have been recommended for funding would have to be deferred if the Council decides to approve any of them.

A brief discussion ensued regarding Bluff Street storm drain/gutter improvements, and Public Works Director Beste confirmed that Option B (installation of new gutter inlet and storm drain system to connect with L.A. County storm drain system: Cost \$200,000 + \$1,000 annual cleaning maintenance) would resolve the algae problem.

Councilmember Sutherland voiced his opinion that the Bluff Street improvements should be done as soon as possible due to potential liability issues.

**MOTION:** Councilmember Sutherland moved to fund Bluff Street storm drain/gutter improvements - Option B in the first year of the Capital Budget. The motion was seconded by Councilmember Furey and passed by unanimous vote.

There was a brief discussion of the Del Amo Boulevard Median Landscape Upgrade (Cost \$950,000) and Councilmember Weideman indicated that he favored going ahead with the landscaping project as soon as funding becomes available.

Councilmember Sutherland related his belief that it would be more efficient and more economical to delay the median landscape upgrade until scheduled street improvements to Del Amo Boulevard are completed.

City Manager Jackson reported that the Del Amo Boulevard Channelization Project, which involves the addition of an eastbound through lane at Van Ness, has been included on the Capital Improvement Projects list but it is outside the scope of this Capital Budget.

Finance Director Tsao advised that it would be possible to fund the median landscape upgrade using a source other than General Funds if it is done in conjunction with the channelization project.

**MOTION:** Councilmember Brewer moved to include the Del Amo Median Upgrade in the Del Amo Boulevard Channelization Capital Improvement Project. The motion was seconded by Councilmember Sutherland and passed by a 6-1 vote, with Councilmember Weideman dissenting.

A brief discussion ensued regarding Madrona Right-of-Way Improvements.

Mayor Scotto recommended that the Council approve Option D (explore private development of the property). He explained that there is a potential solution involving the private development of the property, which requires further discussion with nearby property owners.

City Manager Jackson advised that the potential solution needs to be discussed by the Council in executive session before sharing it with the public and estimated that it would take approximately six months for staff to bring back a formal recommendation. He suggested that the Council could direct staff to explore Option D, and if it does not come to fruition, staff could be directed to find another source of funding, possibly year-end carry-over funds.

**MOTION:** Councilmember Furey moved to approve Option D – explore private development of the property and if this does not succeed, the project will be placed as a priority in the Capital Budget for this fiscal year and brought back to the Council to discuss other funding sources, possibly year-end carry over funds. The motion was seconded by Councilmember Barnett and passed by unanimous vote.

**MOTION:** Councilmember Weideman moved to adopt the 2013-2018 five-year Capital Budget Plan for General Fund Projects. The motion was seconded by Councilmember Barnett and passed by unanimous vote.

The City Council took a brief recess from 9:15 p.m. to 9:33 p.m.

## **12B. AGREEMENTS RE MACHADO LAKE TRASH TMDL PROJECT, CIP NO. 1-138**

### **Recommendation**

Recommendation of the Public Works Director that City Council:

- 1) Approve additional appropriation of \$284,099 from the Sewer Enterprise Fund balance to the Machado Lake Trash TMDL Project, CIP No. I-138 for a new not to exceed project cost of \$2,511,499;
- 2) Award a public works agreement to United Storm Water, Inc. for a not to exceed amount of \$1,969,899 for installation of catch basin screens and no parking signs;
- 3) Award a consulting services agreement to California Watershed Engineering Corporation for a not to exceed amount of \$99,216 for inspection services; and
- 4) Award a consulting services agreement to Murakawa Communications, Inc. for a not to exceed amount of \$40,540 for public outreach services.

Engineering Manager Dettle provided an overview of the Machado Lake Trash TMDL Project.



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

**12C. RESOLUTIONS CALLING THE JUNE 3, 2014 GENERAL MUNICIPAL ELECTION**

**Recommendation**

Recommendation of the City Clerk that City Council:

- 1) Adopt a Resolution calling a General Municipal Election on Tuesday, June 3, 2014 for the purpose of electing the Mayor, three councilmembers for four year terms; one councilmember for a two year term; City Clerk and City Treasurer;
- 2) Adopt a Resolution requesting Los Angeles County Board of Supervisors to agree to consolidate the election on the Statewide Primary Ballot; and
- 3) Adopt a Resolution stating policy and regulations for candidate statements.

City Clerk Herbers wanted to clarify that a charter amendment was not proposed for this election. She explained that the City Council on December 17, 2013 agreed to her request to bring back an item to consider a proposed charter amendment to extend the time-frame for filling Council vacancies, since both the public and the Council had expressed concerns about the short time period to make an important decision, however, due to the nature of this election with a large number of candidates seeking office and the need to focus on current issues, there would not be sufficient time to allow a full and transparent study of this matter so she was withdrawing her request.

Deputy City Clerk Poirier provided background information about the election process and briefly reviewed the three resolutions necessary to call the June 3, 2014 Municipal Election for Mayor, four Councilmembers, City Clerk and City Treasurer. She requested direction from the Council regarding candidate statements, explaining that the cost of printing the statements will not be known until after the election; that historically, the Council has kept the cost to candidates relatively low with the City assuming the balance of the cost; that eight candidates paid \$400 for a 200-word statement in 2012 and the City's cost was \$9,953; and that the resolution, as written, sets the cost to candidates at \$500 or half the actual printing cost, whichever is higher.

In response to Councilmember Weideman's inquiry, City Attorney Fellows confirmed that it was not a conflict of interest for current Councilmembers who intend to be candidates in the June 3, 2014 election to vote on the resolution setting the cost of candidate statements.

Mayor Scotto indicated that he favored leaving the cost at \$400 for candidate statements.

**MOTION:** Councilmember Weideman moved to concur with the staff recommendation, amending Resolution 2014-08 to set the cost to candidates for candidate statements at \$400. The motion was seconded by Councilmember Sutherland and passed by unanimous vote.

**RESOLUTION NO. 2014-06**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE  
CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE  
HELD ON TUESDAY, JUNE 3, 2014, FOR THE ELECTION OF CERTAIN  
OFFICERS AS REQUIRED BY THE PROVISIONS OF THE CHARTER

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2014-06. The motion was seconded by Councilmember Furey and passed by unanimous vote.

**RESOLUTION NO. 2014-07**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON JUNE 3, 2014 WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THE DATE PURSUANT TO §10403 OF THE ELECTIONS CODE

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2014-07. The motion was seconded by Councilmember Furey and passed by unanimous vote.

**RESOLUTION NO. 2014-08**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, JUNE 3, 2014

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2014-08 as amended. The motion was seconded by Councilmember Furey and passed by unanimous vote.

**12D. REVISED CLASS SPECIFICATIONS FOR WATER OPERATIONS SUPERINTENDENT AND WATER SERVICE SUPERVISOR POSITIONS**

**Recommendation**

Recommendation of the Human Resources Administrator that City Council approve the revised class specifications for Water Operations Superintendent and Water Service Supervisor positions.

Human Resources Manager Lawrence briefly reviewed the proposed revisions to the class specifications for Water Operations Superintendent and Water Service Supervisor positions, noting that they were approved by the Civil Service Commission at their meeting on January 13, 2014.

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

**12E. REVISED CLASS SPECIFICATIONS FOR SENIOR FIRE PREVENTION SPECIALIST AND FIRE PREVENTION SPECIALIST POSITIONS**

**Recommendation**

Recommendation of the Human Resources Administrator that City Council approve the revised class specifications for Senior Fire Prevention Specialist and Fire Prevention Specialist positions.

Human Resources Manager Lawrence briefly reviewed the proposed revisions to the class specifications for Senior Fire Prevention Specialist and Fire Prevention Specialist positions, explaining that they were necessary due to the restructuring of the Fire Department's Fire Prevention Division.

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

**12F. RESOLUTION RE SALARY RANGES/PREMIUMS FOR WATER OPERATIONS SUPERINTENDENT AND WATER SERVICE SUPERVISOR**

**Recommendation**

Recommendation of the Human Resources Administrator that City Council adopt a Resolution pursuant to the Memorandum of Understanding amending Resolution No. 2011-79 for employees represented by Torrance Professional and Supervisory Association (TPSA) implementing changes to the salary ranges and premiums for the classifications of Water Operations Superintendent and the Water Service Supervisor for an expenditure of \$17,000.

Human Resources Manager Lawrence reported that the proposed resolution implements the salary range and modifies premiums in accordance with the revised class specifications approved under Item 12D.

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

**RESOLUTION NO. 2014-09**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2011-79 SETTING FORTH HOURS AND WAGES FOR THE WATER OPERATIONS SUPERINTENDENT AND WATER SERVICES SUPERVISOR CLASSIFICATIONS REPRESENTED BY THE TORRANCE PROFESSIONAL AND SUPERVISORY ASSOCIATION BEGINNING JANUARY 14, 2014

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2014-09. The motion was seconded by Councilmember Furey and passed by unanimous vote.

**12G. RESOLUTION RE SALARY RANGES/PREMIUMS FOR SENIOR FIRE PREVENTION SPECIALIST AND FIRE PREVENTION SPECIALIST**

**Recommendation**

Recommendation of the Human Resources Administrator that City Council adopt a Resolution pursuant to the Memorandum of Understanding amending Resolution No. 2011-76 for employees represented by Engineers and Torrance Fiscal Employees Association implementing changes to the salary ranges and premiums for the classifications of Senior Fire Prevention Specialist and Fire Prevention Specialist for an anticipated annual savings of \$3,537.

Human Resources Manager Lawrence reported that the proposed resolution implements the salary range and modifies premiums in accordance with the revised class specifications approved under Item 12E.

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

**RESOLUTION NO. 2014-10**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE

AMENDING RESOLUTION NO. 2011-76 SETTING FORTH HOURS AND WAGES FOR THE SENIOR FIRE PREVENTION SPECIALIST AND FIRE PREVENTION SPECIALIST CLASSIFICATIONS REPRESENTED BY THE ENGINEERS AND TORRANCE FISCAL EMPLOYEES ASSOCIATION BEGINNING JANUARY 14, 2014

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2014-10. The motion was seconded by Councilmember Furey and passed by unanimous vote.

**13. HEARINGS**

**13A. APPROPRIATION OF 2014-2015 COMMUNITY BLOCK GRANT FUNDS**

**Recommendation**

Recommendation of the Community Development Director that City Council conduct a public hearing, consider public input, and adopt a Resolution authorizing the allocation and appropriation of 2014-2015 Community Development Block Grant (CDBG) funds as follows: 1) Sidewalk Repair for handicap accessibility \$464,272.

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.

Deputy Community Development Director Cessna reported that staff was recommending that the City's 2014-2015 Community Development Block Grant funds be used to repair sidewalks to improve accessibility for those with mobility impairments.

Mayor Scotto invited public comment.

Leilani Kimmel-Dagostino, resident, recalled that these funds were used in the past for the City's Home Improvement Program, and Deputy Community Development Director Cessna advised that the City has identified another funding source for the Home Improvement Program, which will make it easier to administer.

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

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

**RESOLUTION NO. 2014-11**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING APPROVING CITY OF TORRANCE REVISED COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2014-2015

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2014-11. The motion was seconded by Councilmember Furey and passed by unanimous vote.

**14. APPEALS**

**14A. APPEAL OF AIRPORT NOISE HEARING BOARD DECISION REGARDING**

## **AIRCRAFT N514SR**

### **Recommendation**

Recommendation of the Community Development Director and the Airport Noise Hearing Board that the determination by the Airport Noise Hearing Board that a violation of the Airport Noise limits was committed on April 22, 2013 by Aircraft N514SR, piloted by Dr. Ripu Arora be upheld.

Deputy Community Development Director Cessna reported that on October 7, 2013, the Airport Noise Hearing Board determined that a Cirrus aircraft (N514SR) piloted by Dr. Ripu Arora exceeded daytime noise standards when departing Torrance Airport on April 22, 2013. She explained that Dr. Arora subsequently sent an email stating that he stayed at a lower altitude than usual because he needed to avoid cloud cover, however pilots are advised that they should await better weather conditions if their aircraft is likely to violate noise standards. She noted that Dr. Arora was making an IFR (Instrument Flight Rules) departure, which would generally not require a pilot to avoid cloud cover because it's designed to allow pilots to fly based on instrument readings rather than actual visibility. She indicated that this was the second strike for this particular aircraft and it could be banned from Torrance Airport if it receives three strikes.

Mayor Scotto asked if this type of aircraft was inherently loud, and Deputy Community Development Director Cessna reported that while the Cirrus is a high-powered aircraft, there are a number of pilots at Torrance Airport who are able to fly it without violating noise limits.

City Attorney Fellows emphasized that the City Council's review was limited to the administrative record and the findings of the Airport Noise Hearing Board and Councilmembers may not ask questions to elicit information not contained in the record.

Ripu Arora, appellant, stated that he encountered wind shear when departing the airport on April 22, 2013, which caused a drop in altitude and triggered a noise sensor. He reported that he has taken off and landed at Torrance Airport over 1200 times over the past 12 years without violating noise standards. He discussed steps he has taken to ensure that it does not happen again, including seeking advice from his flight instructor and pilots who fly similar aircraft, having his aircraft checked for mechanical problems, and performing noise tests at the airport. He contended that the violation was unavoidable due to weather conditions and requested that the Council overturn the Airport Noise Hearing Board's decision.

Councilmember Brewer questioned how much the aircraft's altitude dropped due to wind shear, and Mr. Arora responded that it was not uncommon for an aircraft to drop 100-200 feet and wind shear was something that cannot be anticipated by pilots.

City Attorney Fellows advised that there was no mention of wind shear or the aircraft's losing altitude in the administrative record so it may not be considered in this hearing.

In response to Mayor Scotto's inquiry, Deputy Community Development Director Cessna reported that IFR flights can be more problematic than VFR (Visual Flight Rule) flights when it comes to noise violations due to the flight path and that is why pilots are cautioned not to fly if weather conditions are unfavorable.

Dr. Arora stated that he was not able to attend the October 7, 2013 hearing so this was the first time he had an opportunity to present his case.

Councilmember Weideman related his belief that there was substantial evidence in the record to support the Airport Noise Hearing Board's determination that a noise violation was committed on April 22, 2013 by Aircraft N51SR piloted by Dr. Ripu Arora.

**MOTION:** Councilmember Weideman moved to deny the appeal and uphold the decision of the Airport Noise Hearing Board. The motion was seconded by Councilmember Barnett and passed by unanimous vote.

**17. ORAL COMMUNICATIONS #2**

**17A.** Councilmember Ashcraft offered a reminder for those interested in learning about becoming a Court Appointed Special Advocate (CASA) for foster children that there will be an informational meeting on Saturday, January 18, from 10:00 a.m. – 12:00 p.m. at the Ladera Linda Community Center in Rancho Palos Verdes.

**17B.** Councilmember Barnett encouraged the public to donate to the Maple Avenue sports fields and asked that staff prepare a letter with the City's tax exempt ID number for donors so they will have this information for tax preparers.

**17C.** Councilmember Sutherland offered a quote from Martin Luther King in honor of the national holiday next Monday.

**18. EXECUTIVE SESSION**

Considered earlier in the meeting, see page 1.

**19. ADJOURNMENT**

At 10:26 p.m., the meeting was adjourned to Tuesday, January 28, 2014 at 5:30 p.m. for an executive session, with regular business commencing at 7:00 p.m. in the Council Chamber.

**Tuesday, January 21 will be a Council dark night.**

Attest:

/s/ Frank Scotto

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers, CMC  
City Clerk of the City of Torrance

Approved on February 11, 2014