

Formal Request for Investigation of the City of Torrance for Fraudulent and Unethical Behavior

Citizen Complaint: The purpose of this piece is to file a formal complaint and request an investigation of the City of Torrance regarding three charges:

- **The use of fraudulent data to apply for grant money from the State of California in conjunction with the grant application for the Machado Lake Trash TMDL. The full grant application can be viewed on California’s State Water Resource Control Board site (Pin No: 24184 - Machado Lake Trash TMDL). <http://www.waterboards.ca.gov>**
- **That the City of Torrance willfully mislead and lied to its citizens concerning the need for and details of a ticketing/signage “optimized sweeping” scheme connected to this program in order to mute opposition, with the real purpose being to create a new revenue stream from ticketing**
- **That the City of Torrance has engaged in an attempt to hide and withhold information and hinder an investigation that would prove its guilt in misleading its citizens, engaging in that process in such a way as to constitute a systematic and willful violation of the Brown Act.**

We have discovered that the main purpose of Torrance’s actions was to mask its intent to use pollution control as a revenue producing enterprise via a blanket, city-wide ticketing scheme tied to street sweeping. Our secondary argument is that the City has never given residents an opportunity to voluntarily comply with the much desired clear path on street sweeping days, nor did it consider alternative, non-ticketing, non-signage proposals using modern communication technology.

In addition, the City was already following “best practices” and had no mandate from any agency to begin ticketing. Torrance’s proof of need was fabricated by city officials (“we don’t like this any better than you, but we have no choice”) and included statements that City officials knew were false. **In this complaint, we prove that the City made up its mandate under the name of “optimized street sweeping” and attempted to sell a ticketing scheme as being forced on us by other government agencies to comply with the Machado Lake TMDL mandate.** This analysis piece provides detailed evidence of our allegations, proving a pattern of unethical behavior within multiple city departments.

Background: This complaint has been organized primarily as a “cut and paste” collection of evidence from the City of Torrance’s own documents. It was compiled with the assistance of multiple individuals, including sympathetic City insiders who do not wish to be named. I, [REDACTED] am the main researcher on this topic and have been tasked with compiling this complaint by a small group of citizens who oppose the City’s actions and are deeply disturbed by what we perceive as an abuse of power.

I want the reader of this report to understand that it has been prepared without agenda or malice toward any individual, entity, or department. In that regard, the main participants in this complaint have no political party affiliations or interest in politics, nor do we have any prior involvement with the departments or persons under investigation.

Our coalition of individuals includes professionals in medicine, finance, education, engineering, city planning, and law – all of whom are Torrance residents.

My Background: I am a professional financial analyst and lifelong environmentalist, with more than two decades of research in multiple technologies, including clean tech. During my professional career, I

covered public companies related to the issues in this debate, including Federal Signal (parent of Elgin Street Sweepers), ground water firms such as Cadiz, and other companies related to clean energy and pollution control. I have witnessed the evolution of many of these technologies and issues, with frequent interaction with management teams and scientists in the field. My knowledge base includes tracking the environmental services landscape during the last twenty-five years of its development, in addition to the review and study of dozens of scientific papers on these topics. This body of evidence includes thousands of pages of the most current research concerning street sweeping, water-borne pollutants, and run-off remediation.

As a side note, I am an active environmentalist with an early understanding of the problems that are just now reaching the public forum. My household was one of the first in Torrance to replace our front lawn with a water wise garden (32 years ago) and we have designed our property drainage for near 100% replenishment of the aquifer, with no drainage leading to the street. I include this information to add credence to these allegations and separate our intent from any suspicion of a hidden agenda.

Furey's Fury: Torrance Residents Have "Pension Envy"

Mayoral candidate Pat Furey, a county employee retiring within days with a public pension, slammed the "pension envy" he hears from workers in the private sector who question the generous wages and benefits paid to police officers. (The Daily Breeze)



2013-2014	Unfunded Liability (\$m)
Puerto Rico	9987
New York	8726
Chicago	7149
Boston	4465
Philadelphia	3308
San Francisco	2866
Torrance	2658
Jacksonville	2586
Los Angeles	1895
Seattle	1837
San Diego	1642
San Jose	1542
Indianapolis	1011
Detroit	911
Denver	709

Source: Per Capita Unfunded Liability -- Morningstar Municipal Credit Research

The Motive: To understand why a city would go to such lengths to create an elaborate scheme to gain revenue, you first need to understand both the state of affairs and the nature of government in the City of Torrance. With little fanfare and very little commentary, Torrance has gradually built up one of the largest per capita unfunded liabilities of any city in the United States. Its department heads and employees are also some of the highest paid in the U.S. on an employee per department basis. City insiders have a vested interest to preserve the status quo.

At the time that this ticketing scheme was devised, Torrance's unfunded liability was rising at a rate that would logically lead the city toward an eventual financial crisis, a condition that still exists. The chart above gives some sense of scale and verifies the seriousness of this problem. This list shows where Torrance would have ranked during the time that it was devising its ticket/revenue scheme. In 2010, Torrance's unfunded liability was \$130.1 million. Astoundingly, by March of 2014, the City's unfunded liability was reported to be \$392.1 million and the total pension liability had risen to more than \$2.0 billion.

This is important to know, because under this scenario, the backdrop for self-serving decision making had already become endemic to all policy decisions. Torrance's pension problem, high salaries, and closed system of control gave city officials a strong motive to seek extraordinary means to gain funds, including misleading its own citizens.

The Plan -- Our research uncovered a disturbing truth – the City had to act fast, squash opposition, and hinder our investigation – because this ticketing scheme is the linchpin of a much larger plan to forestall financial distress and maintain the city’s growing imbalance of spending on public service as a percentage of its budget. This plan had two short-term goals:

- fulfill campaign promises to add public service personnel by Mayor Scotto and the incumbent City Council
- and to begin the process of a city-wide implementation that would become a major and perpetual source of funds, eventually spreading to every city street

This second goal has been a long-term desire, dating back more than a decade. We have viewed documents and received information from City employees and other insiders that gives us great confidence in these allegations. However, studies prove that **this type of program is absolutely unnecessary in light residential neighborhoods and is primarily a revenue generation scheme.**

Our primary allegations are as follow:

Accusation #1: The City Used Fraudulent Data in its Grant Application

trash removed. In addition, the City of Torrance will document the pounds of trash removed by street sweeping BMPs. A dramatic 50% increase in trash volume collected is anticipated.

I have attached the main documents that I provided to the City that brought these accusations to the forefront. No city official, either in the previous administration or the current administration can feign ignorance on this topic. I will let those supporting documents stand on their own merit.

After initially receiving minimal documentation in our first information requests, the City changed course and provided what amounted to a data dump via massive numbers of pages, some of which could only be examined in physical form in the City Clerk’s office. This search yielded enough evidence to support our claim that the city used false data in the form of impossible outcomes (50%) to sell the ticketing/signage portion of its program and gain grant money. **Our team sifted through every single document (three boxes and thousands of pages) concerning the Machado Lake program from the Public Works department, the group responsible for planning and implementing this program; along with 2,000+ pages from other departments.**

In the Public Works data (3,000 pages), there is not a single document, meeting, study, or mention of ticketing and street sweeping prior to the actual grant proposal.

So, based on the documents we were given, the following data points apply to our allegations:

- No reasonable person could believe that a city could predict any tonnage results without conducting a single study on the subject

- Incredibly, ticketing and street sweeping are never mentioned in any Public Works compliance discussion prior to the grant application, though there are hundreds of documents relating to screens and other mechanical means to reach “full compliance” with the real mandate from the Machado Lake TMDL.
- A 50% increase is a statistical impossibility, because the proposed signage in the grant would cover less than 9% of the lowest polluting roads in the city (based on signage)
- Because low-density neighborhoods produce 8-12 times less waste than high-density or commercial roadways, to achieve a 50% increase from low-density areas, would require adding more total roadway than exists in all of Torrance
- The areas under consideration already had weekly street sweeping, reducing the “virgin” roadway to a tiny portion over a 4-week sweeping cycle (see frequency study)
- No person with even a basic knowledge of street sweeping technology would make such a 50% claim from such a small area of application
- In forensic accounting, the rule of round numbers raises a red flag, the rule of very large round numbers (50%) raises a very large red flag

Every document prior to the actual grant application was concerned with the implementation of capture screens and other physical means to accomplish the Machado Lake requirements. ***The first appearance of signage and ticketing is in the actual grant application, with no meeting notes, studies, or mention in any other Public Works documents.***

Research from other departments revealed that the “optimized plan” gets a brief mention in a 2011 Federal Project Brochure, but disappears from the 2012 version of that Brochure. The City Clerk’s office confirmed that there are no other supporting documents concerning this program from Public Works. So, ***according to the city, our exhaustive, multi-day sifting through every single page of three full boxes provides a complete picture of the planning process from the department that would implement the program.***

Search	# of documents
Pre-Grant Full Capture Screens	100+
Low-density Street Sweeping Study	0
Pre-Grant Street Sweeping Documents	0
Pre-Grant Ticketing Plan	0
Pre-Grant Sign Discussion	0
Post Grant Marketing Program Meeting	File Empty
Post Implementation Effectiveness	0
Discussion of our Concerns	0
Detailed Analysis of Optimized Plan	0

Therefore, it is clear that this 50% number was fabricated to greatly exaggerate the effectiveness of this program and to gain the necessary grant money for a cash-strapped city desperate for sources of revenue. ***After multiple requests for the source of this 50% claim, the city could not produce any documentation concerning that total, which is the key figure in the grant request.*** It is almost impossible to believe that a city would embark on the most far reaching program in its history, with plans for over 10,000 signs (per a Torrance official quoted in the *Daily Breeze*), without any discussion or evidence of effectiveness of such a program from within its Public Works department or any other department.

Evidence: *We were not given a single document from any City department to support that any discussion or study of this “optimized” plan took place before its appearance in the grant itself.*

Secondary False Statements in Grant Application: The City of Torrance also claimed a need for signage/ticketing in order to meet the standards set by all of the other jurisdictions in the grant application. **This is a completely false statement.** Most of the other grant cities do not have any street sweeping ticketing or signage (or plans to implement it), specifically Rolling Hills Estates, Palos Verdes Estates, and Rancho Palos Verdes. This statement supporting Torrance’s signage/ticketing in the grant application is deceptive and would be known to be untrue by City officials.

sweeping programs can remove several tons of debris from the streets, thereby minimizing pollutants in storm water runoff. (EPA Storm Water BMP Menu.) The other jurisdictions in this application already have NO PARKING signs which enable thorough street cleaning in their cities.

3) Public education/outreach to emphasize litter prevention and the transient nature of trash in one locale causing problems in another. The EPA recognizes

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FAAST Financial Assistance Application Submittal Tool
Pin No: 24184 - Machado Lake Trash TMDL - SUBMITTED

The City of Rancho Palos Verdes does not have posted signs restricting parking for street sweeping nor do we issue citations for the same.

I hope this is helpful.

Nicole

Department of Public Works
310-544-5275

Deceptive Marketing Program – While there is no evidence that the City spent any time or money to study the effectiveness of their “optimized” street sweeping plan before its implementation, they did find the funds (\$45,600) to run an aggressive PR and marketing campaign through **Murakawa Communications**, who specialize in selling unpopular municipal programs to the public. In that company’s 108-page detailed report on this process, Murakawa provides a long list of complaints and concerns and acknowledges the confusion that many Torrance residents felt regarding this program. According to their own report, they spent a significant amount of time attempting to discredit the Seaside Ranchos group (us), marginalizing us as a fringe group who did care about the environment.

The City named its program “optimized” because they needed a way to differentiate themselves from the five other cities, none of which added ticketing or signage to their plan of action. Murakawa attempted to sell the program in a way that was highly misleading, acting as if the street surfaces in question were virgin, un-swept surfaces, when in fact street-sweeping programs were already in effect in these areas. **The city provided us with no meeting notes or details that they every met with Murakawa, so we have no record of any discussion, a clear violation of the Brown Act.** The report’s conclusions are written for the ears of city officials, with no basis in fact.

Machado Lake Trash TMDL Public Relations Program – Final Report

- The project was not controversial, there was no organized opposition to the project or the goals of the project, so again there was a general lack of interest or need to attend.

In truth, the city presented such confusing and limited information to its citizens that the signage and ticketing were in place before any opposition could form or even understand the scheme. As this excerpt notes, even Murakawa admits that citizens were not informed properly by the City of Torrance. Torrance could not create a signage/ticketing connection to the Machado Lake TMDL, because there was none.

Machado Lake Trash TMDL Public Relations Program – Final Report

Project. The mailer also did not specifically state anything about parking restrictions and enforcement on street sweeping days.

3. Confusion regarding Mailer (specific to the City of Torrance)

The City of Torrance sent out a mailer to residents and businesses explaining the upcoming Optimized Street Sweeping Program. However, some individuals felt that the mailer was confusing, lacking in detail and did not explain the connection between the Optimized Street Sweeping Program and the Machado Lake TMDL

Conclusion: Torrance residents were railroaded into this program via a misleading and carefully orchestrated campaign of threats and false statements. It has taken us more than a year, obstructed at every turn by the City, to uncover the truth.

Sample e-mail Evidence – Torrance city officials chose to implement ticketing as a revenue scheme, but will still install full capture screens and other mechanical capture devices over a multi-year compliance program. **There are many internal emails that provide hard evidence that Torrance knew that they could reach full compliance without signage or ticketing,** exactly in the same manner as the other five cities. Torrance was the only city to pursue this controversial course of action. This is further evidence that city officials lied to citizens in their claim that a ticketing/sweeping plan was mandated by the Machado Lake requirements.

We have included just a couple of emails from the Public Works department files as evidence of this dialogue and their internal knowledge that their statements to citizens were not truthful. It is interesting to note that the City tacitly admits that they will not know if their “optimized” plan works until several years have passed.

The Machado Lake TMDL never mentions ticketing or signage, but is specific in requiring grates and other mechanical means, primarily to prevent plastic from entering the watershed. The City of Torrance inserted a ticketing/signage requirement themselves, so this part of the program is “self-mandated.”

Dettle, John

From: Dettle, John
Sent: Wednesday, August 06, 2014 5:50 PM
To: 'Joplin, Spencer@Waterboards'
Cc: Leary, Patricia@Waterboards; Saputo, Carolyn@Waterboards
Subject: RE: Machado Lake Trash TMDL (FA-24184-PHASE2 & 12-444-550)

Please see comments below.

Please note that cities that install full capture screens would be deemed by the Board to be in full compliance with the Machado Lake Trash TMDL, i.e. they would not have to do annual monitoring. The only city that is part of the Machado Lake Trash TMDL that is not installing full capture trash screens is the City of Torrance, therefore the City of Torrance has to demonstrate compliance by documenting the gallons of trash collected from street sweeping and comparing that to the Trash TMDL. To that end the City of Torrance will be preparing a spreadsheet that documents the past year of trash hauled to the dump and future years of increased trash hauled to the dump because of the Machado Lake Trash TMDL Project.

Dettle, John

From: Joplin, Spencer@Waterboards <Spencer.Joplin@waterboards.ca.gov>
Sent: Tuesday, October 07, 2014 3:56 PM
To: Dettle, John
Cc: Saputo, Carolyn@Waterboards; Leary, Patricia@Waterboards
Subject: RE: Machado Lake Trash TMDL (FA-24184-PHASE2 & 12-444-550)

John, I understand that the Trash TMDL considers installation of certified full-capture devices to be sufficient for demonstrating full capture of trash. However, Agreement 12-444-550, Exhibit A, Section A.2 requires water

From: Joplin, Spencer@Waterboards
Sent: Friday 20 December 2013 12:02
To: John Dettle
Cc: Leary, Patricia@Waterboards

John, I have reviewed the Trash Monitoring & Reporting Plan (TMRP) dated September 2008 for this project and have the following comments:

1. The TMRP apparently has not been updated since 2008. Page 3-8 states that the TMRP procedures would be evaluated quarterly. Please ensure that the TMRP remains accurate and relevant to the implementation of the Proposition 84-funded project. Please also send me a copy of the most recent quarterly evaluation. The Machado Lake TMDL committee no longer is an active committee. There have been no quarterly evaluations of the TMRP. All the cities except Los Angeles Parks and Harbors Department and City of Torrance will demonstrate compliance with the Machado Lake Trash TMDL by installing full capture screens.

Even as far back as December 2011, Blais & Associates in a report from the Prop 84 Stormwater Workshop reported to the City that the California Water Board preferred Low Impact Development (LID) solutions, a very far cry from Torrance's massive imposition of signage and ticketing.

- Ideal project is one that is a LID that addresses a TMDL

In summary, the City of Torrance proposed to prepare a new TMRP that is only for the City of Torrance because only the City of Torrance will be complying with the Machado Lake Trash TMDL by means other than installation of full capture screens. In other words, only the City of Torrance is required by the TMDL to do monitoring.

Accusation #2: Unethical Behavior – Attempt to Deceive

Our involvement in this controversy came from a small brochure that we received outlining the plan and the appearance of orange dots on the curbsides and lawns of residents. We were under the impression that there would be a reasonable discussion period, something the city promoted in the spirit of “open” debate.

Every document, email, and public statement by city officials said that this ticketing was mandated by the Machado Lake TMDL. What they failed to mention was that they inserted the parking ticket/mass signage scheme into the grant proposal, the only one of the six cities to do so, and that none of their claims were mandated by any agency or ever mentioned in the TMDL. As shown, they already knew that the physical measures (screens, etc.) would put them in full compliance with the Machado Lake requirements.

My involvement began when I attended a meeting on the topic hosted by my local HOA. I conducted some brief analysis, read through the Machado Lake Proposal, and quickly found inconsistencies in the City's position. The meeting was rancorous, angry, and disjointed – being loosely led by the HOA head (also a City employee) and Torrance's main City Attorney, John Fellows.

The City Attorney repeatedly said “We don't want to do this, but we have no choice,” a mantra we heard in various forms repeated in the future by all City officials. I listened to about 20 minutes of this line repeated to an increasingly angry crowd. The City Attorney held the floor, deftly dismissing any objections with a resigned air of inevitability. I was finally recognized by the moderator and I said quite plainly – “This isn't about pollution and this isn't about street sweeping, this is about a revenue scheme to make money through ticketing. The City is not required to implement this ticketing plan.”

The City Attorney looked over at me with an “uh oh” expression, glanced at his notes, and a few seconds later, **ran out the back door of the recreation center** while I was listing my allegations. I have forty-one witnesses to that event. He ran from a public meeting.

Since that surprising and suspicious moment, we have not had a single official successfully refute any of our allegations – so that pattern has held true. We also discovered that this single event supercharged the city to jam through their proposal as quickly as possible in order to mute public reaction. Evidence of that surfaced through repeated mention of our opposition in the marketing comments from *Murakawa Communications* hired by Torrance officials. It is interesting to note that there was no opposition or even interest in the application of storm drain grates; with near empty meetings in all other cities except Torrance. So clearly, the marketing program was entirely aimed at opposition to the signs and ticketing.

City Insiders Confirm Suspicions: Subsequent to this meeting, I was approached by several City insiders who wished to remain anonymous, for obvious reasons involving employment and feared retribution. However, these individuals (without knowledge of each other) laid out in some detail discussions and other evidence of meetings, planning, and a timeline based primarily on the aggressive need for funds (pension crisis) and Torrance officials' envy of other cities' income streams from street sweeping parking revenue. I received unsolicited detail on internal discussions and planning, some dating back well before the 2008 Machado Lake initiative.

We subsequently found in our many information requests that the oldest documents the city provided to us consisted of newspaper clippings referencing the implementation of street sweeping ticketing in other Southern California cities, which were circulated among leading city officials. These dated back to 2002, giving some credence to insider claims that ticketing has been many years in the making. As previously mentioned, **Torrance Officials provided us with no documents supporting that they have ever discussed city-wide street-sweeping ticketing at any time. It is impossible that no recorded discussion or planning on this topic has ever taken place in Torrance government. The absence of these documents shows is a clear sign of a cover-up and an egregious violation of the Brown Act.**

The detail we received from insiders gave us the confidence that our task only consisted of finding the evidence that must exist inside Torrance's own record-keeping system.

Fake Public Debate: One of the saddest parts of this story is that Torrance officials engaged in a phony public debate and outreach on the topic, conducting sham discussion sessions while a plan was already in place, just as insiders predicted. It soon became apparent that the allegations of one insider were correct, that the public discussion period was a sham and that "this has been a done deal since before the grant proposal." Some citizens sniffed out this possibility, as this *Daily Breeze* article suggested.

DAILY BREEZE

April 24, 2014

CC: MAYOR & COUNCIL

ROB BESTE

Public protests halt Torrance street-sweeping sign program

Posted: 04/23/14, 8:16 PM PDT |

With a majority of its members facing re-election in June, the Torrance City Council has backed down for now on a plan to install as many as 5,580 new no-parking signs to accommodate an improved street-cleaning strategy in the city.

Local cities are under the gun from regulators to stop all trash entering local watersheds or face hefty fines, so an improved street-cleaning program in the works for months will soon be implemented.

But at a sometimes combative meeting that lasted until 1 a.m. Wednesday, the panel took heat from a group of residents who blasted the plan for its excessive cost and the unsightly "sign pollution" that could result if too many are erected. That prompted officials to put the plan on hold for now.

City officials have not broken out the costs of sign installation, but have allocated nearly \$2 million in grant and municipal funding for the program, which also includes the installation of trash-catching screens on storm drains.

The city will ask for public input and then revisit the issue July 22. That's the first full meeting with the newly reconstituted council in the wake of the June 3 election.

"I'd like to see the public come up with alternatives to what was proposed," said Councilman Tom Brewer, who is running for mayor. "There was a feeling (among speakers) that the public has better ideas than we did and we just hadn't explored them yet."

—Nick Green|

to install these signs. Apparently there was a meeting last month, but many neighbors were not aware, so we are now trying to get our voices heard. There are concerns that the meeting on April 22nd will be a presentation of what is going to happen and not a chance to still discuss how or what will happen. Residents/citizens hope that all is not final and can find a better resolution than what is known of the project.

IT IS ABSURD FOR CITY HALL TO THINK THAT MOST CITY RESIDENTS ROUTINELY CRUISE THIS WEBSITE TO SEE WHAT'S BEEN POSTED. I TRUST THAT NO ONE AT CITY HALL THINKS THAT THIS WAS ADEQUATE NOTIFICATION IN ANY SENSE (BUT A LEGAL ONE).

As the above emails illustrate, Torrance's public outreach was purposely vague and inadequate. Contrary to city comments, there was considerable and widespread protest, with many emails and calls about officials' ambush tactics. The truth is, the city already had construction schedules planned and a full implementation program underway, well before they ever contacted citizens. Note the dates on the following emails and email to the new mayor. Installation was already scheduled before the brochure to open public comment had been mailed.

It is one thing to read about a lie in the newspaper, but it becomes very personnel when City officials lie directly, as we saw later at the city council meetings, in correspondence, and during our research. As my evidence package (attached) shows, the city did in fact rush through a decision during the next lame duck session, so that the program was already underway before the council meeting on July 22nd, when the vote was supposed to occur. The opponents of the program were blindsided by the Council's early vote.

From: Kay, Carol
Sent: Tuesday, March 25, 2014 3:53 PM
To: Barthe-Jones, Eleanor
Subject: RE: Presentation re no parking signs for street sweeping

I will ask him. They just showed me a construction schedule that shows the posts are scheduled to be installed on 4/14/14.

Sent: Monday, March 24, 2014 11:02 AM
To: Jackson, LeRoy
Cc: Giordano, Mary
Subject: FW: Alt Day Street Sweeping

LeRoy,
This Thursday is our first community meeting for the Machado Lake watershed project. PW will be discussing the installation of the catch basin screens and the alternate day street sweeping signs. The Machado Lake portion will cover about a third of the city. The attached brochure is now ready to be mailed citywide to announce the new sweeping routes. Signage and enforcement will take some time to roll out but we often get calls on sweeping so we wanted to let the residents know that the changes are coming. The timeline for sign installation is discussed in the handout. Please let me know if you have any comments about the attachment.
Thanks
Rob

I am realizing the issue being presented at a "public" forum was just an afterthought! The bloody signs were printed even before the meeting, and staff moved on in good "US Army" fashion - "Brute force and ignorance" (I use that expression fondly - re: the Army, me being a vet!)

Following that action, several grass roots efforts to oppose the ticketing emerged in different parts of Torrance, but without coordination. As the city was consistent in its marketing plan by sticking with a carefully crafted, but disingenuous message, they were equally consistent in changing their data to fit the argument of the day. The following is a list of inconsistencies that shifted depending upon the argument the City needed to project:

- **Torrance originally opposed the Machado Lake plan** so fiercely, that they irritated the officials behind the plan to the point of open and sometimes acrimonious argument. Later, when it became apparent that they could get grant money to finally begin funding their ticketing scheme, the city suddenly became the champions of the program -- quite a bit different from their original attitude that *Machado Lake should be filled in and turned into a park.*

>>> "Dettle, John" <JDettle@TORRNET.COM> 6/9/2009 4:20 PM >>>

Hi [REDACTED]

This would equate to about \$23,000,000 for the City of Torrance based watershed area to address Machado Lake Nutrient TMDL. This is simply not an option for the City of Torrance.

My recommendation would be to eliminate the cost for dredging and recycled water OR fill the lake in and make a nice big park.

From: Dettle, John
Sent: Tuesday, January 15, 2008 2:33 PM
To: Fulton, Fran; Cortez, Leslie; Fellows, John; Barthe-Jones, Eleanor
Cc: Giordano, Mary; Sunshine, Brian; Beste, Robert
Subject: FW: Machado Lake Nutrient TMDL

Hello All,

[REDACTED] from the Regional Water Quality Control Board has requested a meeting with the City of Torrance regarding the pending Machado Lake NUTRIENT TMDL. Recall that Torrance is the largest tributary area, approximately 40% of total area, and therefore we would bear the largest financial burden to meet this TMDL. This is unusual for the Board staff to want to meet with a stakeholder one on one.

Please also keep in mind that removing nutrients from water would require a very expensive water treatment plant. As I mentioned in our last meeting, I don't think it is possible to meet this TMDL and I think the Board should be focusing on mitigating the problem, i.e. removing nutrient rich sediment and looking at natural nutrient absorbing water plants. I also think the City of Los Angeles, who owns the park and lake should bear these costs, since they have like \$300,000,000 in Prop O and grant money for restoration of the lake:)

City of Torrance 09/22/09

TALKING POINTS: Machado Lake Nutrient Total Maximum Daily Load (bacteria or trash) Board regulations allow Torrance (like all jurisdictions) to address pollution within its own boundaries. In concept, Torrance does not believe the Machado Lake serves its community and was not involved in its formation to serve neighboring communities.

- **Torrance completely changed its position when it became apparent that grant money could kick off its long-desired, city-wide ticketing scheme, turning this from a capital drain into a revenue producer.**

The goal for city-wide ticketing creeps into line items dating back as far as 2008, but is not part of any real commentary in the city records until the Machado Lake Grant.

In fact, the city's main pollution concern was with the last farm of any size in the city, which was run adjacent to Torrance Airport until recently. Many emails discuss a general desire to shut down the farm due to a mud/incident onto Crenshaw Blvd. and an acknowledgement that this farm was the single largest source of waterborne pollution in the city.

Machado Lake Nutrient TMDL. Please bring this issue up with the City Manager. The farmer is either going to have to make a lot of changes and get his NPDES permit or shut down. The best thing for the City from the NPDES side is to shut down the farm and plant those areas with grass. That would stop the sediment and nutrient run off to Machado Lake. Farms and nurseries are the number 1 cause of sediments and nutrients.

John C. Dettle, P.E.

From: Dettle, John
 Sent: Tuesday, July 10, 2012 3:34 PM
 To: Fulton, Fran
 Subject: FW: Monthly Precipitation Summary / Concentration based stormwater compliance discussion

Dear Fran,

What is the status of the RFP for a new farmer at the Airport? Please before awarding the contract for a new farmer, review the results of our first year of monitoring for compliance with the Machado Lake Nutrient TMDL. The data shows that if we were trying to comply with the TMDL on a concentration base, we would not be in compliance. Note we are trying to comply on mass base (total pounds discharged) and therefore were in compliance, but mostly due to light rains.

Nutrients and Toxics bind to soil particles. The farm not only uses fertilizers but allows a lot of soil to be washed off with each rain so the farm could be the largest source of pollutants, short of Walteria Lake.

So, what does this have to do with our issue with the City? These are samples of the kind of fiction and exaggeration the City has resorted to under growing pressure from residents, as they have attempted to create the impression that the new ticketing zones are akin to superfund sites in their creation of waterborne pollution. Cigarette butts were tossed into the mix, although ironically the area in question has no drainage to the ocean. Their main target has been South Torrance, where much of the opposition originated. For those of us who live here, that is both laughable and insulting. Many residents have begun to wonder when green-space become a danger to the environment. This area is one of the cleanest in the United States. It is hard for us to imagine that the Torrance officials can believe their own words:

The City must comply with Total Maximum Daily Loads for not only trash, but also nutrients and toxics. Nutrients pollutant loads come from the decomposing of plant material and fertilizers. The highest concentration of these pollutant loads come from the south part of Torrance from the low density residential areas. The toxics pollutant loads come from oil, grease and brake dust from cars and are fairly evenly distributed on all streets in all neighborhoods. Toxics bind to soil particles and are transported by sediment in the streets. Effective street sweeping

nutrient loading to the lake. Second, the "No Parking" signs will enable street cleaning on a regular basis. This reduces sediment that gathers in storm drains. Sediment often contains toxics such as ChemA, Chlordane, DDT, Dieldrin and PCBs which bind to and are transported by sediment. Projects that remove sediment also tend to be effective in

screens and no parking signs and raise awareness about how littering has devastating effects on the community and our environment, particularly the harmful effects of cigarette butts, the largest source of trash on the Torrance Beach. Residents and businesses are encouraged to attend the meeting.

To describe our clean city streets with the same language that might be used for a heavy industrial corridor in the City of Industry is simply an effort to confuse uninformed residents. In fact, all of the City's arguments are based on irrelevant public zones in localities that have no resemblance to the low-density parts of Torrance. To even see the term DDT (which was banned in 1972) in a public statement about our neighborhoods is ridiculous, and for those of us with expert status on pollution control, it is an obvious effort to mislead. Without getting into an argument on street sweeping practices, the City has also falsely argued that ticketing prevents clogging of grates, something that has been disproved in every city that has installed grates across their storm drains. Simply put, ticketing is unnecessary in low-density neighborhoods.

- **The city routinely understated the number and frequency of signs in an attempt to mislead citizens in the affected areas.**

Depending upon the month and level of public outcry, city officials purposely muted implementation totals in conversation with the public, to project a minor impact on the neighborhood aesthetic, while at the same time acknowledging the need for much larger numbers internally. There are many, many instances of this effort to mislead in the email replies to angry residents.

For example, the city routinely told citizens they would attempt to place the signage sparingly. To quiet angry residents, the City Council placated critics by claiming an effort for 300-500 ft. spacing, an absurd distance unsupported by any sense of reality. **No public ticketing program has ever posted signs at those great distances (the distance of a football field or longer), because the signs would not be readable without binoculars.** In addition, the city repeatedly changed its tune on the number of signs that would be required, with many different totals ranging from 500 to over 10,000 (accidentally revealed in a *Daily Breeze* article) and 11,000 internally. City-wide, the number of signs could eventually reach over 23,000 based on 150 ft. spacing and 658 weekly curbs miles.

in each partner jurisdiction: o The City of Torrance will install 631 ARS and 2,000 "NO PARKING" signs to facilitate adequate street sweeping. o The City of Carson will install

installed on existing poles. The Torrance Police Department has given us some flexibility on the line of site from 250-350 feet. The total cost for this program, predicated on sign implementation, will range from \$950,000 - \$1,050,000 (10,000 -11,000 signs respectively). Signage for most of the Santa Monica Bay watershed

PURPOSE. The State shall provide a grant to and for the benefit of Grantee for the purpose of installing between ~~one thousand, nine hundred thirty (1,930) and two thousand, thirty-two (2,032)~~ one thousand, five hundred (1500) and one thousand, six hundred and sixty-five catch basin screens to prevent trash from being carried into Machado Lake by urban runoff and storm drain flows from six (6) cities. Additionally, a minimum of ~~five thousand, eight hundred fifty (5,850)~~ four thousand, three hundred (4300) no parking signs will be installed in the City of Torrance to improve the effectiveness of street sweeping by reducing trash and sediment in storm drains.

These estimates have changed repeatedly, as this December 2013 amendment to the grant application shows, but even more so in terms of what city officials told the general public.

There are so many different numbers and distances in communications with the city that it would appear that what officials eventually decided on was to guide the public to less onerous-sounding density levels until those estimates reached fictional levels that could placate the public. The reality is something that every police department knows, that in order to write tickets, the city needs line of sight and significantly more signs than they ever projected in their public outreach. It didn't take long for citizens to figure this out.

Dettle, John

From: Joplin, Spencer@Waterboards [Spencer.Joplin@waterboards.ca.gov]
Sent: Thursday, December 05, 2013 2:54 PM
To: Dettle, John
Cc: Saputo, Carolyn@Waterboards; Leary, Patricia@Waterboards
Subject: Machado Lake Trash TMDL (FA-24184-PHASE2 & 12-444-550)
Attachments: 1318995 - 12-5-2013- SJOPLIN - GRANTS, LOANS, AND SEPS - PROJECT MANAGEMENT - DEVIATION REQUEST FORM.docx

John, the increase of the number of no-parking signs would require an amendment to the agreement because the number in the agreement is described as "approximately", and with the number more than doubling, the scope in the agreement is no longer accurate. Therefore, please *complete and return the attached deviation request form*. Note that I completed most of the form fields with suggested language; you may edit the

Review of Signage issue:

- A resident has voiced the concern of excessive street sweeping signs in the neighborhood and has started a petition to remove the signs
- Lt. Underwood addressed that with the removal of the signs, more people will appeal citations due to lack of visibility towards the signs.
- There will be a reassessment if a location is deemed to have too many signs.
- Signs need to be within line of sight (**roughly 300 ft. – 350 ft. apart**)
 - Legal minimum of signs need to be at the beginning and end of each street.
- Curved streets cause line of sight issues if legal minimum is implemented.

~~OVERLOOKED WHEN ADDENDUM 1 WAS PREPARED.~~
AFTER THE AWARD OF THE PUBLIC WORKS AGREEMENT, THE CITY OF TORRANCE CITY COUNCIL DIRECTED STAFF TO INCREASE THE MAXIMUM SPACING OF NO PARKING SIGNS FROM 300 FEET TO 500 FEET AND RELOCATE NO PARKING SIGNS FROM NEW POSTS TO EXISTING SIGN POSTS AND STREET LIGHTS AS MUCH AS POSSIBLE. STAFF LATER DIRECTED THE CONTRACTOR TO PROVIDE NOTICES TO EACH RESIDENT THAT NO PARKING FOR STREET SWEEPING SIGNS WOULD BE INSTALLED ON THEIR STREETS THE FOLLOWING WEEK.

Here are samples of many pages of commentary and complaint:

In addition to all of the above we also get to look at a street now filled with signs. My street alone will have 10! And because we live closer to an end we get to see 4 of them up close and personal. Come on....talk about overkill! What about the impact on the environment in regards to sign pollution? Does not our overall neighborhood esthetic also include those areas above the curb and

The sign pollution alone does far more damage to the beauty and sanctuary of our neighborhoods than any improvement in storm water pollution control.

From: [REDACTED]
Sent: Monday, April 20, 2015 11:35 AM
To: Dettle, John; Weideman, Kurt; Rizzo, Geoffrey; Goodrich, Tim; Ashcraft, Heidi; Griffiths, Mike;
Subject: street seeping signs

Hello,

Some workers gave me your card this morning as they installed a sign in my driveway, on top of the water meters.

I have made a video of the street sign placements on my block. At Calle Mayor and Riviera Way, the signs begin and go up the hill and down the other side which is Susana. The length of this entire block is approx. .4 miles in which 23 signs have been installed.

This is definitely too many signs, a waste of Torrance tax dollars, and an eyesore that brings down all of our property values.

I would like many of the signs removed as 23 signs in less than a half mile is ridiculous.

Please let me know the cities reasoning for this.

Thank You,
[REDACTED]



- **When confronted with the truth, Torrance officials revealed their guilt by squashing unauthorized outreach to the public from within their own department.**

As we began to hit too close to home, some paranoia began to show within the city, confirmed by insiders that spin control was needed. In fact, we discovered inadvertently during our public records searches that our emails and all emails on this subject were being intercepted by the City Attorney and City Manager. We were able to obtain some evidence of their sensitivity to the discovery process in our email searches.

Our initial efforts caused the City to conduct a vote early, in a now infamous session where they held two “public discussion” meetings on the topic at two different locations on the same night, delayed the public debate until very late in the council session, and then voted well after midnight during their last, lame-duck session before elections

Just prior to that session, they halted marking the curbs in a kind of “divide and conquer” strategy in order to counter and cool the opposition.

From: Dettle, John
Sent: Thursday, April 10, 2014 11:39 AM
To: [REDACTED]
Cc: Barthe-Jones, Eleanor; Bilezerian, Craig; Beste, Robert
Subject: Hold on Street Sweeping sign installation

Dear [REDACTED]

You are hereby directed to:

1. Stop marking locations for all signs until further notice
2. Do not mark, re-mark, modify, delete or add any new locations, as a result of the recent field walk.

You will receive further direction after the City Council meeting on April 22, 2014.

Please continue your work to measure and install ARS and CPS units.

KEY EMAIL: *

From: Jackson, LeRoy
Sent: Tuesday, April 08, 2014 2:08 PM
To: Bilezerian, Craig
Subject: E mails

Can you instruct Dettle no more e mails without coming through here -- I do not like the language he is sending out -- it was not approved and I would like to constrain the approach he is taking -- tell me how many streetsa do we sweep per week -- while they are not posted is there any indication of how much litter we pick up -- have any tests been made of various areas of the city to define where if any problems specifically lie -- have we crosse4d checked signed area with non signed areas to id the difference in pollutants -- if we don't want to study all these points I really want to constrain the form of letter response we are currently involved in -- I would like Ellie to join you and Dettle in any meeting with citizens too --
ljj

This prior email, interesting enough, is the only substantive comment from City Manager Leroy Jackson that we received out of close to 5000 documents. It verifies the same thing we discovered during our search and what was corroborated by the City Clerk’s office. **This email proves that Torrance undertook the most far-reaching program in its history without any prior study or understanding of the program’s effectiveness or need. The email shows that Torrance was afraid they might have to provide documentation if pressed, where none existed.**

- **Torrance lied when they said the ticketing program would be revenue neutral.**

Despite our best efforts, the city has been very stingy giving out information on the revenue from the ticketing program because they know it is a tremendous red flag on their lack of sincerity and overt dishonesty. City officials stubbornly maintained that the signage and ticketing would be “revenue neutral” throughout the debate. Even the earliest statistics prove otherwise.

We obtained a couple of internal documents that showed a steady ramp in revenues as the program was initiated, along with plans to potentially automate the ticketing process via cameras attached to the street sweepers. The percentage change of 121% in Q1 also included a grace period, so the actual numbers are much higher, though the City would not give us updated information. Clearly, this is a revenue engine for the city based on these totals.

Citations issued August 2013	Citations issued August 2014	Increase	Special Note
719	1090	53%	This is with a 79% increase in the number of streets that were posted for Street Sweeping

CITATIONS ISSUED FOR 61.6.8 (Limited Parking hrs / Street Sweeping)

	2013	2014	Change	2015	Change
Quarter 1 (January 1st to March 31st)	1561	1843	18%	4080	121%
Quarter 2 (April 1st to June 30th)	1503	1439	-4%		
Quarter 3 (July 1st to September 30th)	1946	2005	3%		
Quarter 4 (October 1st to December 31st)	1925	1483	-23%		
YEAR TOTAL	6935	6770	-2%		

- **The Misleading Proof Phase-- Inflating the Results**

As part of our study of this topic, we looked at the experiences of other cities that implemented street sweeping ticketing in low-density areas. The common theme was that they “gamed” their results to provide some sense of success by choosing results from areas or during conditions that would prove their case. In every instance, improvement over time was marginal.

In Torrance's case, they will not have to follow that path, because of the drought. It is reported all over California that extraordinary leaf drop and vegetation death is occurring due to the drought and the lack of irrigation of lawns, shrubs, and trees due to excessive conservation. We witnessed these conditions this summer in South Torrance, with unusual and significant non-seasonal leaf drop during July and August. So, for this year, the City would gain significant tonnage increases with or without new programs in place. Still, 2/3rds of the way through the installation (February 2015), the City was claiming just a 6% increase.

After we significantly ramped up our information requests, the city did in fact begin to follow the same game plan as other cities, with claims of massive hauls of material and expectations of improvement. But they have a very big problem with their claims and monitoring due to a simple reason:

- **The City never set stand-alone benchmarks for its "Optimized Program," because they did not study the stand-alone effectiveness of the ticketing/signage vs. the stand-alone effectiveness of the storm drain grates vs. the combined ticketing/grates.**

We know that the storm drain grates offer 100% effectiveness (per the Water Board) in blocking residue from leaving the street. So, it is possible that 100% of the increased tonnage, particularly during a period with almost no rain events, has come primarily from the grates and other mechanical measures, which were mandated as part of the Machado Lake TMDL.

Fortunately for our argument, an independent frequency study was completed in the affected area prior to the signage, and that benchmark shows that signage would at best have a minimal impact in the low-density residential space. The only document the city would provide with any detail on the program claimed a single digit % increase. **Remember, in its grant application the city claimed a 50% increase, an impossible measure.** As a final note, we can trace a subtle change in language during the city's development of its plan, when pollution control became secondary to "preventing clogging" in the event of a rain event. Unfortunately, there is no proven correlation between ticketing programs and this prevention in low-density areas, which could be the subject of a secondary debate. It is also possible that our auto-reminder plan would be more effective in preventing the most important object of these efforts – plastic residue.

As we have shown, despite their certainty on this issue when speaking to residents, Torrance's own Public Works Department had no clue as to the effectiveness of its own program before they started.

"Your Guess Is as Good as Mine?" -- This internal email is typical of that discussion:

From: Cook, Tom
Sent: Thursday, February 27, 2014 8:47 AM
To: Newman, John
Subject: RE: Street Sweeping

We have 1700 signs currently.
We have 329 miles of streets, alleys included. I don't have number for how much we miss due to parked cars.
We average 10 tons going to the dump a day. The number varies thru the year due to leaf seasons. The extra debris picked up after the signs go in?? Your guess as good as mine?

Have a good one John,

Tom Cook
Public Works Supervisor Public Works Department City Of Torrance 20500 Madrona Ave Torrance ca 90503 310 781-6905 fax 310 781-6902 tcook@TorranceCA.Gov www.TorranceCA.Gov

Summation: Internal emails prove every allegation that we originally presented to Torrance and State officials, chiefly that the city:

- Used the Machado Lake TMDL requirements (which mention street sweeping/ ticketing zero (0) times), as a means to kick-start a long-desired revenue scheme
- The concept that this ticketing plan was somehow “optimized” is farcical because capture screens would put Torrance in 100% compliance (like the other five cities), leaving no room for any optimization. In fact, a delay in implementing the screens means that this “optimized” plan is inferior compared to the other cities, creating a temporary “sub-optimized” plan
- Despite multiple information requests and 5,000 documents, the City has never provided us with a single piece of evidence that they ever discussed, studied, or even debated the ticketing/street sweeping program or its effectiveness. *This topic exists in a complete vacuum, with the only documentation concerning the marketing, preparation, and implementation of a ticketing program and associated signage after the grant was submitted.*
- The city has stonewalled our information and investigation requests for over a year
- The city lied that the scheme would be “revenue neutral,” knowing full well that it would create a large income stream, which has been verified by insiders as substantial, with more than a 200% increase as of late 2015
- Officials grossly exaggerated the potential for fines to create a sense of fear. In reality, no city has ever been fined for liter from this source, which is untraceable due to the more than 2,000 entry points in multiple cities and municipalities. Trash does not have a “Made in Torrance” label

We have not found a single item of truth in this “optimized” street sweeping/ticketing scheme. Nearly every item used in Torrance’s application and subsequent marketing was either exaggerated or fabricated, as this chart shows. These are not simple mistakes, but a calculated effort to mislead. Our supporting documents provide a more detailed discussion of what constitutes “best practices” in terms of street sweeping practices.

Torrance Position Told to Public	Veracity	Comment
The city did not need an Environmental Impact Report	TRUE	Waived by the state
"We had no choice"	FALSE	Significant lie. Torrance "self-mandated" the program.
The city will generate a 50% tonnage increase	FALSE	A fraudulent total under any measure
The program will result in significant improvements	FALSE	Studies (including other cities) indicate marginal improvement
Torrance wants to hear citizen opinion on the topic	FALSE	Implementation was pre-determined
The affected areas are some of the worst polluting in the city	FALSE	Unbelievable! These streets are some of the cleanest in America
Signs will be unobtrusive, placed 300-500 ft. apart	FALSE	Attempt to mislead -- stated distance would violate Police ticket rules
There was no opposition	FALSE	We only found out about this as installation was being planned
There is no alternative	FALSE	We presented a ground-breaking alternative
The program will be revenue neutral	FALSE	Significant lie. According to insiders, this is a highly profitable program
The City believes in transparency in government	FALSE	After a year, we have not received any of our primary requests
The number of signs will only be about 2,500	FALSE	A Torrance official told the Daily Breeze the number could top 10,000

- **Finally, in their haste to implement this program as quickly as possible, the City violated their own municipal code regarding signage. Since there was no engineering study done to support this program for each street in the affected area, the city sidestepped its own code 61.4.13 to rush implementation.**

61.4.13 NO PARKING-STREET SWEEPING.

(Added by O-1899)

The City Traffic Engineer is authorized to place "No Parking Street Sweeping" signs on those streets where it is determined by an engineering study that such control is necessary to maintain proper sanitation standards in the public right-of-way.

This body of evidence is complete in proving that the City created a false requirement that was never mandated by the State, lied about its necessity and repercussions in the form of crippling fines, misled the State to gain grant money, and misled its own citizens in order to implement the program without opposition. City officials knew from the very beginning that they would be in full compliance by applying capture screens and other physical measures, but chose instead to implement this “stealth” tax on the community under the guise of best practices, as disproved in our supporting documents.

Areas of Concern -- One of our goals was to complete this investigation as quickly as possible in order to prevent the manipulation or removal of data or documents. We were unsuccessful in this process due to the City’s effort to prolong and frustrate our efforts. They have very successfully used the “boiled lobster” and “divide and conquer” strategies of city government, taking on individual neighborhoods in a phased roll-out.

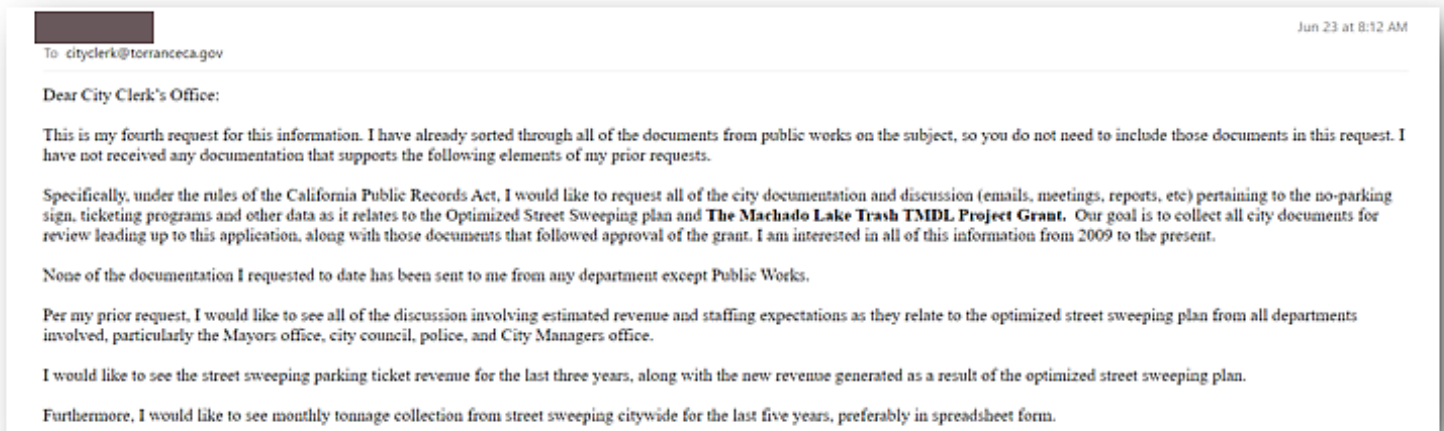
In the early stages of this debate, we studied the actions of other cities when confronted with similar accusations and uncovered a pattern of “gaming” the data to support the city’s position (Brea, Lake Forest, etc.). Whenever possible, we have attempted to create our proof using documents from the city itself, in the process amassing an irrefutable “cut and paste” collection of evidence from Torrance’s own records.

Our final accusation involves Torrance’s extraordinary effort to hide information from those of us trying to investigate their actions.

Accusation #3: Major Brown Act Violations – Evidence That Torrance Officials Have Engaged in a Cover-up

No citizens in a democratic society should have to go through the efforts that we have endured to get someone to take responsibility for misleading us. Compiling all of this evidence has been sobering and exhausting. There is no question that the city worked hard to hide information. What we did not receive has been the most important part of this effort.

Multiple times we asked for four main things – documentation and copies of studies proving that signage/ticketing was necessary and that the City had studied the problem in our geographic areas; ticketing revenue history related to street sweeping; trash load history; and any documents regarding revenue discussions from the program, particularly between the Mayor (Scotto or Furey), Council Members, City Manager, City Attorney, and Department Heads.



I (along with others) made multiple requests, which were first answered with minimal information, including (unbelievably) a petition to get street sweeping ticketing added in a high-density neighborhood. As the seriousness of our requests increased, along with growing frustration at a lack of City cooperation and the threat of State involvement, that trickle changed into a data dump. We eventually received close to 5,000 pages of documents. Anyone who has ever had the misfortune to go through this process knows that there are hundreds of duplicates and email chains, making this a mind-numbing process of repetition. Still, that is a mountain of information to sanitize, so some kernels of truth slipped through.

After 5,000 pages, Torrance has not provided a single document that showed the City ever discussed the topic of street-sweeping ticketing revenue or had ever studied the need for a ticketing/signage program. According to the City Clerk's office, there was no prior study or documentation to support Torrance's position on implementing the plan, so that explains any lack of study. They also could not produce any study or documentation on their fraudulent 50% tonnage claim.

It is inconceivable that not one official in this city has had a single recorded discussion on the revenue implications of a sweeping/ticketing scheme in the last six years.



CITY OF
TORRANCE

10/13/2015



RE: Public Records Act Request: W000389-062315
Date Submitted: 6/23/2015

Dear Requester,

The City of Torrance received a public information request from you on 6/23/2015. You requested Other records, which you described as "All the city documentation and discussion (emails, meetings, reports, etc) pertaining to the no-parking sign, ticketing programs and other data as it relates to the Optimized Street Sweeping plan and the Machado Lake Trash TMDL Project Grant. Also, any city documents leading up to and after the approval of the project. All discussion involving estimated revenue and staffing expectations as they relate to the optimized street sweeping plan from all departments involved (Mayor's Office, City Council, Finance, Police, and City Manager's Office.) The street sweeping parking ticket revenue for the last three years, along with the new revenue generated as a result of the optimized street sweeping plan. Monthly tonnage collection from street sweeping citywide for the last five years, preferably in spreadsheet form."

We have reviewed our files and have located records responsive to your request.

Please find the records requested attached along with this letter on a CD format. Also, there may have been an independent waste management company that produced the report where the language of the "50% increase in tonnage" language was used. The name of the company that makes the street sweepers used by the City of Torrance is Elgin.

If you have any questions, or wish to discuss this further, please contact me at 310-618-2870.

I hope this information satisfies your request.

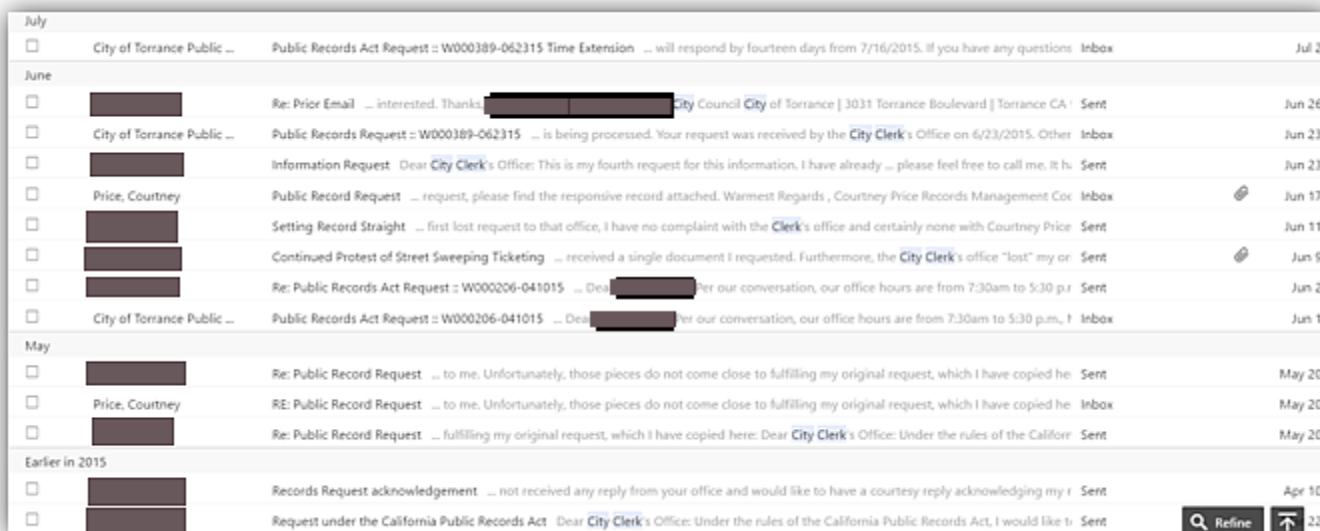
Sincerely,

Courtney Price
Records Management Coordinator

Our efforts to get state and municipal entities to act have been disappointing, with the same response – “This is a city matter.” There is a certain absurdity to the realization that the same people you are accusing, are the ones that you are asking to give you evidence that will incriminate them. Furthermore, we experienced cronyism between city and agency officials, as the email evidence here shows that the Waterboard had no interest in pursuing this matter, because this issue indicates a lack of oversight on their behalf.

This whole process is far from the average citizen’s comfort zone, and a weary exercise in perseverance. You can see the conundrum and the source of our extreme frustration. Repeated requests for information have been met with either an avalanche of unrelated documents or silence. After a year of working to get a response from State, County, and Torrance officials, we must conclude that key individuals from within the city are attempting to block our search. Some of these questions could have been answered in minutes.

I have attached a sample of the requests, which actually date back in various forms to spring of 2014.



These do not include City Council and other actions from early in this debate. My requests have asked for all of the meeting and planning minutes, studies, emails and other documents relating to the “optimized plan,” grant application, post-plan tonnage and ticketing revenue, and related documents. The City of Torrance has logged multiple violation of the Brown Act under several items from these requests, but particularly regarding Closed Meeting Actions/Documents (Provision (54957.1) and Public Records (54957.5).

Specific violations are as follows:

- My requests (and those from other researchers) have been lost, delayed, and answered with irrelevant materials, violating both the time constraints and requirements of the Act. The irrelevance of a majority of materials shows an obvious attempt to stall, confuse, and overwhelm.
- **We have not received a single document indicating that the City every held a meeting or any discussion concerning this ticketing program before it was mentioned in the grant proposal.** It is impossible to think that zero meetings took place.

- The files from Public Works were strangely missing anything of substance to our case, but were too massive (three boxes) to be completely cleansed of evidence. For example, a labeled file for the marketing meeting with Murakawa Communications was left in the collection – but empty. The response was that **“they sometimes create files for meetings that never take place.”** That meeting did take place along with many others, because Murakawa spearheaded the marketing campaign and the attempt to discredit citizen opposition.
- I know that some of the data from my requests exists, because city insiders have confirmed that they have seen the data

It is impossible to imagine that the City of Torrance would consider a program that will be the most far reaching in its history, which one Public Works official suggested may require more than 10,000 signs, without conducting a single internal meeting within Public Works, the police department, the Mayor’s office, or the City Manager’s office on the topic. But that is what their response to our public record searches would claim. The marketing program alone would require a great deal of planning and education. The attempt to placate and deflect is blatant -- department heads have sent back information that has been sanitized to remove any negative reference to street sweeping/ticketing and revenue generation.

The lack of a single document to match my specific requests means either that City officials are systematically attempting to hide every piece of incriminating evidence they can in the hope that we will drop this investigation; or that they did not keep records of any of their public policy discussions – both of which are violations of the Brown Act. **We received no documents pertaining to the former mayor (Scotto) or any former council member, and only a couple that referenced the City Manager or City Attorney.**

Conclusion: We never had any intention to do much beyond attending a meeting and writing an email to a council member, and have never previously had any involvement in politics. This has been a disheartening ordeal, during which almost everyone (but a determined few) has been frustrated into submission. This is a time of great scandal in city and municipal government, but in most cases, it seems to exist because citizens are too afraid or lazy to act.

In this case, a few of us decided our own city crossed a line. When a city is prepared to deface itself with more than 20,000 signs, just to maintain salaries and pensions – the line of acceptable ethical behavior has been crossed. There is no gray area in this case.

This might sound dramatic, but a few of us got a wakeup call -- democracy is not something you sit back and let happen – it is something you have to fight to keep. It is wrong for the officials of any locality to lie for their own gain, but when they do so under the guise of noble action, those actions become reprehensible. I am a hard-core environmentalist, so it might seem impossible that I would take this side of the argument. But this was never about the environment. This is about abusing the rights of citizens in the most disingenuous way possible. Torrance made up these requirements and sold them as a State mandate. We caught City officials in a very big lie and we want someone to do something about it.

Request: We would like a full investigation of these allegations, with the following additional repercussions (beyond your own penalties) if you find our claims to be actionable:

- Appointment of an independent citizen oversight commission to systematically review this issue and other departments in the city
- Halting and rescinding of the ticketing/street sweeping signage program in the low-density areas

- **Require the city to test and implement the revolutionary electronic reminder program as described in our proposal, which would achieve far more than current programs with less impact on the neighborhoods affected**
- Demand a formal apology to the people of Torrance

Furthermore, to ensure my own safety and inculpability in this matter, we would like full whistle-blower status, with all of the benefits and protections that designation entails. This city has a reputation for being very aggressive against its opponents, causing significant fear among some of the other (silent) members behind this protest. Please feel free to contact me if you need any additional information.



Addendum A:

This is new information from Q&A to Councilman Mike Griffiths, provided by City Works on 8/23/2016. The City admits that they have no idea on the effectiveness of the signage/ticketing portion of the plan.

4. How much of the additional tonnage being collected is a result of the screens being placed on storm drains vs having cars moved from curb?

Response:

It is important to note that catch basin trash screens will not properly function and/or clog if they are not regularly swept by the street sweeper.

The additional tonnage for trash and debris collected as a result of the screens versus collected by street sweeper access to the gutter cannot be determined. Both the catch basin screens and the sweeping changes were simultaneously implemented and the sweepers collect trash from both the screens and the gutter. It's not possible to separate the tonnage collected from either source when emptying the sweeper. However, the overall tonnage of trash collected is recorded. In 2015, 2,570 tons of trash was collected by sweepers, which is an increase of 183 tons above the 2,387 tons collected in 2014.

The overall tonnage figures were refuted by Councilman Griffiths, who along with others, noted that the drought caused well-documented and heightened levels of leaf drop in every city in California.

Also, see transcript of that meeting, where Attorney John Fellows embarrassingly admits that their claims of potentially high fines were based not on street-borne residue, but on a spill in the City yard!

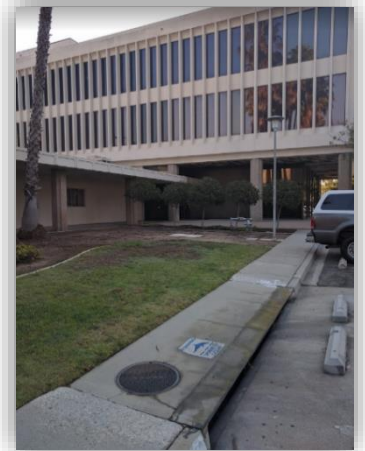
Addendum B:

Conclusion: We have asked repeatedly for our City Council to investigate officials' actions regarding overwhelming evidence that this program is a revenue generation scheme; and that officials engaged in an unethical misinformation campaign. In addition, we have proven that the City attempted to hide public documents, violating both the Brown Act and the California Public Records Act. More importantly, **we urgently ask all of you to oppose this implementation across the 50% of the**

city that still remains pristine, and to call for a complete, independent investigation of City officials' dishonest actions. This program is an unnecessary blight on our community. This is not just a battle for the beauty of our neighborhoods, it is a battle for our rights.

As a final comment, we will leave you with visible evidence of the City's absolute hypocrisy. At the late August 2016 Council meeting, one of our members roundly chastised the Council, Mayor, City Attorney, and Public Works for the garbage filled storm drains on their property (complete with *No Dumping Ocean* signs), one just 30 feet from the front of City Hall. Every employee walks past this garbage every day. A check a month later showed that they had not even bothered to clean this mess, despite being shamed in a public session. Apparently, turning our quiet neighborhoods into a weekly ATM machine is more important than protecting the environment on their own doorstep.

Torrance Citizens Against Government Waste
May 2017



The view inside the closest storm drain to Torrance's City Hall.