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TORRANCE CITY COUNCIL – JULY 22, 2014

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At 9:13 p.m., the meeting was adjourned to Tuesday, August 5, 2014 at 5:30 p.m. for an executive session, with regular business commencing at 7:00 p.m. in the Council Chamber. Tuesday, July 29, 2014 will be a Council dark night.

**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 5:32 p.m. on Tuesday, July 22, 2014 in the Council Chamber at Torrance City Hall.

ROLL CALL

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

Absent: None.

Present: City Manager Jackson, City Attorney Fellows, City Clerk Poirier 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 Labor Negotiator, 18B) Conference with Legal Counsel – Existing Litigation, 18C) Conference with Legal Counsel – Anticipated Litigation, and 18D) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code §54957.6, 54956.9(d)(1), 54956.9(d)(4) and 54956.8.

The City Council reconvened at 7:05 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 Barnett.

The non-sectarian invocation was given by Councilmember Goodrich.

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 on Friday, July 18, 2014.

MOTION: Councilmember Goodrich 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 Rizzo and passed by unanimous vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

No items were withdrawn; supplemental material was available for Item 12B.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Furey invited the public to attend a memorial for hometown hero Louis Zamperini on Thursday, July 31, at 6:00 p.m. at Torrance High's Zamperini Stadium, located at 2125 Lincoln Avenue.

Mayor Furey announced that the City will be holding a public meeting to address issues related to Car2Go car sharing service on Wednesday, July 30, from 7:00 to 9:00 p.m. in the West Annex meeting room at City Hall. He noted that questions and concerns may be submitted to the Office of Economic Development at economicdevelopment@TorranceCA.gov or 310.618.5807.

Mayor Furey stated that for some time Torrance has had only one newspaper able to handle legal advertisements, but at least one additional publication has become qualified to meet Code requirements for legal advertising in the last few months. With the concurrence of Council, he directed staff to prepare a Request for Proposal (RFP) for the next legal advertisement contract to allow any qualified publication to compete for the City's business.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2014-88 RE MAYOR FRANK SCOTTO

RESOLUTION NO. 2014-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
HONORING **MAYOR FRANK SCOTTO** FOR HIS MANY YEARS OF
DEDICATED SERVICE TO THE COMMUNITY

MOTION: Councilmember Ashcraft moved to adopt Resolution No. 2014-88. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

To be presented at a later date.

6B. RESOLUTION NO. 2014-89 RE CITY COUNCILMAN TOM BREWER

RESOLUTION NO. 2014-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
HONORING **COUNCILMAN TOM BREWER** FOR HIS MANY YEARS
OF DEDICATED SERVICE TO THE COMMUNITY

MOTION: Councilmember Ashcraft moved to adopt Resolution No. 2014-89. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

To be presented at a later date.

6C. RESOLUTION NO. 2014-90 RE CITY COUNCILMAN BILL SUTHERLAND

RESOLUTION NO. 2014-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
HONORING **COUNCILMAN BILL SUTHERLAND** FOR HIS MANY YEARS
OF DEDICATED SERVICE TO THE COMMUNITY

MOTION: Councilmember Ashcraft moved to adopt Resolution No. 2014-90. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

To be presented at a later date.

6D. RECOGNITION OF ROTARY CLUB OF DEL AMO YOUTH EXCHANGE PROGRAM PARTICIPANTS

Mayor Furey introduced Rotary Club of Del Amo Youth Exchange Program participants Natsuki Ono and Keiichiro Takagi from Saitama, Japan, and presented them with certificates of recognition.

7. ORAL COMMUNICATIONS #1

7A. Ken Drennon, Torrance, expressed concerns about the condition of the street in front of his house on 164th Street.

7B. Tanya Martin and Lloyd Brown, Torrance, provided background information about the damaging effects of vitamin deficiencies and urged the public to sign an on-line petition requesting that the Affordable Care Act mandate that testing for vitamin deficiencies be covered under preventative care and that necessary vitamin supplements be covered the same as any other prescription if deficiencies are found.

7C. Steve Norris, Torrance, announced that the Aerospace Players will be presenting *A Funny Thing Happened on the Way to the Forum* July 24 -26 at the Armstrong Theatre.

7D. Michael Shafer, chef/restaurateur, invited the public to attend free concerts in the plaza near the Buffalo Fire Department restaurant located at 1261 Cabrillo Avenue on Saturdays from 6:00 to 9:00 p.m.

7E. Debbie Hays, Torrance Historical Society, thanked all who attended, assisted with, and donated to the 10th annual Rock Around the Block event held on July 17, with a special thanks to Toyota Motor Sales for sponsoring it. She noted that the Torrance Historical Museum will be open on Thursdays during the summer from 4:00 to 8:00 p.m. in order to coordinate with the Downtown Torrance Marketplace.

7F. Dan Thomas, Torrance Community Ambassador for American Red Cross, announced that the July 23 Torrance Area Chamber of Commerce meeting will feature information about smart phone apps for disaster preparedness.

7G. Janet Payne, Torrance Historical Society, announced that there will be a free walking tour of old Torrance on Sunday, July 27, beginning at 1:30 p.m. in front of the museum located at 1345 Post Avenue.

8. CONSENT CALENDAR

8A. PURCHASE ORDER FOR COMPUTER EQUIPMENT AND SOFTWARE

Recommendation

Recommendation of the Communications and Information Technology Director that City Council award annual purchase orders for computer equipment and software for July 22, 2014, through June 30, 2015 to the following:

- 1) Golden Star Technology, Inc. of Cerritos, CA for an amount not to exceed \$196,276; and
- 2) I-O Corporation of Bluffdale, UT for an amount not to exceed \$42,248.

8B. AGREEMENT AMENDMENT RE DOWNTOWN TORRANCE MARKETPLACE

Recommendation

Recommendation of the Community Development Director that City Council authorize an amendment to the consultant services agreement with Michael Shafer (C2012-128) for the Downtown Torrance Marketplace to extend the agreement through August 8, 2015.

8C. CONTRACT EXTENSION FOR TELEPHONE MAINTENANCE AND SUPPORT

Recommendation

Recommendation of the Communications and Information Technology Director that City Council award an optional 2nd year extension of the telephone maintenance and support contract with Digital Telecommunications Company of Van Nuys, CA (C2013-157) for an amount not to exceed \$48,049 for the period of July 1, 2014 to June 30, 2015.

8D. APPROPRIATION OF GRANT FUNDS FOR USED TIRE RECYCLING COLLECTION

Recommendation

Recommendation of the Public Works Director that City Council appropriate \$21,000 in grant funds for a regional tire recycling collection grant awarded to Torrance as the lead city along with the cities of Duarte and Gardena.

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

12. ADMINISTRATIVE MATTERS

12A. RESOLUTION SUPPORTING BAY DELTA CONSERVATION PLAN

Recommendation

Recommendation of the Water Commission and the Public Works Director that City Council take a position of support and adopt a Resolution supporting the adoption of the Bay Delta Conservation Plan (BDCP), including development of a new twin tunnel water conveyance system.

With the aid of slides, Russ Lefevre, Torrance representative on Metropolitan Water District (MWD) Board, provided background information about the drought and the impact on the state's water supply. He provided an overview of the Bay Delta Conservation Plan (BDCP), which involves the development of new water delivery infrastructure, including a twin tunnel water conveyance system to be built under the Delta, and the restoration of the ecosystem for over 150,000 acres of Delta habitat. He reviewed the \$25 billion budget for the project (\$16 billion for conveyance infrastructure/\$9 billion for eco-restoration) and sources of funding. He discussed the economic benefits and the timeline for the project. He emphasized that the project is essential to ensure a reliable water supply and failure to act could be catastrophic.

In response to Councilmember Weideman's inquiry, Mr. Lefevre clarified that funding for the project was not tied to the water bond measure on the November 2014 election ballot.

Mayor Furey invited public comment.

Alfred Sattler, chair of South Bay Sierra Club, stated that the Sierra Club supports sensible alternatives to the construction of the giant tunnels proposed in the BDCP, such as the upgrading of levees. He contended that the damage that has been done to the Delta is due to over-pumping, which has a direct relationship to the decline of the salmon reproduction. He urged that more emphasis be placed on water conservation, noting that the tunnels will take many years to construct and will be no help with regard to the current drought.

Mr. Lefevre responded that the BDCP will help address the decline in the salmon population and the MWD places great emphasis on water conservation.

Steve Arakawa, Metropolitan Water District, reported that water efficiency measures, including conservation efforts and the use of recycled water, have resulted in a substantial reduction in water imported from the State water project.

Public Works Director Beste noted that the City adopted a water conservation ordinance earlier this year and per capita usage is down approximately 10% from a year ago. He advised that staff supports the BDCP because the City will always have to rely on water from the Sacramento Delta despite efforts to expand the local water supply.

Commissioner Goodrich reported that his research revealed several organizations that oppose the BDCP, including the League of Women Voters, which issued a press release stating that it is a bad deal for taxpayers because it establishes a funding structure that has no ongoing legislative oversight. Indicating he was not inclined to support the resolution, he expressed concerns about the heavy reliance on a water supply 300 miles away in view of today's national security environment.

Rick Marshall, Water Commission member, urged support of the BDCP, stressing the need for a reliable water supply. He related his understanding that 50% of the water in the Delta currently flows into the ocean and the tunnels will help capture this water. He clarified that the cost of the new water conveyance infrastructure will be paid for by water consumers not taxpayers.

Mark Stephenson, Torrance, voiced his opinion that the BDCP was not the most effective use of resources.

Public Works Director Beste reiterated staff's support for BDCP, explaining that the region will have to rely on a variety of sources to meet the demand for water as the population continues to grow.

Mayor Furey noted that the proposed resolution simply expresses support for the project, which is currently undergoing environmental review, and it is not binding on the public.

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

RESOLUTION NO. 2014-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE

ADOPTING A RESOLUTION IN SUPPORT OF THE BAY DELTA CONSERVATION PLAN (BDCP), RELIABLE WATER SUPPLIES AND ENVIRONMENTAL RESTORATION

MOTION: Councilmember Ashcraft moved to adopt Resolution No. 2014-92. The motion was seconded by Councilmember Weideman and passed by unanimous vote, with Councilmember Goodrich abstaining.

12B. ORDINANCE RE MASSAGE ESTABLISHMENTS CLOSED FOR CRIMINAL ACTIVITY

Recommendation

Recommendation of the City Attorney that City Council adopt an Ordinance prohibiting the opening of a new massage establishment within two years following the closure of a prior massage establishment in the same location for criminal activity.

City Attorney Fellows reported that the proposed ordinance was originally brought forward on June 24, 2014, but the matter was continued so staff could look into a request from Sherry Davis of the Miyako Hybrid Hotel that the ordinance be amended to include an exemption for businesses like the hotel where the spa is operated by a contractor and massage is an ancillary service. He advised that staff believes such an exception was unnecessary and unwarranted because should the City's License Supervisor invoke the two-year licensure bar, there is an appeals process that would allow a property owner an opportunity to present exonerating evidence and make a case for exception due to extenuating circumstances. He noted supplemental material available at the meeting responding to a letter from Ms. Davis received after the close of business last week, along with a detailed history of the City's efforts to regulate massage establishments. He requested that the Ordinance be amended to change the Torrance Municipal Code Section to be added from 35.11.19 to 35.14.155.

In response to Councilmember Ashcraft's inquiry, City Attorney Fellows reported that he was recommending a two-year ban because a period longer than that could be deemed confiscatory.

Cheryl Zimmerman, Marcelina Avenue, downtown Torrance business owner, expressed support for the proposed ordinance. She reported that her restaurant is located next to a massage business that has been raided numerous times due to criminal activity and it has disrupted her business. She stated that a resident of a nearby condominium complex asked her to relay concerns that the massage business causes embarrassment when visitors come to her home and could lead to a reduction in property values.

Sherry Davis, representing the Miyako Hybrid Hotel, requested clarification regarding what might qualify as "exonerating evidence" and City Attorney Fellows provided examples.

Ms. Davis reiterated her request that an exemption be included in the ordinance for businesses that offer massage as an ancillary service when illegal activity occurs that is beyond their control. She stated that even though the City has indicated that a business would not be shut down on the basis of a one-time violation, the ordinance does not state this.

Mayor Furey voiced his opinion that the proposed ordinance was a well-crafted statute that gives the City the authority to address a serious problem, noting that State regulations have hampered the ability of local governments to regulate massage establishments.

Councilmember Barnett voiced support for the ordinance, relating his belief that the appeals process provides adequate protection for legitimate businesses.

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

ORDINANCE NO. 3776

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING ARTICLE 44 14 OF CHAPTER 5 OF DIVISION 3 OF THE TORRANCE MUNICIPAL CODE AND ADDING SECTION ~~35.14.19~~ 35.14.155 RESTRICTING THE OPENING OF A NEW MASSAGE ESTABLISHMENT IN A LOCATION IN WHICH A PRIOR MASSAGE ESTABLISHMENT HAS BEEN CLOSED DUE TO CRIMINAL ACTIVITY

MOTION: Councilmember Ashcraft moved to adopt Ordinance No. 3776 as amended and approve an ordinance summary for publication. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

12C. DESIGNATION OF VOTING DELEGATE FOR 2014 LEAGUE OF CALIFORNIA CITIES CONFERENCE

Recommendation

Recommendation of the City Manager that City Council approve the designation of Councilmember Tim Goodrich as the voting delegate to represent the City of Torrance at the 2014 League of California Cities Annual conference from September 3 to September 5, 2014 in Los Angeles, CA.

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

12D. GOLDSWORTHY DESALTER EXPANSION GRANT APPLICATION

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Adopt a Resolution adopting the Integrated Regional Watershed Management Plan (IRWMP) for the Goldsworthy Desalter Expansion grant application; and
- 2) Authorize the Public Works Director to vote to adopt the IRWMP as a member of the Regional Watershed Management Group.

Public Works Director Beste provided an overview of the Goldsworthy Desalter Expansion project, which would expand the treatment system from 2.5 MGD (million gallons per day) to 5.0 MGD. He noted that the project is in line for a \$4 million grant and this action is necessary to complete the grant application.

Mark Stephenson, Torrance, requested clarification regarding the funding of the project, which was provided by Public Works Director Beste.

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

RESOLUTION NO. 2014-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE,

CALIFORNIA, APPROVING THE ADOPTION OF THE 2014 UPDATED GREATER LOS ANGELES COUNTY REGION INTEGRATED REGIONAL WATER MANAGEMENT PLAN

MOTION: Councilmember Ashcraft moved to adopt Resolution No. 2014-93. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

12E. CONTRACT FOR PUEBLO PARK IMPROVEMENTS

Recommendation

Recommendation of the General Services Director and Community Services Director that City Council:

- 1) Determine that the Pueblo Park Improvement is categorically exempt from environmental review pursuant to Section 15332, Class 32 of the Guidelines implementing California Environmental Quality Act (CEQA);
- 2) Award a contract with Malibu Pacific Tennis Courts for \$399,095.60 with a 5% contingency of \$19,955 for the Pueblo Park Improvements (B2014-22); and
- 3) Approve a contract amendment with Land Concern Ltd. (C2012-230) to extend the term to December 31, 2014 in form subject to the approval of the City Attorney's office.

Sr. Business Manager Megerdichian briefly described the Pueblo Park Improvement Project, which will develop a vacant lot into park space that includes a grass playing field, walking path and restroom facilities. She noted that construction is expected to take approximately 4 months and is scheduled to be completed by the end of the year.

Councilmember Weideman commented positively on the project, noting that the winning bid came in under cost estimates.

Mayor Furey credited Pueblo Homeowners Association President Ruben Ordaz and his wife for helping spearhead the effort to develop this park.

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

16. SECOND READING ORDINANCES

6A. SECOND AND FINAL READING OF ORDINANCE NO. 3775

ORDINANCE NO. 3775

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF TORRANCE AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

MOTION: Councilmember Ashcraft moved to adopt Ordinance No. 3775. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Ashcraft thanked the Torrance Historical Society and everyone involved for the very enjoyable and well-attended Rock Around the Block event on July 17.

17B. Councilmember Barnett announced that the movie *Marley and Me* will be presented on Saturday, July 26, at La Romeria Park beginning at dusk as part of the “Movies in the Park” program sponsored by the Community Services Department and Torrance homeowner associations, with additional information available at www.TorranceCA.gov/3737HTM or by calling 310.618.2930.

17C. Mayor Furey thanked Councilmember Weideman for serving as Mayor Pro Tem for the last 6 months and noted that Councilmember Ashcraft will serve in this capacity for the next 6 months.

17D. Mayor Furey invited the public to attend a reception for former Mayor Frank Scotto and former Councilmembers Tom Brewer and Bill Sutherland on Wednesday, July 23, in the Toyota Meeting Hall at 4:30 p.m.

18. EXECUTIVE SESSION

Considered earlier, see page 1.

19. ADJOURNMENT

At 9:13 p.m., the meeting was adjourned to Tuesday, August 5, 2014 at 5:30 p.m. for an executive session, with regular business commencing at 7:00 p.m. in the Council Chamber. **Tuesday, July 29, 2014 will be a Council dark night.**

Attest:

/s/ Patrick J. Furey

Mayor Patrick J. Furey

/s/ R. Poirier

City Clerk Rebecca Poirier, MMC

Approved on August 26, 2014