TORRANCE CITY COUNCIL AGENDA
NOVEMBER 18, 2008
ADJOURNED MEETING
5:00 P.M. – HARASSMENT AWARENESS TRAINING SESSION
7:00 P.M. - REGULAR BUSINESS BEGINS
IN COUNCIL CHAMBERS AT 3031 TORRANCE BL.

OPENING CEREMONIES

1. **CALL MEETING TO ORDER**

   ROLL CALL: Mr. Barnett, Mr. Brewer, Mr. Furey, Mr. Numark, Ms. Rhilinger, Mr. Sutherland, Mayor Scotto

2. **FLAG SALUTE:**

   NON SECTARIAN INVOCATION:

   The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution.

3. **REPORT OF THE CITY CLERK ON THE POSTING OF THE AGENDA.**

   The agenda was posted on the Public Notice Board at 3031 Torrance Blvd on Thursday, November 13, 2008. /s/ Sue Herbers

   MOTION TO WAIVE FURTHER READING OF RESOLUTIONS OR ORDINANCES AFTER NUMBER & TITLE

   See Council Rules of Order Section 2.11 (Resolution 2006-65)

4. **ANNOUNCEMENT OF WITHDRAWN OR DEFERRED ITEMS**

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS:**

Joint Meeting of City Council with Environmental Quality and Energy Conservation Commission Tuesday, December 9, 2008 5:30 P.M. West Annex Commission Meeting Room

COUNCIL MEETING INFORMATION

All council meetings are open to the public. Oral Communications #1 is set aside after Community Matters for the public to have three minutes to address the City Council on any matter not on the agenda. Speakers may sign up at the podium prior to the meeting. An additional Oral Communications period follows the regular business of the City Council. No speaker under Oral Communications may speak more than one time per meeting.

Those who wish to speak on any matter on the agenda are asked to complete a "Request to Speak" card (available at the back of the Council Chamber) and deposit in the box on the podium before addressing the City Council.

Direct other questions or concerns to the City Council (618-2801), City Manager (618-5880) or individual department head prior to submission to the City Council. Parties will be notified if the complaint will be included on a subsequent agenda.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Manager's office at 618-5880. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28CFR35.102-35.104 ADA Title II].

NOTICE OF THE REDEVELOPMENT AGENCY

At the time Council convenes or as soon thereafter as Council business can be disposed of, the City Council will take a recess without leaving their seats and meet as the Redevelopment Agency of the City of Torrance. As soon as the meeting of the Redevelopment Agency adjourns, the City Council will reconvene as the City of Torrance.

AGENDA REVIEW

Complete Council agendas are available for review at City Hall in the Office of the City Clerk and in all public libraries during all normal business hours as well as on City of Torrance Home Page - **www.torrnet.com** . Materials related to an item on the agenda submitted to the Council or Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 3031 Torrance Blvd. during normal business hours. Such documents are also available on the City of Torrance website at **www.torrnet.com** subject to staff's availability to post the documents before the meeting. A brief description of each Council item is also available 24 hours day on CitiCABLE Channel 3.

CITICABLE SCHEDULE AND HOMEPAGE LIVE AUDIO/VIDEO

City Council meetings are cablecast live Tuesdays in CitiCABLE Channel 3 and CitiSOUNDS AM 1620. Meetings are replayed Wednesday and Thursday at 10:00 p.m. and Friday, Saturday and Sunday at 10:00 a.m., 3:00 p.m. and 8:00 p.m. on Channel 3. NOTE: if the meeting is over five (5) hours, the Friday, Saturday and Sunday replay schedule is 10:00 a.m. and 6:00 p.m. To watch live streaming and past Council meetings, log on to CitiNET at **www.torrnet.com**.

MEETINGS	CITY HALL HOURS OF OPERATION
Unless adjourned to another time or location the Torrance City Council meets every Tuesday in the City Hall Council Chamber at 3031 Torrance Blvd., at 5:30 p.m. for an executive session with the regular business commencing no earlier than 7:00 p.m. Holidays falling on a Tuesday, 5th Tuesday of the month or Tuesday following a Monday holiday may be dark.	**Monday - Friday from 7:30 a.m. to 5:30 p.m. with offices closed alternate Fridays.** **City Hall will be CLOSED:** Friday, November 21 Thursday, November 27 (Thanksgiving) Friday, November 28

6. COMMUNITY MATTERS

6A. PROCLAMATION declaring the month of **November 2008** as **Torrance Education Foundation Month** in the City of Torrance.

7. ORAL COMMUNICATIONS #1 (Limited to a 30 minute period)

Comments on this portion of the agenda are limited to items not on the agenda and to no longer than 3 minutes per speaker. Speakers under Orals are limited to either Oral Communications #1 or Oral Communication #2. Under the provisions of the Brown Act, the legislative body is prohibited from taking action or engaging in discussion on any item not appearing on the posted agenda.

8. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and considered separately.

8A. City Clerk – Approve City Council minutes

Recommendation of the City Clerk that City Council approve the City Council minutes of September 9, 2008 and September 16, 2008.

8B. General Services – Authorize purchase of propane-fueled asphalt patch trucks. Expenditure: $351,968.46.

Recommendation of the General Services Director that City Council:

1) Authorize the purchase of three (3) 2009 GMC TC5C042 propane-fueled asphalt patch trucks from Tom's Truck Center of Santa Ana, CA (B2008-43) in the amount of $351,968.46 including sales tax and tire fees; and
2) Appropriate $70,400 from the General Fund Reserve for Alternative Fuel Vehicles to offset the cost premium of the propane fuel system on these trucks.

8C. General Services – Authorize purchase of pickup trucks. Expenditure: $53,992.30.

Recommendation of the General Services Director that City Council authorize the purchase of two (2) 2009 Chevrolet Silverado 2500HD Pickup Trucks from Lake Chevrolet of Lake Elsinore, CA (B2008-61) in the amount of $53,992.30 including sales tax and tire fees.

8D. Community Services – Accept and appropriate a grant from the California State Library.

Recommendation of the Community Services Director that City Council accept and appropriate a grant from the California State Library in the amount of $14,800 for the Torrance Public Library LINK project - Lifelong Information, Networks and Knowledge.

8E. Fire – Authorize agreement extension for provision of emergency telephone notification services (CityWatch). Expenditure: $13,000.

Recommendation of the Fire Chief that City Council authorize the option to extend the agreement with Avtex Solutions LLC, dba Avtex, (C2005-154) for provision of emergency telephone notification services for one year through December 20, 2009. The agreement will be increased by $13,000 for a new not to exceed total of $54,000. The City will have one remaining option for one-year extension.

8F. General Services – Award contract for installation of Phase II EVR System for underground fuel tanks at Torrance Airport. Expenditure: $97,980

Recommendation of the General Services Director that City Council:

1) Award a contract to Petcon Technologies, Inc. for $85,200 with a 5% contingency of $4,260 for the installation of the Phase II EVR System for the underground fuel tanks at the Torrance Airport (FEAP #445) (B2008-47); and
2) Approve a 10% project management fee of $8,520.

8. CONSENT CALENDAR (Continued)

8G. General Services – Award contract for electrical work at branch libraries. Expenditure: $248,101.

Recommendation of the General Services Director that City Council

1) Award a contract to Barden Electric, Inc. for $215,740 with a 5% contingency of $10,787 for the electric work at five (5) branch libraries (FEAP #590) (B2008-49); and
2) Approve a 10% project management fee of $21,574.

8H. Police – Authorize purchase of traffic safety vests. Expenditure: Not to exceed $11,000.

Recommendation of the Chief of Police that City Council:

1) Appropriate and allocate $11,000 of asset forfeiture funds; and
2) Authorize a change order to blanket purchase order 2009-124 to Galls/Long Beach Uniform of Long Beach, CA, in the amount of $11,000, for the purchase of traffic safety vests, for a new total not to exceed $41,000.

8I. Public Works – Appropriate funds and approve change order for slurry seal. Expenditure: $33,550.

Recommendation of the Public Works Director that City Council:

1) Appropriate Sewer Enterprise funds in the amount of $18,550 to the Residential Slurry Seal Program, I-6; and
2) Approve Change Order No. 1 in the amount of $33,550 to the public works agreement with Bond Blacktop, Inc. (C2008-162) for the application of slurry seal on the south side of Plaza Del Amo from Border Avenue to Arlington Avenue and the west side service road near Torrance High School and on Cabrillo Avenue between Plaza Del Amo and Sepulveda Boulevard.

8J. General Services – Award contract and appropriate funds to waterproof the Benstead Plunge viewing deck. Expenditure: $38,325

Recommendation of the General Services Director that City Council

1) Award a contract to American Restoration and Coating, Inc. for $36,500 with a 5% contingency of $1,825 for the installation of a waterproof coating system for the viewing deck at the Benstead Plunge; and
2) Appropriate $38,325 from the Building Maintenance Capital Project Fund.

8K. City Attorney – Approve fee agreement for legal counsel. Expenditure: $150,000.

Recommendation of the City Attorney that City Council approve the fee agreement with Woodruff, Spradlin & Smart to provide representation to the City and Officer Rehan Nazir in the pending lawsuit of Dugan v. City of Torrance, USDC Case No. CV08004157 ABC (SSx), in an amount not to exceed $150,000.

8L. City Attorney – Approve amendment to fee agreement for legal counsel. Expenditure: $150,000.

Recommendation of the City Attorney that City Council approve an amendment to fee agreement with Manning & Marder Kass, Ellrod, Ramirez LLP (C2008-102) to provide legal representation to the City with regard to Henry v. City of Torrance, USDC Case No.CV07-5152 JVS (MLG), in an amount not to exceed $174,000.

8M. City Attorney – Approve fee agreement for legal counsel. Expenditure: $10,000.

Recommendation of the City Attorney that City Council approve the fee agreement with Woodruff, Spradlin & Smart to provide representation to the City and the Redevelopment Agency as Cumis counsel with regard to the matter of Angone v. City of Torrance, LASC Case No. YC055500, in an amount not to exceed $10,000.

8. CONSENT CALENDAR (Continued)

8N. Community Development – Approve agreement for plan review services. Expenditure: Not to exceed $250,000.

Recommendation of the Community Development Director that City Council approve a consulting services agreement with California Code Check for plan review services, on an as needed basis, in an amount not to exceed $250,000.

8O. City Manager – Authorize first amendment to forbearance agreement for City-owned property located at 2909 Pacific Coast Highway.

Recommendation of the City Manager that City Council authorize a first amendment to forbearance agreement by and between the City of Torrance, a Municipal Corporation and Argonaut Holdings, Inc., a Delaware corporation concerning a lease for City-owned property located at 2909 Pacific Coast Highway.

8P. Community Development – Approve agreement amendment for Citywide Traffic Analysis.

Recommendation of the Community Development Director that City Council approve an amendment to the consulting services agreement with RBF Consulting (C2004-209) to extend the term until December 30, 2009, to place the Citywide Traffic Analysis on the web pages.

9. COMMUNITY SERVICES

9A. Community Services and General Services – Approve contract for emergency repairs at the Victor E. Benstead Plunge. Expenditure: $22,590.50

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

1) Approve a contract with Sea-Clear Pools for emergency repairs to the Victor E. Benstead Plunge for $20,536.50, with a 10% contingency of $2,054; and
2) Appropriate $22,590.50 from the Building Maintenance Capital Project Fund.

12. ADMINISTRATIVE MATTERS

12A. City Manager – Adopt RESOLUTION amending Resolution 2007-46 for Certain Part-Time Hourly Employees. Expenditure: $1,500.

Recommendation of the City Manager that City Council adopt a **RESOLUTION** amending Resolution 2007-46 for Certain Part Time Hourly Employees to provide the Relief Fire Communications Operator with a training premium. Expenditure: $1,500.

12B. City Manager – Review of the United States Conference of Mayors Main Street Stimulus Plan.

Recommendation of the City Manager that City Council review the United States Conference of Mayors Main Street Stimulus Plan and provide direction with respect to distribution of copies to Senators and Representatives, local media, and the local business community advocating for the stimulus recommendations.

12C. City Manager – Adopt RESOLUTION of necessity regarding property at 305 Crenshaw Boulevard.

Recommendation of the City Manager that City Council adopt a **RESOLUTION** finding that the public interest and necessity require the acquisition of various interests in property located at 305 Crenshaw Boulevard, Torrance, CA., to facilitate construction of the extension of Del Amo Boulevard from Madrona Avenue to Crenshaw Boulevard ("Project").

12. ADMINISTRATIVE MATTERS (Continued)

12D. City Manager – Adopt RESOLUTIONS setting the hours, wages and working conditions for the City Attorney and City Manager.

Recommendation that City Council adopt **RESOLUTIONS** setting the hours, wages, and working conditions for the City Attorney and the City Manager to reflect an increase of 4%, effective November 9, 2008.

12E. Mayor – Approve reappointment of Torrance's Director to the Metropolitan Water District of Southern California's Board for a four year term. Expenditure: $9,600 RESOLUTION

Recommendation of the Mayor that City Council approve the reappointment of Bill Wright as the City's representative on the Metropolitan Water District Board for a four year term through December 31, 2012. **RESOLUTION**

13. HEARINGS

13A. Community Development – Consider an appeal of a Planning Commission denial of a Precise Plan of Development, in conjunction with a Waiver, and a Variance on property located within the Hillside Overlay District, in the R-1 Zone at 5615 Via del Collado.

Recommendation of the Community Development Director and the Planning Commission that City Council deny the appeal and take the following action on property located within the Hillside Overlay District, in the R-1 Zone at 5615 Via del Collado:

1) Adopt a **RESOLUTION** denying a Precise Plan of Development to allow semi-subterranean, first and second story additions to an existing one story single family residence;
2) Adopt a **RESOLUTION** denying a Waiver to exceed the maximum building height; and
3) Adopt a **RESOLUTION** denying a Variance to exceed the maximum allowable floor area ratio.

PRE08-00017, VAR08-00002, WAV08-00008: Clinton Eull

17. ORAL COMMUNICATIONS #2 **Staff & Public Comments**

Council order - **Rhilinger** Sutherland Barnett Brewer Furey Numark

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18. EXECUTIVE SESSION

City Council Closed Session

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) (1) of Section 54956.9:

1) 1 case

South Bay Independent Physicians is threatening to sue the City if the City continues to bill physicians' offices for paramedic transport services to emergency rooms from physicians' offices

18. EXECUTIVE SESSION (Continued)

B. REAL PROPERTY - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (California Government Code § 54956.8):

1) Property: PPG Industries
465 Crenshaw Boulevard
Torrance, CA 90503
APN 352-002-008
Agency Negotiator: LeRoy J. Jackson
Negotiating Parties: City of Torrance and Richard Marks, PPG Industries
Under Negotiation: Price and terms of payment for purchase of property

19. ADJOURNMENT

19A. Adjourn City Council to Tuesday, November 25, 2008, at 6:00 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers. The Finance and Governmental Operations Committee will be meeting at 5:00 p.m. in the Council Chambers.

Sue Herbers, City Clerk

"Time goes by so fast, people go in and out of your life. You must never miss the opportunity to tell these people how much they mean to you." - *"Cheers"*

ALL BIDS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE BY 2:00 P.M., BIDS WILL BE OPENED IN THE COUNCIL CHAMBERS AT 2:15 P.M.		
BIDS	**DESCRIPTION**	**OPENING DATE**
B2008-65	**Bid to Furnish the City's Fuel Requirements On An As Requested Basis For a Period of Three (3) Years** Questions may be referred to Laurie Lim at 310.618.5820.	Thursday November 20, 2008

City Hall will be closed:

Friday, November 21
Thanksgiving Day, Thursday, November 27
Friday, November 28