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TORRANCE CITY COUNCIL DECEMBER 9, 2014

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At 10:30 p.m., the meeting was adjourned to Tuesday, December 23, 2014 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chamber. Tuesday, December 16, will be a City Council dark night.

December 9, 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 5:42 p.m. on Tuesday, December 9, 2014 in the Council Chamber at Torrance City Hall.

ROLL CALL

Present: Councilmembers Ashcraft, Barnett, Goodrich, Griffiths, 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 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 pursuant to California Government Code §54957.6.

The City Council reconvened at 7:01 p.m. with all members present. No formal action was taken on any matter considered in closed session.

Newly elected State Assemblyman David Hadley, 66th District, introduced himself to the Mayor, City Council and staff.

2. FLAG SALUTE/ INVOCATION

The flag salute was led by State Assemblyman David Hadley.

The non-sectarian invocation was given by Rabbi Gary Spero.

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**

City Clerk Poirier reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, December 4, 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 WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

No items were withdrawn; Consent Calendar Item 8I was deferred to the December 23, 2014 City Council meeting following discussion; Item 14A was removed and referred to the Environmental Quality and Energy Conservation Commission; supplemental material was available for Items 8E, 8F, 8H, 8I, 8J, 8K, 12B, 12D, and 14A.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Weideman announced that the City Council Citizen Development and Enrichment Committee will be conducting a joint meeting with the Torrance Unified School District on Thursday, December 18, at 4:30 p.m. in the City Manager Assembly room to discuss projects included in ballot measures T and U.

Councilmember Weideman announced that the Armed Forces Day Standing Committee will meet on Tuesday, December 16, at 4:00 p.m. in the City Manager Assembly Room to discuss the 2015 Armed Forces Day Parade and Celebration.

City Clerk Poirier invited staff and public to view the works of Torrance Artist Guild member Sean Munley on display in the City Clerk's office for the month of December.

Mayor Furey reported that Torrance is one of 19 cities in the Southwest Corridor Region of the L.A. County Metropolitan Transit Authority (Metro); that mayors of these cities will be voting on December 11, 2014 to select one of them to represent the region on the Metro Board for a four-year term; that the number of votes is weighted based on the population and Torrance has 15 votes out of a total of 100; and that he intends to seek representation of the region on the Board because he believes a closer association will greatly assist transit projects that benefit the South Bay such as the Green Line Extension.

Police Chief Matsuda announced that the Police Department will be holding a Coffee-with-a-Cop event on Wednesday, December 17, from 8:00 – 10:00 a.m. at the McDonald's located at 19009 Hawthorne Boulevard and those who attend will have an opportunity to ask questions, voice concerns, and get to know the officers in their neighborhood.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2014-29 RE JEFFERY CRYDERMAN

RESOLUTION NO. 2014-129

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
HONORING JEFFERY CRYDERMAN UPON HIS RETIREMENT FROM
THE CITY AFTER THIRTY-FOUR YEARS OF SERVICE

MOTION: Councilmember Ashcraft moved to adopt Resolution No. 2014-129. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

To be presented at a later date.

6B. RESOLUTION NO. 2014-30 RE BRUCE CHRISTENSEN

RESOLUTION NO. 2014-130

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
HONORING BRUCE CHRISTENSEN UPON HIS RETIREMENT FROM
THE CITY AFTER THIRTY-TWO YEARS OF SERVICE

MOTION: Councilmember Ashcraft moved to adopt Resolution No. 2014-130. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

Mayor Furey presented the Resolution to Bruce Christensen, who accepted with appreciation.

Transit Director Turner thanked Mr. Christensen for his dedicated service and wished his well in his retirement.

6C. RESOLUTION NO. 2014-31 RE HAROLD MAESTRI

RESOLUTION NO. 2014-131

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING POLICE OFFICER HAROLD MAESTRI UPON HIS RETIREMENT FROM THE CITY AFTER TWENTY-SEVEN YEARS OF SERVICE

MOTION: Councilmember Ashcraft moved to adopt Resolution No. 2014-131. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

To be presented at a later date.

7. ORAL COMMUNICATIONS #1

7A. Gabriela Fischer, United Small Business Alliance, encouraged the Council and the public to attend the Small Business Expo to be held on December 17 at the Doubletree Hotel, with additional information available at www.UnitedSBA.com.

7B. Kevin Tyler, Tyler Sports, announced that the next "Sweat for a Cause" event will be held on Sunday, December 14, at 9:30 a.m. at the Torrance Batting Cages and will benefit Creativity Heals, an organization that helps children who have experienced trauma through the use of creative arts. He noted that the last event raised over \$2600 for the Avon Cancer Foundation.

7C. Mark Stephenson, Torrance, related his understanding that the private company providing ambulance service for the Torrance Fire Department responds to emergency events Code 2 (no siren) while the Fire Department usually responds Code 3 (siren/red lights), and expressed concerns that this policy was detrimental to public safety and allows the Fire Department to claim that it provides faster emergency medical support versus private companies, which could be a major selling point for the anticipated expansion of Fire Department to provide ambulance services. He requested that the City provide any documentation that identifies or clarifies what specific emergency events are categorized as mandatory Code 3 response events by the City's dispatch or emergency notification system.

7D. Clint Paulson, Torrance, expressed concerns that valuable time could be lost in life-threatening situations due to the City's policy of having the private ambulance company that provides emergency ambulance services for the Fire Department respond to emergency situations Code 2.

7E. Janet Payne, Torrance Historical Society, commented positively on the Pacific Electric Railway – El Prado Bridge Lighting ceremony at last week's City Council meeting. She invited the public to attend a reading of *'Twas the Night Before Christmas* on Sunday, December 14, at 2:00 p.m. at the museum located at 1345 Post Avenue. She discussed THS's involvement in the upcoming movie about Louis Zamperini's life.

7F. Ryan Mand, Torrance, suggested that Torrance prohibit businesses from making large donations to political action committees and related his belief that drugs are overly regulated.

7G. Kathy Sutton announced that "My Special Afternoon with Santa," an event that caters to special needs children, adolescents and their families, will be held on Saturday, December 13, from 11:00 a.m. – 2:00 p.m. at the Toyota Auto Museum located at 19600 Van Ness Avenue.

7H. Georgan Griswold, Torrance Rose Float Association, provided background information about those who will be riding on the 2015 Torrance Rose Parade Float honoring Louis Zamperini. She noted that TRFA will be selling memorabilia at the Small Business Expo on December 17 in order to raise funds for the float.

7I. Lloyd Brown, Torrance, related his experience that firefighters/paramedics are much more qualified to provide emergency medical services than ambulance attendants.

7J. Del Ross, West High School student, expressed concerns that protective gear provided by the school for student athletes was inadequate.

7K. Arthur Schaper, Torrance, suggested that Torrance consider enacting "Right to Work" provisions allowing employees to decide whether or not they wish to join a union and submitted an analysis by the Heritage Foundation for review.

8. CONSENT CALENDAR

8A. FEE AGREEMENT RE LEGAL SERVICES

Recommendation

Recommendation of the City Attorney that City Council:

- 1) Approve fee agreement with Liebert Cassidy Whitmore to provide legal services in the case of Nazir v. City of Torrance, et al., in an amount not to exceed \$150,000; and
- 2) Appropriate \$150,000 from the Self-Insurance Reserve Fund.

8B. APPROVAL OF FINAL PARCEL MAP NO. 70400

Recommendation

Recommendation of the Community Development Director that City Council:

- 1) Approve Final Parcel Map No. 70400;
- 2) Accept a 4.5' wide public sidewalk easement that runs from east to west near the south side of the property;
- 3) Accept a 20' wide public storm drainage easement along the south side of the property;
- 4) Accept a 13' X 15' wide public street easement near the intersection of Hawthorne Boulevard and 242nd Street;
- 5) Accept an 8' wide public utility and sidewalk easement along the west side of the property; and
- 6) Abandon an easement for storm drain purposes near the south property line. This Final Parcel Map will merge three existing parcels into one, owned by 3720 PCH LLC, is located at 3720 and 3744 Pacific Coast Highway. This Final Parcel Map substantially conforms to and meets all conditions of approval of the Tentative Map.

8C. PURCHASE ORDER FOR PROTECTIVE EQUIPMENT

Recommendation

Recommendation of the Police Chief that City Council award a purchase order to Mallory Safety & Supply of Fremont, CA for the purchase of protective suits (B2014-01) in the amount of \$75,258.29.

8D. OCTOBER 2014 MONTHLY INVESTMENT REPORT

Recommendation

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for the month of October 2014.

8E. AMENDMENT RE BUS SIGNAL PRIORITY SYSTEM

Recommendation

Recommendation of the Transit Director that City Council approve an amendment to the agreement with Iteris, Incorporated (C2013-204) requesting an additional \$324,169 for a new not to exceed contract amount of \$2,501,679 for the implementation of the Bus Signal Priority System and extend the contract term until September 30, 2015.

8F. AGREEMENT RE IMPLEMENTATION OF SWIPE CARD SYSTEM FOR TORRANCE COMMUNITY TRANSIT PROGRAM

Considered separately, see pages 6-7.

8G. CHANGE ORDER RE TURKEY TROT FUN RUN SWEATSHIRTS

Recommendation

Recommendation of the Community Services Director that City Council:

- 1) Appropriate \$4,520 from the Race Donation Account for the purchase of additional 35th Anniversary Fun Run participant sweatshirts; and
- 2) Authorize a change order to the three-year purchase order with Custom Embroidery (PO# 2013-190) in the amount of \$4,520 for a combined total not to exceed \$277,550.

8H. CONTRACT FOR LIGHTING RETROFITS

Recommendation

Recommendation of the General Services Director that City Council:

- 1) Award a contract to Express Energy Services, Inc. of Los Alamitos, CA for \$347,936.13 with a 5% contingency of \$17,397 for lighting retrofits at various city owned buildings (B2014-54/ FEAP #751); and
- 2) Approve a project management fee of \$34,794.

8I. LEASE AGREEMENTS FOR USE OF CITY-OWNED PROPERTIES AS BASEBALL FIELDS

Considered separately, see pages 7-8.

8J. CONTRACT FOR FORMER BUILDING AND SAFETY RENOVATION

Recommendation

Recommendation of the General Services Director that City Council:

- 1) Award a contract J R Universal Construction of Los Angeles, CA for \$135,497 with a 5% contingency of \$6,775 for former Building and Safety Renovation (FEAP #295);
- 2) Approve a 10% project management fee of \$13,550;
- 3) Award a purchase order to A-1 All American Roofing of Carson, CA for \$15,500 with a 10% contingency of \$1,550 for roof repairs to the former Building and Safety east annex roof; and
- 4) Appropriate \$17,050 from the Building Maintenance Capital Project Fund.

8K. AGREEMENT AMENDMENT RE AUTOMATIC VEHICLE LOCATOR SYSTEM

Recommendation

Recommendation of the Transit Director that City Council approve a second amendment to the agreement with Clever Devices, Ltd., a New York Corporation (C2013-071) to extend the contract term until September 30, 2015 for the Automatic Vehicle Locator (AVL) system.

MOTION: Councilmember Barnett moved for the approval of Consent Calendar Items 8A through 8E, 8G, 8H, 8J and 8K. The motion was seconded by Councilmember Griffiths and passed by unanimous vote.

Consent Calendar Items 8F and 8I were considered separately at this time.

8F. AGREEMENT RE IMPLEMENTATION OF SWIPE CARD SYSTEM FOR TORRANCE COMMUNITY TRANSIT PROGRAM

Recommendation

Recommendation of the Transit Director that City Council approve an agreement with Cabconnect, Incorporated of Chicago, IL for the purchase and installation of a swipe card system for the Torrance Community Transit Program in an amount not to exceed \$56,310 for a term from December 9, 2014 to December 31, 2015.

Transit Director Turner reported that staff was recommending the implementation of a swipe card system for the Torrance Community Transit Program because it will make it easier for participants to pay cab fares and provide for more accurate record keeping.

In response to Councilmember Ashcraft's inquiry, Administrative Analyst Koger clarified that participants will have to use two vouchers if their cab fare exceeds the \$13 value of the voucher or they have the option of paying the difference in cash. She explained that program participants, who are elderly and/or disabled, may purchase up to 12 vouchers per month at the cost of \$1 each and they may purchase up to 12 more if they need transportation for medical appointments.

Councilmember Ashcraft expressed concerns that a participant could end up using two vouchers worth \$26 for a \$15 cab fare. She requested that staff look into modifying the system so the exact fare would be deducted from the swipe card balance rather than per voucher increments of \$13.

City Manager Jackson offered to bring this forward as part of budget considerations.

Councilmember Griffiths asked if the swipe cards will be reloaded electronically.

Administrative Analyst Koger responded that initially the current practice whereby participants mail in checks for the vouchers will be maintained and eventually a web and IVR (Interactive Voice Response) system will be implemented once they become accustomed to the new swipe card system.

In response to Councilmember Griffiths' inquiry, Administrative Analyst Koger confirmed that participants will re-use the same swipe card, noting that the card will have an identification number and a photo for purposes of identification.

Leilani Kimmel-Dagostino, Commission on Aging, reported that the Commission approved the swipe card program and believes it will benefit seniors because they won't have to handle paper tickets, as well as save the City money due to the reloadable swipe cards.

Mark Stephenson, Torrance, expressed concerns that a participant may spend \$26 of taxpayer resources for a \$15 fare and suggested that technology should be readily available to deduct the exact fare.

Mayor Furey clarified that the City negotiates with the taxi companies involved and does not pay \$13 per voucher.

Councilmember Weideman echoed Councilmember Ashcraft's request that staff explore ways to modify the system so the exact amount of the fare is deducted from the swipe card.

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

8I. LEASE AGREEMENTS FOR USE OF CITY-OWNED PROPERTIES AS BASEBALL FIELDS

Recommendation

Recommendation of the Parks and Recreation Commission and the Community Services Director that City Council approve new lease agreements with Torrance American Baseball, Torrance Little League, Riviera Little League, and West Torrance Little League, for use of City-owned properties as youth baseball fields for a term of five years beginning January 1, 2015 through December 31, 2019.

Referring to supplemental material, Councilmember Rizzo noted that a resident has expressed concerns about traffic safety at the entrance to the Torrance American Baseball (TABB) field and proposed that the leases be amended to require that each organization provide a Traffic Safety Plan to be approved by the Community Services Director. He related his understanding that there are maintenance issues specific to the TABB field and recommended that the TABB lease be amended to make clear that the league is responsible for the maintenance of the storm drain on a year-round basis to prevent flooding. In order to better monitor the situation, he recommended that the annual report that must be submitted by each organization on attendance figures be expanded to include any maintenance and/or operational issues and an explanation of how they were resolved, with a summary of the reports to be presented to the Parks and Recreation Commission.

City Manager Jackson recommended that this item be deferred so the lease agreements could be modified to incorporate Councilmember Rizzo's suggestions if the Council concurs with them, and it was the consensus of the Council to do so.

Mayor Furey invited public comment.

James Hurst, Torrance, reported that he lives adjacent to the TABB field and is supportive of the TABB organization, however, he was concerned that speeding traffic in the alley that serves as an entrance to the field was endangering pedestrians. He noted that the alley used to have "5 MPH Zone" written on the pavement until it was recently slurry sealed and recommended that this cautionary language be restored. He also recommended that TABB put up temporary signage warning motorists to slow down ("Children at Play") on each game day and that the City consider installing speed bumps.

John Merriman, Riviera Little League board member, reported that traffic and parking have not been a concern at Lago Seco Park and requested that staff provide guidance with regard the preparation of a Traffic Safety Plan.

MOTION: Councilmember Goodrich moved to continue this item to the December 23, 2014 City Council meeting, with staff to return with revised lease language per discussion. The motion was seconded by Councilmember Barnett and passed by unanimous vote.

10. PLANNING AND ECONOMIC DEVELOPMENT

10A. AUTHORIZATION OF EXCLUSIVE NEGOTIATION PERIOD RE ELECTRIC VEHICLE INFRASTRUCTURE

Recommendation

Recommendation of the Community Development Director that City Council authorize the City of Torrance to enter into an exclusive negotiation period with ChargePoint, Incorporated of Campbell, CA to provide publicly accessible electric vehicle charging infrastructure in the City of Torrance (RFP B2014-30).

Sr. Planning Associate Santana reported that three proposals were received in response to the RFP (request for proposal) for the installation, operation and maintenance of publicly accessible electric vehicle (EV) charging infrastructure in Torrance; that one of the proposals was deemed non-responsive; and that the two remaining proposals from EVRUS and ChargePoint were evaluated by a selection committee made up of City staff. He reported that staff was recommending that the City enter into negotiations with ChargePoint for the following reasons: 1) its proposed budget was considerably less than EVRUS; 2) its charging stations offer more options for payment including payment via smart phone app; 3) its fee model is considered to be more sustainable because it's based on kilowatt hour rather than an hourly rate; and 4) it provides for better data collection and parking enforcement. He noted that although it was not part of evaluation criteria, ChargePoint has proposed installing dual port Level II charging stations, which would almost double the number of charging stations.

In response to Councilmember Ashcraft's inquiry, Sr. Planning Associate Santana explained that grant funds will be used to pay for the purchase and installation of equipment; that ChargePoint will be responsible for the operation and maintenance of the charging stations; that ChargePoint's expenses will be offset by the fees collected for use of them; and that the City will not receive any portion of these fees.

Councilmember Ashcraft expressed an interest in exploring the possibility of the City's receiving a certain percentage of the fees.

City Manager Jackson advised that this was outside the scope of the original RFP, however it could be discussed during negotiations.

Responding to Councilmember Goodrich's inquiry, Sr. Planning Associate Santana reported that the project will be funded by grants from the California Energy Commission and the Mobile Source Air Pollution Reduction Review Committee (MSRC) and these grants total \$519,000, with only a nominal amount to come from City funds.

Councilmember Goodrich questioned whether it might violate the terms of the grant agreements should the City receive monies from the operation of the charging units, and Sr. Planning Associate Santana advised that this would have to be researched.

Councilmember Goodrich thanked staff for the comprehensive report and noted his concurrence with the report's findings. He reported that he owns two EVs and has had a positive experience with the ChargePoint system.

Councilmember Griffiths questioned what would happen if ChargePoint fails to make any money from the charging stations and wants to walk away.

Sr. Planning Associate Santana advised that the company would be obligated to continue to maintain the units for the term of the contract, noting that staff was envisioning a three-year

contract with two one-year extensions. He explained that the City will continue to own the charging units since they will be paid for by grant funds.

Councilmember Griffiths asked about protections against price gouging since ChargePoint would seem to have an advantage in future installations.

Sr. Planning Associate Santana reported that staff has made sure that all the units are “re-bootable” to another network so the City will be able to take advantage of the competitive bidding process at the end of the contract.

Joe Galliani, Torrance, stated that he is an EV owner and has seen a lot of turnover in companies that operate EV charging stations, however, ChargePoint has been a constant and he has found them to be very reliable. He commended staff for obtaining grant funds to pay for the EV infrastructure and discussed the benefits of EV vehicles.

Mayor Furey provided background information about the history of this project, noting that staff was directed to look for grant funds and has done an excellent job of procuring them.

Councilmember Weideman commended staff for going over and above what they were directed by the Council by the Council to do.

MOTION: Councilmember Goodrich moved to concur with the staff recommendation and to direct staff to inquire about the possibility of the City receiving revenue from the charging units’ operation. The motion was seconded by Councilmember Rizzo and passed by unanimous vote.

12. ADMINISTRATIVE MATTERS

12A. 2015 STATEMENT OF INVESTMENT POLICY

Recommendation

Recommendation of the City Treasurer that City Council adopt a Resolution establishing the Statement of Investment Policy for 2015.

City Treasurer Cortez provided an overview of the City’s Investment Policy. She reported that no material changes were being proposed other than the elimination of Toyota Motor Credit as a broker because the increments required for investment are larger than the City typically makes, and the addition of two brokers, Multi-Bank and Stifle, which offer certain advantages for the City, including real-time pricing and improved analytics.

In response to Councilmember Ashcraft’s inquiry, City Treasurer Cortez reported that the Investment Advisory Committee is comprised of the City Attorney, City Manager, Finance Director, City Treasurer and Deputy City Treasurer, which is currently a vacant position.

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

RESOLUTION NO. 2014-132

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
ESTABLISHING THE 2015 STATEMENT OF INVESTMENT POLICY IN
ACCORDANCE WITH CERTAIN GUIDELINES

MOTION: Councilmember Ashcraft moved to adopt Resolution No. 2014-132. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

The City Council briefly recessed from 8:52 p.m. to 9:03 p.m.

12B. USC CAPSTONE PROJECT REPORT ON COMMUNITY CHOICE AGGREGATION

Recommendation

Recommendation of the City Manager that City Council accept and file the USC Capstone Project report on Community Choice Aggregation (CCA) and provide direction to staff regarding the following:

- 1) Refer matter to the City Council Community Planning and Design Committee or to the Environmental Quality & Energy Conservation Commission;
- 2) Consider adopting a Resolution to participate in a non-binding study of feasibility of Community Choice Aggregation (CCA) for the City of Torrance; and
- 3) Establish timeline to return to the City Council for action.

Assistant to the City Manager Chaparyan reviewed the staff recommendation, noting that this is the third project the City has worked on with the USC Capstone Project team.

Councilmember Goodrich reported that Community Choice Aggregation was brought to his attention by Torrance resident Joe Galliani and he decided it was worth pursuing after learning of potential benefits, including improving the environment, stimulating local economic development, and lowering rates for electricity users. He disclosed that he worked on a Capstone Project while attending USC and graduated in 2011. He introduced Nick Armour and Adam Montgomery, who were part of the team that prepared the USC Capstone Project report.

With the aid of slides, Adam Montgomery offered background information about the history of Community Choice Aggregation (CCA). He provided an overview of case studies involving six communities in California that have implemented or are considering implementing CCA programs: Marin County and Sonoma County, which have successful programs; Lancaster and Monterey Bay, which are close to implementation; and San Francisco and San Joaquin Valley, which have CCA programs that have been suspended. He discussed the potential benefits and challenges of forming a CCA in Torrance and reviewed pre-launch (\$500,000) and post-launch (\$1-1.5 million) costs and potential funding options. He shared projections (2016-2019 based on 2015 launch) of monetary and non-monetary benefits, including job creation and reduction of greenhouse gas emissions. He summarized the report's recommendations that Torrance: 1) Form an independent CCA or join with other South Bay cities; 2) Hire LEAN Energy, a non-profit organization, as a consultant to streamline the process; 3) Conduct a feasibility study; and 4) Create a user-friendly website.

Councilmember Goodrich questioned whether inexperience contributed to the downfall of the two failed CCAs cited since they were formed before the ones that were successful.

Mr. Montgomery confirmed that this was a factor since the two CCAs in question were the first to be formed in California and served as "guinea pigs." Additionally, he noted that PG&E mounted an aggressive campaign against CCAs in those communities, which was another factor in their demise.

Councilmember Goodrich recalled that in 2010, the three major investor owned utilities (IOUs) in California funneled millions of dollars into a proposition (Proposition 16), which would have effectively outlawed CCAs, but it was subsequently defeated and asked if their opposition to CCAs has decreased since then.

Mr. Montgomery reported that the momentum has changed and Southern California Edison actually helped with the formation of the CCA in Lancaster since IOUs have learned that they're going to have to live with CCAs.

Mr. Armour advised that most opposition comes from the unions due to concerns over lost jobs.

In response to Councilmember Goodrich's inquiry, Mr. Armour confirmed that some of the jobs created by the CCA could be union jobs.

Councilmember Goodrich observed that while the individual rate payer's savings may be only a few dollars a month, the savings become substantial when multiplied by 200,000 rate payers over a period of 12 months. Noting that start-up costs appear to be fairly steep, he asked about the possibility of requesting funds from L.A. County or the State to be paid back from future revenues.

Mr. Armour reported that this type of arrangement is being employed in Alameda County so it is a definite possibility, and Mr. Montgomery advised that the L.A. County Board of Supervisors have been approached about this and seem to be amenable to it.

Councilmember Ashcraft noted that the City receives revenue from utility taxes and asked how this would be affected by a CCA.

Mr. Armour and Mr. Montgomery indicated that they had not investigated that aspect. City Manager Jackson related his understanding that the utility tax would still be recoverable, but may be less due to lower electricity rates.

Councilmember Griffiths questioned whether any of the operating CCAs have Southern California Edison as their IOU.

Mr. Armour reported that Lancaster would be the first and it's not operating yet, but apparently SCE has been cooperative.

Councilmember Griffiths pointed out that rates for IOUs are heavily regulated and asked if CCAs are subject to similar regulations.

Mr. Armour related his understanding that the rates are more a function of trying to stay competitive with IOUs.

Councilmember Griffiths asked about the work involved in a CCA feasibility study.

Mr. Armour responded that all cities that want to form a CCA must complete a feasibility study, which costs approximately \$200,000, and there may be additional staff time involved.

Councilmember Goodrich asked about potential economies of scale since some South Bay cities have already adopted non-binding resolutions in support of pursuing this concept.

Mr. Montgomery reported that Manhattan Beach and Hermosa Beach have adopted resolutions, however, Hermosa Beach has a goal of 100% renewable energy and is more focused on that aspect as opposed to rate stabilization.

Mr. Armour confirmed that having more cities involved would give the CCA more purchasing power and result in better deals when purchasing energy.

Mr. Montgomery noted that Marin County formed Marin Clean Energy and allows other cities/counties to join, but charges them a premium, which could be another source of revenue.

Councilmember Goodrich asked about the potential customer base should all South Bay cities band together to form a CCA. Mr. Montgomery responded that he did not have that information at hand, but it was listed in the full report provided to the Council, and he believed the customer base would be similar in size to Marin Clean Energy.

Mr. Armour noted that Lancaster has decided to go forward with a CCA and its population is only around 160,000.

Mayor Furey suggested that Lancaster may be a good example for Torrance to watch since the cities are similarly sized.

In response to Mayor Furey's inquiry, Mr. Montgomery provided clarification regarding the CCA rate structure.

Councilmember Griffiths noted that the cost of a feasibility study is considerable, with no guarantee anything will come of it, and asked about the possibility of doing a regional feasibility study and sharing the cost with other South Bay cities, and Mr. Montgomery confirmed this was possible.

Mayor Furey invited public comment.

Joe Galliani, Torrance, disclosed that he's co-chair of South Bay Green Power Working Group, a citizens' group promoting awareness of CCAs. He reported that the group has approached each of the 15 cities in the South Bay Cities Council of Governments and so far Manhattan Beach and Hermosa Beach have adopted non-binding resolutions, with Redondo Beach soon to follow, and Santa Monica has asked to join the effort and will be adopting a resolution in January. He clarified that Hermosa Beach has a goal of being a "carbon neutral" city and is looking into CCAs as a means to de-carbon the city's electrical power supply. He reported that the cost of feasibility studies is going down as more have been completed and explained that Torrance could participate in a multi-city study and still have the option of forming its own CCA. He discussed the benefits of CCAs, including lower energy rates, reduced emissions and local control. He noted that the USC Capstone report identifies 84 "brown field" sites within Torrance that are unsuitable for other types of development, but perfect for use as solar farms to supply the CCA. He urged the Council to adopt a non-binding resolution to further the goal of a multi-city feasibility study.

Jim Montgomery, Torrance, stated that he strongly supports CCAs and encouraged Torrance to take a leadership role.

Mark Stephenson, Torrance, expressed concerns that forming a CCA would mean that Torrance taxpayers would be legally responsible for paying some of the most expensive rates for electricity generating technologies when less costly, ecologically-friendly alternatives are available such as natural gas. He reported that Assembly Bill 117 authorizes IOUs to assess a surcharge for certain generation-related costs or CRS (Cost Responsibility Surcharge), which is designed to shield IOUs and its remaining customers from the cost of losing customers to a CCA, and this means that a CCA must obtain electricity supplies at below-market prices if it is to provide cost saving rates to its customers. He contended that the City could only secure these favorable rates by using its municipal bond leverage and this would seriously undermine Torrance's weak financial framework. He voiced objections to expanding City government to form a CCA.

Commissioner Goodrich reported that a recent article in the *New York Times* regarding energy costs in America revealed that some forms of renewable energy are now on-par or even more competitive than traditional fossil fuels, noting that this article can be found on his Twitter feed. He further reported that the Public Utilities Commission is currently holding hearings on surcharges and it appears that surcharges will be imposed regardless of whether or not a city enters into a CCA agreement.

In response to Councilmember Goodrich's inquiry, Assistant to the City Manager Chaparyan confirmed that a Joint Powers Authority would be formed to govern the CCA and this would be a separate authority from the City of Torrance.

Councilmember Griffiths requested clarification regarding the non-binding nature of the resolution, and Assistant to the City Manager Chaparyan advised that the resolution as adopted by other cities only makes a commitment to look further into the matter without any commitment of time or money.

Assistant to the Assistant to the City Manager Chaparyan reviewed the Council's options for taking action and a brief discussion ensued.

Councilmember Ashcraft indicated that she favored referring the matter to the Environmental Quality and Energy Conservation Commission to obtain more feedback before taking action on the resolution.

Councilmember Weideman voiced support for adopting the resolution to telegraph to neighboring cities that Torrance was interested in exploring this concept, noting that referring the matter to the commission could lead to delay.

Councilmember Goodrich stated that he also favored adopting the resolution, given its non-binding nature, and related his belief that the matter had been studied ad infinitum.

MOTION: Councilmember Goodrich moved to direct staff to review the USC Capstone report and resolutions from neighboring cities and return to City Council with a draft resolution to participate in a non-binding study of the feasibility of Community Choice Aggregation within 45 days. The motion was seconded by Councilmember Weideman and passed by a 6-1 vote, with Councilmember Ashcraft voting no.

12C. CONTRACT AMENDMENT RE ACCELA AUTOMATION PROJECT

Recommendation

Recommendation of the Communications & Information Technology Director, Public Works Director, Community Services Director, and City Manager that City Council approve a contract amendment to the contract with Accela, Inc., of San Ramon, CA, (C2012-151), for the purchase of Accela Automation software licenses and annual maintenance support through August 22, 2017 in the amount of \$207,857.16 for a new total contract amount not to exceed \$999,460.96.

Information Technology Manager Lee provided an overview of the Accela Automation Project, which involves the upgrade of the City's permit and business license systems.

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

12D. CONTRACT FOR ROOF REPLACEMENTS

Recommendation

Recommendation of the General Services Director that City Council:

- 1) Award a contract to MIK Construction, Inc. of Santa Fe Springs, CA for \$412,590 with a 10% contingency of \$41,259 for roof replacements at various locations (B2014-55) and approve a 10% project management fee, and
- 2) Appropriate \$165,108 from the Building Maintenance Capital Project Fund to Fire Station #1 Roof Replacement.

Facilities Manager Landis reported that the contract includes the replacement of roofs at the HR/Personnel building, the Civic Center Library, the Torrance Art Museum, the Telecommunications/Cable TV building and Fire Station #1.

Councilmember Ashcraft questioned why some of the bids were almost double the low bid, and Facility Manager Landis explained that bids can vary significantly depending on how badly a company wants the job.

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

14. APPEALS

14A. APPEAL OF FINDING THAT DOG "NALA" SHOULD BE REMOVED FROM THE CITY

Recommendation

Recommendation of the Police Chief and the Environmental Quality and Energy Conservation Commission that City Council deny the "on the record" appeal and that the finding that the dog "Nala" be removed from the City be upheld.

City Attorney Fellows advised that according to his review of this matter, the Council cannot take dispositive action this evening on this appeal. He reported that the Environmental Quality and Energy Conservation Commission exceeded its legal authority when conducting the appeal hearing because the Commission allowed additional testimony to be taken and expanded the scope beyond the issues raised in the appeal. He explained that the Commission's decision should have been based solely on the record of the hearing before the Hearing Officer and no new evidence or testimony should have been allowed. He recommended that the Council vacate the Commission's decision and remand this matter to the Commission with instructions to direct the Hearing Officer to provide the Commission with the full record of the original hearing for its reconsideration of the appellant's original appeal based solely on that record.

In response to Councilmember Ashcraft's inquiry, City Attorney Fellows confirmed that a staff member from the City Attorney's office will attend the hearing when the Commission re-hears the appeal to ensure that proper procedures are followed.

Councilmember Griffith indicated that he also thought it was important for City Attorney staff to attend the re-hearing and suggested that the appeal fee for tonight's hearing be re-funded to the appellant.

Legal counsel (no name given) for the appellants, Lynne Hersche and Richard Sivas, reported that they support the course of action recommended by City Attorney Fellows and they will likely withdraw the appeal because they have largely complied with the conditions that were under contention.

Randy Fortunato, Reese Road, stated that he lives next door to the dog in question (Nala), which has bitten his wife twice and chased after him and his daughter, and he did not understand why the City Attorney was recommending that the decision of the Commission be vacated because he thought it was a fair hearing.

Dimitri Ramirez, Reese Road, reported that his seven-year-old daughter was bit by Nala and expressed concerns that the dog poses a safety risk for children in the Seaside Ranchos neighborhood.

Mayor Furey explained that the protection of residents and their children is paramount to the Council, however, the protection of one's constitutional rights is equally important, therefore it was necessary to allow the appellants their due process and vacate the Commission's decision.

Jamie Davis, Palos Verdes, stated that he is a friend of the appellants and a psychologist and had intended to offer some insight regarding animal/human relationships but understands that is beyond the scope of this hearing.

Paul Burko questioned whether the appellants will be required to comply with all the conditions imposed by the Hearing Officer regarding the dog's care and confinement.

City Attorney Fellows advised that all of the original conditions will be in full force and effect.

MOTION: Councilmember Goodrich moved to vacate the Environmental Quality and Energy Conservation Commission's decision, to return the matter to the Commission for proper hearing on record, and to refund the second appeal fee to the appellant. The motion was seconded by Councilmember Rizzo and passed by unanimous vote.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Barnett commented that tonight's meeting had been very interesting.

17B. Councilmember Goodrich reported that he observed a man in dark clothing directing traffic at a local school without an orange vest or any kind of safety gear and suggested that the City Council Public Safety Committee look into this as part as their review of traffic safety near schools and the Crossing Guard program.

Councilmember Ashcraft recommended that this be reported to the school principal.

17C. Councilmember Goodrich announced that he will be hosting community office hours at the Torrance Certified Farmers Market on Saturday, December 13, from 8:00 – 9:45 a.m. and invited the public to stop by and discuss any concerns.

17D. Councilmember Griffiths noted that he was looking forward to the premier of the movie *Unbroken* next Tuesday.

17E. Councilmember Rizzo invited the public to attend the 32nd Annual Christmas Boutique sponsored by the Torrance Youth Council on Sunday, December 14, from 9:00 a.m. - 4:00 p.m. at Wilson Park.

17F. Councilmember Ashcraft offered a reminder that the Torrance Civic Chorale will be performing this Friday and Saturday evening at the Armstrong Theatre.

17G. John Paul Tabakian, United Small Business Alliance, invited students who are looking for work experience to attend the Small Business Expo on December 17 at the Doubletree Hotel.

17H. Mayor Furey reported that he met with 15 mayors and vice-mayors from the northern provinces of China earlier today and they were very interested in learning about Torrance and the concept of a balanced city. He thanked Fran Fulton and Domenica Megerdichian for their efforts in arranging the meeting.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 10:30 p.m., the meeting was adjourned to Tuesday, December 23, 2014 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chamber. Tuesday, December 16 will be a City Council dark night.

Attest:

/s/ Patrick J. Furey

Mayor Patrick J. Furey

/s/ R. Poirier

City Clerk Rebecca Poirier, MMC

Approved on January 27, 2015